



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 21-0877, Version: 1

REPORT TO COUNCIL

SUBJECT

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 pursuant to 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

SUMMARY OF COMMISSION ACTION

The Planning Commission considered this item on August 23, 2021. One member of the public, an Intuitive Surgical employee, spoke in support of the project and reiterated a Commissioner's desire to see new sidewalks on the adjoining properties to the west (facing San Lucar Court) to Wolfe Road.

The Planning Commission voted 5-0 (one Commissioner was absent and there is one vacancy on the Commission) to make the Planning Commission Determination for the Development Agreement (Attachment 12) and to recommend approval of the project in accordance with staff recommendation in Alternatives 1, 2, and 3 (including updated Conditions of Approval and draft Development Agreement).

Commissioners were supportive of the project, particularly the project architecture, green building features, tree preservation, Sense of Place improvements, community benefits, and additional manufacturing jobs that would result from the project.

Staff presented the following updates to two documents at the hearing:

- An updated Attachment 2, which included minor updates to the text of the Development Agreement and Draft Ordinance; and
- Several updates to the conditions of approval (Attachment 6), including GC-4, GC-5, GC-11, GC-13, GC-17, BP-3, BP-6, EP-31, EP-37, PF-2, PF-8, deletion of BP-13, and addition of Mitigation Measure 3.8.3 which was erroneously excluded from the Mitigation Monitoring and Reporting Program (MMRP).

These updates were included in the Planning Commission's recommendation and are included in Attachment 2 and 6 of this report.

See Attachment 1 (August 23, 2021 Planning Commission staff report) for a detailed discussion on the project and Attachment 13 for an excerpt of the draft minutes.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website. Additional public contact efforts include e-mail notifications to the list of interested parties, an Update Sunnyvale announcement, and LSAP webpage updates.

ALTERNATIVES

1. 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 pursuant to CEQA Guidelines 15168(c)(2) and (4) 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.
2. Introduction of an Ordinance approving and adopting a Development Agreement between the City of Sunnyvale and Intuitive Surgical, Inc. (Attachment 2 to the report).
3. Alternatives 1 and 2 with modifications.
4. Do not make the CEQA Findings and direct staff as to where additional environmental analysis is required.
5. Deny the Special Development Permit and Vesting Tentative Parcel Map and provide direction to staff and the applicant on where changes should be made.
6. Do not introduce the Ordinance for the Development Agreement and provide direction to the staff and developer on desired modifications.

STAFF RECOMMENDATION

Alternatives 1, and 2:

- 1) Make the required findings to approve the California Environmental Quality Act (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 pursuant to CEQA Guidelines 15168(c)(2) and (4) 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; and
- 2) Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and Intuitive Surgical, Inc. (Attachment 2 to the report).

Staff supports the proposed project as its high-quality architectural and site design highlights the western entry point into the LSAP district. The integrated campus design allows a Sunnyvale-based company to continue to grow and provide employment opportunities within walking distance of existing and future residential uses in the LSAP. There is enough existing LSAP office/R&D development capacity to accommodate the project and the project will comply with SEIR mitigation measures. Traffic impacts will be offset through fair share payments and a robust transportation demand management (TDM) program. The Development Agreement for higher intensity development secures needed area improvements and financial benefits for the City. The project is also consistent with the original Council directives to preserve open space and provide a direct pedestrian/bicycle route to Lawrence Station.

Prepared by: George Schroeder, Senior Planner

Reviewed by: Amber Blizinski, Principal Planner

Reviewed by: Andrew Miner, Assistant Director of Community Development

Reviewed by: Trudi Ryan, Director of Community Development

Reviewed by : Chip Taylor, Director of Public Works

Reviewed by: Connie Verceles, Assistant to the City Manager

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Report to Planning Commission [21-0758, August 23, 2021] (without attachments)
2. Draft Ordinance and Development Agreement (revised to reflect Planning Commission action)
3. Recommended Findings including Relevant City Goals and Policies
4. Noticing and Vicinity Map
5. Project Data Table
6. Recommended Conditions of Approval (includes modifications presented at Planning Commission hearing)
7. Link to Site and Architectural Plans
8. Transportation Impact Analysis
9. Infrastructure Impact Study
10. Transportation Demand Management Plan
11. Resolution No. 371-81: Procedures for Processing Development Agreements
12. Determination of the Planning Commission on the Development Agreement

Additional Attachment for Report to Council

13. Excerpt of Draft Minutes of the Planning Commission Meeting of August 23, 2021