



# City of Sunnyvale

## Agenda Item

20-0263

Agenda Date: 2/24/2020

## REPORT TO PLANNING COMMISSION

### SUBJECT

**Proposed Project:** Related applications on a 40.5 acre site:

**MAJOR MOFFETT PARK SPECIAL DEVELOPMENT PERMIT:** Two new five-story R&D office buildings of 1,041,890 square feet resulting in 60 percent Floor Area Ratio (FAR). The existing 710,381 square feet of office & manufacturing buildings will be demolished.

**TENTATIVE MAP:** Merge ten existing parcels and create two new parcels.

**Location:** 360 W. Caribbean Drive (APNs: 110-26-020, 021, 022, 023, 025, 027, 028, 029, 030, 031)

**File #:** 2017-8042

**Zoning:** Moffett Park Industrial (MP-I) & Moffett Park Transit Oriented Development (MP-TOD)

**Applicant / Owner:** Google LLC (applicant) / Google Inc. (owner)

**Environmental Review:** Transportation Environmental Impact Report and Statement of Overriding Considerations and Mitigation Monitoring and Reporting program

**Project Planners:** Michelle King, (408) 730-7463, mking@sunnyvale.ca.gov and Shaunn Mendrin, (408) 730-7431, smendrin@sunnyvale.ca.gov

### REPORT IN BRIEF

**General Plan:** Moffett Park Specific Plan

**Existing Site Conditions:** The project area is occupied by 13 office and industrial buildings, surface parking and site landscaping. The area spans from Borregas Avenue to Mathilda Avenue with the primary frontage spanning W. Caribbean Drive. The project area is bisected (north/south) by the Santa Clara Valley Water District drainage channel (West Channel), which outlets to the San Francisco Bay.

#### **Surrounding Land Uses**

**North:** Former landfill, City Water Pollution Control Plant, SMaRT station and San Francisco Bay.

**South:** Office and industrial uses.

**East:** Office and industrial uses.

**West:** Yahoo campus and Lockheed Martin.

**Issues:** Transportation EIR impacts and mitigations, traffic impacts and improvements, changes to the West Channel, setbacks, parking, tree preservation.

**Staff Recommendation:** Planning Commission recommend the City Council: adopt a resolution certifying the Transportation EIR, adopting the Statements of Overriding Consideration, and adopting the Mitigation Monitoring and Reporting Program as contained in Attachment 5. Approve: the Major Moffett Park Special Development Permit (as indicated in the Site and Architectural Plans in Attachment 6); Tentative Map in Attachment 7; Findings of Approval in Attachment 8; and Conditions of Approval in Attachment 9.

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## **BACKGROUND**

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Data Table of the project.

### **Description of Proposed Project**

The project proposes demolishing the existing 13 buildings located on the project site, existing surface parking lots, and removal of vegetation and trees on the approximately 40.5-acre site. The existing buildings consist of 710,381 square feet of office and manufacturing buildings.

The proposed project includes two new 5-story office buildings totaling 1,041,890 square feet. The proposed buildings would be located at 100 W. Caribbean Drive and 200 W. Caribbean Drive. Between the two buildings, 100 W. Caribbean Drive would total 536,750 square and 200 W. Caribbean Drive would total 505,140 square feet. Combined, the two buildings would have a FAR of 60 percent. The project also includes development of a parking structure and surface parking lots to include a total of 2,092 parking spaces. The project proposes new traffic signalization at the intersection of W. Caribbean Drive and the driveway for 200 W. Caribbean Drive. The proposed signalized intersection provides a connection to the Bay Trail located to the north of the project site. The proposed project will integrate measures to reduce reliance on automobiles and car-based commuting, including a Transportation Demand Management (TDM) trip reduction plan, two shuttle drop-off areas as well as secured bicycle parking at both buildings. Other improvements include infrastructure and utility improvements, walkways, green areas and open spaces.

The proposed 100 and 200 W. Caribbean Drive buildings would both be 5 stories, with an overall building height of approximately 128 feet, as measured from the finished floor to the highest elevation of the building. The proposed parking garage would be 5 levels, and the highest elevation would be approximately 50 feet, as measured from the finished floor to the top point of the garage.

