



# City of Sunnyvale

## Meeting Minutes

### Planning Commission

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Monday, January 23, 2023

7:00 PM

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

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

#### **STUDY SESSION CANCELED**

#### **7 P.M. PLANNING COMMISSION MEETING**

#### **CALL TO ORDER**

Pursuant to Government Code Subdivision 54953(e), the meeting was conducted telephonically; pursuant to state law, the City Council made the necessary findings by adopting Resolution No. 1089-21, reaffirmed on December 13, 2022.

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

#### **ROLL CALL**

**Present:** 6 - Chair Martin Pyne  
Vice Chair Nathan Iglesias  
Commissioner John Howe  
Commissioner Michael Serrone  
Commissioner Neela Shukla  
Commissioner Carol Weiss  
**Absent:** 1 - Commissioner Daniel Howard

Commissioner Howard's absence is excused.

#### **ORAL COMMUNICATIONS**

None.

#### **CONSENT CALENDAR**

There were no public speakers for this agenda item.

Commissioner Weiss asked staff if the seventh paragraph on page nine of the minutes may be revised to indicate her recognition of the use of CoolSeal

technology for the proposed project's parking lot.

MOTION: Commissioner Weiss moved and Commissioner Howe seconded the motion to approve the Consent Calendar with the following revision to the minutes:

1.) Note that the first sentence of the seventh paragraph on page nine pertaining to Agenda Item 3 should read as follows: "Commissioner Weiss recognized the proposed project for being carefully thought out and incorporating such technology as CoolSeal for its parking lot."

The motion carried by the following vote:

**Yes:** 6 - Chair Pyne  
Vice Chair Iglesias  
Commissioner Howe  
Commissioner Serrone  
Commissioner Shukla  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Howard

1. [23-0199](#) Approve Planning Commission Meeting Minutes of January 9, 2023

#### **PUBLIC HEARINGS/GENERAL BUSINESS**

2. [23-0084](#) Forward a Recommendation to the City Council to Adopt an Ordinance to Amend Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code to Modify Table 19.36.060B Permitted, Conditionally Permitted, and Prohibited Uses in El Camino Real Specific Plan (ECRSP) zoning districts to conditionally permit Auto sales or rental in ECR-MU zoning districts and find that this action is within the scope of the program EIR for the El Camino Real Specific Plan pursuant to CEQA Guidelines Section 15168 (*Planning File #2022-7790*)

Senior Planner Jeffrey Cucinotta presented the staff report with a slide presentation.

Commissioner Howe confirmed with Senior Planner Cucinotta that this amendment will have no impact on existing auto dealerships along El Camino Real or their ability to sell or service vehicles.

At Vice Chair Iglesias' request, Senior Planner Cucinotta provided an explanation about what predicated staff's discovery of the error in table 19.36.060B found in

Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code (SMC).

Vice Chair Iglesias and Senior Planner Cucinotta discussed the ways in which this amendment will impact mixed-use developments along El Camino Real. While it will not result in changes for commercially zoned properties along El Camino Real, it will allow proposed mixed-use developments to include auto sales or rental uses on the ground floor.

Commissioner Shukla stated that, in her opinion, it is innovative to allow auto sales or rental uses on the ground floor of mixed-use developments.

Commissioner Shukla confirmed with Senior Planner Cucinotta that this amendment will continue to allow bicycle sales or bicycle repair facilities in mixed-use zoning districts. He added that the El Camino Real Specific Plan (ECRSP) considered opportunities to provide bicycle parking and bicycle and pedestrian connections where appropriate.

Commissioner Shukla confirmed with Senior Planner Cucinotta that vehicle repair facilities within auto dealerships are not permitted in mixed-use zoning districts and that this operation is considered under a different land use classification.

Chair Pyne asked about whether adverse findings regarding health and safety would be sufficient to deny an application for mixed-use developments – including ones that would supply sufficient housing units while meeting affordability requirements. Senior Planner Cucinotta advised that applications for mixed-use developments are required to meet City policies and that a California Environmental Quality Act (CEQA) checklist would need to be prepared to ensure that such developments are within the scope of the ECRSP's Environmental Impact Report (EIR).

