



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

October 26, 2011

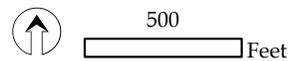
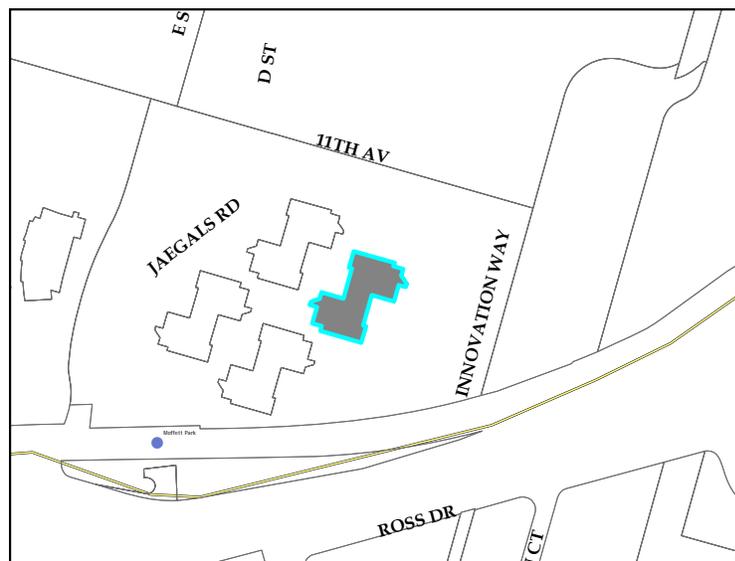
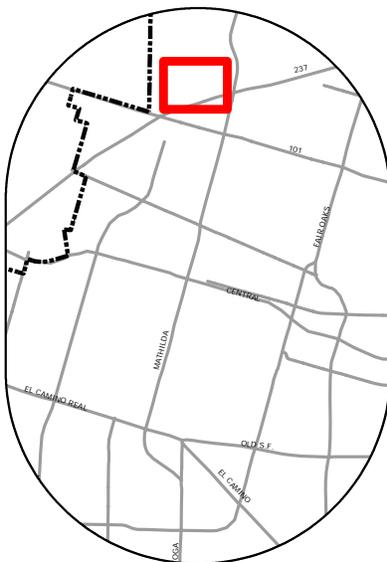
File Number: 2011-7349 **Permit Type:** Tentative Parcel Map
Location: 803 Eleventh Ave. (near Innovation Way) (APN: 110-45-001)
Applicant/Owner: Jay Paul Co. / Moffett Park Dr. LLC.
Staff Contact: Steve Lynch, Senior Planner, (408) 730-2723

Project Description: To subdivide one lot into two.

Reason for Permit: A Tentative Parcel Map is required for any lot split less than 5 parcels.

Issues: Compliance with Sunnyvale Municipal Code.

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	MP-TOD	Same
Zoning District:	Moffett Park Specific Plan	Same
Property Size:	26.6 acres 1,156,954 sf.	Approximately 41,000 sf.

Previous Planning Projects related to Subject Application: In September 2011, a new building was approved for the subject site (2011-7119) under a Major MPDR Permit. This permit added a new 200,000 sf. building (Building #5) and new parking structure at the Ariba campus.	Yes
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements	No

Project Description: The applicant proposes subdividing an existing corporate office site into one additional parcel for construction of a new building. The existing site currently has four other parcels that are located under the footprint of the existing four buildings. The proposed 41,000 sf. building footprint subdivision is for financing purposes only and does not grant the property owner any entitlement to construct.

The site is currently used as corporate offices by several companies and consists of four office buildings (4-stories each), one fitness center, and a parking structure. This approved project will construct a new 5-story office building at the surface parking area at the north-east corner of the site. The new parking structure will provide enough parking to meet SMC requirements. It will add 200,000 sf. of office space to the campus, bringing to a total office square footage to 851,560 sf. (including the existing 15,000 sf. fitness center). The new building will have a building footprint configuration as the existing office buildings.

Public Contact: 12 notices were sent to surrounding property owners and adjacent tenants. No letters were received.