The existing Valley Water (formerly Santa Clara Valley Water District) West Channel bisects the campus such that 100 W. Caribbean Drive lies to the east and 200 W. Caribbean Drive lies to the west. The proposed project would excavate the existing storm channel, set back levees, grade a new low flow channel with associated floodplain benches, implement habitat restoration, construct two new bridge crossings (one pedestrian between the two buildings and one pedestrian engineered to support emergency vehicle access at a Caspian Drive extension), enhance the headwall at the box culvert to accommodate a sidewalk as requested by the City of Sunnyvale along W. Caribbean Drive, and provide maintenance access for Valley Water.

The project also includes the demolition of a single story industrial/R&D building at 1362 Borregas Avenue, totaling 39,642 square feet which will be demolished to accommodate temporary construction parking for 745 cars in lieu of on-site construction parking.

### **Previous Actions on the Site**

The project site is located in the Moffett Park Specific Plan Area and 30.577 acres are zoned Moffett Park Industrial (MP-I) and 9.87 acres are zoned Moffett Park Transit Oriented Development (MP-TOD). The site includes ten parcels with office and industrial uses. Various permits have been issued over the years to modify the exteriors of buildings, allow site and parking changes and tree removals.

## **EXISTING POLICY**

**General Plan and Moffett Park Specific Plan Goals and Policies:** Key goals and policies from the

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General Plan and Moffett Park Specific Plan applicable to the project are found with the project findings in Attachment 8. Additionally, the proposed project is requesting access to the Moffett Park Development Reserve to exceed the standard FARs allowed through a combination of LEED certification and Community Benefit (see discussion below regarding floor area ratio and community benefit).

**Applicable Design Guidelines:** The Moffett Park Specific Plan includes design guidelines and recommendations for site layout, architecture, and design. These guidelines are referenced in the discussion and analysis below.

### **ENVIRONMENTAL REVIEW**

The City of Sunnyvale (City) is a lead agency under the California Environmental Quality Act (CEQA) and is responsible for preparing the Environmental Impact Report (EIR) for the proposed Google Caribbean Campus (GCC) (State Clearinghouse No. 2001052121) ("project", "proposed project"). The public agency with the principal responsibility for carrying out or approving a project is the "lead agency." This document is entitled a Transportation EIR because it focuses on impacts related to transportation. Through the Initial Study process using the CEQA Initial Study Checklist, impacts to all other environmental resource areas were found to be less than significant. Accordingly, this Transportation EIR has been prepared in conformance with CEQA (California Public Resources Code ("PRC") section 21000 et seq.), the CEQA Guidelines (California Code of Regulations (CCR), Title 14, section 15000 et seq. ("CEQA Guidelines")), and the rules, regulations, and procedures for the implementation of CEQA.

CEQA requires all public agencies to consider the environmental consequences of projects for which they have discretionary authority. For the purposes of CEQA, the term project refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines section 15378(a)).

CEQA requires the lead agency to prepare an EIR if there is substantial evidence, in light of the whole record, that a project may have a significant effect on the environment that cannot be mitigated to a less than significant level. A significant effect is defined in CEQA as a substantial, or potentially substantial, and adverse physical change in the environment. Pursuant to these guidelines, the City has determined that the Project is a project under CEQA and has the potential to result in significant environmental effects that cannot be mitigated to a less than significant level.

In accordance with CEQA, the Transportation EIR will tier off three prior EIRs which analyzed and mitigated potentially significant effects related to the proposed project, and accordingly inform the analysis presented in the Transportation EIR: (1) the 2016 Land Use and Transportation Element ("LUTE") of the Sunnyvale General Plan EIR ("LUTE EIR") (State Clearinghouse No. 2012032003); (2) the 2013 Valley Water (VW) 1 East and West Channels Flood Protection Project EIR ("VW EIR") (State Clearinghouse No. 2013012041); and (3) the 2016 Mathilda Avenue Improvements at SR 237 and US 101 Project EIR ("Caltrans EIR") (State Clearinghouse No. 2015082030).

