



City of Sunnyvale

Excerpt Meeting Minutes - Draft

Planning Commission

Monday, August 23, 2021

7:00 PM

Telepresence Meeting: City Web Stream |
Comcast Channel 15 | AT&T Channel 99

Special Meeting: Study Session - Canceled | Public Hearing - 7:00 PM

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Pursuant to Section 3 of Executive Order N-29-20 (March 17, 2020) and Section 42 of Executive Order N-08-21 (June 11, 2021), issued by Governor Newsom, the meeting was conducted telephonically.

Chair Howard called the meeting to order at 7:00 PM.

ROLL CALL

Present: 5 - Chair Daniel Howard
Vice Chair Martin Pyne
Commissioner Sue Harrison
Commissioner Ken Rheaume
Commissioner Carol Weiss

Absent: 1 - Commissioner John Howe

Commissioner Howe's absence is excused.

PUBLIC HEARINGS/GENERAL BUSINESS

3. [21-0642](#) **Proposed Project:**
Forward recommendations related to the Lawrence Station Area Plan (LSAP) to the City Council to:
1. **Adopt a Resolution to:**
 - a. Certify the Subsequent Environmental Impact Report;
 - b. Make the findings required by the California Environmental Quality Act;
 - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
 - d. Adopt the Water Supply Assessment;

- e. Amend the Lawrence Station Area Plan;
- f. Amend the General Plan and update the General Plan Map;
- g. Adopt the LSAP Sense of Place Plan;
- h. Amend the LSAP Development Incentives Program.

2. Adopt a Resolution to:

- a. Amend Resolution No. 1060-21 (Master Fee Schedule) to add the LSAP Plan Fee, LSAP Sense of Place Fee, LSAP Residential Wastewater Fee, and LSAP Transportation Impact Fee.

3. Introduce an Ordinance to:

- a. Amend Sunnyvale Municipal Code (SMC) Section 19.16.020 (Zoning Districts-Creation), Chapter 19.35 (Lawrence Station Area Plan Specific Plan District), and make related changes to the SMC to implement the amended LSAP;
- b. Amend the Precise Zoning Plan Districts Map and re-zone parcels within the LSAP district;
- c. Add Chapter 3.52 (LSAP Transportation Impact Fee) to Title 3.50 (Revenue and Finance).

Location:

Existing Plan: Lawrence Station Area

Proposed Boundary Expansion Sites: 932 Kifer Road (APN 205-49-005), 950 Kifer Road (APN 205-49-012), 945 Kifer Road (APN 205-40-002), and 955 Kifer Road (APN 205-40-001)

File nos.:

2017-7082 (Lawrence Station Area Plan Amendment)
2018-7714 (Sense of Place Plan)
2018-7723 (General Plan Amendment/Rezoning for Boundary Expansion Sites)

Zoning:

LSAP - Various designations of Flexible Mixed-Use I (MXD-I), Flexible Mixed-Use II (MXD-II), Flexible Mixed-Use III (MXD-III), LSAP Industrial and Service (M-S/LSAP), Office/Retail (O-R), and High Density Residential and Office (R-5)

Proposed Boundary Expansion Sites - General Industrial (M-3) [932 and 950 Kifer Road] and Industrial and Service (M-S) [945 and 955 Kifer Road]

Applicants: City of Sunnyvale (file #'s 2017-7082 and 2018-7714) and Intuitive Surgical, Inc. (file # 2018-7723)

Environmental Review (SCH # 2019012022): Adopt a resolution to make findings required by CEQA, certify the Subsequent Environmental Impact Report (SEIR), and adopt a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

Project Planner: George Schroeder, 408-730-7443, gschroeder@sunnyvale.ca.gov

Senior Planner George Schroeder presented the staff report with a slide presentation.

Commissioner Weiss requested clarification on whether recent state legislation permits maximum housing capacity and referenced information on the fifth slide of the staff presentation. Senior Planner Schroeder explained that the City is unable to enforce a maximum housing capacity, and the number of units were studied from an environmental review standpoint. Assistant Director Andrew Miner and Senior Planner Schroeder both confirmed that an increase in density within developments is permitted as long as certain incentives, such as community benefits and housing affordability, are offered.

Commissioner Rheume asked whether the proposed plan update will preserve existing redwoods such as those on Sonora Court. Senior Planner Schroeder stated that chapter six of the amended Lawrence Area Station Plan (LSAP) discusses the guidelines and policies for public improvements and tree preservation. He also mentioned that some sidewalks will be created behind the trees on Sonora Court to avoid impacting the mature trees there.

Vice Chair Pyne asked whether the language in the Lawrence Area Station Plan (LSAP) pertaining to the preservation of trees is sufficient to satisfy state laws. Senior Planner Schroeder assured him that requirements for preserving trees are evaluated according to arborist reports and the removal of trees is assessed on a per-project basis.

Vice Chair Pyne questioned whether the plan amendments will impact the project in progress on 1178 Sonora Court. Senior Planner Schroeder confirmed that the project located at 1178 Sonora Court is expected to be deemed complete prior to adoption of the plan updates.

Vice Chair Pyne asked whether adoption of the LSAP and its aim to rezone the Lawrence Station Area for commercial use will impact the residential project that is currently underway at 1202 Kifer Road. Senior Planner Schroeder stated that staff informed the applicant of their option to file a SB 330 preliminary application prior to adoption of the plan updates, which would allow them to proceed with a residential project regardless of whether the Lawrence Station Area Plan is adopted.

Commissioner Harrison and Senior Planner Schroeder discussed the method for reading the table listed on page 14 of the staff report.

