

**Council Meeting: August 19, 2008**

SUBJECT: **2008-0407 – The Martin Group LLC** [Applicant / Owner]:
Application located at **384 Santa Trinita Avenue** (at Kern Avenue) in an M-S (Industrial & Service) Zoning District.

Motion Use Permit on a 4.56 acre site for a new four-story, approximately 99,317 square feet R&D office building, resulting in 50% FAR (Floor Area Ratio) where 35% is allowed without a Use Permit.

REPORT IN BRIEF

Existing Site Conditions Vacant Site

Surrounding Land Uses

North Industrial/R&D Office

South Industrial/R&D Office, Daycare, Religious Facility, Bank

East Industrial/R&D Office

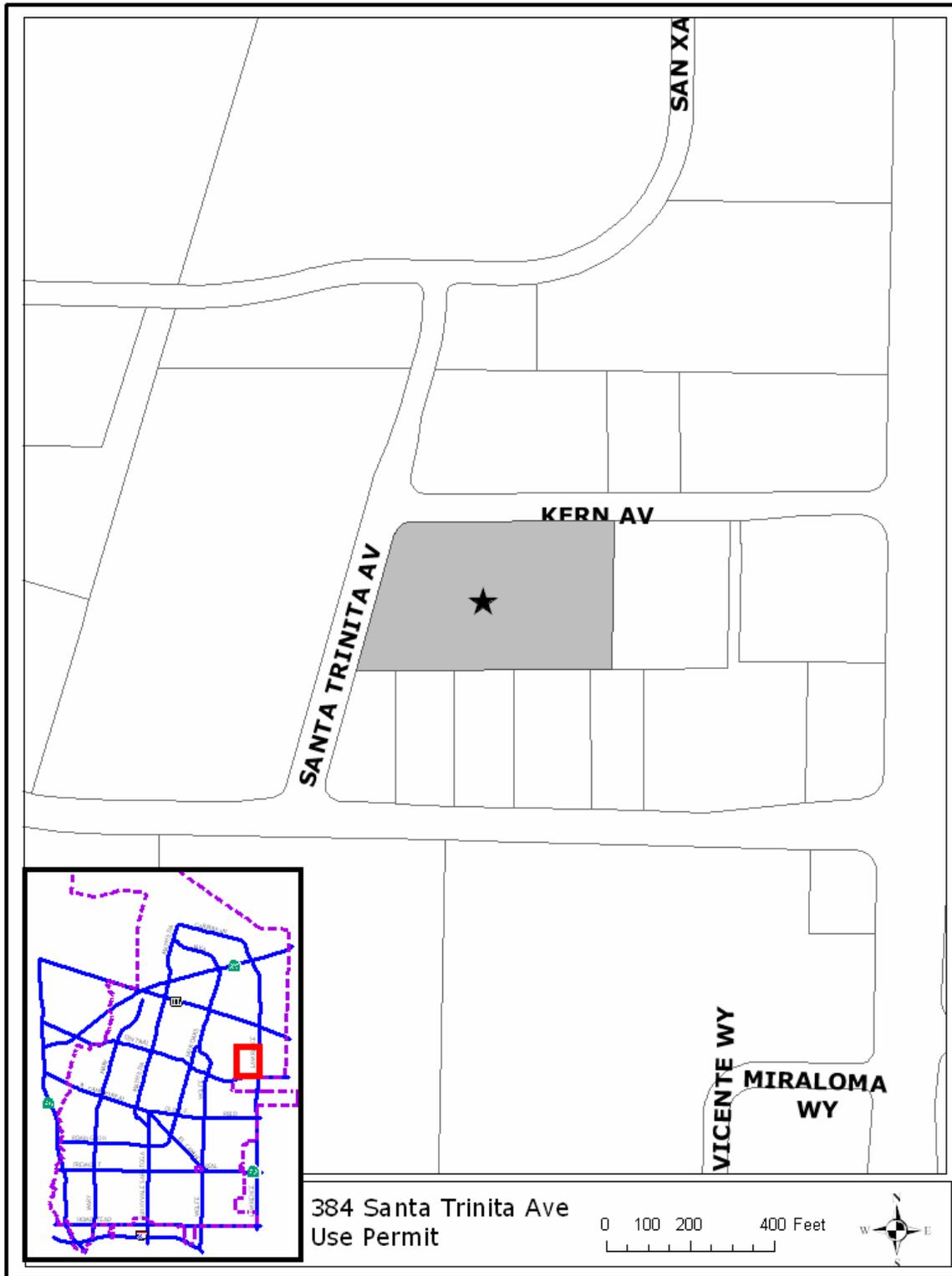
West Commercial Retail (Fry's Electronics)

