



City of Sunnyvale

Meeting Minutes

Planning Commission

Monday, July 8, 2024

7:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

No Study Session | Public Hearing - 7:00 PM

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

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

SALUTE TO THE FLAG

Chair Pyne led the salute to the flag.

ROLL CALL

Present: 6 - Chair Martin Pyne
Vice Chair Nathan Iglesias
Commissioner Galen Kim Davis
Commissioner Chris Figone
Commissioner Michael Serrone
Commissioner Neela Shukla
Absent: 1 - Commissioner Ilan Sigura

Commissioner Sigura's absence is excused.

ORAL COMMUNICATIONS

Chair Pyne announced that board and commission recruitment is underway for openings on the City's boards and commissions. He provided some details on the application and interview process for these openings.

Hinna Adnan provided comments on behalf of her parents regarding the proposed project at 898 East Fremont Avenue. Chair Pyne advised her to provide comments on the proposed project once it is called up for review later during the meeting.

CONSENT CALENDAR

There were no public speakers for this agenda item.

MOTION: Vice Chair Iglesias moved and Commissioner Shukla seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 6 - Chair Pyne
Vice Chair Iglesias
Commissioner Davis
Commissioner Figone
Commissioner Serrone
Commissioner Shukla

No: 0

Absent: 1 - Commissioner Sigura

1. [24-0797](#) Approve Planning Commission Meeting Minutes of June 24, 2024
Approve Planning Commission Meeting Minutes of June 24, 2024 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

2. [24-0762](#) **Proposed Project:** Related applications on a 15.6-acre site:
DEVELOPMENT AGREEMENT: Introduction of an Ordinance Approving and Adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc.
SPECIAL DEVELOPMENT PERMIT: Modify Special Development Permit (2019-7557) pertaining to 945 - 955 Kifer Road (North Site) of the Intuitive Surgical corporate campus to add an internal courtyard and reduce total building area by 6,000 square feet (from 364,000 to 358,000 square feet), relocate the previously-approved underground parking to a new above-ground structure on an adjacent site at 2900 Semiconductor Drive, Santa Clara, CA (APN 205-39-028), modify the design of the pedestrian bridge connecting the north and south sites, and other minor building and site modifications.
Location: 945 - 955 Kifer Road (APNs: 205-40-001, 205-40-002) and City of Santa Clara APN 205-39-028.
File #: 2022-7369
Zoning: M-S/LSAP 60% (Lawrence Station Area Plan Industrial and

Service Zoning District 60% Floor Area Ratio)

Applicant / Owner: Steve Riley (applicant) / Intuitive Surgical, Inc. (owner)

Environmental Review: An Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report (EIR) has been prepared for the Intuitive North Site Modification Project in compliance with California Environmental Quality Act provisions.

Project Planner: Julia Klein, (408) 730-7463, jklein@sunnyvale.ca.gov

Principal Planner Julia Klein presented the staff report with a slide presentation.

Commissioner Davis confirmed with Principal Planner Klein that the portion of the proposed project that is within the City of Sunnyvale must be entitled before the City of Santa Clara may entitle their portion.

At Commissioner Davis' request, Director of Community Development Trudi Ryan explained that the landowner must pay the City of Sunnyvale a one-time community benefit fee of two million dollars for ongoing loss of property tax, one time construction tax, and one time use tax for the parking garage built outside of the City of Sunnyvale's jurisdictional limits.

Commissioner Serrone confirmed with Principal Planner Klein that an amendment to the Development Agreement and modifications to the proposed project through the Special Development Permit are under consideration. Director of Community Development Trudi Ryan added that no changes are being made to the agreed-upon Reach Code standards in the original Development Agreement.

Commissioner Serrone confirmed with Principal Planner Klein that the pedestrian bridge connecting the North and South Sites will not be publicly accessible.

Commissioner Serrone received clarification from Director of Community Development Trudi Ryan regarding the pedestrian and bicycle connections to the Caltrain station and modifications to the proposed project (North Site) that are under the consideration of the Planning Commission. Director of Community Development Trudi Ryan emphasized that elements of the proposed project that were previously approved for the South Site are not under consideration.

Commissioner Shukla confirmed with Principal Planner Klein that a Valley Transportation Authority (VTA) bus stop will be included on the south side of Kifer Road.

Commissioner Shukla confirmed with Principal Planner Klein that a modification is being requested for the design of the pedestrian bridge connecting the North and South Sites of the proposed project.

Chair Pyne stressed the North and South Sites of the proposed project must be considered holistically.

Chair Pyne opened the Public Hearing.

Eric Morley (Principal at The Morley Bros.) and David Luedtke (Senior Director at Intuitive Surgical, Inc.) presented additional images and information on the proposed project.

Vice Chair Iglesias commended those who collaborated on the proposed project and recognized that the proposed project is meaningful to residents of the City of Sunnyvale.

Commissioner Serrone clarified with Mr. Morley the proposed changes to the materials for the pedestrian bridge.

Commissioner Serrone noted his preference that the pedestrian bridge or the private driveway be made accessible to the public to facilitate easier access to the Caltrain station.