Environmental Determination: A Categorical Exemption Class 15 (minor land divisions) relieves this project from CEQA provisions.

Compliance with Development Standards/Guidelines: The site complies with all SMC guidelines.

Expected Impact on the Surroundings: There are no expected impacts to the surrounding property or business owner's resulting from this Parcel Map.

FINDINGS

In order to approve the Tentative Parcel Map, the proposed subdivision must be consistent with the General Plan. Staff finds that the Parcel Map is in conformance with the General Plan. However, if any of the following findings can be made, the Parcel Map shall be denied.

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
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.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code.

Staff was not able to make any of the above findings, and recommends approval of the Parcel Map.

ALTERNATIVES:

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

Reviewed by:

Shaunn Mendrin
Senior Planner

Prepared By: Steve Lynch, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans

RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
October 26, 2011

Planning Application 2011-7349
803 11th Avenue
Tentative Parcel Map for a one lot subdivision.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

**GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE
APPROVED PROJECT.**

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

- to expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)
- GC-3. PARCEL MAP RECORDATION:
This project is subject to, and contingent upon, the approval of a tentative map and recordation of a parcel map prior to any permit issuance. All existing and proposed property lines, easements, dedications shown on the vesting tentative map are subject to City's technical review during the parcel map process. [COA] [PUBLIC WORKS]
- GC-4. DEVELOPMENT FEES:
The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to utility frontage and/or connection fees and off-site improvement plans check and inspection fees, prior to recordation of the map and/or encroachment permit issuance, unless otherwise approved by the Director of Public Works. [COA] [PUBLIC WORKS]
- GC-5. EASEMENTS DEDICATION:
This project is subject to dedication of easements as required unless otherwise approved by the Director of Public Works and the Director of Community Development [COA] [PUBLIC WORKS]
- GC-6. RECORDATION OF EASEMENTS:
Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with the map or with separate instruments prior to occupancy. Quitclaim Deed is required for abandonment of private easements. No permanent structures are allowed within any of the easement limits. [COA] [PUBLIC WORKS]
- GC-7. UTILITY PROVIDERS:
Contact the utility companies for their review/approval requirements and/or procedures for site development and existing easement vacation/removal and to ensure that any conflicts between their utilities and the development are relocated/resolved to their satisfaction. [COA] [PUBLIC WORKS]
- GC-8. MARY AVENUE EXTENSION
The project shall not impede the Mary Avenue offer (and acceptance) of dedication connecting to 11th Avenue. [COA][PUBLIC WORKS]

BP: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.

EP-1. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. Storm drain lines and storm treatment areas in the public right-of-way, prior to connection to the storm drain main, shall be privately owned and maintained. [COA] [PUBLIC WORKS]

EP-2. UTILITY ABANDONMENT/RELOCATION

All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City. Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the park strip area, caused by the development. [COA] [PUBLIC WORKS]

EP-3. PUBLIC IMPROVEMENTS:

The applicant is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to: utility facilities/conduits/vaults relocation due to grade change, etc. caused by the development of the project.

EP-4. COMPLIANCE WITH STANDARD REQUIREMENTS:

This project shall comply with all required improvements, design standards and standard details and specifications. [SDR] [PUBLIC WORKS]

PF: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PF-1. PUBLIC STREET REPAIR:

Any changes to or deficiencies in the adjacent public streets as a result of project construction are to be rectified at the expense of the developer. [COA] [PUBLIC WORKS]

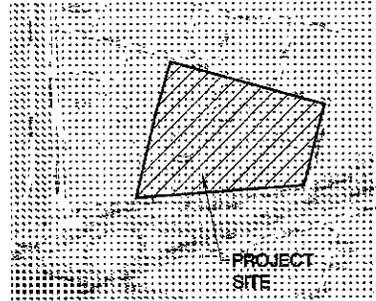
PF-2. COMPLETION OF PUBLIC IMPROVEMENTS:

Complete all required public improvements including but not limited to sidewalks, roadway improvements, and streetlights, prior to occupancy. [COA] [PUBLIC WORKS]