Issues Floor Area Ratio, Site Plan and Architecture

Environmental Status A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Planning Commission Recommendation Approve with Conditions

Staff Recommendation Approve with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industrial
Zoning District	M-S	Same	M-S
Site Area (s.f.)	198,634	Same	22,500 min.
Gross Floor Area (s.f.)	N/A	99,317	69,521 max. without a Use Permit
Lot Coverage (%)	N/A	12%	45% max.
Floor Area Ratio (FAR)	N/A	50%	35% without P.C. review
No. of Buildings On-Site	0	1	---
Building Height (ft.)	Unknown	75'	75' max.
No. of Stories	N/A	4	8
Setbacks (Facing Santa Trinita Ave)			
Front (Santa Trinita Ave.)	N/A	107'	25' min.
Left Side	N/A	64'	0 min. (20' min total)
Right Side (Kern Ave.)	N/A	92'	25' min.
Rear (Caspian Court)	N/A	150'	0' min.
Landscaping (sq. ft.)			
Total Landscaping	N/A	68,846 (35%)	39,727 min. (20%)
Frontage Width (ft.)	N/A	25"	15 ft. min.
% Based on Floor Area	N/A	69%	10% min.
% Based on Parking Lot	N/A	66%	20% min.
Parking Lot Area Shading (%)	Unknown	50%	50% min. in 15 years
Water Conserving Plants (%)	Unknown	70%	70% min.
Parking			
Total Spaces	N/A	333	198 min. - 398 max.
Standard Spaces	N/A	205	99 min.
Compact Spaces/ % of Total	N/A	123 / 37%	166 / 50% max.
Accessible Spaces	N/A	8	6 Min.
Aisle Width (ft.)	N/A	26'	26' min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Bicycle Parking	0	17 min. (75% - Class I & 25% Class two)	17 min. (75% - Class I & 25% Class two)
Stormwater			
Impervious Surface Area (s.f.)	83,292	135,094	---
Impervious Surface (%)	42%	68%	---

ANALYSIS

Description of Proposed Project

The Use Permit application is for a new 99,317 square foot office building at 384 Santa Trinita Avenue. The site is located at the corner of Santa Trinita Avenue and Kern Avenue. The FAR is proposed at 50%. Buildings greater than 35% FAR require review and approval of a Use Permit by the City Council.

Background

Previous Actions on the Site: The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing/Decision	Date
1999-1061	Development of a 78,080 s.f. two-story office building with a 40% FAR	Planning Commission / Approved (never constructed)	1/24/00

A proposal for a 79,080 s.f. office building and a 40% F.A.R. was approved in January of 2000 by the Planning Commission. The previous office building was demolished but the approved building was never constructed.

This application was heard before the Planning Commission at their July 28, 2008 meeting. The Commission voted unanimously to approve the Use Permit with conditions recommended by staff.

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment D, Initial Study).

A Traffic Impact Analysis was prepared by Hexagon Transportation Consultants, Inc. Minor mitigation methods are recommended which include improvements to the driveway widths and curb radii that will comply with City standards. Furthermore, it was recommended that a mutually acceptable TDM and bicycle parking plan be developed. A draft TDM program has already been submitted and reviewed. Per Conditions of Approval, A Final TDM program will be required prior to approval of building permits.

Use Permit

Detailed Description of Use: The proposed project is for a new office building totaling 99,317 square feet. The building is four stories and the FAR is proposed at 50%. Buildings greater than 35% FAR require review and approval of a Use Permit by the City Council.