Chair Pyne opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Pyne closed the Public Hearing.

MOTION: Commissioner Howe moved and Vice Chair Iglesias seconded the motion to recommend to City Council Alternative 1 – Adopt an Ordinance (Attachment 2 to the report) to Amend Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code to Modify Table 19.36.060B Permitted, Conditionally Permitted, and Prohibited Uses in ECRSP Districts to conditionally permit Auto sales or rental in

ECR-MU zoning districts and find that this action is within the scope of the program EIR for the El Camino Real Specific Plan pursuant to California Environmental Quality Act Guidelines Section 15168.

Commissioner Howe commented that auto dealerships are of great economic value to the City and that they have proved to be good neighbors to adjacent residents. He urged his fellow Commissioners to support the motion as well.

Chair Pyne spoke in favor of the motion and noted his confidence in the CEQA process as a means of safeguarding City residents from any hazards due to approved developments. He also echoed comments made by Commissioner Howe regarding the economic value that auto dealerships offer the City.

The motion carried by the following vote:

**Yes:** 6 - Chair Pyne  
Vice Chair Iglesias  
Commissioner Howe  
Commissioner Serrone  
Commissioner Shukla  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Howard

This recommendation will be forwarded to the City Council for consideration at the February 7, 2023 meeting.

3. [23-0201](#) **Proposed Project:** Moffett Park Specific Plan Update  
**PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)** for the Moffett Park Specific Plan Update.  
**Comment Period:** December 19, 2022 through February 10, 2023  
**Location:** Moffett Park Specific Plan Area (APNs: Various)  
**File #:** 2018-7715  
**Zoning:** Moffett Park (MP) - Various  
**Applicant:** City of Sunnyvale  
**Environmental Review:** An Environmental Impact Report has been prepared in compliance with California Environmental Quality Act (CEQA) provisions and City CEQA Guidelines.  
**Project Planner:** Michelle King, 408-730-7463, mking@sunnyvale.ca.gov

Principal Planner Michelle King, Chris Sensenig (Senior Associate at Raimi + Associates), and Amber Sharpe (Project Manager at David J. Powers & Associates, Inc.) presented the staff report with a slide presentation.

Commissioner Weiss voiced her concerns about the lack of parcels designated for school districts in the Moffett Park area. Principal Planner King noted that the Draft Environmental Impact Report (DEIR) contains a section that indicates potential school sites in the area and also describes the process by which the City collects fees to fund future schools. She added that all comments shared during the meeting will be recorded and later addressed in a written response.

Commissioner Weiss suggested that staff consider adjusting the Development Reserve in light of such market changes as increased office vacancy.

Commissioner Serrone mentioned that he has met with Google staff on several occasions regarding the proposed project.

Commissioner Serrone asked how the timeline for the Moffett Park Specific Plan (MPSP) interacts with the timeline for the Housing Element. Principal Planner King explained that the Housing Element identifies parcels of the Moffett Park area that are part of their housing and future housing inventories. For this reason, the MPSP will be adopted prior, with adoption of the Housing Element following shortly after. She added that a significant number of housing units in the MPSP are critical to the City's Regional Housing Needs Allocation (RHNA).

Commissioner Serrone noted that page 42 of the MPSP indicates that there is a salt pond off of Caribbean Drive when, to his knowledge, there is none there. He advised that this detail is important when considering mitigations for sea level rise.

Commissioner Serrone noted the developable area indicated on slide 81 of the staff presentation and confirmed with Principal Planner King that it is likely owned by Lockheed Martin. Principal Planner King informed him that while it is not a protected area, it has been identified as a future developable area. Commissioner Serrone questioned whether this area might be able to support a site similar to Palo Alto's Lucy Evans Baylands Nature Interpretive Center or San Francisco's Don Edwards National Wildlife Refuge.