TENTATIVE MAP MOFFETT PARK SUNNYVALE, CALIFORNIA

DRAWING INDEX

- C-1 TITLE SHEET
- C-2 DOTTING CONDITIONS PLAN
- C-3 OVERALL SITE PLAN



LOCATION MAP
SEE



LEGEND AND ABBREVIATIONS

SUBDIVISION BOUNDARY	=====
EXISTING LOT LINE	-----
PROPOSED PROPERTY	-----
CONTOUR LINE	-----
STORM DRAIN	-----
SS	-----
SA	-----
SS	-----
WH	-----
CB	-----
DW	-----
E	-----
JT	-----
RW	-----
G	-----
T	-----
ROP	-----
POC	-----
AB	-----
AC	-----
INVT	-----
TC	-----
TYP	-----
D&G	-----
MINIUM	-----
MAX	-----
E (OV)	-----
PV	-----
FDC	-----
VCP	-----
BFP	-----
O.C.	-----
WV	-----
OD	-----
S/W	-----
SP	-----
ASPH	-----
CONC	-----
FH	-----
TR	-----
PE	-----

PROPERTY DESCRIPTION: APN # 110-45-001, 110-45-002, 110-45-003 & 110-45-004

OWNERS: MOFFETT PARK DRIVE LLC

SUBDIVIDER: MOFFETT PARK DRIVE LLC
ATTN: JANETTE SAMMARTINO
JAY PAUL COMPANY
350 CALIFORNIA STREET, SUITE 1808
SAN FRANCISCO, CALIFORNIA 94104

ENGINEER: B&F ENGINEERS
1650 TECHNOLOGY DRIVE -- SUITE 850
SAN JOSE, CA 95110
PHONE -- (408) 467-9100
FAX -- (408) 467-9199
ATTN: MARTIN PARISESCHI, R.C.E. 30747

ACREAGE: SEE SHEET C-3

NO. OF LOTS: SEE SHEET C-3

NOTES:

WATER SUPPLY: City of Sunnyvale
SEWAGE DISPOSAL: City of Sunnyvale
GAS: Pacific Gas & Electric (PG&E)
ELECTRIC: Pacific Gas & Electric (PG&E)
TELEPHONE: AT&T
CITY OF SUNNYVALE
Name: Area Subject to Foundation
Fema Insurance Rate Map: Zone X
Flood Insurance Rate Map (FIRM) No. 06088C0045H,
Community No. 060352 (City Sunnyvale), Panel 0045,
Suffix H, effective date of May 15, 2009 from Federal
Emergency Management Agency (FEMA)

Finished Floor: All finished floors of new structures shown.
Erosion Control: As graded per ABAG, City of Sunnyvale and Santa Clara County Water Agency Standards.

DESCRIPTION: THE PURPOSE OF THIS TENTATIVE MAP IS TO RESUBDIVIDE THE COMMON AREA OF PARCEL A, DESCRIBED AS FOLLOWS: PARCEL 1, PARCEL 2, PARCEL 3 AND PARCEL 4, SO DESIGNATED AND DELINEATED ON THE PARCEL MAP RECORDED JUNE 1, 2001 IN BOOK 740 OF MAPS, PAGES 7 AND 8, SANTA CLARA COUNTY RECORDS. AND PARCEL A AS SHOWN IN THAT CERTAIN CERTIFICATE OF COMPLIANCE (LOT LINE ADJUSTMENT) RECORDED FEBRUARY 14, 2007 AS INSTRUMENT NO. 192036226, OFFICIAL RECORDS.

PROJECT SUMMARY

THIS SUBDIVISION WILL SPLIT THE COMMON AREA INTO PARCEL 1 AND THE REMAINING COMMON AREA. THE PARKING UNDER PARCEL 1 WILL BE AN EASEMENT FOR THE BENEFIT OF THE COMMON AREA.

BASIS OF BEARINGS

The bearing 47°57'42" N of the northerly line of Parcel 3, between found monuments within 11th Avenue (Private Road), as shown on that certain Parcel Map, filed for record June 1, 2001 in Book 740 of Maps of Maps of pages 7 and 8, Records of Santa Clara County, was taken as the basis of bearings for this survey.

NOTE: EXISTING BUILDINGS HAVE EXISTING UTILITY SERVICE.



