



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, April 22, 2024

7:00 PM

Online and Bay Conference Room
(Room 145), City Hall,
456 W. Olive Ave.,
Sunnyvale, CA 94086

No Study Session | Public Hearing - 7:00 PM

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the Recording Officer.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Chair may determine it would be impractical to include remote public comment during Oral Communications.

- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

*Meeting call-in telephone number: 833-548-0276 | Meeting ID: 918 2739 0357
(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Planning Commission meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the Planning Commission no later than 4 hours prior*

to the meeting start to planningcommission@sunnyvale.ca.gov or by mail to:
Sunnyvale Planning Division, 456 W. Olive Avenue, Sunnyvale, CA 94086-3707

- Review recordings of this meeting and past meetings at
<https://sunnyvaleca.legistar.com/calendar.aspx> or
<http://youtube.com/SunnyvaleMeetings>

Accessibility/Americans with Disability Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Planning Division may be reached at 408-730-7440 or at planning@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference and in the Bay Conference Room.

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

The Chair may determine it would be impractical to include remote public comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on Oral Communications.

This category provides an opportunity for members of the public to address the Planning Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Planning Commission to take action on an item not listed on the agenda. If you wish to address the Planning Commission, please refer to the notice at the

beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

1.A [24-0581](#) Approve Planning Commission Meeting Minutes of April 8, 2024

Recommendation: Approve Planning Commission Meeting Minutes of April 8, 2024 as submitted.

1.B [24-0515](#) **Proposed Project:** Related applications on a 0.21-acre site:
 TENTATIVE PARCEL MAP to subdivide a 9,397 square foot lot into two lots (Lot 1 - 4,978 square feet and Lot 2 - 4,269 square feet);
 USE PERMIT to allow lot area and lot widths less than the minimum required; and
 DESIGN REVIEW to demolish an existing one-story single-family home and construct two new, two-story single-family homes resulting in 2,587 square feet for Lot 1 (2,184 square foot living area and 403 square foot garage); and 2,570 square feet for Lot 2 (2,166 square foot living area and 404 square foot garage), resulting in 55.7% total floor area ratio (FAR).
Location: 258 West California Avenue (APN: 204-51-005)
File #: 2019-7552
Zoning: R-2
Applicant / Owner: George Novitskiy (applicant) / Hanson America LLC (owner)
Environmental Review: A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA) provisions.
Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

Recommendation: Alternative 1: Approve the Use Permit, Design Review, and the Tentative Parcel Map based on the Recommended Findings in Attachment 3 and subject to the Conditions of Approval in Attachment 4.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to

notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

2. [24-0491](#) **Proposed Project:** Appeal of a decision by the Zoning Administrator denying a **VARIANCE** to legalize an existing 112 square foot detached accessory structure in the rear yard of a single-family property with a two-foot, five-inch side setback where four-feet minimum is required, and a two-foot, two-inch rear yard setback where ten-feet minimum is required.
Location: 160 South Pastoria Avenue (APN: 165-15-007)
File #: PLNG-2023-0642
Zoning: R-2 (Low Medium Density Residential)
Applicant / Owner: Scott McClennan (applicant) / Tracy and Scott McClennan (owner)
Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.
Project Planner: Robby Miller, 408-730-7429, rmiller@sunnyvale.ca.gov

Recommendation: Alternative 1: Deny the appeal and uphold the Zoning Administrator's decision to deny the Variance for the accessory structure based on the Recommended Findings for Denial in Attachment 2.

