

## RECOMMENDED FINDINGS

### **California Environmental Quality Act (CEQA) Findings for Projects Consistent with the Lawrence Station Area Plan (LSAP) Update/Intuitive Surgical Corporate Campus Subsequent Environmental Impact Report (SEIR)**

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The Planning Commission hereby makes the following findings:

1. The Planning Commission has independently reviewed the programmatic Final Subsequent Environmental Impact Report for the Lawrence Station Area Plan (“LSAP”) Update/Intuitive Surgical Corporate Campus Project, State Clearinghouse #2019012022, to be considered for certification on September 14, 2021 (“Program SEIR”).
2. The Program SEIR included a project-level analysis of the Intuitive Surgical Corporate Campus (“Project”) including construction of two new three-story office/R&D/manufacturing buildings totaling 1,211,000 sq. ft. (including 148,000 sq. ft. of basement space) connected by a pedestrian bridge across Kifer Road; and construction of an 11,000 sq. ft. freestanding amenity building for a total combined FAR of 77%. The Project also includes a five-level, above ground parking structure with an attached 12,000 sq. ft. central utility plant.
3. In addition to serving as the environmental document for the approval of the LSAP Update/Intuitive Surgical Corporate Campus Project, the Program SEIR was intended by the City to serve as the basis for compliance with CEQA for future discretionary actions to implement the LSAP and proposed project, in accordance with Public Resources Code Section 21094 and Section 15168 of the CEQA Guidelines.
4. The Program SEIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildup anticipated by the LSAP and more specifically, for the Project. In addition, the Program SEIR identified significant and unavoidable impacts for air quality and wastewater services.
5. On September 14, 2021, the City Council will consider actions to make Findings, adopt a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certify the Program SEIR and adopt the LSAP Update, including expanding the LSAP boundary to include the parcels in the Project.
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 SEIR and whether the Project is within the scope of the Program SEIR.
7. The Planning Commission finds that the Project will not result in environmental effects that were not adequately examined in Program SEIR. 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 SEIR.
8. For the reasons discussed in Section ENVIRONMENTAL REVIEW of the PLANNING COMMISSION Staff Report for the proposed Project dated August 23, 2021, 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 that were not analyzed 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 SEIR 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 SEIR will be 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 SEIR, that mitigation measures or alternatives found infeasible in the Program SEIR would, in fact be feasible, or that different mitigation measures or alternatives from those analyzed in the Program SEIR would substantially reduce one or more significant environmental impacts found in the Program SEIR.
  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 SEIR mitigation measures adopted in connection with the City Council's planned certification of the Program SEIR. All Program SEIR 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 project-level and cumulative construction air quality for both the LSAP Update and Intuitive Development Project; and a cumulative impact on wastewater services for the LSAP Update are outweighed by overriding considerations as set forth in the Program SEIR and in the Findings to be adopted by the City Council in connection with the certification of the Program SEIR, 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 SEIR, 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 SEIR, 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.

## **Special Development Permit**

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In order to approve a Special Development Permit, the following findings must be made.

1. The proposed project attains the objectives and purposes of the General Plan and Lawrence Station Area Plan (LSAP) of the City of Sunnyvale. (*Finding met*).  
*Key goals, objectives, policies, and design guidelines from the General Plan and LSAP are listed below:*

### **GENERAL PLAN LAND USE AND TRANSPORTATION ELEMENT**

**GOAL II: Attractive Community:** To maintain and enhance the appearance of Sunnyvale, and to distinguish it from surrounding communities, through the promotion of high quality architecture, the preservation of historic districts and structures, the maintenance of a healthy urban forest, and the provision of abundant and attractive open space.

**GOAL III: Environmental Sustainability:** To promote environmental sustainability and remediation in the planning and development of the City, in the design and operation of public and private buildings, in the transportation system, in the use of potable water and in the recycling of waste.

**GOAL X: Robust Economy:** To retain, attract and support strong and innovative businesses, which provide quality jobs for the City's workforce, tax revenue to support public services, and a positive reputation for Sunnyvale as a center of creativity and productivity.

**GOAL XI: Balanced Transportation:** To provide and maintain a balanced multi-modal transportation system which provides choice, convenience and efficiency for the movement of people and goods.

**GOAL XII: Supportive Utilities:** To provide and maintain water, sewer, solid waste disposal, and drainage facilities that are safe, efficient, and reliable, and which can develop sufficient capacity to meet the expected growth of the city.

**GOAL XIII: Community Identity:** To foster a strong sense of community which promotes participation in civic affairs, community pride and a sense of place.

**Policy LT-1.2** Minimize regional sprawl by endorsing strategically placed development density in Sunnyvale and by utilizing a regional approach to provide and preserve open space for the broader community.

**LT-1.2a** Promote transit-oriented and mixed-use development near transit centers such as Lawrence Station, Downtown, and El Camino Real and in neighborhood villages.

**Policy LT-1.3** Contribute to a healthy job-to-housing ratio in the region by considering jobs, housing, transportation, and quality of life as inseparable when

making planning decisions that affect any of these components.

**Policy LT-1.4** Coordinate with adjacent cities on local land use and transportation planning.

**Policy LT-1.6** Integrate land use planning in Sunnyvale and the regional transportation System.

**LT-1.6a** Promote shorter commute trips and ease congestion by advocating that all communities provide housing and employment opportunities.

**LT-1.6b** Support regional efforts which promote higher densities near major transit and travel facilities.

**Policy LT-1.7** Emphasize efforts to reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit.

#### Green Development

**Policy LT-2.1** Enhance the public's health and welfare by promoting the city's environmental and economic health through sustainable practices for the design, construction, maintenance, operation, and deconstruction of buildings, including measures in the Climate Action Plan.

#### Greenhouse Gas Reduction

**Policy LT-2.2** Reduce greenhouse gas emissions that affect climate and the environment though land use and transportation planning and development.

**GOAL LT-3 AN EFFECTIVE MULTIMODAL TRANSPORTATION SYSTEM** – Offer the community a variety of transportation modes for local travel that are also integrated with the regional transportation system and land use pattern. Favor accommodation of alternative modes to the automobile as a means to enhance efficient transit use, bicycling, and walking and corresponding benefits to the environment, person throughput, and qualitative improvements to the transportation system environment.