100% MOFFETT PARK DRIVE
DATE: 02/07/2009
DRAWN BY: JAY PAUL
CHECKED BY: JAY PAUL
06/27/07-1908 (P&S)

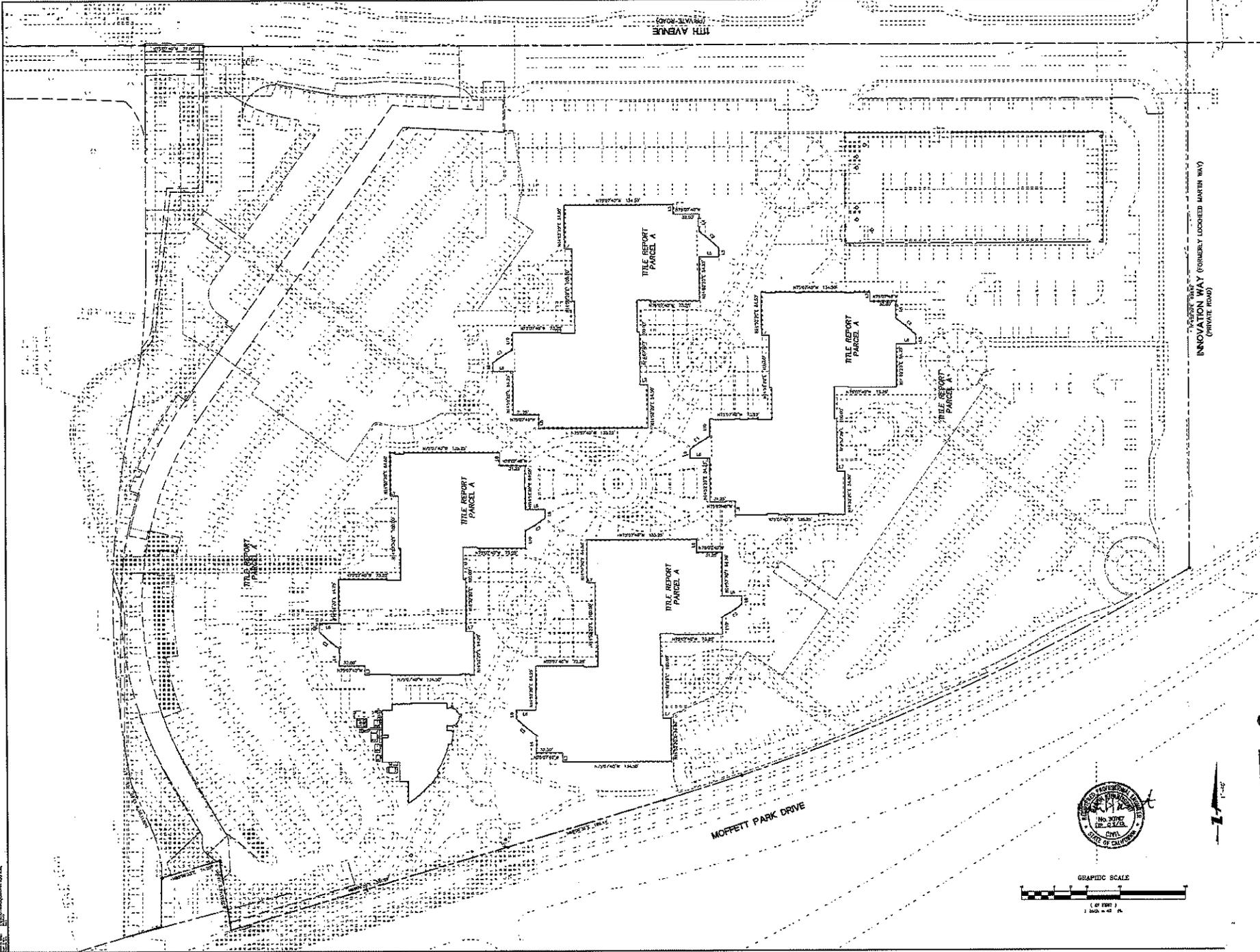


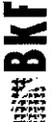
CALIFORNIA

MOFFETT PARK
TENTATIVE MAP
TITLE SHEET
SANTA CLARA

ATTACHMENT
Page 1 of 3

B

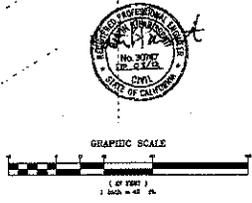


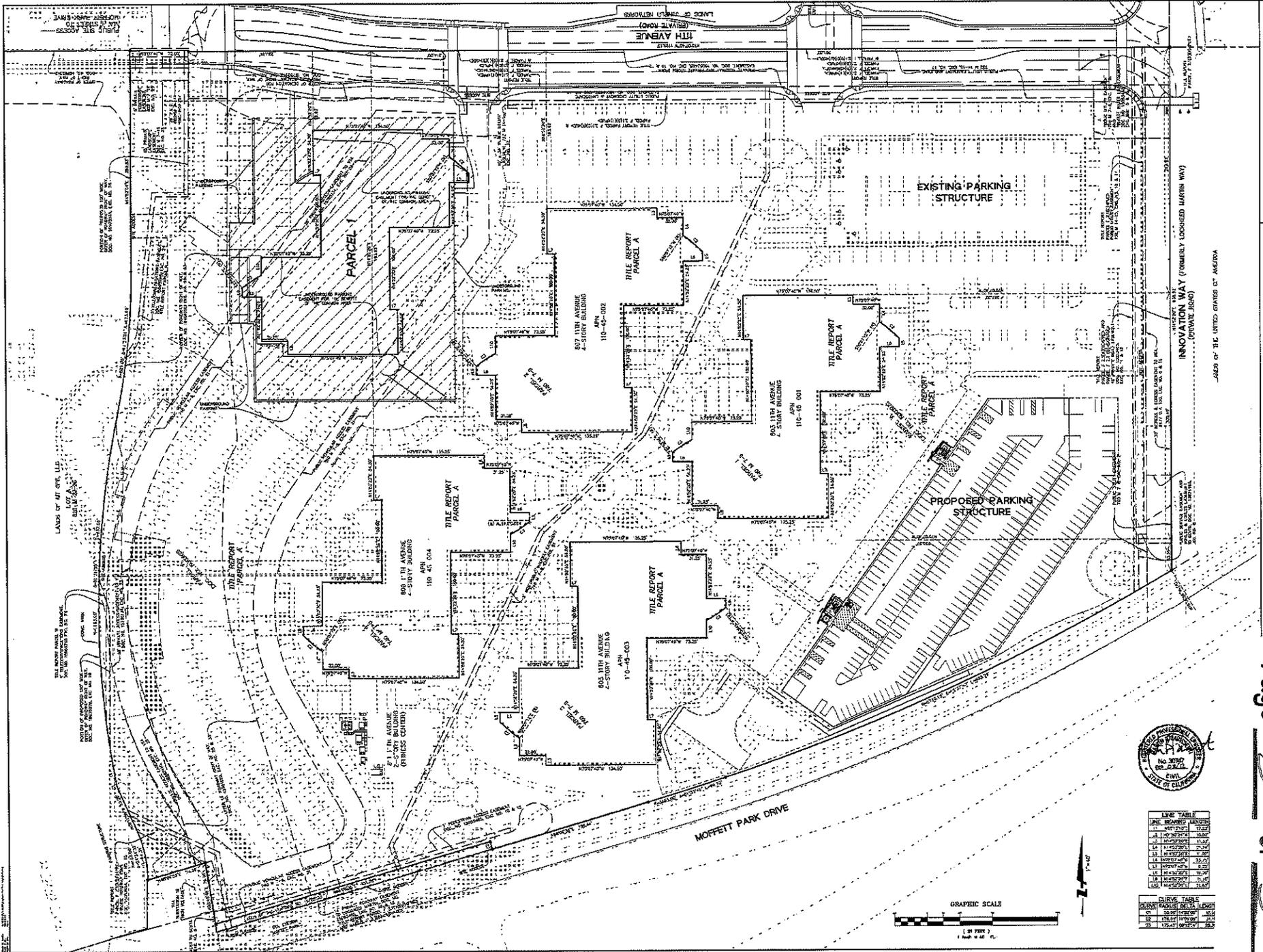


 BRIAN KENZOG FAULK

MOFFETT PARK
 TENTATIVE MAP
 EXISTING CONDITIONS PLAN
 SANTA CLARA
 CALIFORNIA

ATTACHMENT
 Page 2 of 3





CALIFORNIA

MOFFETT PARK
TENTATIVE MAP
OVERALL SITE PLAN
SANTA CLARA



LINE TABLE	
1	EXISTING BUILDING
2	PROPOSED BUILDING
3	EXISTING PARKING
4	PROPOSED PARKING
5	EXISTING DRIVEWAY
6	PROPOSED DRIVEWAY
7	EXISTING SIDEWALK
8	PROPOSED SIDEWALK
9	EXISTING CURB
10	PROPOSED CURB
11	EXISTING LANDSCAPE
12	PROPOSED LANDSCAPE
13	EXISTING UTILITY
14	PROPOSED UTILITY
15	EXISTING FENCE
16	PROPOSED FENCE
