

DRAFT 2/25/16 *rum*

## RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE MOFFETT PARK SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION OF CERTAIN PARCELS FROM MP-I (MOFFETT PARK-GENERAL INDUSTRIAL) TO MP-TOD (MOFFETT PARK-TRANSIT ORIENTED DEVELOPMENT) AND ASSOCIATED TEXT CHANGES**

WHEREAS, the Moffett Park Specific Plan ("MPSP") was established on May 18, 2004 by Resolution 111-04, and subsequently amended by Resolutions 244-06, 369-09, 498-11, and 622-13 to serve as a land use policy document to regulate future development within the plan area; and

WHEREAS, the MPSP provides for certain land use designations and corresponding regulations, which are further implemented through the Moffett Park Specific Plan Zoning District, established by Ordinance No. 2750-04; and

WHEREAS, Moffett Place, LLC has proposed an amendment to the land use designation for 1111 Lockheed Martin Way Lots 2 and 4, APN# 110-01-036 and APN #110-01-038, from MP-I (Moffett Park-General Industrial) to MP-TOD (Moffett Park-Transit Oriented Development), which proposed amendment is set forth in Report to Council No. \_\_\_\_, dated April 19, 2016; and

WHEREAS, in addition to the changes to the land use designation for certain parcels, the City has considered changing criteria for the location of the "Moffett Park – Transit Oriented Development" Subdistrict ("MP-TOD") related to its proximity to light rail transit stations; and

WHEREAS, a Subsequent Environmental Impact Report was prepared to assess the potential environmental impacts of the proposed amendment; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the proposed amendments to the MPSP on March 28, 2016, after which the Commission recommended that the City Council adopt the amendments as set forth in the minutes of the meeting; and

WHEREAS, the City Council held a duly noticed public hearing on April 19, 2016, to consider the amendments to the MPSP.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council has considered the amendments to the MPSP as set forth in Exhibit "A", "Moffett Park Specific Plan Amendments" attached hereto and incorporated herein by reference, and the accompanying report and testimony presented at the April 19, 2016, council meeting.

2. The environmental effects of the proposed MPSP amendments were analyzed in the Moffett Place Subsequent Environmental Impact Report (the “SEIR”), SCH #2001052121. The City Council reviewed the SEIR and found that it reflects the independent judgment of the City Council and its staff, and is an adequate and extensive assessment of the environmental impacts of the MPSP amendments. The City Council certified the SEIR as having been prepared in compliance with the requirements of the California Environmental Quality Act (“CEQA”), made necessary findings, adopted a statement of overriding considerations related to certain impacts on air quality, and adopted a Mitigation Monitoring and Reporting Program (Resolution No. \_\_\_\_). The City Council incorporates by this reference the findings contained in the SEIR as to the environmental effects of the MPSP amendments, together with the additional findings contained in this Resolution.

3. The City Council finds and determines, pursuant to the MPSP amendment process (MPSP Section 7.6), that the proposed amendments meet the intent of the Specific Plan’s adopted goals and objectives, enhance its ability to accommodate development needs without compromising its original goals and objectives, that they are consistent with the general plan and are in the public interest, as described in the report to council dated April 19, 2016, relating to these amendments.

4. The Moffett Park Specific Plan is hereby amended as set forth in Exhibit A to this Resolution.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**EXHIBIT A****Moffett Park Specific Plan Amendments**

For the purposes of clarity, those amendments approved by the City Council for the Moffett Towers project (Resolution 244-06) have been noted in *italics* since they were not folded into the actual bound document text. The changes proposed as part of the Moffett Place Specific Plan amendments have been noted with a ~~strikeout~~ or underline as noted below.

1. The amendment would amend section 2.3 Land Use Description of the Specific Plan to modify the following map:

[Page 9]

Exhibit 2-5 Land Use Map to note the parcels included with the Moffett Place project as MP-TOD.

2. The amendment would amend section 2.4 Land Use Plan of the Specific Plan to add and modify the following text and maps:

[Pages 10-11]

<b>Table 2.1</b>					
<b>Summary of Land Use Plan Intensities</b>					
	<b>Acres</b>	<b><u>Developable Acreage</u></b>	<b>Standard FAR</b>	<b>Max FAR</b>	<b><u>Development Potential at Total sq- ft. Standard FAR level (million)</u></b>
MP-TOD	<del>539</del> <u>586</u>	<del>469</del> <u>516</u>	50%	70%	<del>9.73</del> <u>11.38</u>
MP-I	<del>604</del> <u>557</u>	<del>586</del> <u>539</u>	35%	50%	<del>8.93</del> <u>7.28</u>
MP-C	13	13	40%	40%	0.23
Dev. Reserve					5.44
<b>Total</b>	<b>1,156</b>	<b>1,068</b>			<b>24.33</b>

**Moffett Park – Transit Oriented Development Subdistrict (MP-TOD)**

The purpose of the MP-TOD subdistrict is to encourage higher intensity uses that can best take advantage of locations in close proximity to the Tasman Light Rail Corridor, such as Class A office, R&D, and Corporate Headquarters. This district is approximately ~~539~~ 586 gross acres and includes the former Futures E intensification area (zoned M-3 with FAR up to 50%). The standard FAR for the primary uses is set at the highest level within the MPSP

area at 50% FAR. Approved access to the Development Reserve or use of transfer of development rights (TDR) permits a maximum FAR of 70% for specific sites.

3. The amendment would amend Exhibit 2-6 Transit Core Radius Map of the Specific Plan to modify the following map:

[Page 13]

Exhibit 2-6: Transit Core Radius Map to include MP-I parcels within a ¼ mile radius from light rail stations.