In December 2017, Google LLC submitted an application to redevelop ten parcels with 1,041,890 square feet of Class A office, associated site improvements (landscaping, parking and amenities) and improvements to a segment of the West Channel. The project area is approximately 40 acres in the MPSP area. The City hired the consulting firm of Kimley-Horn to prepare a Focused (Transportation)

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Environmental Impact Report for the proposed project. The following table indicated the key dates in the review process. The Draft Transportation EIR is available on the City's website at <https://sunnyvale.ca.gov/business/projects/googlecaribbean.htm>

| Milestone                                                                                 | Dates                                |
|-------------------------------------------------------------------------------------------|--------------------------------------|
| Notice of Preparation                                                                     | May 1, 2019 to May 31, 2019          |
| EIR Scoping Meeting                                                                       | May 22, 2019                         |
| Notice of Availability of Draft Transportation EIR (Required 45-day public review period) | December 2, 2019 to January 16, 2020 |
| Planning Commission Public Hearing for Comments on Draft Transportation EIR               | December 16, 2019                    |
| Final EIR minimum 10-day public review                                                    | February 14 to February 24, 2020     |
| Planning Commission Public Hearing                                                        | February 24, 2020                    |
| City Council Public Hearing                                                               | March 17, 2020                       |

#### Impacts and Mitigation

The Transportation EIR identifies impacts that are expected to be significant and corresponding mitigation measures to eliminate or reduce those impacts to less than significant levels. Detailed discussion of these impacts and mitigation measures are located in the Mitigation Monitoring and Reporting Program (MMRP) (Attachment 4 - Final Transportation EIR). All other impacts have been determined to have either no impact or impacts that are less than significant with appropriate mitigation measures. Traffic impacts resulting from the proposed project were identified as significant and unavoidable (see the Significant and Unavoidable Project Impacts discussion below).

#### Traffic Analysis

The Traffic Impact Analysis (TIA) evaluated the proposed project as it relates to current and future conditions, impacts on existing roadways and consistency with adopted congestion management programs and it took into consideration approved and pending projects in the area. The TIA evaluated 26 intersections in Sunnyvale and one additional intersection in Santa Clara. The TIA did not include intersections that were previously evaluated in the 2016 Mathilda Avenue Improvements at State Route 237 and US Highway 101 (US HWY 101) Project ("Caltrans EIR).

Recent changes to CEQA will require use of vehicle miles traveled (VMT) instead of Level of Service (LOS) beginning July 1, 2020. Until that time, or until lead agencies develop new thresholds that account for impacts related to VMT, the agencies may continue to evaluate projects using the LOS thresholds. Accordingly, due to the timing of the adoption of the revised CEQA guidelines and the preparation of this traffic study for the project, LOS standards were used.

Based on the TIA, the proposed project is anticipated to generate a total of 8,319 daily trips, 775 AM peak hour trips (671 inbound, 104 outbound), and 828 PM peak hour trips (119 inbound, 709 outbound) under typical traffic demand conditions. The LUTE EIR contains mitigation measures to reduce intersection and roadway impacts to less than significant levels or certain intersections were deemed "Significant and Unavoidable." The project is required to implement a Transportation Demand Management (TDM) per the MPSP and LUTE EIR. The TDM reduces the number of daily

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trips by 25 percent and peak trips by 30 percent. The impacts to the intersection of Mathilda Avenue/Sunnyvale Saratoga Road at Talisman Drive was found to be significant and unavoidable.