17	EXISTING WALL
18	PROPOSED WALL
19	EXISTING SIGN
20	PROPOSED SIGN
21	EXISTING LIGHT
22	PROPOSED LIGHT
23	EXISTING TREE
24	PROPOSED TREE
25	EXISTING PLANT
26	PROPOSED PLANT
27	EXISTING WATER
28	PROPOSED WATER
29	EXISTING SEWER
30	PROPOSED SEWER
31	EXISTING GAS
32	PROPOSED GAS
33	EXISTING ELECTRIC
34	PROPOSED ELECTRIC
35	EXISTING TELEPHONE
36	PROPOSED TELEPHONE
37	EXISTING CABLE
38	PROPOSED CABLE
39	EXISTING RAILROAD
40	PROPOSED RAILROAD
41	EXISTING HIGHWAY
42	PROPOSED HIGHWAY
43	EXISTING AIRWAY
44	PROPOSED AIRWAY
45	EXISTING WATERWAY
46	PROPOSED WATERWAY
47	EXISTING CANAL
48	PROPOSED CANAL
49	EXISTING DRAINAGE
50	PROPOSED DRAINAGE

CURVE TABLE	
1	EXISTING CURVE
2	PROPOSED CURVE
3	EXISTING TANGENT
4	PROPOSED TANGENT
5	EXISTING CHORD
6	PROPOSED CHORD
7	EXISTING ARC
8	PROPOSED ARC
9	EXISTING SPIRAL
10	PROPOSED SPIRAL
11	EXISTING SIGHT TRIANGLE
12	PROPOSED SIGHT TRIANGLE
