



File #: 23-0676, Version: 1

REPORT TO COUNCIL

SUBJECT

CONTINUED FROM MAY 16, 2023

Proposed Project:

Actions for consideration related to the Moffett Park Specific Plan (MPSP) to:

- A. Adopt a Resolution (Attachments 5 and 7) to
 - 1. Certify the Environmental Impact Report (EIR);
 - 2. Make the findings required by California Environmental Quality Act (CEQA);
 - 3. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
 - 4. Adopt the Water Supply Assessment;
 - 5. Adopt the Amended Moffett Park Specific Plan (with Staff recommended modifications to the draft MPSP detailed in Attachment 9);
 - 6. Amend the General Plan text and update the General Plan Map; and
 - 7. Update the Green Building Program Table.
- B. Adopt a Resolution (Attachment 6) to:
 - 1. Amend the Fiscal Year 2022/23 Master Fee Schedule to adjust the MPSP Planning Application Fees, including the addition of the MPSP Maintenance Fee, the MPSP Infrastructure Fee and the MPSP Transportation Impact Fee (TIF).
- C. Introduce a Draft Ordinance (Attachment 8) to:
 - 1. Repeal and Re-Adopt Sunnyvale Municipal Code (SMC) Chapter 19.29 (Moffett Park Specific Plan) and make other amendments to Title 19 (Zoning) to implement the MPSP;
 - 2. Add SMC Chapter: 3.56 (MPSP Transportation Impact Fee) to Title 3 (Revenue and Finance); and
 - 3. Amend the Zoning Plan District Map and re-zone parcels currently within the new MPSP district.

Location: Existing Plan: Moffett Park Specific Plan

File number: 2018-7715 (Moffett Park Specific Plan)

General Plan Designation:

Existing: Moffett Park Specific Plan

Proposed: Moffett Park Specific Plan

Zoning:

Existing Zoning:

MP-I: Industrial

MP- TOD: Transit Oriented Development

MP-C: Commercial

Proposed MPSP Zoning Districts:

MP-AC: Activity Center

MP-R: Residential

MP-MU: Mixed Use
MP-O1: Office 1
MP-O2: Office 2
MP-E1: Mixed Employment 1
MP-E2: Mixed Employment 2
MP-E3: Mixed Employment 3
MP-H: Hospitality
MP-PF: Public Facilities

Proposed Combining District

ECD: Ecological Combining District

Applicant: City of Sunnyvale

Environmental Review: Environmental Impact Report (SCH # 20210880338)

Project Planner: Michelle King, 408-730-7463, mking@sunnyvale.ca.gov

SUMMARY OF COMMISSION ACTION

The Planning Commission considered this item on June 12, 2023.

The Planning Commission voted 4-0 (three Commissioners absent) to recommend Alternative 2 to City Council: Approve related actions associated with adoption of the Moffett Park Specific Plan (MPSP), which are to adopt two resolutions and introduce one ordinance (Attachments 5, 6, 7, and 8 to this report) and to include the staff recommended changes in Attachment 9, with modifications.

The modifications are stated below:

1. Present to Council a list of additional uses that would be allowed in the required innovation and creation spaces, including but not limited to such things as artists' lofts (with some percentage dedicated to a gallery), commercial kitchens, and other creative uses.
2. Add allowable types of maker space in the areas designated for retail use.

Additional allowed uses for the innovation and creation spaces as well as appropriate maker space type uses in the retail areas have been added to the allowable uses in Attachment 8, Draft Ordinance Amending Sunnyvale Municipal Code (Title 19). Details on these changes are also recorded in Attachment 9, Staff Recommended Changes to Draft MPSP.

DISCUSSION

In addition to the recommended modifications from the Planning Commission, staff has identified other changes to the draft plan to add clarity and address additional comments received from the public. Recommended amendments added since the Planning Commission hearing start at item 349 in Attachment 9. Valley Water submitted a letter (included in Attachment 20) with a large number of suggestions and questions about the MPSP. Staff is completing review of that letter and has created a placeholder in Attachment 9 for any staff recommended modifications to the draft plan. The attachment may be further updated based on staff review of additional comments and letters received prior to the City Council meeting.

PUBLIC CONTACT

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin

board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby as well as on the Moffett Park Specific Plan project website and through direct emailing to interested parties. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

ALTERNATIVES

Take actions related to the Moffett Park Specific Plan (MPSP) to:

1. Approve related actions associated with adoption of the MPSP: Adopt two resolutions and introduce an Ordinance (Attachments 6, 7, and 8 to this report)
 - A. Adopt a Resolution (Attachment 7) to
 1. Certify the EIR;
 2. Make the findings required by CEQA;
 3. Adopt the Statement of Overriding Considerations;
 4. Mitigation Monitoring and Reporting Program (in Attachment 5);
 5. Adopt the Water Supply Assessment;
 6. Adopt the amended Moffett Park Specific Plan (with Staff recommended modifications to the draft MPSP detailed in Attachment 9);
 7. Amend the General Plan text and update the General Plan Map; and
 8. Update the Green Building Program Table.
 - B. Adopt a Resolution (Attachment 6) to:
 1. Amend the Fiscal Year 2022/23 Master Fee Schedule to adjust the MPSP Planning Application Fees, including the addition of the MPSP Maintenance Fee, the MPSP Infrastructure Fee and the MPSP Transportation Impact Fee (TIF).
 - C. Introduce an Ordinance (Attachments 8) to:
 1. Repeal and Re-Adopt Chapter 19.29 (Moffett Park Specific Plan) and make other amendments to Title 19 (Zoning) to implement the MPSP;
 2. Add SMC Chapter: 3.56 (MPSP Transportation Impact Fee) to Title 3 (Revenue and Finance); and
 3. Amend the Zoning Plan District Map and re-zone parcels currently within the new MPSP district.
2. Alternative 1, with modifications.
3. Take no action on the MPSP and provide direction on desired changes.