Commissioner Serrone asked whether there is a maximum percentage for affordable housing units that the MPSP aims to target. Principal Planner King answered that while there is no maximum, the MPSP relies upon the City's current standard for housing requirements. Commissioner Serrone highlighted the MPSP's

inclusion of alternative pathways to meet affordable housing requirements as well.

Commissioner Serrone stated that he shares the same concerns as Commissioner Weiss regarding the lack of school districts within the MPSP area. He also inquired about whether this area will include a new library. Principal Planner King responded that the inclusion of a community facility, such as a library, is a requirement for one of the MPSP's nodes. Kristy Weis, Vice President and Principal Project Manager at David J. Powers & Associates, Inc., noted an analysis in the DEIR which explains how existing data supports projected data for types of schools, enrollment rate, and expected number of students upon completion of the MPSP. She added that the City's constant contact with school districts regarding this data will allow the City to determine when there will be a need for a new school in the future.

Commissioner Serrone confirmed with Principal Planner King that the Development Reserve does not account for retail since this is considered as a separate item. She added that retail is a requirement on frontages that are related to activity centers.

Commissioner Serrone confirmed with Principal Planner King that the Mary Avenue overpass will support vehicular, bicycle, and pedestrian traffic. Commissioner Serrone also noted that the MPSP area includes a diagonal that passes through privately owned properties. As such, he asked how this diagonal will be implemented.

Vice Chair Iglesias stressed the importance of studying traffic flow within and around the MPSP area given the eventual high population density that will be there. He also advised that consideration be given to maintaining a responsible and adequate water supply in the area. Lastly, he emphasized the need to conserve space within the MPSP area so that these spaces may be available once a need for them arises in the future.

Commissioner Shukla commented that of the three evaluated alternatives to the project, she is in support of the 25 percent reduced development alternative since it will allow more parcels to remain undeveloped and available for use should a need arise.

Chair Pyne highlighted a CEQA limitation in that the DEIR does not account for environmental impacts associated with commuters traveling to and from the MPSP area for work if they are unable to reside within the MPSP area.

Chair Pyne stated that any references to "significant and avoidable impacts" on

pages VII and 348 of the DEIR should be revised so that they read “significant and unavoidable impacts.”

Chair Pyne confirmed with Principal Planner King that the Planning Commission will review the proposed project again in March 2023 to provide a recommendation to City Council before the City Council reviews the item in April 2023.

Chair Pyne acknowledged limitations to increasing connectivity for vehicles, pedestrians, and bicyclists from the MPSP area to the rest of the City due to the existing freeways.

Chair Pyne opened the Public Hearing.

Osma Thompson recalled comments made by Commissioner Serrone regarding the diagonal that encroaches onto private properties, shared her curiosity about protocol regarding this, and stated that the MPSP is an exciting one.

Chair Pyne closed the Public Hearing.

Commissioner Howe confirmed with Principal Planner King that Twin Creeks and Baylands Park are both within City limits. Commissioner Howe requested that the Final Environmental Impact Report (FEIR) specify that while the county owns Baylands Park, the City leases it.

Chair Pyne advised there no action is to be taken on this agenda item.

**STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES**

None.

**NON-AGENDA ITEMS AND COMMENTS**

**-Commissioner Comments**

Commissioner Serrone commended staff for the work and effort they have invested into the MPSP. He considered the project a huge undertaking that will both transform and reinvent a large part of City.

**-Staff Comments**

Planning Officer Shaunn Mendrin announced that a virtual workshop on the northern Village Centers will be held on January 25, 2023. He added that a virtual workshop on the southern Village Centers was conducted on January 18, 2023 and that approximately 120 participants attended.

Planning Officer Mendrin confirmed that a special Planning Commission meeting will take place at 7 p.m. on February 6, 2023.

Planning Officer Mendrin stated that the study session of the City Council meeting on March 14, 2023 will focus on the Housing Element.

**ADJOURNMENT**

Chair Pyne adjourned the meeting at 8:43 PM.