



## CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES  
Wednesday, April 16, 2008

**2007-1063 - Moffett Towers Lot 3 LLC** [Applicant/Owner] Application for a Tentative Map to subdivide one existing lot into four individual lots (building footprints) and two common lots. The property is located at **1080 H Street** (near 5th Ave.) in an MP-TOD (Moffett Park Specific Plan - Transit Oriented Development) Zoning District. (APN: 110-01-031) MH

**2007-1092 - MT SPE, LLC** [Applicant/Owner]: Application for a Parcel map to subdivide one existing lot into three individual lots (building footprints) and one common lot. The property is located at **990 H Street** (at 11th Ave.) in an MP-TOD (Moffett Park Transit Oriented Development) Zoning District. (APN: 110-01-031) MH

In attendance: Janette Samma, Applicant; Raymond Barro, Applicant; Gerri Caruso, Administrative Hearing Officer; Mariya Hodge, Project Planner; Luis Uribe, Staff Office Assistant.

**Ms. Gerri Caruso**, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

**Mariya Hodge**, Project Planner, stated that for project 2008-1063 that the proposed project is a tentative map to subdivide the northern half of the Moffett Towers campus (currently identified as Lot 3 of Tract 9800 after a 2005 subdivision by Lockheed Martin Space Systems). The purpose of the tentative map is to create individual legal lots around the footprint of each of four R&D office buildings, to create a common lot containing the campus amenities building, and to create a second common lot consisting of the remaining area on the site which includes one parking garage.

Ms. Hodge also stated that for project 2007-1092 that the proposed project is a tentative map to subdivide the southern half of the Moffett Towers campus (currently identified as Lot 1 of Tract 9800 after a 2005 subdivision by Lockheed Martin Space Systems). The purpose of the tentative map is to create individual legal lots around the footprint of each of three R&D office buildings and to create a common lot consisting of the remaining area on the site, which will include two parking garages.

Ms. Hodge stated that the applicant had some concerns regarding the conditions of approval. Staff has requested extensive modifications to the conditions and Ms. Hodge briefly went through each change. Ms. Hodge handed out a revised copy of the conditions of approval. She recommends removing conditions I, J, and L, which the City Attorney is in agreement. Ms. Hodge also added a condition to 4.C. Acknowledge that the amenities building (Common Lot C as shown on the Final Tract Map for Moffett Towers Lot 3) must be maintained in common by all buildings in the campus and cannot be sold as an individual parcel.

Ms. Hodge also added a condition to project 2007-1063 4.D. An Owner's Statement shall be provided on the Final Tract Map. The Owner's Statement shall acknowledge that the amenities building (Common Lot C) must be maintained as a common lot and cannot be sold as an individual parcel.

She had a minor change to condition 4.C.1. changing 3.L to 3.C.

Project 2008-1092 has essentially the same changes the only exception is the references to Common Lot C are Common Lot A here. Condition 4.D. is not included on project 2008-1092 because the amenities parcel is not pertinent to this map.

**Ms. Caruso opened the public hearing.**

**Janette Sammatine**, Applicant, received and reviewed a copy of the staff report. She stated that she has reviewed the latest version of the conditions and she is okay with them. Ms. Caruso asked if any other changes would be needed besides the ones already submitted by staff. The applicant and Ms. Hodge both agreed that everything is covered with the revised conditions.

**Ms. Caruso closed the public hearing.**

**Ms. Caruso took both applications under advisement until Friday, April 18, 2008 to consult with the City Attorney on the Condition of Approval (COA) language. On that day the Administrative Hearing officer took action to approve the application with minor modifications to the language of COA 3.C.6. based on comments by the City Attorney.**

**Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.**

The meeting was adjourned at 2:37p.m.

Minutes approved by:

**Gerri Caruso**

Principal Planner