There is no feasible mitigation to reduce this impact to less than significant. To reduce impacts, restriping of the westbound approach to a two left -turn lane and one shared -left through -right lane would be needed to improve cumulative operations to an acceptable LOS for PM peak hour conditions. This improvement; however, is not considered feasible as it would require signal timing changes that would disrupt the current signal coordination of the Mathilda Avenue-Sunnyvale Saratoga Road corridor and create new and additional significant traffic impacts along the corridor. There is no other feasible mitigation that is available to reduce this impact because this project is located in a developed urban area and there is limited right-of-way available to add capacity to the intersection. Pursuant to Chapter 3.50 of the Sunnyvale Municipal Code, the proposed project would be required to pay the City's Transportation Impact Fee (TIF). The purpose of the TIF is to help provide adequate transportation-related improvements to serve cumulative development within the city. However, with payment of the fee, the impact at the intersection would remain. Therefore, this impact would be significant and unavoidable.

#### Mitigation Monitoring

A Mitigation Monitoring and Reporting Program (MMRP) for significant impacts is required by CEQA to ensure implementation of all mitigation measures. A monitoring program identifies the mitigation measure, who is responsible for implementation, monitoring schedule and who is responsible to do the monitoring. All the monitoring responsibilities for the Project will be handled by the City of Sunnyvale Community Development Department and Public Works Department during the construction phases of the project. The MMRP is found in Chapter 4 of the Final Transportation EIR (Attachment 4).

#### Alternatives

CEQA requires that an EIR identify alternatives to the Project as proposed. The CEQA Guidelines specify that an EIR identify alternatives that "would feasibly attain the most basic objectives of the project but would avoid or substantially lessen many of the significant environmental effects of the project." Chapter 5 of the Draft Transportation EIR provides further analysis of the alternatives. This section of the Draft Transportation EIR considers the following three alternatives:

- **Alternative 1: No Project**

The No Project Alternative assumes the proposed project would not be implemented and land uses and other improvements would not be constructed. The existing project site would remain unaltered and in its current condition. All infrastructure improvements including water, wastewater, drainage, and roadway improvements identified in the proposed project would not be constructed. Because the project site would remain unchanged, few or no environmental impacts would occur. This alternative serves as the baseline against which the effects of the proposed project and other project alternatives are evaluated. Under this alternative none of the proposed improvements would occur. The project would remain undeveloped.

- None of the impacts associated with the project would occur.
- Baseline growth (without project) would still occur.
- No improvement to the West Channel and environmental enhancements of biological resources or functionality would occur. Increases in vehicular traffic would not occur.

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- Continuing redevelopment efforts on the subject site under the MPSP would not occur.

- **Alternative 2: Single Building Alternative**

The Single Building Alternative is proposed as an alternative that would reduce the amount of traffic generated from the project. This alternative proposes one single office building or approximately half of the traffic generating development compared to the proposed project. Similar to the proposed project, all of the existing buildings onsite would be demolished. Under this alternative, the building located at 200 West W. Caribbean would not be constructed, nor would the proposed parking garage. This portion of the property would be developed for surface parking with up to 1,000 parking spaces to support the proposed building at 100 W. Caribbean. As with the proposed project, this building would be approximately 536,750 square feet with a maximum building height of 120.5 feet. The building would support approximately 2,200 employees. Under this alternative the two proposed bridges over the Sunnyvale West Channel would not be constructed. Pedestrian access from the parking lots would be from existing sidewalks along W. Caribbean Avenue. The remaining development at the 100 W. Caribbean site would be the same as the proposed project. The temporary construction office and construction parking would be located on the 200 W. Caribbean site and a temporary construction office and construction parking located offsite would not be required or constructed.

The environmentally superior alternative to the proposed project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, Alternative 2: Single Building Alternative is the environmentally superior alternative.

#### Significant New Information

Testimony is sometimes received during the public review process relating to “significant new information.” For the purpose of an EIR, new information is considered “significant” when the following would apply:

- A substantial environmental impact resulting from the project is identified;
- A substantial increase in the severity of an environmental impact is identified;
- A new feasible project alternative or mitigation measure is identified which the project proponent refuses to adopt;
- The Draft EIR is so fundamentally and basically inadequate and conclusory in nature that the public comment of the draft was, in effect, meaningless.

To date, no significant new information has been received from the public or other public agencies.