#### Effective Integration of Transportation and Land Use Planning

**Policy LT-3.1** Use land use planning, including mixed and higher intensity uses, to support alternatives to the single-occupant automobile such as walking and bicycling and to attract and support high investment transit such as light rail, buses, and commuter rail.

**Policy LT-3.5** Follow California Environmental Quality Act requirements, Congestion Management Program requirements, and additional City requirements when analyzing the transportation impacts of proposed projects and assessing the need for offsetting transportation system improvements or limiting transportation demand.

## A Well-Designed and Well-Operated Transportation Network

**Policy LT-3.6** Promote modes of travel and actions that provide safe access to city streets and reduce single-occupant vehicle trip lengths locally and regionally.

### Complete Streets That Balance All Transportation Modes

**Policy LT-3.22** Provide safe access to City streets for all modes of transportation. Safety considerations of all transport modes shall take priority over capacity considerations of any one transport mode.

**LT-3.22c** Minimize driveway curb cuts, and require coordinated access.

**Policy LT-3.23** Ensure that the movement of cars, trucks and transit vehicles, bicycles, and pedestrians of all ages and abilities does not divide the community. City streets are public spaces and an integral part of the community fabric.

**LT-3.23a** Provide clear, safe, and convenient links between all modes of travel, including access to transit stations/stops and connections between work, home, commercial uses, and public/quasi-public uses.

**LT-3.23b** Encourage the incorporation of features that enhance street public spaces, such as street trees, public socialization spaces, and sidewalks separated from the curb.

**Policy LT-3.26** Support the proliferation of multi-use trails within Sunnyvale and their connection to regional trails in order to provide enhanced access to open space, promote alternative transportation options, and increase recreational opportunities while balancing those needs with the preservation of natural habitat, public safety, and quality of life in residential neighborhoods.

**Policy LT-3.27** Require appropriate roadway design practice for private development consistent with City standards and the intended use of the roadway.

## **GOAL LT-4 AN ATTRACTIVE COMMUNITY FOR RESIDENTS AND BUSINESSES**

- In combination with the City's Community Design sub-element, ensure that all areas of the City are attractive and that the City's image is enhanced by following policies and principles of good urban design while valued elements of the community fabric are preserved.

**Policy LT-4.1** Preserve and enhance an attractive community, with a positive image, a sense of place, landscaping, and a human scale.

**Policy LT-4.2** Encourage nodes of interest and activity, public open spaces, well-planned development, mixed-use projects, signature commercial uses, and buildings and other desirable uses, locations, and physical attractions.

**LT-4.2a** Promote the development of signature buildings and monuments that provide visual landmarks and create a more distinctive and positive impression of Sunnyvale within the greater Bay Area.

**LT-4.2c** Allow for innovative architectural design.

**Policy LT-4.4** Avoid monotony and maintain visual interest in newly developing neighborhoods, and promote appropriate architectural diversity and variety. Encourage appropriate variations in lot sizes, setbacks, orientation of homes, and other site features.

**Policy LT-8.4** Promote compact, mixed-use, and transit-oriented development in appropriate neighborhoods to provide opportunities for walking and biking as an alternative to auto trips.

**Policy LT-8.5** Promote walking and bicycling through street design.

**LT-8.5a** Develop complete streets principles to accommodate all users, including pedestrians, bicyclists, skaters, and wheelchair users, along with motor vehicles in transportation corridors.

**LT-8.5b** Enhance connectivity by removing barriers and improving travel times between streets, trails, transit stops, and other pedestrian thoroughfares.

**LT-8.5d** Promote separation of streets and sidewalks with planter strips and widened sidewalks, especially on streets with no parking lane.

**LT-8.5e** Install and connect sidewalks and install safe crosswalks in industrial and office areas.

**LT-8.5f** Support streetscape standards for vegetation, trees, and art installations to enhance the aesthetics of walking and biking.

**Policy LT-9.1** Ensure that the planned availability of open space in both the City and the region is adequate.

**LT-9.1d** Integrate usable open spaces and plazas into commercial and office developments.

## **GOAL LT-11 SUPPORTIVE ECONOMIC DEVELOPMENT ENVIRONMENT**

Facilitate an economic development environment that supports a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal, and land use constraints.

**Policy LT-11.1** Provide existing businesses with opportunities to grow in Sunnyvale and provide opportunities to expand into new technologies.

**Policy LT-11.3** Promote business opportunities and business retention in Sunnyvale.

**Policy LT-11.4** Participate in regional efforts to respond to transportation and housing problems caused by economic growth in order to improve the quality of life and create a better environment for businesses to flourish.

**LT-11.4a** Support land use policies to achieve a healthy relationship between the creation of new jobs and housing.

## **GOAL LT-12 A BALANCED ECONOMIC BASE** – Develop a balanced economic base that can resist downturns of any one industry and provides revenue for City services.

**Policy LT-12.4** Attract and retain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy and provide a range of job opportunities.

**LT-12.4a** Promote a variety of commercial, retail, and industrial uses, including neighborhood shopping, general business, office, clean technology, and industrial/research and development.

**Policy LT-12.7** Maintain an adequate supply of land zoned for office, industrial, and retail development to meet projected needs.

**GOAL LT-13 PROTECTED, MAINTAINED, AND ENHANCED COMMERCIAL AREAS, SHOPPING CENTERS, AND BUSINESS DISTRICTS** Achieve attractive commercial centers and business districts and buildings that are maintained and allow a full spectrum of businesses that operate unencumbered.

**Policy LT-13.2** Improve the visual appearance of business areas and districts by applying high standards of architectural design, landscaping, and sign standards for new development and the reuse or remodeling of existing buildings.

**LT-13.2a** Promote land use patterns and urban design that strengthen the sense of uniqueness in existing and new business areas and districts.

**LT-13.2b** Look for opportunities to create points of entry or gateways to unique business areas and districts.

### **Office, Industrial, and Research & Development**

**Policy LT-13.8** Require high design standards for office, industrial, and research and development (R&D) buildings in all business districts.