Green Building FAR Bonus: For green buildings, SMC section 19.32.075 allows all projects located in the M-S zoning district to be granted an additional 5% FAR over the permitted FAR. This allowance is intended to encourage sustainable developments and the construction of green buildings which are designed and constructed to a LEED Certified level. Although not required in conjunction with a Use Permit, the applicant has provided a checklist that indicates LEED Certified level design.

Site Layout: The proposed site layout will consist of a four-story building centrally positioned on the lot. The building is diagonally positioned to provide more visual interest to the street. The site contains all surface parking around the building. A wide band of landscaping is proposed around the entire site with islands throughout the parking area. The proposal contains three pedestrian walkways from the street. The latest revision to the plan includes a walkway at the corner. The site meets and exceeds all setback requirements. Two main entrances are located on either side of the central portion of the building. Decorative walkways link these portions of the building to each street. A plaza area is positioned adjacent to the building along the Santa Trinita side. A decorative trellis area provides as an amenity to the site. Also at the opposite corner facing the Kern Avenue side, is an outdoor seating area. A cafeteria will be positioned at this side of the building.

Stormwater Management: The applicant has provided a preliminary stormwater management plan per Municipal Code requirements. A majority of the treatment will include the use of landscaping in the form of grassy swales. Where necessary, CDS units (hydrodynamic separator) may be used. A final stormwater management plan will be required for review and approval per Condition of Approval #11C.

Easements and Undergrounding: Overhead utility lines along the southern boundary are required to be undergrounded (Condition of Approval #19A).

The following Guidelines were considered in analysis of the project site design.

Citywide Design Guideline (Site Layout)	Comments
<i>A1. New development shall enhance the character of its surrounding area through quality architecture, and landscaping and appropriate site arrangement.</i>	The proposed plan enhances the site and surrounding area through unique layout and architectural design. Increased landscaping also improves the overall appearance of the site.

Architecture: The proposed building is symmetrically shaped with various projecting elements along its façade. The buildings are primarily composed of glass material with horizontal aluminum mullions incorporated to break up the façade. Three types of glass are used; reflective ribbon and spandrel glass for the majority of the building, a mirrored vision and spandrel glass within the central cylindrical shaped portion, and a clear glass within the stairwell. Metal panels are utilized within the roof screen. The stairwells also incorporate a curved metal roof. The four story building reaches the maximum peak of 75 feet allowed by the Municipal Code.

The applicant has modified the central portion of the building to incorporate more glass and articulation as a response to the Planning Commission study session, to address concerns that this element lacked sufficient detail or interest. Instead of what appears as a metal panel cap at the top of this element, the reflective glass is continued through to the top of the building. Some horizontal articulation is maintained through the use of mullions to break up this façade.

Elevations are shown in Attachment E. Architectural renderings of the new buildings are shown in Attachment F.

The following Guidelines were considered in the analysis of the project architecture.

Citywide Design Guidelines Architecture	Comments
<i>B1. New buildings shall maintain diversity and individuality in style while improving aesthetic character of their surrounding area</i>	The proposed architectural style is distinctive and would enhance the aesthetic character of the surrounding area. The proposal utilizes similar materials as found in the area with new forms and colors providing variety from the other industrial buildings.

Citywide Design Guidelines Architecture	Comments
<i>B2. Roof equipment shall be fully screened by parapets, roof screens or equipment wells.</i>	The roof equipment will be completely screened within the proposed parapet.
<i>B5. Main entrances of the buildings shall be well defined</i>	The proposed building includes a well-defined entry area along the north and south facades of the building.
<i>E1. A comprehensive material and color scheme shall be developed for each site.</i>	The proposed building will have a variety of glass materials at different sections of the building with metal paneling also incorporated

Landscaping: The project exceeds current requirements for landscaping (where 20% is the minimum) with a proposed 35% landscaping of the lot proposed. The project would considerably upgrade the landscaping relative to the existing site. The landscaping will be located throughout the site, with a larger portion of landscaping near the street frontages and directly in front of the buildings. The proposal meets Sunnyvale Municipal Code 19.38.070(d) that requires 50% of the parking areas to be shaded within 15 years.