#### Determination of Adequacy

The “rule of reason standard” is applied to judicial review and EIR contents. This standard requires that an EIR show that an agency has made an objective, good-faith attempt at full disclosure. The scope of judicial review does not extend to correctness of an EIR’s conclusion, but only the EIR’s sufficiency as an informative document for decision-makers and the public. Legal adequacy is characterized by:

- All required contents must be included;
- Objective, good-faith effort at full disclosure;
- Absolute perfection is not required;
- Exhaustive treatment of issues is not required;

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- Minor technical defects are not necessarily fatal;
- Disagreement among experts is acceptable.

#### Environmental Review Summary

Staff believes that the proposed Final Transportation EIR, consisting of the Draft Transportation EIR, comments received on the Draft Transportation EIR, response to comments received on the Draft Transportation EIR, a list of public agencies commenting on the Draft Transportation EIR, and MMRP meets the requirements of CEQA both in content and format. Should it be determined that the Final Transportation EIR is not adequate, the Planning Commission or City Council may identify those areas where the document is deficient and recommend that additional analysis be prepared prior to certification.

Any changes to the mitigation measures in the Final Transportation EIR may affect the accompanying determination of significance. However, the Planning Commission may proceed with recommendations on the project subject to completing additional work on the Final Transportation EIR. No project related actions may be taken (by the Council) until the Final Transportation EIR is certified. Certification does not approve or deny any element of the Project.

#### Statement of Overriding Considerations

As noted above, the Transportation EIR traffic section finds that the project, even with mitigation, would have significant and unavoidable to the intersection of Mathilda Avenue/Sunnyvale-Saratoga Road and Talisman Drive.

Section 15093 of the CEQA Guidelines defines the requirements that relate to overriding considerations.

- CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable.”
- When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the FEIR but are not avoided or substantially lessened, it shall state in writing the specific reasons to support its action based on the FEIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.

A draft Resolution with a Statement of Overriding Considerations has been prepared and attached stating the evidence of project benefits over the project effects (Attachment 5). Overriding Considerations include the benefits of concentrating growth in an existing urban area as infill development, replacing the existing, obsolete concrete tilt-up buildings with uniquely designed, modern, energy efficient office buildings that incorporate sustainable features, healthy materials, and green space; the creation of a pedestrian and bike-friendly campus that is located near mass transit and integrates measures to reduce reliance on driving; the restoration of the West Channel habitat and flood plan, with a public access walkway along the Channel to connect with the Bay Trail; planting of native vegetation and over 1,000 trees; reserved parking spaces for Bay Trail users; infrastructure improvements including bike lanes, sidewalks, and signalized intersections; the

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creation of construction jobs for local residents; and enhanced revenue for City programs and services from business taxes, impact fees for transportation and affordable housing, and voluntary approximately \$2.2M contribution to the Community Benefits fund.

## **DISCUSSION**

### **Present Site Conditions**

The existing parcels are generally developed with one-story concrete tilt-up industrial and manufacturing buildings with surface parking and site landscaping. The sites are auto oriented with no designated pedestrian pathways or sidewalks. Vegetation on the site includes Eucalyptus, Chinese Pistache, Liquidambar, California Pepper, Canary Island and Monterey Pines. All buildings are currently vacant.

### **Special Development Permit**

The project applicant is seeking approval of a Major Moffett Park Special Development Permit to access floor area from the Moffett Park Development Reserve and a Tentative Parcel Map to merge five (5) parcels into one at 100 W. Caribbean Drive and to merge five (5) parcels into one at 200 W. Caribbean Drive. The project site includes parcels within the Moffett Park Industrial Zoning and Moffett Park Transit Oriented Development Zoning Districts. The proposed floor area and requested development reserve are based on a blended Floor Area Ratio (see discussion below).