**LT-13.8c** Carefully review the impacts, such as noise, odors, and facility operations of commercial, office, and industrial uses and development adjacent to residential areas.

**GOAL LT-14 SPECIAL AND UNIQUE LAND USES TO CREATE A DIVERSE AND COMPLETE COMMUNITY** Provide land use and design guidance so that special unique areas and land uses can fulfill their distinctive purposes and provide a diverse and complete community fabric.

#### **Existing Plans**

**Policy LT-14.2** Support the following adopted specialized plans and zoning tools, and update them as needed to keep up with evolving values and new challenges in the community: Downtown Specific Plan, Lakeside Specific Plan, Arques Campus Specific Plan, Lawrence/101 Site Specific Plan, Precise Plan for El Camino Real, Moffett Park Specific Plan, Peery Park Specific Plan, and Lawrence Station Area Plan.

#### **Future Plans**

**Policy LT-14.3** Use special area plans to guide land use and development in areas that support alternative travel modes, Village Centers, economic

development, and a better jobs/housing ratio.

**LT-14.3a** Maintain sense of place plans that provide more focused policies and development standards to guide future land use and transportation decisions.

#### Community Benefits

**Policy LT-14.8** Ensure that development projects provide appropriate improvements or resources to meet the city's future infrastructure and facility needs; and provide development incentives that result in community benefits and enhance the quality of life for residents and workers.

**LT-14.8b** Establish zoning incentives, density bonuses, or other land use tools where higher development potential may be allowed based on contributions toward desired community benefits.

**Policy CC-1.1** Identify the boundaries of the City with attractive and distinctive features.

**CC-1.1a** Encourage unique and uniform roadway landscaping and, where possible, median improvements to distinguish city boundaries.

**CC-1.1c** Continue to develop a comprehensive gateway improvement program to select major gateways for improvements such as special landscaping, signage, visitor information centers patterned pavement, monuments or artwork and unique private development standards.

**CC-1.1d** Consider installing new City of Sunnyvale monument signs at major gateways into Sunnyvale and developing a comprehensive sign program to identify major attractions within the City.

**GOAL CC-3 WELL-DESIGNED SITES AND BUILDINGS** – Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.

**Policy CC-3.1** Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents, and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.

**CC-3.1c** Encourage reciprocal ingress-egress easements between commercial properties whenever feasible to minimize curb cuts, increase landscaping and improve vehicular safety.

**Policy CC-3.2** Ensure site design is compatible with the natural and surrounding built environment.

#### **HOUSING ELEMENT**

**Policy HE-1.4** Continue to require office and industrial development to mitigate the demand for affordable housing.

#### **SAFETY AND NOISE**

**GOAL SN-1 ACCEPTABLE LEVEL OF RISK FOR NATURAL AND HUMAN-CAUSED HAZARDS** Ensure that natural and human-caused hazards are recognized and considered in decision affecting the community and that land uses reflect acceptable levels of risk based on identified hazards and occupancy.

**Policy SN-1.1** Evaluate and consider existing and potential hazards in developing land use policies, make land use decisions based on an awareness of the hazards and potential hazards for the specific parcel of land.

**Policy SN-1.5** Promote a living and working environment safe from exposure to hazardous materials.

### ***ENVIRONMENTAL MANAGEMENT***

**GOAL EM-7 EFFECTIVE WASTEWATER TREATMENT** Continue to operate and maintain the Water Pollution Control Plant, using cost effective methods, so that all sewage and industrial wastes generated within the City receive sufficient treatment to meet the effluent discharge and receiving water standards of regulatory agencies.

**Policy EM-7.4** Produce quality recycled water and seek to maximize the use of this resource.

**GOAL EM-11 IMPROVED AIR QUALITY** Improve Sunnyvale's air quality and reduce the exposure of its citizens to air pollutants.

**Policy EM-11.2** Utilize land use strategies to reduce air quality impact, including opportunities for citizens to live and work in close proximity.

**Policy EM-11.5** Reduce automobile emissions through traffic and transportation improvements.

**Policy EM-11.6** Contribute to a reduction in regional vehicle miles traveled.

### ***LAWRENCE STATION AREA PLAN***

**Goal LU-G3** Promote a mix of employment and residential uses.

**Goal LU-G4** Although the plan allows for flexible use of property, a balance should be found to ensure the mix of uses remains diverse at all times.

**Goal LU-G5** Provide a mix of uses within the Plan area that encourages transit ridership, creates a neighborhood of 24-hour activity and supports the provision of amenities such as open space and support services such as retail.

**Goal LU-G6** Provide a flexible land use pattern that provides the desired balance of employment and residential uses in order to create an active daytime and nighttime environment.

**Goal LU-G7** Incorporate land use flexibility to respond to variable market conditions, while promoting a blend of employment, residential and retail uses.

**Goal LU-G10** Maximize development intensities in order to support transit usage.

**Policy LU-P3** Allow transition to higher density transit-supportive uses as opportunities arise through turnover of businesses or property ownership.

**Policy LU-P4** Establish appropriate levels of development for employment and residential uses to ensure a balance exists in the plan area.

**Goal D-G2** Encourage a range of development intensities in order to achieve neighborhood diversity and allow flexibility for businesses, property owners, workers and residents.

**Goal D-G4** Ensure that new development and construction activities improve, rather than adversely impact, the natural environment.

**Policy D-P6** A Development Agreement is required for additional office/R&D/industrial FAR above the base maximum through the LSAP Incentives Program. Development agreements are not required for projects consistent with the additional FAR allowed through participation in the City's Green Building Program.

**Goal CF-G4** Provide improved north-south access throughout the Plan area.

**Goal CF-G5** Improve access to bus and rail transit by all modes of travel.

**Policy CF-P10** To the extent possible, locate the Loop Road and all new shared-use paths and pathways along property lines between parcels in order to minimize impacts on individual properties and building operations and to share benefits between property owners. This will also allow phased development on a parcel-by-parcel basis at the discretion and timing of property owners as they seek to redevelop their land. Allow flexibility in the final locations of the loop road, shared-used paths, and pathways based on specific site conditions.

**Policy CF-P11** Provide a wide, landscaped pedestrian sidewalk zone, continuous Class II/Class IIB bicycle lanes, and transit stops continuously along Kifer Road in the Plan area.

