



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 16-0556, Version: 1

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### REPORT TO COUNCIL

#### **SUBJECT**

**File #:** 2015-7275

**Location:** 1111 Lockheed Martin Way (APNs: 110-01-036 and 110-01-038)

**Proposed Project:** Discussion and possible actions on:

**MAJOR MOFFETT PARK SPECIAL DEVELOPMENT PERMIT** to demolish existing buildings and construct five eight-story buildings, two four-story parking structures, one-five-story parking structure and a two-story amenities building resulting in approximately 1.65 million square feet of office use.

**DEVELOPMENT AGREEMENT** Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and MT II LLC (Jay Paul Company)

**Environmental Review:** A Subsequent Environmental Impact Report (SEIR) has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

**Applicant / Owner:** MT II, LLC (Jay Paul Company)

**Staff Contact:** Margaret Netto, 408-730-7628, [mnetto@sunnyvale.ca.gov](mailto:mnetto@sunnyvale.ca.gov)

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#### **SUMMARY OF PLANNING COMMISSION ACTION**

The Planning Commission conducted a public hearing on May 23, 2016. An overview of the project was provided; questions and discussion mostly related to the amount of impervious surface, the use of recycle building material in the project, Transportation Demand Management measures, the terms of the Development Agreement, and revision of the green roof as an optional element.

There are two clarifications to the Report to Planning Commission (Attachment 9). First, there was a discrepancy between the staff report and the Development Agreement regarding the terms of the agreement. The terms of the Development Agreement are 15 years with one five-year extension. The Development Agreement (Attachment 6) has been revised to reflect this clarification. Secondly, the impervious surface (area covered by impenetrable materials such as asphalt, concrete, brick, stone and rooftops) number in the data table (Attachment 2) has been revised to reflect the impervious surface calculation and not the pervious surface. The developer is reducing the amount of impervious surface from existing conditions by 22.4% or 464,370 square feet (10.7 acres).

No members of the public spoke at the public hearing. The Planning Commission recommended approval of the Major Moffett Park Special Development Permit, the Development Agreement and adoption of the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Project subject to modifications to the Conditions of Approval. The Conditions of Approval have been modified in Attachment 4 to reflect the Planning Commission's recommendation. See Attachment 10 for the May 23, 2016 Planning Commission meeting minutes.

Staff supports the recommended modifications to the Conditions of Approval recommended by the

Planning Commission, which include:

- Encourage the provision of the green roof for the parking garage (GC-11)
- Consider providing art in private development through integration into the building architecture (BP-11)
- Encourage the use of native trees (BP-12)
- Requirement to increase the amount of bike parking by 25% (69 spaces) (BP-25)
- Clarification of the Tenant Improvement LEED requirements (BP-28)
- Encourage the use of permeable pavers (provided they do not interfere with LEED Platinum certification (BP-38)

## **ALTERNATIVES**

### **Environmental Review:**

1. Make the Findings required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program as contained in Attachment 8.

### **Major Moffett Park Special Development Permit:**

2. Approve the Major Moffett Park Special Development Permit as indicated in the Site and Architectural Plans in Attachment 7 of this report, Findings of Approval in Attachment 3 of this report and Conditions of Approval in Attachment 4 of this report.
3. Approve the Major Moffett Park Special Development Permit with modified findings or conditions of approval.
4. Deny the Major Moffett Park Special Development Permit.

### **Development Agreement:**

5. Introduce an ordinance approving and adopting a Development Agreement between the City of Sunnyvale and MT II, LLC (Jay Paul Company) as contained in findings for approval in Attachment 5 of the report and Draft Ordinance in Attachment 6 of the report.
6. Do not introduce an ordinance to enter into a Development Agreement between City of Sunnyvale and MT II, LLC (Jay Paul Company).

## **STAFF RECOMMENDATION**

Alternatives 1, 2, and 5: 1) Make the Findings required by CEQA, Adopt a Statement of Overriding Considerations and Mitigation Monitoring Program as contained in Attachment 8 of the report; 2) Approve the Major Moffett Park Special Development Permit as indicated in the Site and Architectural Plans in Attachment 7 of the report, Findings of Approval in Attachment 3 of the report and Conditions of Approval in Attachment 4 of the report; and, 5) Introduce an ordinance approving and adopting a Development Agreement between the City of Sunnyvale and MT II, LLC (Jay Paul Company) as contained in findings for approval in Attachment 5 of the report and Draft Ordinance in Attachment 6 of the report.

Prepared by: Margaret Netto, Contract Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Community Development Director

Reviewed by: Kent Steffens, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

### **Attachments provided to Planning Commission**

1. Vicinity Map and Noticing Map
2. Data Table (**updated for City Council hearing**)
3. Recommended Moffett Park Specific Plan Findings
4. Recommended Conditions of Approval (**updated for City Council hearing**)
5. Development Agreement Findings
6. Development Agreement Ordinance (**updated for City Council hearing**)
7. Project Plans
8. Resolution Adopting Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program

### **Additional Attachments for Report to Council**

9. Report to Planning Commission, May 23, 2016 (**without Attachments**)
10. Planning Commission Minutes of May 23, 2016