### **Development Standards**

**Floor Area Ratio:** As noted above, the subject site is Zoned MP-I with a standard FAR of 35 percent and a maximum of 50 percent and MP-TOD with a standard FAR of 50 percent with a maximum of 70 percent. Additionally, project applicant may be granted additional floor area using the City's Green Building Program. The project will be LEED Gold with USGBC Certification, and community benefits



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which would allow an additional 10 percent FAR above the maximum allowed for each Zoning District. Attachment 12 includes information regarding the calculation of the project FAR and Development Reserve. The proposed two office buildings total 1,041,890 square feet and would need 360,851 square feet of the existing development reserve, leaving 135,733 square feet

### **Architecture and Site Layout:**

The proposed project design includes three primary structures in two office buildings and a parking garage. The office buildings have been designed to step down to W. Caribbean Drive placing the full height and primary entrances on Bordeaux Drive and Caspian, closer to the VTA light rail line on Java Drive. From W. Caribbean, the two office buildings will flank the West Channel and provide a stepped appearance, reducing large expanses of glass and allowing access to each floor through a planted roof and trail. The large expanses of glazing on the east, west and south elevations will be treated with an expanded metal shading system, which would contribute to the buildings energy efficiencies and provide a bird safe design. Site pick-up and drop off have been designed at the main entries access off Bordeaux Drive and Caspian Way. The proposed parking structure has been located at the corner of Mathilda Avenue and W. Caribbean Drive. Due to the configurations of the proposed two parcels, there is no rear or deep side yard to locate the structure. The parking structure would be setback approximately 50 feet from Mathilda and 29 feet on W. Caribbean Drive. The Mathilda frontage would be buffered with surface parking and landscaping and the W. Caribbean frontage would be treated with an art screen and landscaping (see Public Art discussion). All frontages include street trees, public sidewalks and bike lanes. Additional ancillary structures such as bicycle storage are proposed on the site and would be designed to be consistent with the main structure. The development also includes substantial site landscaping with more native plant materials and includes widening and naturalization of the West Channel between the southern boundary and W. Caribbean Drive. This would include widening of the channel, landscaping, pedestrian and bicycle paths. Overall, the proposed design meets the intent of the Moffett Park Design Guidelines and it includes elements to provide a bird safe design.

### **Setbacks**

The resulting two parcels have multiple frontages in which the proposed office buildings provide setbacks greater than what is required as noted in Attachment 3 (Project Data Table). The proposed project is requesting a deviation for the location of mechanical equipment between the face of the building and the street. On 100 block of W. Caribbean the generator would be located over 160 feet from the street and it would be over 70 feet from the West Channel. The proposed setbacks provide sufficient distance from the street and channel to minimize its view. Staff has also included a condition of approval requiring that building permit plans provide a full enclosure to the tallest point of the generator equipment and it shall include additional landscaping to minimize the appearance of the enclosure.

### **Building Height**

The MPSP Zoning district allows development heights up to 130 feet if they are accessing the floor area from the MPSP Development Reserve. Since the proposed project is accessing the development reserve, the buildings may achieve a 130 feet height. Both office buildings are proposed buildings under 130 feet with 100 W. Caribbean at 128 feet and 200 W. Caribbean at 127 feet 8 inches from top of curb. The proposed parking structure would be approximately 50 feet measured from the top of curb to the upper floor. The structure would also have photovoltaic panels added to

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the upper floor. The project complies with the MPSP height limits.

### **Parking**

The MPSP establishes minimum and maximum parking levels for office and industrial uses. The minimum is 1 space per 300 square feet of floor area and the maximum is 1 per 250 square feet of floor area. The Major Moffett Park Site Development Permit allows deviations from the parking standards established in the MPSP. In addition, the MPSP requires a Transportation Demand Management (TDM) Program to limit the number of total daily and peak hour trips due to limited access into Moffett Park. The minimum amount of parking required is 3,126 spaces. The project is proposing 2,089 parking spaces, with the primary parking structure located on the 200 W. Caribbean Drive lot. The City's Zoning Ordinance allows reductions in required parking based on several factors including a TDM and proximity to light rail (see Attachment 10). The applicant has provided a draft TDM, which provides measures to reduce the total daily trips by 25 percent and peak hour trips by 30 percent (see Attachment 11). The Final TDM will be required prior to occupancy of the first office building and will require ongoing monitoring. The proposed reduction in the amount of parking can be supported considering Google's current shuttle services, proximity to light rail and other on-site amenities such as cafeteria, showers and secured bicycle (and other personal vehicle) parking.