**Policy CF-P13** Ensure the existing mature street trees along Kifer Road, Uranium Drive, San Zeno Way, and Sonora Court will not be adversely impacted by street improvement projects. Incorporate the mature trees into the landscape improvements of the street.

**Policy CF-P14** Where applicable, align new driveways with existing traffic signals or existing driveways on the opposite side of the street. New publicly-accessible roadways and pathways east of Lawrence Expressway with access to Kifer Road

shall align with La Rambla Avenue, Copper Road, and Pancoast Place in the City of Santa Clara.

**Policy CF-P15** In addition to conforming to the City's vehicle miles traveled (VMT) requirements, development projects may be required to conduct a local transportation analysis (LTA) per Council Policy 1.2.8. Development projects shall address any operational deficiencies identified in the LTA in accordance with Council policy.

**Goal P-G1** Provide safe, inviting, and attractive pedestrian connections for residents, workers and visitors to Lawrence Station and other key destinations in the Plan area.

**Policy P-P2** Facilitate pedestrian access and safety along key pedestrian corridors through pedestrian enhancements, including crosswalk enhancements, curb extensions (bulbouts), and wider sidewalks.

**Policy P-P6** For new sidewalks in the Plan area, provide a minimum sidewalk width of ten feet inclusive of a minimum paved pedestrian travel zone width of six feet and a landscaped four-foot street buffer zone. Exceptions may be approved by the City's Public Works Department based on site-specific conditions, such as preserving existing mature trees.

**Policy P-P9** Eliminate sidewalk gaps on Willow Avenue, Sonora Court, Uranium Drive (City of Sunnyvale side), and Kifer Road in the Plan area.

**Policy B-P1** Require property development to provide Class I, Class II, and Class IIB bicycle facilities to fill in the gaps in the existing and planned bicycle network.

**Policy B-P3** Provide two new primary Class I shared-use paths at the east and west ends of the LSAP boundaries with access to Lawrence Station.

**Policy B-P6** Provide Class I or Class II bicycle parking per Lawrence Station Area Plan bicycle parking requirements.

**Goal PT-G1** Improved public transit in the Plan area, including both commuter rail and bus service.

**Policy PT-P4** Provide bus stops with bus pull-outs, shelters, furnishings, lighting and signage along the Loop Road, Kifer Road, Reed Avenue and all other future bus transit streets in the Plan area. Coordinate with the VTA on locations and design details.

**Goal TDM-G1** Reduce vehicle trips in the Lawrence Station Plan area through TDM programs.

**Policy TDM-P2** Achieve a daily trip reduction target of 20 percent and a peak hour trip reduction target of 35 percent for new Office/R&D development.

**Policy TDM-P4** Encourage the provision of the following features as part of a TDM program for the Plan area:

- a. Provide shuttle service
- b. Provide bicycle parking and end-of-trip facilities (e.g., lockers, showers)
- c. Create marketing campaigns to discourage auto trips
- d. Offer free transit passes to employees
- e. Dedicate carpool/vanpool parking spaces
- f. Offer cash in place of a free parking space (parking cash-out)
- g. GreenTrip registration.

**Policy U-P1** Promote the use of bio-retention basins and flow-through planters, as well as green roofs, in filtration trenches, media filtration devices, and pervious surface treatments as a part of stormwater management strategies for new development.

**Policy U-P4** Ensure adequate land area is allocated for area-wide storm water management and treatment facilities.

**Policy U-P7** In areas where large irrigation demand is anticipated, construct improvements such that they can be efficiently switched to recycled water when it is available.

**Policy CON-P1** Carry out the Sense of Place Plan's publicly-accessible framework of the Loop Road, shared-use paths, and pathways scaled to pedestrians and bicycle users, with the Loop Road accessible to all modes of travel.

**Policy CON-P2** Achieve nearest term construction of the publicly-accessible Loop Road, shared-use paths and secondary pathways/roadways by providing incentives for private development projects and the option to transfer development rights for construction of the improvements on offsite properties.

**Guideline CON-UDG1** On properties where the Sense of Place Plan identifies the location of the new Loop Road, shared-use paths, and secondary pathways/roadways, development projects shall be required, at a minimum, to provide a public access easement for their future construction. Development incentives may be provided for the construction of the improvements.

**Guideline CON-UDG2** The Loop Road, shared-use paths, and secondary pathways/roadways should follow the locations, cross sections, and alignments shown in the Sense of Place Plan.

**Guideline CON-UDG6** Ensure the primary Class I shared-use paths provide a direct path from Kifer Road to Sonora Court, west of Lawrence Expressway, and from Uranium Drive to Lawrence Station Road/Lawrence Station, east of Lawrence Expressway.

**Guideline CON-UDG9** Property owners shall record an agreement, either on the

final map or through a separate legal instrument, to allow adjacent property owners to connect to the new publicly-accessible Loop Road, shared-use paths, and/or secondary pathways/roadways in order to form one continuous and uninterrupted thoroughfare as intended in the Sense of Place Plan.

**Guideline CON-UDG10** Prohibit security gates on publicly-accessible routes.

**Guideline CON-UDG11** Maintain an open, walkable environment throughout the Plan area.

**Policy SP-P1** Achieve a more urban and visually interesting character, by siting buildings to adjoin the public environment of streets and sidewalks, rather than being set back behind surface parking and large planted setbacks.

**Policy SP-P2** Provide access routes for bicyclists and pedestrians within new development to existing or future connections offsite.

**Guideline SP-UDG1** Site buildings to reinforce the street edge or corner by maximizing building frontage along the street. Building setbacks will vary by street type, as noted in the Zoning Code.

**Guideline SP-UDG2** In larger parcels north of the tracks, establish a fine-grained grid of building blocks no longer than 400 feet on a side, with pedestrian access around the blocks. Provide mid-block through-connections for blocks greater than 400 feet. Midblock connections may include pedestrian-only access or shared access for vehicles, bicycles, and pedestrians.

**Guideline SP-UDG6** Limit curb cuts to minimize pedestrian-vehicular conflicts.

**Guideline SP-UDG7** Accommodate fire and emergency access per state and local codes and site them to avoid pedestrian and bicycle conflicts.