13	EXISTING INTERSECTION
14	PROPOSED INTERSECTION
15	EXISTING OFFSET
16	PROPOSED OFFSET
17	EXISTING CLEARANCE
18	PROPOSED CLEARANCE
19	EXISTING ELEVATION
20	PROPOSED ELEVATION
21	EXISTING GRADE
22	PROPOSED GRADE
23	EXISTING DRAINAGE
24	PROPOSED DRAINAGE
25	EXISTING FLOODPLAIN
26	PROPOSED FLOODPLAIN
27	EXISTING WINDSHIELD
28	PROPOSED WINDSHIELD
29	EXISTING SOUND BARRIER
30	PROPOSED SOUND BARRIER
31	EXISTING RETAINING WALL
32	PROPOSED RETAINING WALL
33	EXISTING EROSION CONTROL
34	PROPOSED EROSION CONTROL
35	EXISTING STABILIZATION
36	PROPOSED STABILIZATION
37	EXISTING VEGETATION
38	PROPOSED VEGETATION
39	EXISTING SOIL CONSERVATION
40	PROPOSED SOIL CONSERVATION
41	EXISTING WATERWAY
42	PROPOSED WATERWAY
43	EXISTING CANAL
44	PROPOSED CANAL
45	EXISTING DRAINAGE
46	PROPOSED DRAINAGE
47	EXISTING FLOODPLAIN
48	PROPOSED FLOODPLAIN
49	EXISTING WINDSHIELD
50	PROPOSED WINDSHIELD