

RECOMMENDED FINDINGS

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR
PROJECTS IN THE LAWRENCE STATION AREA PLAN**

The Planning Commission hereby makes the following findings:

1. The Planning Commission has independently reviewed the programmatic Final Environmental Impact Report for the Lawrence Station Area Plan, State Clearinghouse #2013082030, certified on December 6, 2016 ("Program EIR").
2. The Lawrence Station Area Plan ("LSAP") anticipates construction of an additional 1.2 million square feet of office and R&D, 16,600 square feet of retail, and 2,323 residential units within the 319-acre LSAP neighborhood through 2035.
3. In addition to serving as the environmental document for the approval of the LSAP, the Program EIR was intended by the City to serve as the basis for compliance with CEQA for future discretionary actions to implement the LSAP, in accordance with Public Resources Code Section 21094 and Section 15168 of the CEQA Guidelines.
4. The Program EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LSAP. In addition, the Program EIR identified significant and unavoidable impacts with regard to construction air quality, cumulative air quality and traffic operations.
5. On December 6, 2016, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the Program EIR and adopted the LSAP.
6. The City has analyzed the proposed Project pursuant to Public Resources Code Section 21094(c) and Section 15168(c)(2) and (4) of the CEQA Guidelines to determine if the Project may cause significant effects on the environment that were not examined in the Program EIR and whether the Project is within the scope of the Program EIR.
7. The Planning Commission finds that the Project will not result in environmental effects that were not adequately examined in Program EIR. As demonstrated by the City's analysis of the Project, the Project will incrementally contribute to, but will not increase the severity of, significant environmental impacts previously identified in the Program EIR.
8. For the reasons discussed in Section ENVIRONMENTAL REVIEW of the PLANNING COMMISSION Staff Report for the proposed Project dated December 12, 2016, the Planning Commission finds that the proposed Project is consistent with the LSAP.

9. In accordance with Public Resources Code Section 21094(b) and Section 15168(c)(2) and (4) of the CEQA Guidelines, none of the conditions or circumstances that would require preparation of subsequent or supplemental environmental review pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162 exists in connection with the Project:
 - a) The Project does not include any substantial changes in the LSAP and no substantial changes have occurred with respect to the circumstances under which the Project is to be undertaken consistent with the LSAP, so the Program EIR does not require any revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - b) No new information of substantial importance, which was not known and could not have been known at the time that the Program EIR was certified as complete, shows that the Project would cause new or substantially more severe significant environmental impacts as compared against the impacts disclosed in the Program EIR, that mitigation measures or alternatives found infeasible in the Program EIR would, in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the Program EIR would substantially reduce one or more significant environmental impacts found in the Program EIR.
10. All significant effects on the environment due to the implementation of the Project have been eliminated or substantially lessened where feasible through the Program EIR mitigation measures adopted in connection with the City Council's approval of the Program EIR. All Program EIR mitigation measures applicable to the Project are hereby made a condition of the Project's approval.
11. In accordance with Public Resources Code Section 21094(d), the Planning Commission finds that any significant and unavoidable impacts of the Project with regard to construction air quality, cumulative air quality and traffic operation are outweighed by overriding considerations as set forth in the Program EIR and in the Findings adopted by the City Council in connection with the approval of the Program EIR, as incorporated by reference and reaffirmed herein.
12. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the Planning Commission, exercising its independent judgment and analysis, finds that the Project is consistent with the LSAP, falls within the environmental parameters analyzed in the Program EIR, and would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the Program EIR, nor would new mitigation be required for the Project.

13. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Ave., Sunnyvale, CA 94086.

USE PERMIT

The project is consistent with the Vision Statement, Guiding Principles and District Policies of the Lawrence Station Area Plan.

Required Findings:

1. The project design is consistent with the Lawrence Station Area Plan; and
2. The use is consistent with the certified Environmental Impact Report prepared for the Peery Park Specific Plan
3. The project design is consistent with the General Plan; and
4. The project design meets all the development standards in the Lawrence Station Area Plan and Sunnyvale Municipal Code; and
5. The project design is consistent with applicable Lawrence Station Area Plan and City-adopted design guidelines, and
6. The location, size, and design characteristics of the project are compatible with the surrounding area.

The proposed project helps to achieve the goals and visions contained in the LSAP by intensifying property closest to the station, providing publicly-accessible open space and providing a multi-use trail that improves non-vehicular access to the Caltrain station. The project meets and exceeds development standards, such as parking, setbacks and landscaping. The proposed expansion of the Intuitive Surgical campus also allows a Sunnyvale business to continue to operate in the City, while allowing intensification of the site that responds to the company's planned growth.

The proposed architectural design of the two new office/R&D buildings is consistent with the design guidelines contained in the LSAP by utilizing high quality materials, creating interesting pedestrian-scale elements that activate streets, and massing that is respectful of the surrounding properties. The design of building materials and landscaping has been thoughtfully designed to comply with Bird Safe Design Guidelines. The parking structures are tucked towards the back of the site and complement the design of the buildings, thereby, reducing visual impacts of parking from street frontages and neighboring properties. The design of the parking structures is also consistent with the LSAP, as well as the Parking Structure Design Guidelines.