At Commissioner Serrone's request, Mr. Morley provided additional details on the Electric Vehicle (EV) infrastructure for the proposed project.

Commissioner Serrone received confirmation from Mr. Morley that concerns raised by Hexagon Transportation Consultants, Inc. regarding the acceleration and deceleration lane lengths have been addressed.

Mr. Morley elaborated upon the improvements that Intuitive Surgical, Inc. has made to the pedestrian and bicycle paths in the surrounding area.

Commissioner Shukla clarified with Mr. Morley the aesthetics of the pedestrian bridge column.

There were no public speakers for this agenda item.

Mr. Morley provided some closing comments.

Chair Pyne closed the Public Hearing.

MOTION: Commissioner Davis moved and Vice Chair Iglesias seconded the motion to recommend Alternatives 1 and 2 to the City Council:

1. Make the Determination required by Resolution No. 371-81 for the First Amendment to the Development Agreement (Attachment 3 to the Report)
2. Approve and Adopt the First Amendment to the Development Agreement and Special Development Permit:
 - a. Make the required findings to accept the Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report for the Intuitive North Site Modification Project finding that it has been prepared in compliance with California Environmental Quality Act provisions and no additional environmental review is required; and
 - b. Approve the Modification to Special Development Permit (2019-7557) at 945-955 Kifer Road (north site) based on Recommended Findings in Attachment 4 and Recommended Conditions of Approval in Attachment 5; and
 - c. Introduction of an Ordinance Approving and Adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc. included in Attachment 2 and based on the Determination required by Resolution No. 371-81 in Attachment 3.

Commissioner Davis spoke in support of the proposed project and the way it will revitalize the surrounding area and create job opportunities. He noted that it will be essential to establish housing, parks, Caltrain and retail access for this and other surrounding developments to limit vehicle miles traveled (VMT).

Chair Pyne voiced his support of the motion and proposed project and explained why.

The motion carried by the following vote:

project's trash enclosure will meet guidelines, have a Concrete Masonry Unit (CMU) finish, and include a metal roof and gate.

Commissioner Davis voiced his support of the ten-foot-wide landscape buffer along the western property line of the proposed project site.

Commissioner Davis confirmed with Senior Planner Vashist that the Planning Commission may provide input on the hours of operation for the proposed project. She added that the Department of Public Safety recommended security measures for the proposed project and did not express concerns about the proposed hours of operation.

At Vice Chair Iglesias' request, Senior Planner Vashist explained the difference between a deviation and a variance and why a deviation applies to the proposed project.

Commissioner Serrone confirmed with Senior Planner Vashist that the proposed project is subject to mitigation measures for groundwater contamination that is required by Santa Clara County.

Chair Pyne and Senior Planner Vashist discussed the residential noise limits and field verification testing required for the proposed project.

Chair Pyne opened the Public Hearing.

Muthana Ibrahim, architect, presented additional images and information on the proposed project.

Vice Chair Iglesias confirmed with Mr. Ibrahim that the proposed fueling canopy complies with setback and landscape requirements.

Vice Chair Iglesias confirmed with Mr. Ibrahim that the proposed project will include new trees and that its operating hours will be the same as that of the existing gas station: 24/7.

Chair Pyne confirmed with Mr. Ibrahim that the proposed project's restrooms will be gender neutral.

Chair Pyne spoke in support of the native tree species to be included on the

proposed project site. He encouraged the use of native and drought-tolerant tree species in general.

Planning Officer Shaunn Mendrin advised that Ms. Hinna Adnan will contact Director of Community Development Trudi Ryan directly to discuss her concerns regarding the proposed project.

There were no public speakers for this agenda item.

Mr. Ibrahim thanked the Planning Commissioners for their time.

Chair Pyne closed the Public Hearing.

MOTION: Vice Chair Iglesias moved and Commissioner Davis seconded the motion to approve Alternative 1 – Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c) (2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.

Vice Chair Iglesias expressed his support of the proposed project and highlighted elements of the proposed project that he is supportive of.

Commissioner Davis spoke in support of the proposed project, stated that the concerns of neighbors have been addressed, and noted that the proposed project will be an improvement to the neighborhood.

Commissioner Shukla voiced her support of the proposed project, its landscape design, and its hours of operation.

Chair Pyne confirmed his support of the motion, the proposed project's hours of operation, and the requested deviations.

The motion carried by the following vote:

Yes: 5 - Chair Pyne
Vice Chair Iglesias
Commissioner Davis
Commissioner Serrone
Commissioner Shukla

No: 0

Absent: 1 - Commissioner Sigura

Recused: 1 - Commissioner Figone

This decision is final unless appealed or called up for review by the City Council by 5:00 PM on Tuesday, July 23, 2024.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

None.

INFORMATION ONLY REPORTS/ITEMS

None.

4. [24-0798](#) Planning Commission Proposed Study Issues, Calendar Year: 2025
(Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

None.

-Staff Comments

Planning Officer Mendrin stated that the Planning Commission will select new seats and a new Chair and Vice Chair at their meeting on July 22, 2024.

ADJOURNMENT

Chair Pyne adjourned the meeting at 8:28 PM.