



## Legislation Details (With Text)

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**Title:** Action on Approval of a Tentative Parcel Map for 5407 and 5409 Stevens Creek Boulevard

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**Attachments:** 1. Resolution Approving the Tentative Parcel Map, 2. Conditions of Tentative Parcel Map Approval, 3. Tentative Parcel Map

Date	Ver.	Action By	Action	Result
11/10/2020	1	City Council and Authorities Concurrent	Continued	Pass

## REPORT TO COUNCIL

### SUBJECT

Action on Approval of a Tentative Parcel Map for 5407 and 5409 Stevens Creek Boulevard

### COUNCIL PILLAR

Promote and Enhance Economic and Housing Development

### BACKGROUND

The applicant is requesting approval of a Tentative Parcel Map (PLN2020-14419) to subdivide an existing 5.07-acre property into two parcels located at 5407 and 5409 Stevens Creek Boulevard. This application follows a prior Tentative Parcel Map approval that has expired. Per the City Code, consideration and action on a Tentative Parcel Map is a function of the City Council. A Planning Commission recommendation is not required for minor subdivisions of four lots or less.

A General Plan Amendment and rezone for the project site were approved in 2012 (PLN2011-08988) to change the land use designation from Regional Commercial to High Intensity Office/Research and Development and zoning from Thoroughfare Commercial (CT) to Planned Development (PD) to allow the phased development of a 295,500 square foot office campus consisting of two six-story buildings; above and below grade parking structures with a total of 1,118 parking spaces; and on-site and public right-of-way improvements. Phase 1 construction of a five-level parking structure and six-story 187,500 square foot office building over a subgrade parking garage was completed in 2014 and subsequently occupied by Apple Corporation. Phase 2 construction was initiated in 2019 and is currently underway with the construction of the 108,000 square foot, six-story office building over subgrade parking and on- and off-site public and private improvements. Upon completion, Apple will also occupy Phase 2.

The original Tentative Parcel Map application was approved in March 2016 (PLN2015-1148) to allow

a two-lot subdivision of the property. Due to the absence of Final Map approval and recordation, the entitlement for the Tentative Parcel Map expired in March 2018. In February 2020 a Zoning Administrator Modification (PLN2020-14329) was approved for a reduction in the on-site parking requirement from 1,118 to 973 parking spaces to allow for reconfiguration of the parking garage for security and installation of EV charging stations.

The proposed Tentative Parcel Map, filed in May 2020, will create two separate parcels comprised of Parcel 1 at 3.12 acres and Parcel 2 at 1.95 acres. Parcel 1 is to include the Phase 1 office building over subgrade parking and five-level parking structure at 5409 Stevens Creek Boulevard. Parcel 2 includes the Phase 2 office building over subgrade parking and the surface parking lot at 5407 Stevens Creek Boulevard.

### **DISCUSSION**

Tentative Parcel Map applications are reviewed for General Plan and Zoning Code consistency and conformance with the Subdivision Map Act. The proposed Tentative Parcel Map was reviewed by the City's Subdivision Clearance Committee and determined to be complete for review by Council in accordance with Section 17.05.220 of the City Code on July 21, 2020. Staff has confirmed that the proposed subdivision will not result in any inconsistencies with the General Plan and zoning designations for the property, Building Code, or other applicable requirements. Conditions of Approval have been prepared and are provided as Attachment 2. The proposed conditions include a requirement for recordation of Covenants, Conditions and Restrictions (CC&R's) or an equivalent instrument governing the shared use and maintenance of utilities, parking spaces (surface and garage), drive aisles, pedestrian walkways, trash, landscaping, and other related facilities.

The proposed Tentative Parcel Map would subdivide the existing parcel into two separate parcels. The office development has been designed to facilitate the proposed subdivision in that each site has separate utility service and recorded easements will provide for water, electric, storm drain, sanitary sewer, shared access to Stevens Creek Boulevard, shared parking, site circulation and ingress/egress for each building through the project conditions of approval and recordation of the map.

The proposed map facilitates land use activity consistent with the High Intensity Office/ Research and Development General Plan designation and PD zoning entitlements allowing office development on the project site. Approval of the Tentative Parcel Map would allow the property owner flexibility in financing and/or leasing of both properties individually, thereby supporting their long-term use consistent with the City's General Plan.

### **ENVIRONMENTAL REVIEW**

The project is Categorically exempt per Section 15315, Minor Land Divisions of the California Environmental Quality Act, in that the project involves the subdivision of urbanized land into fewer than five parcels and is served by existing public infrastructure and facilities.

### **FISCAL IMPACT**

There is no cost to the City other than administrative staff time and expense for the processing of this application typically covered by processing fees paid by the applicant.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

## **PUBLIC CONTACT**

On October 28, 2020, a notice of public hearing was published in *The Weekly*, a newspaper of general circulation, and on October 29, 2020 notice of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 500 feet of the project site. At the time of this report, Planning staff has not received public comments regarding the proposed project.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> .

## **ALTERNATIVES**

1. Adopt a resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.
2. Deny the application for a Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.

## **RECOMMENDATION**

Alternative 1:

Adopt a resolution to approve the Tentative Parcel Map to subdivide the existing parcel into two lots at the property located at 5407 and 5409 Stevens Creek Boulevard.

Reviewed by: Andrew Crabtree, Director of Community Development

Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. Resolution Approving the Tentative Parcel Map
2. Conditions of Tentative Parcel Map Approval
3. Tentative Parcel Map