



City of Sunnyvale

Notice and Agenda

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

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the Recording Officer.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Chair may determine it would be impractical to include remote public comment during Oral Communications.

- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 918 2739 0357

*(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Planning Commission meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the Planning Commission no later than 4 hours prior to the meeting start to planningcommission@sunnyvale.ca.gov or by mail to:*

Sunnyvale Planning Division, 456 W. Olive Avenue, Sunnyvale, CA 94086-3707

- *Review recordings of this meeting and past meetings at <https://sunnyvaleca.legistar.com/calendar.aspx> or <http://youtube.com/SunnyvaleMeetings>*

Accessibility/Americans with Disability Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Planning Division may be reached at 408-730-7440 or at planning@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference and in the Council Chambers.

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

The Chair may determine it would be impractical to include remote public comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on Oral Communications.

This category provides an opportunity for members of the public to address the Planning Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Planning Commission to take action on an item not listed on the agenda. If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this

section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

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

Recommendation: Approve Planning Commission Meeting Minutes of June 24, 2024 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

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

Recommendation: Alternatives 1 and 2: 1) Make the Determination required by Resolution No. 371-81 for the First Amendment to the Development Agreement (Attachment 3 to the Report); and 2) Recommend that the City Council 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.

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.

3. [24-0627](#)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: Redevelop a 0.62-acre commercial property. Demolish the existing fueling canopy and auto service building and construct a new 4,400 square foot fueling canopy and a 3,614 square foot one-story commercial building consisting of a 2,396 square foot convenience store, and a 1,218 square foot takeout restaurant, resulting in 34% floor area ratio (FAR).

Location: 898 East Fremont Avenue (APN: 309-10-015)

File #: 2016-7978

Zoning: C-1/PD (Neighborhood Business/Planned Development combining district)

Applicant / Owner: MI Architects, Inc. (applicant)/Petroleum Investments, LLC (owner)

Environmental Review: No additional review required pursuant to

Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) - environmental impacts of the project are addressed in the 2016 Land Use and Transportation Element (LUTE) Environmental Impact Report (EIR - State Clearinghouse No. 2012032003).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Recommendation: 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.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

INFORMATION ONLY REPORTS/ITEMS

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

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents on this agenda distributed to members of the Planning Commission are available by contacting the Planning Division at 408-730-7440 or planning@sunnyvale.ca.gov. Agendas and associated reports are also available 72 hours before the meeting on the City's website at sunnyvale.ca.gov and during normal business hours at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue.

Planning a presentation for a Planning Commission meeting?

To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available on the City website.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.