**Guideline SP-UDG8** Portions of buildings are encouraged to be set back to preserve existing large canopy street trees or adequately accommodate new street trees.

**Guideline SP-UDG9** ...For nonresidential development, parking should be accessed from the side street/drive aisle or rear alleys, away from pedestrian priority ways.

**Guideline BH-UDG4** Vary building heights within blocks and parcels in order to provide visual interest and variety and to avoid a blocky, uniform appearance.

**Guideline BH-UDG5** Provide optimal solar access for residents and workers in the design and location of buildings.

**Guideline BH-UDG6** The solar access requirements of the Zoning Code do not apply to development in the LSAP.

**Guideline BMA-G1** Modulate and articulate the massing on large buildings in order to reduce their apparent scale, ensure their compatibility with the surrounding development, and help create a pedestrian-scaled environment.

**Guideline BMA-UDG1** To provide variation in wall planes, each side of a building shall include at least three distinct vertical modules that project from the primary wall plane by at least 15 feet wide by 5 feet deep.

**Guideline BMA-UDG2** Buildings shall be organized with a horizontal base, middle, and top as a fundamental design approach.

- The building base should be differentiated with projections and setbacks and enriched with finer grain design detail and decorative elements, such as awnings, canopies, arcades, entries, window treatments, planter boxes, etc., to support a more pedestrian-oriented streetscape.
- The middle and top portions of the building, including the upper floors above the building base should be set back from the back of the sidewalk and articulated to create a regular rhythm and sense of pedestrian-scaled enclosure to
- the public realm. Smaller sites and sites with shallow depths may propose alternative design approaches to provide architectural interest through quality exterior materials and architectural features.

**Guideline BMA-UDG4** Articulation of the building facades on the ground and upper floors is a priority, to avoid the appearance of a monolithic structure.

- Continuous flat facades shall be avoided and instead facades shall be articulated through use of increased upper floor setbacks; building recesses/openings; architectural wall projections from the main wall plane; recessed windows; awnings; recessed or projecting balconies; bay windows; and breaks in the horizontal and vertical planes.
- Every 275 linear feet of the façade on non-residential buildings shall have a minimum wall recess/opening of at least 30 feet wide by 30 feet deep. The recess/opening may occur anywhere within the 275 feet.
- Every 175 linear feet of the façade on residential/mixed-use buildings shall have a minimum wall recess/opening of at least 15 feet wide by 15 feet deep. The recess/opening may occur anywhere within the 175 feet. Balconies and useable open spaces may be located within the wall recess/opening.

**Guideline BMA-UDG5** Variable heights and roof forms shall be used to break up the length of the building roofline. Buildings built within 15 feet of the maximum height limit shall reduce height by at least one story every 100 linear feet. The location of the height reduction may occur anywhere within the 100 feet.

**Guideline BMA-UDG6** Roof treatments, such as cornices and overhangs, are encouraged to define building tops. Parapets without architectural detailing are not allowed.

**Guideline BMA-UDG8** Accentuate major gateways and termini in the Plan area with architectural focal points.

**Guideline BMA-UDG10** Screen rooftop mechanical equipment and other equipment from sight in all directions from the property lines, as demonstrated by line of sight drawings. The screening shall match the building architecture.

**Guideline BO-UDG1** Orient buildings to ensure that the primary façades and entrance areas of all buildings face the street, open space areas, or other pedestrian-oriented circulation areas.

**Guideline BO-UDG2** Place windows and storefronts at the street level and ground floor.

**Guideline BO-UDG3** Use clear, non-reflective glazing on all windows at street level.

**Guideline BO-UDG4** Emphasize building entries with small entry plazas, vertical massing, and architectural elements such as awnings, arcades, or porticos.

**Guideline BO-UDG5** Design entries so that they are clearly identifiable from the street and primary pedestrian corridors. Each development must identify primary pedestrian corridors to ensure each entry leads to a primary pedestrian corridor.

**Guideline BO-UDG6** Provide a walkway leading from the street to the building entrance if the building is not located directly on a public sidewalk.

**Guideline BO-UDG7** Enhance building entries and the adjoining pedestrian realm with plazas and landscaping.

**Guideline BO-UDG10** Include features that add depth, shadow and architectural interest, such as balconies, recesses, cornices, bay windows, and step-backs at upper floors, consistent with the building's style and scaled for pedestrians.

**Guideline BO-UDG11** Blank walls along streets, the Loop Road, shared-use paths, and secondary pathways/roadways shall be no greater than 30 linear feet without being interrupted by a window or entry...

**Guideline OR-UDG1** Façade design should include high quality exterior materials, windows, sun control devices and other design elements to produce a well-articulated building. Techniques to create high quality exteriors include changes in materials and/or color, variations in the vertical planes, and incorporation of upper level outdoor common areas should be used to avoid a monolithic and sterile appearance.

**Guideline OR-UDG2** Additional articulation and transparency should be provided on the ground floor and at corners for a visually inviting pedestrian experience.

**Guideline OR-UDG3** Windows should be well proportioned. Glazing should provide a high degree of light transmittance and prevent glare.

**Guideline OR-UDG4** Main entrances for the public, staff, and visitors should be clearly identifiable.

**Guideline OR-UDG5** The lobby should be inviting, well-lit, secure, and clearly visible from the street, both day and night.

**Guideline OR-UDG6** Indoor atriums, outdoor plazas and public amenity areas should be incorporated into building frontages for employee and visitor uses.

**Guideline OR-UDG7** Public art is encouraged in the design of atriums, plazas, and public amenity areas.

**Guideline OR-UDG8** Roofs should be designed with usable rooftop gardens and/or light-colored roofing, to help reduce heating and cooling loads, address ‘urban heat island’ effects, and provide workers a significant private outdoor amenity area.

**Guideline OR-UDG9** Parking should be accessed from alleys, away from pedestrian priority ways, when possible.

**Policy BM-P1** Encourage variety in building materials to create a visually interesting environment.

**Policy BM-P2** Use building materials to define the functional levels of a building and its relationship to the public realm (particularly at the street level).