Commissioner Harrison inquired about why residential uses on the Costco site would be prohibited under the plan update. Assistant Director Miner explained that nonresidential zoning proposed under the plan update would preserve the existing use, so the City cannot require residential on that site. There is also a concern under recent changes in state law that opportunities for residential development elsewhere in the Lawrence Station area would be diminished.

Commissioner Harrison explored the possibility of property owners and developers taking advantage of density incentives by building part of The Loop Road and providing public open spaces. According to Senior Planner Schroeder, there are minimum requirements in place to ensure that easements are provided for public access if a property is within the path of the Loop Road. Higher incentive points are awarded for the construction of these improvements. He stated that property owners and developers who are subject to these requirements benefit since these roads may be used for other purposes such as emergency vehicle access.

Commissioner Harrison probed whether the City has areas in mind that may be designated as public open space. Senior Planner Schroeder stated that opportunities for public open space are always considered and noted that the area east of Lawrence Expressway is one such example. He also noted that the City has two LSAP projects that include open space areas.

Chair Howard asked whether staff had a response to the letter sent by PS Business Parks, Inc. (PSBP). Senior Planner Schroeder acknowledged that the site owned by PS Business Parks, Inc. (1310-1380 Kifer Road) is in the path of many of the proposed improvements within the LSAP. He also countered that in spite of this, these roads may be used for other purposes such as emergency vehicle access, there are plenty of density incentives available, and the site's land area may allow for the most units in the plan area.

Chair Howard opened the Public Hearing.

Dick Scott, Divisional Vice President of PS Business Parks, Inc. (PSBP), stated that the proposed plan update involves a 60-foot-wide Loop Road that will intersect their site, restrict their flexibility, and negatively impact the number of units they may provide. Instead, Mr. Scott suggested that this road instead be placed to the west of their site to alleviate the burden that the proposed project will have on their site. Bradley Karvasek, a colleague of Mr. Scott's, urged the Planning Commission to

consider moving the Loop Road to the west, rather than through the center, of their site.

Cliff Bargar, a regular commuter to the Lawrence Station area, recognized how the area has improved by transforming from industrial to urban over the years. While he spoke in favor of the proposed project, he offered a few suggestions. These included considering the impact of widened intersections and additional turn lanes on pedestrians and bicyclists; a Kifer Road diet complete with protected bike lanes; and the construction of sidewalks on existing public right-of-way.

Blake Reinhardt, Vice President of Construction for Intuitive Surgical, Inc., spoke in favor of the plan updates and requested the Planning Commission's approval of the LSAP and Environmental Impact Report.

Commissioner Harrison offered the possibility of a development incentive for consolidating parcels in the Lawrence/Willow/Reed subarea (MXD-IV zoning district) as a means for facilitating development. Assistant Director Miner advised that this recommendation may be made to City Council.

Commissioner Rheaume sought staffs' response to the request made by representatives of PS Business Parks, Inc. (PSBP) to relocate the Loop Road to the west of their site rather than the center. Assistant Director Miner provided an overview of the Loop Road's proposed location and explained that its incorporation in the plan is incentive-based. Senior Planner Schroeder added that the Loop Road's alignment with Corvin Drive allows for a protected crossing and stated that there is flexibility for its placement on the site as long as it extends southward and aligns with the parcel adjacent to it since this will allow for extension in the future. He also pointed out that it is an easement rather than a dedication which will not negatively affect unit potential. Chair Howard and Assistant Director Miner reiterated these points in a subsequent conversation.

Chair Howard asked whether staff considered the possibility of a Kifer Road diet.

Chair Howard closed the Public Hearing.

Principal Transportation Engineer Lillian Tsang confirmed that, in the past, the City of Santa Clara, which partially shares Kifer Road with the City of Sunnyvale, expressed no interest in exploring a Kifer Road diet. As a result, the City is not proposing a road diet for Kifer Road.

Vice Chair Pyne questioned whether fully protected bike lanes on Kifer Road were considered. Principal Transportation Engineer Tsang responded that the right-of-way on Kifer Road poses limitations that inhibit the maintenance of two lanes for travel in both directions as well as a median allowing turn lanes into various driveways.

MOTION: Commissioner Harrison moved and Commissioner Rheaume seconded the motion to approve Alternative 2 – Recommend the Actions in Alternative 1 with modifications provided the modifications are within the scope of the environmental review.

The modifications are as follows:

- 1.) Extend the availability of development incentives for consolidating parcels to the Lawrence/Willow/Reed subarea (MXD-IV zoning district); and
- 2.) City staff shall follow up with the City of Santa Clara to determine whether there is interest in a road diet on Kifer Road that would accommodate Class IV protected bicycle lanes.

Commissioner Harrison articulated that the staff recommendation is well thought out and shared her appreciation of staff's efforts to tie together the proposed plan update's many moving pieces.

Commissioner Rheaume commended Senior Planner Schroeder and staff involved with the proposed project and highlighted the proposed plan update's flexibility and holistic approach.

Vice Chair Pyne spoke in favor of the motion and thanked staff for a well-done plan.

Commissioner Weiss voiced her support of the motion and expressed that she is impressed with the proposed plan update's scope.

Chair Howard spoke in favor of the motion and praised staff's efforts to address concerns surrounding the proposed plan update.

The motion carried by the following vote:

Yes: 5 - Chair Howard
Vice Chair Pyne
Commissioner Harrison
Commissioner Rheaume
Commissioner Weiss

No: 0

Absent: 1 - Commissioner Howe

These recommendations will be forwarded to the City Council for consideration at the September 14, 2021 meeting.