### **Landscaping and Tree Preservation**

The project area includes 445 existing trees. As proposed, the project would result in the removal of 399 trees of which 254 qualify as protected trees. There would be 44 trees remaining (46 of these qualify as protected trees). The proposed landscape palate for the site includes more native species, such as Box Elder, California Buckeye, Coast Live Oak, and Valley Oak. Plantings are intended to enhance the project site by locating trees along the West Channel, shading for pedestrian pathways, shading of parking and drive isle areas to reduce the heat island effect and to enhance the stepped green roofs on both office buildings. The proposed landscaping and tree preservation comply with the City requirements. In addition, the proposed landscape plan would result in an additional 1,111 trees throughout the project site.

### **Green Building Requirements**

The Google W. Caribbean project has been designed to comply with the City of Sunnyvale, Moffett Park Specific Plan LEED Gold Plus requirements as well as the 2019 CALGreen code. The project is pursuing LEED certification under the campus approach and at this time, sixty-seven points have been targeted for each building. Specific sustainable/LEED strategies include solar PV at the parking garage, vegetated green roofs, indoor/outdoor connectivity, integral daylighting and shading, energy efficiency and extensive use of healthy materials throughout. In addition, the applicant is working with the City to provide a Community Benefit component.

### **Easements and Utilities**

The proposed project includes a Tentative Parcel Map to allow the merger of ten (10) parcels into two parcels (see Attachment 7). One parcel will be located to the east of the West Channel and would contain one of the proposed office buildings and associated site improvements. The second parcel would be located to the west of the channel and would contain the second office building, parking structure and associated site improvements. The parcel map would include a dedication of an easement along North Mathilda Avenue and W. Caribbean Drive to accommodate sidewalks and Class 1 bikeway. An Emergency Vehicle Access (EVA) would be dedicated over the proposed drive isles. In addition, public access easements would be dedicated along both sides of the West Channel

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for public access and additional public access easements would be dedicated to allow east/west access to the channel path.

### **Trash and Recycling Access**

Trash and recycling facilities have been located on the Borregas frontage for 100 W. Caribbean Drive over 100-feet from the street. Additional landscaping would be provided on this frontage to help soften its appearance. The 200 W. Caribbean Drive site would locate the trash and recycling and loading areas on the side (west) property line accessed from Bordeaux Drive.

### **Public Art**

The project applicant is proposing a public art treatment on the north face of the parking garage along the W. Caribbean Drive frontage. The proposed design would represent Sunnyvale agricultural past with an orchard print on metal. The proposed design would be required to go through the standard review process through the Arts Commission. If the applicant decides not to pursue or the Art Commission does not approve artwork for the parking garage, staff is recommending a condition of approval for enhanced parking garage architecture. The applicant has the option of paying a fee in -lieu of providing the artwork on site.

### **Community Benefits**

The project includes community benefit features: 1) enhancement and naturalization of the West Channel between Caspian and W. Caribbean; 2) public access through the site and along the channel; 3) 18 dedicated Bay Trail parking spaces; and 4) signalized intersections to assist pedestrians crossing Caribbean. Additionally, the developer has offered about \$2.2 million to the City's Community Benefits Fund. The Developer has also agreed to require their large contractors to ensure all sales tax revenue related with this project is properly registered with the state so that the revenue is allocated to the City of Sunnyvale.

Staff finds that the Community Benefits are appropriate to access the Green Building Program additional density bonus for the Moffett Park Specific Plan Area.

### **FISCAL IMPACT**

Normal fees and taxes are expected. A direct economic benefit of the proposed project will be the fees the developer must pay as part of the permitting process which are required. The amount is expected to be about \$9.3 million dollars in one-time revenue: housing mitigation fees (\$5.4 million), transportation impact fees (\$2.5 million), construction tax (\$1.1 million), and general plan maintenance fee (\$310,000).

