



# City of Sunnyvale

## Excerpt Meeting Minutes - Draft

### Planning Commission

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Monday, August 23, 2021

7:00 PM

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

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

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

##### **CALL TO ORDER**

Pursuant to Section 3 of Executive Order N-29-20 (March 17, 2020) and Section 42 of Executive Order N-08-21 (June 11, 2021), issued by Governor Newsom, the meeting was conducted telephonically.

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

##### **ROLL CALL**

**Present:** 5 - Chair Daniel Howard  
Vice Chair Martin Pyne  
Commissioner Sue Harrison  
Commissioner Ken Rheaume  
Commissioner Carol Weiss  
**Absent:** 1 - Commissioner John Howe

Commissioner Howe's absence is excused.

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

4. [21-0758](#) **Proposed Project:** Related applications on multiple sites totaling 32.4-acres:
- SPECIAL DEVELOPMENT PERMIT:** To demolish two existing industrial/office/R&D buildings and three accessory structures and construct 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 construct 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.

**VESTING TENTATIVE PARCEL MAP:** To merge four existing lots into two.

**DEVELOPMENT AGREEMENT:** Introduction of an Ordinance Approving and Adopting a Development Agreement Between the City of Sunnyvale and Intuitive Surgical, Inc.

**Location:** 932 Kifer Road (APN 205-49-005), 950 Kifer Road (APN 205-49-012), 945 Kifer Road (APN 205-40-002), 955 Kifer Road (APN 205-40-001)

**File #:** 2019-7557

**Zoning:** M-S (945/955 Kifer Road) and M-3 (932/950 Kifer Road)

**Applicant / Owner:** Foster + Partners/Intuitive Surgical, Inc.

**Environmental Review:** No additional review required as per CEQA Guidelines 15168(c)(2) and (4) - environmental impacts of the project are addressed in the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Subsequent Environmental Impact Report (SEIR - State Clearinghouse No. 2019012022)

**Project Planner:** George Schroeder, (408) 730-7443, [gschroeder@sunnyvale.ca.gov](mailto:gschroeder@sunnyvale.ca.gov)

Senior Planner George Schroeder presented the staff report with a slide presentation.

Vice Chair Pyne requested an explanation for why the revised Recommended Condition of Approval PF-2 excluded mention of gateway signage although it is still mentioned in the staff report. Senior Planner Schroeder advised that the gateway signage will still be built by the proposed project, but it is no longer part of the Development Agreement that is referenced in PF-2. Director Trudi Ryan added that the applicant requested to complete the gateway signage and median improvements in lieu of paying the sense of place fee.

Vice Chair Pyne and Senior Planner Schroeder discussed the potential for future projects installing sidewalks to the west of the project site that would connect to the sidewalks that will be built by the proposed project.

Commissioner Harrison questioned how the median to be built on Kifer Road will be affected by the recommendation that will be made to City Council pertaining to the buffered bike lanes and Kifer Road diet that the City will collaborate with the City of Santa Clara on. Senior Planner Schroeder assured her that any modifications to the Kifer Road cross section will not affect the overall median since it has always been part of plans for the road diet.

Commissioner Weiss and Senior Planner Schroeder conversed about the proposed project's many security features. Among them are the eight-foot security fencing on both sides, driveway gates, and additional security measures that will control access to the building.

Commissioner Weiss inquired about the proposed project's solid waste disposal plan and whether it will address disposal of hazardous materials. Senior Planner Schroeder explained that this plan pertains to regular solid waste and recycling. Assistant Director Miner recommended that Commissioner Weiss follow up with the applicant for a more detailed explanation of the solid waste disposal plan.

Commissioner Rheaume probed about whether the proposed project incorporates enclosures around utilities. Senior Planner Schroeder revealed that the proposed project's main transformers will be located within the building and that its many backflow preventers will be shielded from street view by landscape screening.

Applicants Blake Reinhardt and Blake Dobbin from Intuitive Surgical Inc. presented the project including additional images and information.

Commissioner Weiss followed up with the applicant regarding the proposed project's use of hazardous materials. Eric Morley, co-founder of The Morley Bros., confirmed that the proposed project will involve assembly of existing parts—all of which do not use hazardous materials.