**Policy BM-P3** Ensure that materials avoid excessive monumentality or a monolithic character.

**Policy BM-P4** Ensure that materials fit with the character and context of the existing development.

**Policy BM-P5** Prioritize sustainability as a key consideration.

**Guideline BM-UDG1** Use high-quality, durable architectural materials and finishes that provide a sense of permanence. High-quality materials include, but are not limited to:

- Architectural quality cast-in-place concrete
- Glass fiber reinforced concrete (GFRC)
- Decorative (non-structural) modular brick masonry (modular brick should be unglazed, utilizing traditional textures and colors)
- Stone (particularly to be used at the pedestrian level at column bases, window sills, window surrounds, stringcourses, and cornices)
- Decorative terra cotta

- Stucco and cement plaster (stucco and cement plaster are encouraged to have controlled surface textures and composed patterns of reveal and control joints to create interest; do not use stucco finish to simulate the use of another material, i.e. wood trim window sills)
- Architectural metal panels
- Standing seam metal roofing
- Barrel roofing tile
- Slate or concrete roofing tile
- Precast concrete (architectural quality, utilizing subtle colors and fine-grained aggregates to create a “cast stone” appearance).

**Guideline BM-UDG3** Give preference to sustainable materials, buildings systems, and technologies.

**Guideline BM-UDG4** Use materials that improve building envelope performance through insulation values and thermal mass.

**Guideline BM-UDG5** Avoid highly reflective surfaces and materials that can cause heat or glare for pedestrians.

**Guideline BM-UDG6** Avoid dark materials that absorb heat and reduce solar reflectivity.

**Guideline BM-UDG7** Use glazing that is as clear and non-reflective as possible in order to provide transparency and visibility while meeting energy and daylighting performance requirements.

**Guideline BM-UDG9** Window design should contribute to and complement the architectural character and style of the building. Its materials, and features, such as the trims and sills, should be of high quality and include some depth to cast shadows and articulate the building.

**Guideline BM-UDG10** Development projects shall comply with the City’s Bird-Safe Design Guidelines.

**Guideline BM-UDG11** Building bases should be strongly defined with architectural features such as a stringcourse, a continuous horizontal band along the length of the building façade, step backs, or changes in materials and color. Employ accent materials such as tile insets or natural stone at the ground level to add texture, color, and visual interest at the pedestrian level along all pedestrian corridors.

**Guideline BM-UDG12** Employ color to differentiate between building elements and to moderate the scale of buildings.

- A variety of colors are encouraged, selected to enhance natural material choices such as stone, wood, and natural metals, and quality architectural materials such as precast concrete, brick masonry, and barrel tile.
- Building colors should be compatible with one another.

- Residential units shall be a different color than retail portions of the building. Use colors with a very high degree of light reflectance sparingly to control glare. Use darker and more intense colors at the building base.

**Guideline OS-UDG11** If recycled water is available in the Plan area, use salt tolerant planting to maximize use of this water resource. Prohibit its use on salt-sensitive plantings to remain, such as the Redwood trees on Sonora Court.

**Guideline OS-UDG12** Healthy significantly-sized trees should be incorporated into the design of plazas and open space areas.

**Guideline OS-UDG14** Use of appropriate native vegetation and water-conserving plant material of varying textures and colors is highly encouraged. Plant material shall conform to water efficient landscaping requirements in the Zoning Code.

**Guideline OS-UDG16** On private property, use preferred landscaping materials, including, but not limited to:

- Precast concrete unit pavers
- Integral colored concrete
- Natural stone
- Glass fiber reinforced concrete/ultra-high-performance concrete
- Precast concrete
- Stabilized crushed stone
- Stainless steel, corten steel, or powder-coated metal
- Polycarbonate panels
- Tempered glass

**Policy PK-P1** Minimize the footprint of parking in the Plan area and ensure that parking facilities, whether in structures, underground, or in surface lots, are well-designed, functional, attractive, and fit well into their surrounding context.

**Guideline PK-UDG3** Arrange development in a configuration such that parking is internally-focused with the minimum number of access lanes necessary.

**Guideline PK-UDG4** Provide bicycle parking stalls per Chapter 19.35 of the Zoning Code.

**Guideline PK-UDG5** Ensure that bicycle parking is secure and weather-protected.

**Guideline PK-UDG6** Provide car-sharing spaces, electric vehicle charging stations, and disabled parking spaces per Chapter 19.46 of the Zoning Code, or if superseded by more restrictive requirements in the Building Code and Reach Codes.

**Guideline PK-UDG7** Provide safe access for pedestrians through parking facilities to building entries.

**Guideline PK-UDG8** ...In office/R&D/industrial projects that exceed the base maximum floor area ratio (notwithstanding projects within the additional FAR allowance of the Green Building Program), the maximum amount of surface parking spaces provided shall not exceed 25% of the total provided parking spaces.

**Guideline PK-UDG9** Locate surface parking lots away from street edges behind buildings and provide decorative, landscaped, or other screening.

**Guideline PK-UDG10** Use a mix of trees, shrubs and ground cover to landscape perimeter setback areas around parking lots.

**Guideline PK-UDG11** Provide a ratio of one tree per three (3) parking spaces on the perimeter of the lot and one tree per six (6) parking spaces on the interior of the lot. Comply with parking lot shading requirements in Chapter 19.46 of the Zoning Code.

**Guideline PK-UDG12** Provide landscape islands in surface parking lots instead of tree wells, whenever possible.

- Landscape islands shall be a minimum of six feet in width.
- Where tree wells are provided, they shall be a minimum of five feet by five feet, to provide an adequate area to support tree growth.

**Guideline PK-UDG13** Accommodate pedestrians and bicycle traffic with pedestrian-only pathways and bicycle facilities through parking areas. Shade these areas with trees and architectural elements such as trellises and awnings.

**Guideline PK-UDG14** Design parking structure access lanes to have the character of an attractive, well-landscaped small urban street.

**Guideline PK-UDG15** Locate parking structures away from primary pedestrian corridors as identified on development plans.

**Guideline PK-UDG16** Parking structures that face public streets, publicly-accessible streets, or publicly-accessible shared-use paths/pathways/roadways shall include screening so that parked vehicles are not visible.

