



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 16-0722, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7758

Location: 1400 Kifer Road (APN: 216-27-030)

Applicant / Owner: Kier & Wright (applicant) / Westcore Kifer LLC (owner)

Proposed Project:

TENTATIVE PARCEL MAP to allow a 2-lot subdivision of an industrial property, and a **USE PERMIT** to allow a floor area ratio of 57% for Parcel 1.

Reason for Permit: A Tentative Parcel Map is required for all subdivisions that create less than five lots, and a Use Permit is required to exceed the floor area limitations in the M-S zoning district.

Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Environmental Review: Categorically Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15315 (Class 15, Minor Land Divisions).

Recommendation: Approve with conditions

PROJECT DESCRIPTION

The applicant seeks a Tentative Parcel Map approval for a two-lot subdivision of a 9.9-acre industrial property with two office buildings, and a Use Permit approval to allow a floor area ratio of 57% for Parcel 1 (lot size 155,190 sq. ft.) and 28% for Parcel 2 (lot size 276,230 sq. ft.) The overall floor area ratio of the two lots combined would remain 38%, as approved by a previous Use Permit (# 1998-0441). The project site is currently developed with a three-story, 88,220-sq. ft. R&D office building on Parcel 1 and a one -story, 76,905-sq. ft. industrial building on Parcel 2. No new floor area is proposed. If approved, the construction activity on the project site will be limited to the separation of water and other shared utility lines and offsite public improvements.

Previous Planning Projects related to Subject Application: Use Permit to allow the development of an 88,000 sq. ft. office building with a total FAR of 38.3% for the entire site (# 1998-0441).	Yes
Neighborhood Preservation Complaint: Noise complaints regarding the use of generators in the rear of the property in 2003 and 2007.	Yes
Deviations from Standard Zoning Requirements: The applicant is requesting a deviation from the floor area limitations of the MS zoning district per Sunnyvale Municipal Code (SMC) section 19.32.070(b)(2).	Yes

Background

The project site is zoned M-S (Industrial and Service) district within the proposed Lawrence Station Area Plan area. The site was developed in 1992, with two one-story industrial buildings and a floor area ratio of 41%. In 1998, a Use Permit was approved by the Planning Commission to allow the 99,350-sq. ft. front industrial building to be replaced by a three-story 88,220-sq. ft. R&D office building and to retain the rear one-story industrial building for a total floor area ratio of 38% for the site.

Site Layout

The 9.9 acres site is bounded by R&D and office buildings to the north and east, industrial uses and the railroad to the south, and Calabazas Creek (Santa Clara Valley Water District channel) to the west. City of Santa Clara city boundaries are to the north and south. The proposal would subdivide the lot into two, with Parcel 1 proposed on the Kifer Road frontage and Parcel 2 proposed as a flag lot with access from Kifer Road. Both of the lots exceed the City's minimum standard of 22,500 sq. ft. for new lots in the M-S zoning district. See Attachment 2 for the Project Data Table.

Parcel 1 is proposed to be 155,190 sq. ft. (3.6 acres) with a width of 331 feet and depth of 467 feet, which meet the minimum standard of 100 feet for lot width for a new interior lot. Access to the parcel is provided by a driveway from Kifer Road located on the northeast corner. A secondary access will be available from the driveway from Kifer Road located on the northwest corner by an access easement. The existing 88,220-sq. ft. R&D office building would comply with all setback requirements and the lot coverage requirement of 45%. The floor area ratio (FAR) is proposed to be 57% (38% for the two lots combined).

Parcel 2 is a flag lot with a lot area of 276,230 sq. ft (6.3 acres). The width of the lot at Kifer Road is 100 feet, which meets the minimum lot width standards, and expands to 431 feet and the lot depth is 580 feet (over 1000 feet including the access from Kifer Road) behind Parcel 1. The primary access will be from the driveway from Kifer Road on the northwest corner and a secondary access is available from the driveway on the northeast corner by an access easement. There is a small open space area at the south end of the parcel where Calabazas Creek meets the railroad. The existing 76,905-sq. ft. industrial building would comply with all setback and lot coverage requirements. The FAR is proposed to be 28% which also complies with the standard requirements.