School impact fees would be paid directly to the Sunnyvale School District and the Fremont Union High School District. The fees would be based on a fixed cost per net new square footage.

In addition, there will be about a \$2.2 million contribution to the City's Community Benefit fund (as described above).

### **PUBLIC CONTACT**

#### **EIR**

- Notice of Preparation, May 1, 2019
- Transportation EIR Scoping Meeting, May 22, 2019

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- Notice of Availability, December 2, 2019
- Planning Commission hearing for Draft Transportation EIR comments, October 14, 2019

### **Notice of Public Hearing**

- Published in the Sun newspaper
- Posted on the site
- 188 notices mailed to property owners and residents within 1,000 feet of the project site
- Notices were sent to interested parties

### **Staff Report**

- Posted on the City's website
- Provided at the Reference Section of the City's Public Library Made available at the City's One Stop Permit Center

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- Posted on the City's official notice bulletin board
- Posted on the City's website

### **Planning Commission Study Session**

On October 28, 2019, staff presented the proposed project to the Planning Commission for comments. Site and architectural plans were discussed. The Planning Commission generally liked the direction of the proposed project and had comments on architectural details, landscaping, mature trees and public access.

### **ALTERNATIVES**

Recommend that the City Council take the following actions:

#### **Transportation EIR Actions:**

1. Adopt a resolution certifying the Transportation EIR, adopting the Statements of Overriding Consideration, and adopting the Mitigation Monitoring and Reporting Program as contained in the Attachments 4 and 5 of the report.
2. Not certify the Transportation EIR and do not adopt the Statements of Overriding Consideration, and direct staff as to where additional environmental analysis is required.

#### **Major Moffett Park Special Development Permit and Tentative Map Actions:**

3. Approve the Major Moffett Park Special Development Permit as indicated in the Site and Architectural Plans in Attachment 6 of the report and Tentative Map in Attachment 7 of the report, Findings of Approval in Attachment 8 of the report and Conditions of Approval in Attachment 9 of the report.
4. Approve the Major Moffett Park Special Development Permit and Tentative Map with modifications.
5. Deny the Major Moffett Park Special Development Permit and Tentative Map.

### **STAFF RECOMMENDATION**

Recommend that the City Council approve Alternatives 1 and 3: 1) Adopt a resolution certifying the

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Transportation EIR, adopting the Statements of Overriding Consideration, and adopting the Mitigation Monitoring and Reporting Program as contained in the Attachment 4 and 5 of the report; and, Approve the Major Moffett Park Special Development Permit as indicated in the Site and Architectural Plans in Attachment 6 of the report and Tentative Map in Attachment 7 of the report, Findings of Approval in Attachment 8 of the report and Conditions of Approval in Attachment 9 of the report.

Staff recommends that the project be approved as proposed with the Recommended Conditions of Approval. Approval would include deviations from the front yard setback requirements (allowing a generator between the building and street) and a reduction in the number of required parking spaces. The proposed project meets the intent of the MPSP by constructing additional Class A office space within proximity to light rail. The proposed architecture has been designed to be sensitive to the surrounding area by stepping down the buildings toward W. Caribbean Drive and placing the main mass of the buildings on the south side of the buildings. The proposed landscape plans would replace non-native species of plants with more native species and the proposed improvements to the West Channel would allow for more connectivity between the office buildings and allow public access through the site and along the channel. The applicant has worked closely with the City to bring the proposed project forward for consideration and approval.

Prepared by: Shaunn Mendrin, Principal Planner  
Reviewed by: Trudi Ryan, Director, Community Development  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager

#### ATTACHMENTS

1. *Reserved for Report to Council*
2. Site, Vicinity and Public Notice Map
3. Project Data Table
4. Final Transportation EIR for 360 W. Caribbean Drive
5. Draft City Council Resolution and CEQA Findings
6. Site and Architectural Plans
7. Vesting Tentative Map
8. Recommended Findings for Major Moffett Park Special Development Permit
9. Recommended Conditions of Approval
10. Parking Reduction Justification Memo
11. Draft TDM Plan
12. Floor Area Ratio Calculations