The site was demolished in 2000 and only two trees lie within the project boundaries. The Arborist Report notes an additional 14 street trees, all of which are considered in fair or poor health. The report calls for the removal of all of the trees; however, the City Arborist notes that one live oak tree along Kern Avenue should remain. The two trees on-site are protected (those greater than 38 inches in circumference measured 4.5 feet from the ground). Per Conditions of Approval, protected trees must be replaced by a 36-inch box size, large, native species as appropriate for the site.

Condition of Approval #11A requires the preservation of this tree. In the report, six additional trees are referenced on adjacent sites. These trees are required to be protected during construction of the project.

A variety of species of trees will be added to the site including Yarwood, Pine, Pear, Magnolia, Coast Live Oak, Brazilian Pepper, Juniper, and Laurel. The tree selection includes those that provide aesthetic value as well as those that will provide shading to the interior parking and drive aisles of the site. The site is design to meet the required 50% shading standard.

The following Guidelines were considered in analysis of the project landscaping.

Industrial Design Guidelines (Landscape)	Comments
<i>A2. All areas not in use by structures, driveways, and parking spaces shall be properly landscaped.</i>	The landscaping plan includes an extensive plant selection that will be dispersed throughout the site. The project will upgrade the vacant site with new landscaping in all areas that are not utilized by parking and driveway areas.

Parking/Circulation: The site attains ingress and egress from each street frontage (Santa Trinita Avenue and Kern Avenue). A total of 333 spaces are dispersed around the proposed building. A parking ratio of 1 space per 298 s.f. is achieved for the site through the proposed layout. The Municipal Code allows 1 space per 500 minimum and 1 space per 250 s.f. maximum for office development. The project proposal includes a Transportation Demand Management (TDM) Plan which calls for a reduction in total trip generation by 18%. A preliminary plan has been provided to staff. A final TDM plan is required for approval per Condition of Approval #13A.

The bicycle parking is located on either side of the office building. VTA guidelines require 17 total bicycle spaces of which 13 are required to be Class I secured parking. Bus stops are located nearby at the intersection of Santa Trinita Avenue and Arques Avenue and along Lawrence Expressway. Pedestrian sidewalks will be required to be repaired along each street frontage per Conditions of Approval. Condition of Approval #19C requires repairing of the sidewalks along the entire project frontage. The applicant will work with City staff to configure the sidewalk as to preserve an existing mature live Oak tree that is required to be preserved.

Pedestrian connections are proposed to be established to the buildings from each public sidewalk. Staff has worked with the applicant to provide increased pedestrian circulation throughout the site. A third walkway has been proposed at the corner of the site to enhance this connection.

Art in Private Development: The project is subject to Art in Private Development requirements as stated in Sunnyvale Municipal Code Section 19.52. The applicant is required to provide artwork in publicly viewable areas equal to 1% of the construction valuation of the project. The applicant has met with Arts staff to discuss preliminarily how and where to provide the required art on-site. The applicant noted the proposed pedestrian oriented area that includes a trellis as a possible location. Arts staff also suggested locations closer to the street or at the corner. A possibility may be to include integrating art within the architecture at prominent locations.

TDM Program: The applicant has submitted a draft traffic demand management program (TDM) from the Hoyt Company. The program proposes TDM measures in five general categories including Carpool/Vanpool program, Transit Subsidy Program, Parking Program, Promotional Program, shuttle program to the VTA light rail, and Alternative Work Scheduling/Location Programs. This program will be managed by tenants of these buildings who are not known at this time.

Compliance with Development Standards/Guidelines: The application is in compliance with development requirements and design guidelines. Since the project exceeds the maximum allowable 35% FAR it requires a Use Permit.

In 1999, the City established a development pool to draw from when office/industrial projects proposed to exceed 35% Floor Area Ratio. The current available square footage in the pool is approximately 2.6 million square feet. If approved the project would require 29,795 square feet from this pool.

Expected Impact on the Surroundings: Short-term impacts related to construction activities may increase noise and dust to the nearby area. Over the long term, the proposal will result in an increased building mass and additional traffic. The site is located in an area that can accommodate higher FARs without significant adverse traffic impacts. The site plan and building design minimize negative impacts and enhance the streetscape. Increased landscaping to the site will also have a positive impact to the site and nearby area. The project will improve the overall quality of the building character in the area.