STAFF RECOMMENDATION

Alternative 1: Approve related actions associated with adoption of the MPSP: Adopt two resolutions and introduce an Ordinance (Attachments 6, 7, and 8 to this report)

- A. Adopt a Resolution (Attachment 7) to
 1. Certify the EIR;
 2. Make the findings required by CEQA;
 3. Adopt the Statement of Overriding Considerations;
 4. Mitigation Monitoring and Reporting Program (in Attachment 5);
 5. Adopt the Water Supply Assessment;
 6. Adopt the amended Moffett Park Specific Plan (with Staff recommended modifications to the draft MPSP detailed in Attachment 9);
 7. Amend the General Plan text and update the General Plan Map; and
 8. Update the Green Building Program Table.

- B. Adopt a Resolution (Attachment 6) to:
 - 1. Amend the Fiscal Year 2022/23 Master Fee Schedule to adjust the MPSP Planning Application Fees, including the addition of the MPSP Maintenance Fee, the MPSP Infrastructure Fee and the MPSP Transportation Impact Fee (TIF).
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 - 1. Repeal and Re-Adopt Chapter 19.29 (Moffett Park Specific Plan) and make other amendments to Title 19 (Zoning) to implement the MPSP;
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 - 3. Amend the Zoning Plan District Map and re-zone parcels currently within the new MPSP district.

With the new MPSP goals, policies, and implementation the district is envisioned to transform from suburban office campuses to a “eco-innovation” district; a vibrant mixed-use neighborhood with office/employment centers, housing, parks and open space, urban ecology features, robust bike and pedestrian improvements, and local serving retail stores and services. This new vision will help Sunnyvale achieve many goals found in the City’s General Plan, pending Housing Element, Active Transportation Plan, Climate Action Playbook, Green Infrastructure Plan as well as help to meet many other important milestones the City has planned for the future.

In particular, the addition of a significant amount of housing in the MPSP responds to great regional and local housing demand while helping to support the current and future retail and other commercial services in the area. The plan incorporates improvements to support and encourage walking and bicycling in an area that was previously auto-centric. New parks and urban ecology standards will work to reduce the heat island effect in the plan area while encouraging outdoor recreation. The plan includes land uses and development standards that will minimize Vehicle Miles Traveled (VMT) by creating a mix of housing and jobs, adding to the mobility and circulation network, and reducing parking; thereby fulfilling City priorities to increase transit use, reduce single-occupant vehicle trips, and lessen greenhouse gas emissions.

The mitigation fees being adopted by City Council cannot become effective sooner than 60 days following the final action on the adoption of the fee or charge (California Government Code Section 66017). In order to reduce confusion about when the City Council’s actions will become applicable and ensure that all new fees are appropriately collected should a formal application be submitted before all of the policies, regulations and fees become effective, staff recommends that certain of the Council actions, as specified in the Resolutions and the Ordinance, be effective on the same date, which is September 22, 2023, while other actions will be effective immediately (e.g., certification of the EIR). While resolutions are typically effective immediately and ordinances are not effective until 30 days after the second reading of an ordinance, which will be on July 25, 2023, this will not be the case related to the MPSP. This approach is consistent with the procedure used with the adoption of the El Camino Real Specific Plan.

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

ATTACHMENTS

1. Report to Planning Commission [23-0500, June 12, 2023] (without attachments)
2. Noticing and Vicinity Map
3. Relevant General Plan Goals and Policies
4. Links to DEIR, FEIR, Draft MPSP, and Background Documents
5. MPSP Mitigation Monitoring and Reporting Program (Updated)
6. Draft Resolution to Amend Master Fee Schedule
7. Draft Resolution: Actions related to Certifying EIR, Statement of Overriding Consideration, Adopting a Water Supply Assessment, Adopting an Amended MPSP and an Amendment to the General Plan, and Update the Green Building Program Table
8. Draft Ordinance Amending Sunnyvale Municipal Code (Title 19), Adding Sunnyvale Municipal Code 3.56 and Amending the Zone Plan District Map within the MPSP District
9. Staff Recommended Changes to Draft MPSP
10. MPSP TIF Nexus Study, May 2023
11. MPSP Infrastructure Fee Study, April 2023
12. MPSP Water Supply Assessment, April 2023
13. Moffett Park Market Analysis, July 2020
14. Excerpts from Final Minutes on MPSP Item:
 - a. Bicycle and Pedestrian Advisory Commission on March 16, 2023
 - b. Sustainability Commission on March 20, 2023
 - c. Housing and Human Services Commission on March 22, 2023
15. Public Comment Letters on Draft Plan and Draft EIR
16. Recommended Site Master Plan Process
17. Airport Land Use Commission-Moffett Park Specific Plan Referral COA Letter-May 5, 2023
18. David J. Power & Associates, Inc. Responses to Late Comments
19. MPSP EIR Errata

Additional Attachments for Report to Council

20. Public Comments Received After Planning Commission Staff Report Published
21. Excerpt of Final Minutes of the Planning Commission Meeting of June 12, 2023