



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 18-0899, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2018-7071

Location: 495 E Java Dr. (APN: 110-32-035)

Proposed Project:

PARCEL MAP to subdivide one lot into two lots (common area between buildings) for NetApp and Google.

Applicant / Owner: Kier & Wright / NetApp

Environmental Review: Categorical Exemption Class 15

Staff Contact: Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

Issues: Parking

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	1	2
Parcel Size	Total = 1,315,076.4 (30.19 acres)	Parcel A (Google): 703,450.44 sq. ft. (16.15 acres) Parcel B (Net App): 611,625.96 sq. ft. (14.04 acres) Total = 1,315,076.4 (30.19 acres)

Background

In 2005, a phased master plan was approved for the NetApp campus allowing a total of nine office/R&D buildings and three parking structures to be constructed at the site. Seven of the office/R&D buildings and two parking structures have since been built. In 2006, the campus was subdivided into individual "postage stamp" lots around the footprint of each office/R&D building and parking structure with a separate common area lot. In 2012, the Planning Commission approved a modification to two of the previously entitled (not yet constructed) office/R&D buildings and final parking structure. The proposed Tentative Parcel Map would subdivide the common area that was previously created to allow for separate use and ownership between NetApp and Google.

Tentative Parcel Map

The Moffett Park Specific Plan allows for the subdivision of a 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

Lot Name on Tentative Parcel Map	Size (sq. ft.)	Size (acres)
Common Lot A	703,450.44	16.149
Common Lot B	611,625.96	14.041

As shown in the Tentative Parcel Map (Attachment 3), no changes are proposed to the existing “postage stamp” parcels around the individual building footprints. NetApp would retain ownership of existing Parcels #2, #3, #4, #7, #8, #9, while Google would occupy existing Parcels #1, #5, #6, #10, #11, #12”. The proposal would split “Existing Common Lot A” into “Proposed Common Lot A” and “Proposed Common Lot B”. Easements are proposed for shared vehicular access, including fire access off E. Java Drive.

A site plan, provided in Attachment 4, demonstrates that the two sites would meet the required landscaping standards on each individual lot. The NetApp portion of the site (Site 1) would meet the parking requirements per the Moffett Park Specific Plan development standards, by providing 2,212 spaces. The amenity area (employee café & fitness center) is not counted towards the floor area for this requirement, as previously approved through Miscellaneous Plan Permit #2017-7692. The Google site (Site 2) would provide 976 parking spaces, which would not meet the minimum 1,235 spaces needed for the current buildings on site (these buildings are not currently occupied by Google). There is an opportunity to add additional parking spaces in an undeveloped area adjacent to Geneva Drive in order to meet the minimum parking requirement needs, if the occupancy of the existing buildings warrants additional parking. Therefore, staff has added Condition of Approval GC-4 to require that a Miscellaneous Plan Permit be submitted for review and approval to consider additional parking lot areas designed to meet City design standards for landscaping, tree shading, stormwater runoff, etc., prior to approval of Final Map.

Public Improvements

No new off-site improvements are proposed as part of the Vesting Tentative Parcel Map. As part of this Parcel Map, a public utility easement to accommodate a storm drain is to be relocated between Parcels #6 and #12. Conditions of Approval require sidewalk improvements to be constructed for the stretch of frontage adjacent to 1350-1360 Geneva Drive. These improvements had been required through the previously approved Major Moffett Park Design Review Permit (#2011-7758), which has yet to be exercised and constructed. Separate permits are planned to be requested for landscape improvements on the site.

Public Contact: 39 notices were sent to surrounding property owners and residents 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 Categorical 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 Parcel 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 proposed subdivision is consistent with the Subdivision Map Act and the Sunnyvale Municipal Code. The purpose of the subdivision is to allow common area that was formerly within the NetApp R&D office campus to be split into two separately owned common areas between NetApp and Google.

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. A portion of the property has been approved to be developed under a previously-approved permit (#2011-7758).

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 a portion of 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. 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 purpose of the subdivision is to allow common area that was formerly within the NetApp R&D office campus to be split into two separately owned common areas between NetApp and Google, who have purchased buildings within the west and south portions of the site.

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 recommended Conditions in Attachment 2.

Prepared by: Ryan Kuchenig, Senior Planner
Approved by: Amber Blizinski, Principal Planner

ATTACHMENTS

1. Vicinity and Noticing Map
2. Standard Requirements and Recommended Conditions of Approval
3. Tentative Parcel Map
4. Site Plan