To the south of the site are properties zoned MS-POA. Current uses of those sites include a bank, a religious facility, a day care (legal non-conforming), an approved self-storage facility (not built), and an adult health care facility. Class A office is an appropriate use near these uses as there are likely fewer potential impacts from hazardous materials than if the subject site were developed with an R&D or manufacturing use.

Due to the requested Floor Area Ratio for an industrial development, specific criteria are required to be considered. Attachment C evaluates the specific aspects of the proposed project relative to these criteria. In summary, the criteria outline four major categories:

- Community Character,
- Environmental: Air Quality & Traffic
- Site Design & Architecture
- Economic Fiscal, and Community Benefit

Green Building Features: As noted previously in the report, the project will achieve an equivalent number of points to a LEED Certified rating. In summary, LEED emphasizes state-of-the-art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. LEED is a performance-based program that provides the project design team the ability to select which credits they would achieve and how it would be designed. The following are some of the ways in which the proposed Project would achieve LEED certification:

- Site and Landscape – walking paths landscaped with native plants, outdoor art and water features, preferred parking for bicycles, carpools, hybrids and other low-emission vehicles. Current design incorporates high SRI (Solar Reflectance Index) Cool Roof.
- Materials - materials with recycled content, re-use of materials from demolished buildings, construction waste management plan;
- Indoor Environmental Quality - Project will provide low emitting materials, paints and coating and all wood products will contain zero urea formaldehyde. The project will provide direct line of site to vision glazing for 90% of regularly occupied spaces. Interior and exterior lighting to be design to minimize light pollution to specific levels.
- Energy – The project will be at least 14% more efficient than Title 24 taking into account the envelope and HVAC design;
- Water Use – inside water efficient bathroom fixtures, and outside drought-tolerant landscaping;
- Tenants – Tenants will be encouraged to comply with LEED certification standards both in their tenant improvement build-out and on-going building operations.

Fiscal Impact

Transportation Impact Fee

The project is subject to citywide transportation impact fees as established in the Transportation Strategic Program for all net new square footage. Credit is given to the building that was demolished in 2000. The net increase in square footage of building area is 49,317 square feet. The estimated fee (based on FY '08/'09) is of \$98,057.98. This fee is required and is listed as Condition of Approval #9A.

Housing Mitigation Fee

The City of Sunnyvale requires a payment of housing mitigation fees for high intensity development greater than the standard FAR levels adopted in the 1997 General Plan. The standard FAR is 35% within the M-S Zoning District. The allowable square footage for the site is then equal to 69,521.9 square feet before the housing mitigation fee of \$8.95 per square foot is assessed. A total of 29,795.1 square feet falls above the standard FAR for this project. The

estimated housing mitigation fee for the proposed development is \$266,666.15 (Condition of Approval #9B).

Public Contact

Staff has not received comments from the public regarding the proposed project.

Planning Commission Study Session: A Planning Commission Study Session was held on Monday, June 14th, 2008. During the study session, Commissioners stated concerns with the amount of impervious material near the building (paving), vertical articulation within the architecture, positioning of the building on the site, pedestrian connection to Kern Avenue, and visibility of bicycle parking area. The applicant has revised the plans to improve pedestrian circulation for the site as noted in the report. Two walkways were added including a connection to the corner of the site to improve the visual presentation to the street. A second bicycle parking area was added to the opposite side of the building that is visible to tenants entering the other main entrance. The applicant has also moved the trash enclosure to a location closer to the building.

Planning Commission Public Hearing: On July 28th, 2008 a Planning Commission public hearing was held regarding the proposal. No members of the public spoke regarding the project. During the hearing, Commissioners discussed the merits of the project and asked for clarification on specific issues related to the site layout, pedestrian walkways, and existing industrial development pool. The Planning Commission voted 6-0 to recommend approval of the project with the conditions recommended by staff to the City Council. (See Attachment G for Minutes from the Planning Commission.)