**Guideline PK-UDG17** Create visual interest and reduce the mass of parking structures through the use of:

- Variation in the dimension and proportion of openings of the façade. Every 200 linear feet of the parking structure façade facing a public street, publicly-accessible street, or publicly-accessible shared-use path/pathway shall have a minimum wall recess/opening of at least 20 feet wide by 20 feet deep. The recess/opening may occur anywhere within the 200 feet.
- Decorative screens, railings, and trellis elements of durable, high-quality materials.
- Materials and designs that are similar to surrounding buildings on site.
- Awnings, arcades, trellises, or porticos along street-facing façades and pedestrian connections.

- Provide parking access lanes and driveways at spacing along the street of not less than 100 feet.
- Where parking lanes or courts are visible from the street, planter beds with trees or potted plants should be located between garage doors.
- Create shared, unallocated parking spaces, such as carports, in order to maximize site area for new building development and open space.

**Guideline PK-UDG18** Locate and design pedestrian entries and stairwells for parking structures:

- As identifying architectural elements.
- Adjacent to public streets and along major pedestrian connections.
- To ensure that they are visually open and free of visual obstruction to promote a feeling of security and comfort.
- To minimize conflicts between pedestrians, bicycles, and vehicles.

**Guideline PK-UDG20** Stair and elevator cores should be designed as important architectural components and should be treated with high quality materials and lighting.

**Guideline PK-UDG21** The use of finer-detailed cladding materials and decorative elements are encouraged at upper floors.

**Guideline SA-UDG3** Follow the Sense of Place Plan's publicly-accessible framework of the Loop Road, shared-use paths, and pathways.

**Policy WK-P1** Allow industrial intensification in this subarea to develop a major employment center within close proximity to Lawrence Station.

**Policy WK-P2** Preserve existing open space and tree assets, and provide direction pedestrian/bicycle connections to the station from Kifer Road.

**Guideline WK-UDG1** Provide the western primary Class I shared-use path on the south site, strategically located to connect Kifer Road through the Transit-Supporting West Subarea to Lawrence Station via Sonora Court and San Zeno Way.

**Guideline WK-UDG2** On the north side, maximize the existing tree canopy by preserving trees and maintain open space.

**Guideline WK-UDG3** Remediate existing identified environmental contamination as part of site redevelopment.

**Policy ST-P3** Create a pedestrian environment on the Loop Road, Class I shared-use paths, and secondary pathways/roadways that is:

- Interesting, with appealing things to see, touch, hear and smell that makes one's time in the area a positive experience and encourages return visits.
- Attractive, with building and landscape improvements that create a beautiful setting in which people can walk, drive, shop, work, and live.
- Safe, allowing people to feel comfortable and secure, whether alone or in a group, during the day, evening and night.

- Successful, where walking becomes a primary means of local transportation, enhancing transit ridership and supporting a thriving neighborhood and retail climate.

**Goal SW-G1** To provide a permanent, durable, interconnected network of pedestrian walkways that is accessible to all users, easily maintained, and provides a generally consistent appearance throughout the Plan area. Allow variation in materials and design in special nodes, plazas and gathering points on privately owned and maintained sidewalks.

**Guideline SW-UDG3** On privately owned and maintained pathways (including those available for public access), use special paving materials, such as unit pavers made of brick, stone, or concrete, at special nodes, plaza areas and streets, within curb extensions and other special pedestrian areas in order to differentiate them from the sidewalk and define a specific place.

**Goal STP-G1** Enhance the urban forest in the Plan area in order to:

- Provide shade and shelter
- Mitigate adverse environmental conditions such as wind and pollution
- Add scale to both pedestrian and vehicular streets
- Enhance property values
- Provide wildlife habitat
- Manage stormwater
- Beautify the area.

**Guideline STP-UDG1** Plant street trees on all streets while preserving existing trees wherever possible.

**Guideline STP-UDG7** Protect existing street trees wherever possible throughout the Plan area, particularly in the southern residential neighborhoods, along Kifer Road, San Zeno Way, Uranium Drive, and on Sonora Court.

**Guideline STP-UDG8** Where tree removal is unavoidable, provide replacement trees in accordance with the City's Tree Replacement Guidelines.

**Guideline L-UDG2** On publicly-accessible shared-use paths and pathways, utilize the lighting standard identified in the Sense of Place Plan, Figure 3-24.

**Guideline L-UDG3** Comply with Dark Sky goals and requirements in the selection of luminaires during project design.

**Guideline L-UDG7** Provide white light on all streets and pedestrian ways in the Plan area.

**Guideline L-UDG8** On private property, use poles and fixtures that are attractive and complement the character of the street and building environment.

**Guideline L-UDG9** Use pole heights that relate to the scale of the street/shared-use pathway/path and its users.

- On Santa Vittoria Terrace, the Loop Road, publicly- accessible shared-use pathways and paths, and other internal private streets, mount luminaires on poles not exceeding 18 feet in height.
- On Kifer Road, Uranium Drive, Lawrence Station Road, San Zeno Way, Sonora Court, Aster Avenue, Willow Avenue, and Reed Avenue, mount luminaires on poles not exceeding 30 feet in height. Poles equipped with enhanced wireless communications technology may exceed this height with City review.

**Guideline L-UDG10** Shielding and careful placement shall be used for all light fixtures to prevent glare and light spillover for pedestrians, motorists, and nearby residences.

- The output of all area lighting fixtures should be shielded and directed below the horizontal to prevent light pollution and preserve dark skies.
- Building facade uplighting, roof “wash” lighting, and landscape uplighting should be carefully shielded to restrict lighting to the intended surfaces only, prevent spill lighting (especially towards residences) and operated on timers that shut off illumination entirely after midnight nightly.
- Light sources of low level and stairway lighting should be shielded from direct view.

**L-UDG11** Light poles on the top level of a parking garage shall be shielded to avoid up-lighting.

**Guideline SF-UDG4** Design and/or finish utility and service devices to either visually recede or, as appropriate, match other furnishing items.

