



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0935, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7615

Location: 1221 Crossman Av (APN: 110-34-025)

Applicant / Owner: Jay Paul Co. (applicant) / 441 MPD Campus LLC (owner)

Proposed Project:

PARCEL MAP to subdivide one parcel into three parcels for two buildings and one common area (Moffett Gateway project).

Reason for Permit: A Parcel Map is required to create new parcels as per SMC 18.20.042.

Project Planner: Shétal Divatia, 408-730-7637, sdivatia@sunnyvale.ca.gov

Issues: None

Recommendation: Approve with Conditions

NOTE: This item was continued from the Zoning Administrator Meeting of October 14, 2015.

PROJECT DESCRIPTION

	Existing	Proposed
General Plan	Moffett Park Specific Plan	Same
Zoning District:	MP-TOD	Same
Number of Parcels	1	3
Parcel Size	Parcel 1: 715,953 s.f. (16.43 acres)	Parcel A: 628,759 s.f. (14.43 acres) Parcel B: 43,597 s.f. (1 acre) Parcel C 43,597 s.f. (1 acre)

Previous Planning Projects related to Subject Application:	Yes MMPDR 2013-7353 to allow construction of 2 new office R&D buildings and associated site work
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Background

In August 2013, the Moffett Gateway development project (#2013-7353) was approved by the Planning Commission. A Major Moffett Park Design Review allowed two new 7-story office buildings and an amenities area with a total of 541,215 square feet of building area (80% FAR) and one

parking structure. A Mitigated Negative Declaration was prepared for this project. Building Permits were issued for the project in 2014 and the project is under construction.

Tentative Parcel Map

The Moffett Park Specific Plan allows for the subdivision of campus developments with a Tentative Parcel Map and does not require a Special Development Permit or Variance to permit lots without street frontage as would be required in other areas of the City.

Description of the Tentative Parcel Map

The proposed subdivision will result in two building footprint parcels of 1 acre each and third parcel includes the remaining site as a common parcel as shown in the table below.

Lot Name on Tentative Parcel Map	Size (square feet)	Size (acres)
Parcel A	628,759	14.434
Parcel B	43,597	1.00
Parcel C	43,597	1.00
Total	715,953	16.436

Public Improvements

No off-site or on-site improvements are proposed or required as a result of the Tentative Parcel Map. Improvements are being completed pursuant to the requirements of the previously-approved development permit (#2013-7353).

Public Contact

69 notices were sent to surrounding property owners and residents within 300 feet radius of the subject site in addition to standard noticing practices, including advertisement in the Mercury News and on-site posting. No letters or calls were received from the public by staff.

Environmental Determination

This is not a "project" as defined by the California Environmental Quality Act (CEQA) and is therefore exempt from CEQA requirements.

FINDINGS

In order to deny the Tentative Map the following findings must be made:

- 1. That the proposed map is not consistent with the general plan, or with any applicable specific plan. [Finding Not Met]*
The design of the subdivision is consistent with the General Plan and the Moffett Place Specific Plan. The creation of an individual footprint lot for financing and ownership purposes is encouraged by the Moffett Park Specific Plan.
- 2. That the design or improvement of the proposed subdivision is not consistent with the general plan or with any applicable specific plan. [Finding Not Met]*
The subdivision does not involve any additional improvements on the site, nor does it grant any development rights. The property is being developed under a previously-approved permit (#2013-7353).

3. *That the site is not physically suitable for the proposed type of development. [Finding Not Met]*
The subdivision does not involve any additional proposed development.

4. *That the site is not physically suitable for the proposed density of the development. [Finding Not Met]*
The subdivision does not involve any additional proposed development.

5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. [Finding Not Met]*
The subdivision does not involve any additional improvements on the site, nor does it grant any development rights. A Mitigated Negative Declaration was prepared to address the potential impacts of the previously-approved development on the site. No additional environmental impacts will result from the proposed subdivision.

6. *That the design of the subdivision of type of improvements is likely to cause serious public health problems. [Finding Not Met]*
The subdivision does not involve any additional improvements on the site, nor does it grant any development rights. The footprint lots for the two buildings and the common lot proposed as part of the subdivision are intended to assist in financing and property management. No public health impacts will result from the proposed subdivision.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. [Finding Not Met]*
There are public utility easements located on the subject site, but they are located outside the building footprint areas and are not affected by the proposed subdivision.

8. *That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by this title. [Finding Not Met]*
The proposed subdivision is consistent with the Subdivision Map Act and the Sunnyvale Municipal Code. The subdivision creates legal lots bounded by the footprint of the two office buildings on the site, as well as a common lot. The creation of a footprint lot for financing and ownership purposes is encouraged by the Moffett Park Specific Plan.

As noted above, staff was not able to make any of the Findings for denial of the subject map (Attachment 3), therefore staff is recommending approval of the project.

ALTERNATIVES

1. Approve the Tentative Parcel Map with recommended Conditions in Attachment 2.
2. Approve the Tentative Parcel Map with modifications.
3. Deny the Tentative Parcel Map.

RECOMMENDATION

Alternative 1. Approve the Tentative Parcel Map with recommended Conditions in Attachment 2.

Prepared by: Shétal Divatia, Senior Planner

Approved by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Site, Vicinity and Noticing Map
2. Recommended Conditions of Approval
3. Proposed Tentative Parcel Map