3. [24-0464](#) **Proposed Project:** Related applications on a 45.6-acre site:
USE PERMIT: to demolish an existing recreation center, surface parking lot, and six-level parking structure to allow a new 592,567 square-foot research and development (R&D) building along Central Expressway; demolition of four buildings (928 East Arques Avenue, 242 Commercial Street, 230 Commercial Street, and 222 Commercial Street) to allow for a new seven-story parking structure along Commercial Street; demolition of one building at 930 East California Avenue to allow for the expansion of an existing PG&E electrical substation; and installation of associated site improvements around the proposed R&D building and parking structure. The site would retain four existing industrial/office/R&D buildings, including an office building (930 East Arques Avenue), Building 81 (974 East Arques Avenue), Building 85 (978 East Arques Avenue), and a central utility plant. The project includes merging seven existing lots to form a larger campus parcel, with one existing lot remaining at 222 Commercial Street.
VARIANCE: to exceed the maximum height limit and floor plate sizes specified in the Arques Campus Specific Plan.
Location: 974 East Arques Avenue (APNs: 205-36-006, -007 and -008); 928-930 East Arques Avenue (APN: 205-35-017); 222, 230 and 242 Commercial Street (APNs: 205-35-006, 007 and 008, respectively)

and 930 East California Street (APN 205-35-003).

File #: PLNG-2023-0134

Zoning: M-S

Applicant / Owner: Applied Materials (Applicant/Owner)

Environmental Review: An addendum to the Arques Specific Plan EIR and the Land Use and Transportation Element (LUTE) Update EIR has been prepared pursuant to CEQA Guidelines Sections 15162 and 15164.

Project Planner: Cindy Hom, Associate Planner (408) 730-7411, chom@sunnyvale.ca.gov

Recommendation: Alternative 1:

Make the required Findings to approve the addendum to the Arques Campus Specific Plan EIR and LUTE Update EIR and no additional environmental review is required pursuant to CEQA Guidelines Sections 15162 and 15164; and approve the Use Permit and Variance based on the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.

4. [24-0412](#)

Proposed Project: Related applications on three sites totaling 1.74 acres:

GENERAL PLAN AMENDMENT: Amend the General Plan land use designation from Commercial to either Medium Density (15-24 du/ac) or High Density (25-36 du/ac) Residential.

REZONE: Rezone from Neighborhood Business with a Planned Development combining district (C-1/PD) to either Medium Density Residential (R-3) or High Density Residential (R-4) with a Mixed Use (MU) and Planned Development (PD) combining district.

File #: 2022-7146

Location: 1313 South Wolfe Road (APNs 309-10-026 and 309-10-027) and 898 East Fremont Avenue (APN 309-10-015)

Current Zoning: C-1/PD (Neighborhood Business with a Planned Development combining district)

Applicant / Owner: 4Terra Investments (applicant)/Desmond Family Real Estate Limited Partner (Owner)

Environmental Review: Mitigated Negative Declaration

Project Planner: Mary Jeyaprakash, (408) 730-7449, mjeyaprakash@sunnyvale.ca.gov

Recommendation: Alternative 1: Recommend to City Council to take the following actions:

- a. Make the Findings required by CEQA (Attachment 3) and Adopt the Mitigated Negative Declaration (Attachment 10);
- b. Adopt a Resolution (Attachment 4) to Amend the General Plan Designation for the two parcels at 1313 South Wolfe Road from Commercial to Medium Density Residential;
- c. Make the Finding that the General Plan Amendment and Rezoning is deemed to be in the public interest (Attachment 3); and
- d. Introduce an Ordinance (Attachment 5) to Rezone 1313 South Wolfe Road (APN 309-10-026) from Neighborhood Commercial with a Planned Development Combining District (C-1/PD) to Medium Density Residential with a Mixed-Use Combining District (R-3/MU) and 1313 South Wolfe Road (APN 309-10-027) from C-1/PD to Medium Density Residential with a Planned Development Combining District (R-3/PD).

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents on this agenda distributed to members of the Planning Commission are available by contacting the Planning Division at 408-730-7440 or planning@sunnyvale.ca.gov. Agendas and associated reports are also available 72 hours before the meeting on the City's website at sunnyvale.ca.gov and during normal business hours at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue.

Planning a presentation for a Planning Commission meeting?

To help you prepare and deliver your public comments, please review the "Making

Public Comments During City Council or Planning Commission Meetings"
document available on the City website.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.