4. The amendment would amend section 5.2 Zoning Subdistricts and Intensities of the Specific Plan to add and modify the following text:

[Page 63]

#### **Moffett Park Transit Oriented Development MP-TOD**

The purpose of the MP-TOD subdistrict is to encourage higher intensity uses that can best take advantage of locations in close proximity to the Tasman Light Rail Corridor. The MP-TOD subdistrict provides approximately ~~529~~ 586 gross acres primarily for office, commercial, and industrial development at a standard intensity of 50% FAR. In addition, the allowable floor area ratio may be increased to 70% FAR by utilizing the Development Reserve and/or the TDR program as outlined in the Specific Plan.

5. The amendment would amend Appendix C Resolution with the following text:






On April 24, 2004 the Moffett Park Specific Plan Environment Impact Report was Certified with a Statement of Overriding Considerations by the City Council with Resolution No. 158-03 and the Moffett Park Specific Plan was adopted with Resolution 111-04

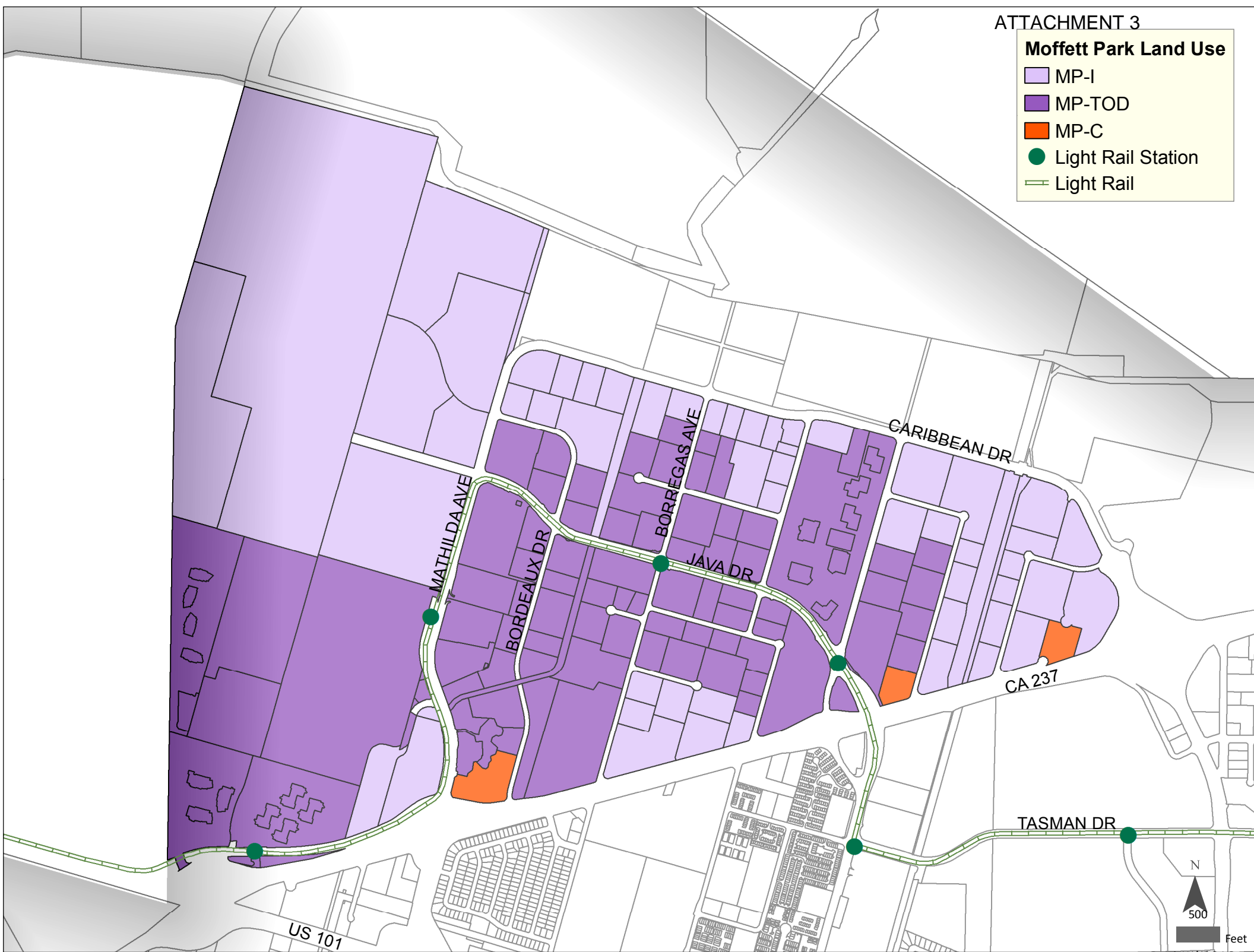
The Moffett Park Specific Plan has been amended with the following resolutions:

<b><u>RESOLUTION</u></b>	<b><u>ACTION SUMMARY</u></b>
November 14, 2006, Resolution No. 244-06	Approval of Lot 3 of Lockheed to change to MP-TOD and text amendment for MP-TOD siting criteria for designation for Jay Paul Moffett Towers.
September 13, 2011, Resolution No. 498-11	Adoption of Green Building 10% Incentive to allow 80% FAR in MP-TOD
December 3, 2013, Resolution No. 622-13	Change land use designation of 8 parcels from MP-I to MP-TOD, text amendment to MP-TOD siting criteria and associated text amendments for the Moffett Place project.

April 19, 2016, Resolution No. ____	Change land use designation of 2 parcels from MP-I to MP-TOD and associated text amendments for the Moffett Towers II Project.
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**Moffett Park Land Use**

-  MP-I
-  MP-TOD
-  MP-C
-  Light Rail Station
-  Light Rail





# ATTACHMENT 3

