



# City of Sunnyvale

## Meeting Minutes City Council

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Wednesday, September 8, 2021

4:15 PM

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

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**Special Meeting: Closed Session: 4:15 PM | Special Meeting - 5 PM**

### **4:15 P.M. SPECIAL COUNCIL MEETING (Closed Session)**

#### **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.

Mayor Klein called the meeting to order at 4:15 p.m. via teleconference.

#### **Roll Call**

**Present:** 6 - Mayor Larry Klein  
Vice Mayor Glenn Hendricks  
Councilmember Gustav Larsson  
Councilmember Russ Melton  
Councilmember Mason Fong  
Councilmember Omar Din

**Absent:** 1 - Councilmember Alysa Cisneros

Mayor Klein, Vice Mayor Hendricks and Councilmembers Larsson, Melton, Fong and Din attended via teleconference.

#### **Public Comment**

Public Comment opened at 4:17 p.m.

No speakers.

Public Comment closed at 4:17 p.m.

#### **Convene to Closed Session**

**A**      [21-0894](#)      Closed Session held pursuant to Paragraph (1) of subdivision (d) of California Government Code Section 54956.9:

CONFERENCE WITH LEGAL COUNSEL-EXISTING  
LITIGATION

Name of case: San Francisco Baykeeper v. City of Sunnyvale  
U.S. District Court, Northern Dist. of California Civil Case No.:  
5:20-cv-00824-EJD

**Adjourn Special Meeting**

Mayor Klein adjourned the meeting at 4:59 p.m.

**5 P.M. SPECIAL COUNCIL 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.

Mayor Klein called the meeting to order at 5:00 p.m. via teleconference.

**ROLL CALL**

**Present:** 6 - Mayor Larry Klein  
Vice Mayor Glenn Hendricks  
Councilmember Gustav Larsson  
Councilmember Russ Melton  
Councilmember Mason Fong  
Councilmember Omar Din  
**Absent:** 1 - Councilmember Alysa Cisneros

Mayor Klein, Vice Mayor Hendricks and Councilmembers Larsson, Melton, Fong and Din attended via teleconference.

**CLOSED SESSION REPORT**

Vice Mayor Hendricks reported that Council met in Closed Session held pursuant to Paragraph (1) of subdivision (d) of California Government Code Section 54956.9: CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION Name of case: San Francisco Baykeeper v. City of Sunnyvale U.S. District Court, Northern Dist. of California Civil Case No.: 5:20 cv 00824 EJD; nothing to report.

**PUBLIC HEARINGS/GENERAL BUSINESS**

- 1      [21-0797](#)      CALL FOR REVIEW OF THE PLANNING COMMISSION DECISION OF JULY 12, 2021  
Proposed Project: Related applications on a 2.77-acre site: SPECIAL DEVELOPMENT PERMIT to redevelop a portion (easterly portion) of an existing shopping center (Fremont Corners) into a mixed-use development with 8,094 square feet of commercial space and 50, 4-story townhome-style condominiums with associated parking and site improvements including common open space.  
TENTATIVE MAP to subdivide the lot into 6 lots and 50 condominiums.  
Location: 166 E. Fremont Ave. (APN: 309-01-006)  
File #: 2020-7525  
Zoning: C-1/PD (Neighborhood Commercial/Planned Development)  
Applicant/Owner: The True Life Companies/Fremont Corners Inc et al (applicant/owner)  
Environmental Review: Class 32 Categorical Exemption (Infill Development)  
Project Planner: Shétal Divatia, (408) 730-7637, [sdivatia@sunnyvale.ca.gov](mailto:sdivatia@sunnyvale.ca.gov)

Assistant Director of Community Development Andy Miner provided the staff report and presentation.

Public Hearing opened at 6:13 p.m.

Leah Beniston, Vice President – Entitlements, the True Life Companies and Bryan Wenter, Shareholder, Miller Starr Regalia provided the applicant report and presentation.

Richard Mehlinger shared support for approving the proposed project and reported Livable Sunnyvale’s support for the project. He requested the City revisit existing parking standards.

Mike Serrone communicated support for the proposed project and concerns whether the village center concept is viable when projects do not fully encompass a full village center location.

Galen Kim Davis, Livable Sunnyvale, reiterated the group's endorsement for the project and his own support for replacing the existing buildings on the site.

Kat Wortham voiced support for the project, the associated housing and ensuring a walkable project.

Kelsey Banes, Regional Director, YIMBY Action, shared support for the project and the opportunity for family housing.

Justin Wang, Advocacy Manager, Greenbelt Alliance, communicated the support of the Alliance for approving the proposed project, particularly the public open space.

Cal Cornwell voiced support for the proposed project, the associated housing and the provided open space.

Sam Liu requested the project be constructed without the use of pile drivers and questioned if the project is compatible with the neighborhood.

Coleen Hausler shared support for the proposed project and revisiting the City's parking requirements.

Angus Liu reported the high cost of rent in Sunnyvale and communicated support for the proposed project.

Public Hearing closed at 7:07 p.m.

MOTION: Councilmember Melton moved and Mayor Klein seconded the motion to approve Alternative 2: Make the Findings to approve the California Environmental Quality Act (CEQA) determination that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 as noted in Attachment 5 to the report and approve the Special Development Permit and Tentative Map subject to the findings in Attachment 3 to the report and Conditions of Approval in Attachment 4 to the report with the following modifications:

- Remove the Condition of Approval related to native tree species and heritage trees;
- Revise Condition of Approval PS-1 c) to include "As needed to meet minimum tree spacing, parking spaces may be modified to create planting wells consisting of two

adjacent triangular corners of up to three feet along the length and along the width of the parking space.”; and

- Replace “Development Agreement” with “Developer Agreement” in Condition of Approval BP-11.

The motion carried with the following vote:

**Yes:** 5 - Mayor Klein  
Councilmember Larsson  
Councilmember Melton  
Councilmember Fong  
Councilmember Din

**No:** 1 - Vice Mayor Hendricks

**Absent:** 1 - Councilmember Cisneros

### **ADJOURNMENT**

Mayor Klein adjourned the meeting at 7:33 p.m.