**Guideline SF-UDG5** Fully screen all service facilities serving private property from the public street and adjoining properties with walls, fences, and/or landscaping treatments. Colors and finishes of enclosures should be coordinated with colors and finishes of fencing, other painted metal surfaces to be used onsite, or associated with the building’s material and color scheme.

**Guideline OSW-G1** Implement the Sense of Place Plan’s coordinated signage program that:

- Clearly and attractively directs people to Lawrence Station and other neighborhood destinations, services and amenities.
- Reinforces a sense of place with design elements that give the neighborhood a unique identity.
- Provides gateway signs to highlight entry into the Plan area.

**Guideline OSW-UDG1** Follow the Sense of Place Plan that includes larger gateway signage at key intersections and Plan area entrances (Figure 3-20) and smaller directional signage (Figures 3-21 and 3-22) as shown in the Streetlife and Wayfinding Plan (Figure 3-17).

**Policy KR-P1** The policies for Kifer Road include the following:

- Ensure it provides efficient access for motor vehicles and bus transit without consuming unnecessary excess quantities of land for that purpose.
- Enhance its usability for pedestrians and bicyclists.
- Strengthen the existing visual quality and character of the street as a green boulevard.

**Guideline KR-UDG2** Reallocate the paved street space between the curbs to provide the following functional elements: two vehicular travel lanes in each direction, a landscaped center median with left turn pockets, Class IIB bicycle lanes (see Figure 3-8 in the Sense of Place Plan).

**Guideline KR-UDG4** Between the curb and the building setback line, include generous plantings of large trees, signage and lighting, and a wide sidewalk.

**Guideline KR-UDG5** Provide a minimum sidewalk width of ten feet inclusive of four-foot wide tree wells and six-foot travel path.

**Guideline KR-UDG6** Protect all existing street trees along Kifer Road to the maximum extent possible.

**Guideline KR-UDG7** Infill areas that lack existing trees with new street tree plantings.

**Guideline KR-UDG8** Complement the existing character of the street by infilling new trees in an informal arrangement with a variety of species.

The proposed project is consistent with the goals, objectives, policies, and design guidelines contained in the General Plan and LSAP by proposing a new corporate campus that allows a Sunnyvale-based company to grow and expand near the Lawrence Caltrain Station, with provision of a shared-use path that will provide more direct bicycle and pedestrian access to the station. The project would be built under the existing allowable LSAP office/R&D development capacity that was included in the original LSAP. The project includes a Development Agreement for higher intensity development, which secures needed area improvements and financial benefits for the City.

The project will comply with the SEIR mitigation measures and traffic impacts will be offset through fair share payments, a new traffic signal installation, and a robust TDM program. Existing soil and groundwater contamination on one of the project sites will be remediated in conjunction with the oversight of the San Francisco Bay Regional Water Quality Control Board.

The project helps to balance increased residential growth planned in the LSAP by providing employment opportunities within walking and biking distance to the station, which may contribute to the LSAP's goals of increasing transit ridership and reducing greenhouse gases. The project also carries out the sustainability guiding principle in the LSAP through LEED Gold certification; solar panels and electric

vehicle charging stations consistent with the Reach Codes; provision or funding of a recycled water line extension; and preservation of a significant number of trees and open space area, in addition to new tree and shrub plantings throughout. Alternative means of transportation are promoted through the construction of the new publicly-accessible shared-use path, provision of secured bicycle parking and shower facilities, new sidewalks where they do not currently exist, and installation of a new public bus shelter.

The project proposes high-quality architecture that reflects the proposed use and highlights a key entry point into the LSAP district on Kifer Road. The project will provide gateway signage in accordance with the Lawrence Station Sense of Place Plan (LSSOP) that will reinforce the feeling of entering into a unique Sunnyvale district. The project is consistent with LSAP design guidelines to modulate buildings in smaller segments; include innovative, textured building materials that are bird-safe; provide prominent entries; and reduce mass and bulk through building offsets and façade articulation. The visual impacts of parking are minimized by containing most parking within enclosed structures. Direct pedestrian and bicycle access to the buildings are provided from the public right-of-way, which include improved sidewalk and bicycle lane facilities. Streetscape improvements will be consistent with the LSSOP, which will enhance street aesthetics and safety and further encourage walking and biking. Driveway approaches are consolidated, and in one instance will be shared with an existing driveway of an adjacent site in the City of Santa Clara.

2. The proposed project ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. (*Finding met*).

The LSAP boundaries are expanded to include the project sites, and permit office, R&D, and industrial uses that can achieve higher development intensities through a Development Agreement with the City. The proposed project will improve the character of the sites and surrounding neighborhood by providing high quality site and architectural design; employment uses within walking and biking distance of the Lawrence Caltrain Station; and beautifying existing industrial conditions with vast landscaping and open space and new streetscape enhancements, including a landscaped median and sidewalks where they do not currently exist. Environmental mitigation measures will be incorporated during construction, and existing site contamination will also be remediated. Operational traffic impacts will be addressed through fair share payments and traffic signal installation at Commercial Street and Kifer Road.

The project meets or exceeds all applicable development standards, such as parking, setbacks, and landscaping. The proposed land uses are also compatible with the neighborhood, which is predominantly industrial with office and R&D uses. The proposed location of the new Class I shared-use path (per the LSSOP) has been designed to connect with the adjoining property to the east when it redevelops. The south site is located across the railroad tracks from an existing multi-family residential use. The design of the south site respects the presence of the nearby

residential uses through a large rear setback, building heights well below the height limit, screening tree buffer, and noise attenuation from loading and delivery activities.

## **Vesting Tentative Parcel Map**

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In order to approve the Vesting Tentative Parcel Map, the proposed lot mergers and phasing included in the map must be consistent with the General Plan. Staff finds that the Vesting Tentative Parcel Map is in conformance with the General Plan. However, if any of the following findings can be made, the Vesting Tentative Parcel Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Vesting Tentative Parcel Map.

1. That the lot merger is not consistent with the General Plan.
2. That the design or improvement of the proposed lot merger is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the lot merger or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the lot merger or type of improvements is likely to cause serious public health problems.
7. That the design of the lot merger or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed lot merger.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code

Staff was not able to make any of the findings (B.1-8) and recommends approval of the Vesting Tentative Parcel Map.