Architecture

The R&D office building on Parcel 1 is currently vacant. The three story building is rectangular and has white concrete walls with glass panels on all four elevations. The building has undergone tenant improvements in the last year to bring it to market ready conditions. The improvements included the installation of an enclosed outdoor patio area on the east side and new landscaping (MPP #2015-7323). The project does not propose any new floor area and will also retain the public art installation in front of the building as was approved by the Arts Commission when the building was constructed.

The industrial building on Parcel 2 is currently occupied by a technology company. The one story building is a concrete structure with very little glazing. There is a lobby entrance on the northwest corner and there are several enclosed mechanical equipment areas including generators and tanks, which currently meet the coverage standards of 5%. The project does not propose any new floor area

or new equipment areas.

Parking

The total parking spaces provided at the site is currently 509 parking spaces. The minimum parking spaces required for an overall building size of 165,125 sq. ft. is 331 parking spaces and a maximum of 661 parking spaces. For Parcel 1, the parking requirement would be a minimum of 177 parking spaces and a maximum of 353 parking spaces. The project proposes 238 parking spaces. For Parcel 2, the parking requirement would be a minimum of 154 parking spaces and a maximum of 308 parking spaces. The project proposes 271 parking spaces. Therefore, each parcel complies with the required number of parking spaces. No new parking striping or layout change is proposed with the project. Conditions have been added to provide a minimum of 5% of the maximum number of vehicle parking spaces required as bicycle parking for each parcel and to ensure 5% of parking to be permanently reserved for carpool parking (see Attachment 4).

Landscaping

The minimum landscape requirement for the M-S zoning district is 20% of the lot area. The existing parcel provides 23% landscaping for the entire site. For Parcel 1, the proposed landscape area is 27% and for Parcel 2, the proposed landscape area is 21%. Therefore, each parcel provides sufficient landscaping area. No new landscaping is proposed with the project for Parcel 2. For Parcel 1, new landscaping, including the removal and replacement of trees were reviewed under a separate permit as previously mentioned.

Public Improvements

The subdivision project will be required to provide separate services to the two lots (i.e., water and sewer connections.) Public improvements would also include the removal and replacement of driveway approaches, street pavement improvements, widening of the sidewalk, and possible streetlight upgrades and new street trees to meet current City standards (see Attachment 4).

Use Permit

A Use Permit is required for floor area ratio (FAR) exceeding the standard limitations in the M-S zoning district. The overall FAR for the existing site is 38%, which was approved through a previous Use Permit (#1998-0441) when the building on Parcel 1 was constructed. With the proposed subdivision, the FAR for Parcel 1 would be 57% and 28% for Parcel 2. The project does not propose any new floor area and the overall FAR for both parcels combined would remain the same at 38%. If new floor area or expansion of the building is ever proposed on either Parcel 1 or Parcel 2, a new Use Permit and environmental review would be required (see Attachment 4).

Neighborhood Impacts / Compatibility

Staff finds that the layout and design of the subdivision is compatible with the surrounding industrial neighborhood. The project complies with the Goals and Policies of the General Plan for industrial districts. The project also complies with the proposed Lawrence Station Area Plan goals.

Public Contact: 20 notices were sent to surrounding property owners and tenants within 300 feet of the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale

Sun Newspaper and on-site posting. See Attachment 1 for a noticing map. No letters or calls were received from the public by staff.

Environmental Determination: A Categorical Exemption Class 15 relieves this project from CEQA provisions. Class 15 consists of minor land divisions in urbanized areas into four or fewer parcels when division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a large parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings for the Tentative Parcel Map and Use Permit. Recommended Findings and General Plan Goals and Policies are located in Attachment 3.

ALTERNATIVES

1. Approve the Tentative Parcel Map and Use Permit with recommended Conditions in Attachment 4.
2. Approve the Tentative Parcel Map and Use Permit with modifications.
3. Deny the Tentative Parcel Map and Use Permit.

RECOMMENDATION

Alternative 1. Approve the Tentative Parcel Map and Use Permit based on the Findings in Attachment 3 with recommended Conditions in Attachment 4.

Prepared by: Momoko Ishijima, Associate Planner

Approved by: Noren Caliva-Lepe, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Project Data Table
3. Findings
4. Recommended Conditions of Approval
5. Project Plans
6. Project Description Letter