Commissioner Weiss and Mr. Morley engaged in a discussion about whether the demolition of the existing property and construction of the proposed project will be done in phases. Mr. Morley voiced that while demolition will occur over the course of approximately 30 to 45 days, the construction of both the north and south sites of the proposed project are intended to be done simultaneously.

Vice Chair Pyne inquired about the placement of public art referenced in the staff report. Mr. Morley disclosed that while its placement is subject to the approval of the Arts Commission, this art is planned to be situated on Kifer Road at the parking garage.

Vice Chair Pyne and Mr. Morley deliberated upon the possibility of including more parking spaces than what is required by the code minimum. Mr. Morley revealed that they are open to repurposing or utilizing the parking garage to include more parking spaces than is required in the future.

Vice Chair Pyne and Mr. Morley conversed about what experience the shared-use path will offer to those passing through. Mr. Morley clarified that since Intuitive Surgical Inc. does not own the adjacent property where the path would continue (960 Kifer Road), they may only provide a recreation space that is lighted, landscaped, comfortable, convenient, and safe on the project site until the adjacent site redevelops.

Commissioner Rheaume questioned whether there is still cleanup of soil required on one of the properties and how long the process will take. Mr. Morley explained that the proposed project is subject to a remedial action plan to clean up and dispose of contaminated soil as per local, state, and federal requirements. He assured that this process will take place within the planned demolition phase of the existing property site.

Chair Howard opened the Public Hearing.

Cliff Bargar, an employee of Intuitive Surgical Inc., emphasized the beauty of the proposed project, congratulated the team responsible for its creation, and proposed the continuation of new sidewalks that will connect to Wolfe Road as a means for improving pedestrian experience.

Vincent Anderson, the City's Fire Marshal, advised that he is available for inquiries pertaining to hazardous materials or fire protection.

Mr. Morley and Mr. Reinhardt thanked staff and Planning Commissioners for their support and efforts to move the Lawrence Station Area Plan and their proposed project forward. Mr. Reinhardt respectfully requested the approval of the Planning Commissioners for the proposed project.

Chair Howard closed the Public Hearing.

MOTION: Commissioner Harrison moved and Commissioner Rheaume seconded the motion for Alternative 1 - Make the Determination required by Resolution No. 371-81 for a Development Agreement (Attachment 12 to the Report) and Recommend that the City Council approve Alternatives 2 and 3: 2) Make the required findings to approve the CEQA determination that the project is consistent with the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Subsequent Environmental Impact Report and no additional environmental

review is required and approve the Special Development Permit and Vesting Tentative Parcel Map based on findings in Attachment 3 to the report and Recommended Conditions of Approval in Attachment 6 to the report with staff's modified conditions as presented at the hearing; and 3) Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and Intuitive Surgical, Inc. (revised Attachment 2 to the report).

Commissioner Harrison spoke in favor of the motion due to the proposed project's coordination with the Lawrence Station Area Plan and subsequent Environmental Impact Report; ability to offer such benefits to the City as medians, water line extension and signage; well-done architecture (i.e., curved roofs and large overhangs); and optimization of existing vegetation.

Commissioner Rheume voiced his support of the motion due to the proposed project's quality industrial design and preservation of existing trees. He also noted that he is impressed with the applicant for maintaining the City's assembly jobs.

Vice Chair Pyne asked staff when the development of the 960 Kifer Road parcel will occur. Assistant Director Miner confirmed that it is currently in use, so it is unknown at this time when development will take place. Vice Chair Pyne then stated he is pleased with the proposed project's architecture and is excited about the improvements it will contribute to the City (i.e., signage, median, sidewalks, shared-use path, and aesthetically pleasing parking garage). For these reasons, he is in favor of the motion.

Commissioner Weiss revealed that she is in support of the motion since the proposed project meets all applicable requirements, goals and policies. She also voiced her appreciation for its attention to maintaining the existing tree canopy, improved pedestrian and bike circulation, architecture, and the number of community benefits it offers.

Chair Howard stated his support of the motion and his agreement with the sentiments of the other Planning Commissioners.

The motion carried by the following vote:

**Yes:** 5 - Chair Howard  
Vice Chair Pyne  
Commissioner Harrison  
Commissioner Rheaume  
Commissioner Weiss

**No:** 0

**Absent:** 1 - Commissioner Howe

These recommendations will be forwarded to the City Council for consideration at the September 14, 2021 meeting.