



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

File #: 17-0630, Version: 1

### REPORT TO THE ZONING ADMINISTRATOR

**File #:** 2017-7226

**Location:** 1190 Bordeaux Drive (APNs: portion of 110-35-021, 110-35-007, 110-35-018)

**Applicant / Owner:** Jay Paul Company

**Proposed Project:**

**PARCEL MAP** to subdivide an existing 13.9-acre parcel into three parcels and modify the property line for existing Parcel 3.

The map is associated with the Moffett Place development project that was approved in December 2012 and is currently under construction.

**Reason for Permit:** A Parcel Map is required to create new parcels, per Sunnyvale Municipal Code (SMC) 18.20.042.

**Project Planner:** Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov

**Recommendation:** Approve with conditions

### PROJECT DESCRIPTION

	Existing	Proposed
General Plan	Moffett Park Specific Plan	Same
Zoning District:	MP-TOD (Moffett Park Transit Oriented Development)	Same
Number of Parcels	2	4
Parcel Size	Parcel B: 609,171 (13.98 acres) Parcel 3: 695,636 (15.97 acres) Total=1,304,807 (29.95 acres)	Parcel 1: 234,269 sq. ft. (5.73 acres) Parcel 2: 347,837 sq. ft. (7.98 acres) Parcel 3: 681,632 (15.64 acres) Parcel 4: 41,069 (0.943 acres) Total=1,304,807 (29.95 acres)

Previous Planning Projects related to Subject Application:	<b>Yes</b>
Neighborhood Preservation Complaint	<b>No</b>
Deviations from Standard Zoning Requirements	<b>No</b>

### Background

In December 2012, the Moffett Place development project (#2012-7854) was approved by the City Council. The project included a General Plan Amendment, Rezoning, a Major Moffett Park Design

Review, and an Environmental Impact Report to allow the development of six office buildings, three parking structures and amenities building totaling 1.77 million square feet in the Moffett Park Specific Plan area. Building Permits were issued for the project in 2013, and the project is currently under construction.

### **Tentative Parcel Map**

The Moffett Park Specific Plan allows for the subdivision of campus development with a Tentative Parcel Map and does not require a Special Development Permit or Variance to permit the creation of separate lots for ownership purposes.

### **Description of the Tentative Parcel Map**

<b>Lot Name on Tentative Parcel Map</b>	<b>Common Name</b>	<b>Size (sq. ft.)</b>	<b>Size (acres)</b>
Parcel 1	Parcel B	234,269	5.73
Parcel 2	Parcel B	347,837	7.98
Parcel 3	Parcel 3	681,632	15.64
Parcel 4	Parcel B	41,069	0.943

### **Public Improvements**

No new off-site or on-site improvements are proposed or required as part of the Tentative Parcel Map. Improvements are being completed pursuant to the requirements of the previously approved development permit (#2012-7854 and 2014-7050).

**Public Contact:** 50 notices were sent to surrounding property owners adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No letters or calls were received from the public by staff.

**Environmental Determination:** The project is considered Categorically Exempt, Class 15, Section 15315 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 Park Specific Plan. The creation of individual footprint lots 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 (#2015-7275).

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. An Initial Study/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 lot proposed as part of the subdivision is 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 lot bounded by the footprint of the approved office building on the site. The creation of a footprint lot for financing and ownership purposes is encouraged by the Moffett Park Specific Plan.

As shown 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 Vesting Tentative Parcel Map with recommended Conditions in Attachment 2.
2. Approve the Vesting Tentative Parcel Map with modifications.
3. Deny the Vesting Tentative Parcel Map.

### **RECOMMENDATION**

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

Prepared by: Margaret Netto, Project Planner

Approved by: Ryan Kuchenig, Senior Planner

### **ATTACHMENTS**

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