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 19 notices mailed to the property owners and tenants within 300 ft. of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Conclusion

Discussion: Staff finds that the project is consistent with and promotes the goals of the General Plan. The project provides high quality Class A office development at a prominent location near Lawrence Expressway and popular retail destination (Fry's Electronics). Staff finds justification for the requested 50% FAR through provisions for Green Building design, transportation demand management, and exceptional site design and architecture.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Use Permit and the review criteria for industrial development in excess of 35% FAR. Findings and General Plan Principles and Objectives are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

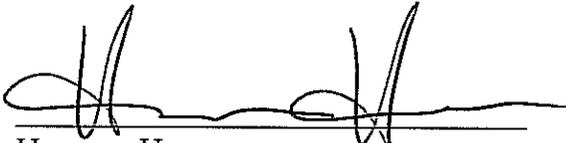
Alternatives

1. Adopt the Negative Declaration and approve the Use Permit with attached conditions.
2. Adopt the Negative Declaration and approve the Use Permit with modified conditions.
3. Adopt the Negative Declaration and do not approve the Use Permit with attached conditions
4. Do not adopt the Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1, adopt the Mitigated Negative Declaration and approve the Use Permit with conditions.

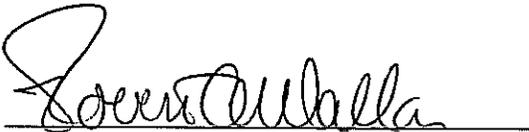
Reviewed by:



Hanson Hom,
Director of Community Development Department

Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Ryan Kuchenig, Associate Planner

Reviewed by:

for 
Amy Chan
City Manager

Attachments

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Criteria for Projects Greater Than 35% F.A.R.
- D. Mitigated Negative Declaration/Initial Study
- E. Site and Architectural Plans
- F. Architectural Renderings
- G. Minutes of Planning Commission meeting of July 28, 2008

Recommended Findings – Use Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Land Use and Transportation Element

Goal C4: *Sustain a strong local economy that contributes fiscal support for desired City services and provides a mix of jobs and commercial opportunities.*

Policy C4.2: *Balance land use and transportation system carrying capacity necessary to support a vital and robust local economy.*

The proposal allows for industrial transition to Class A office and growth, which can be accommodated without significant impacts on the existing infrastructure and roadway systems.

Policy 4.4: *Encourage sustainable industries that emphasize resource efficiency, environmental responsibility, and the prevention of pollution and waste.*

The proposed project would allow redevelopment of a vacant site within the City and improve the immediate area. As a LEED Certified proposal, the development is an environmentally responsible project. Conditions of Approval will help ensure that the project incorporates sustainable methods of development.

Action Statement N1.8.1: *Require high quality site, landscaping, and building design for higher intensity industrial development.*

The proposed higher intensity industrial development includes distinctive architectural detail and site layout that will improve existing conditions and can promote investment in the nearby industrial neighborhood.

Community Design Sub-Element

Policy C.1: *Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.*

The proposed project includes quality architecture that enhances the streetscape and the neighborhood.

Socio-Economic Element:

Policy 5.1B.1: *Provide existing employers with opportunities to expand employment within land use constraints and in accordance with regional planning goals.*

The proposed project would allow an existing property owner to redevelop and upgrade their existing site to meet current Municipal Code standards.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the proposed office use replaces a vacant site with Class A architecture and site design features with adequate setbacks, parking, and landscaping.

Recommended Conditions of Approval – Use Permit

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 of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved by the Planning Commission at a public hearing.
- B. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project. The “Green Building” checklist shall also be included with the conditions of Approval.
- C. The Use 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. The project may request an extension up to one year prior to expiration of the approval.
- D. The developer shall work with the Santa Clara County Transit District in establishing bus stops, shelters, pads and turnout locations, if desired by the District.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. Obtain necessary permits from the Department of Public Works for all proposed off-site improvements.
- B. Obtain approval from the Crime Prevention Division of the Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit.

3. GREEN BUILDING AGREEMENT

- A. The approved project has targeted 24 LEED points for implementation in the proposed project. The new building developed on the site is required to implement a minimum of 23 LEED points. Upon certification, the applicant shall provide proof that the building has achieved a rating of LEED Certified or better.

- B. Building permit plans shall include a sheet noting the green building features incorporated into the design subject to review and approval the Director of Community Development. The plan sheet shall include notes on where specific provisions are included on which plan sets.
- C. Prior to the issuance of any building permit, a signed Green Building Agreement shall be submitted to the Planning Division for recording against the property identifying requirements for all new development to implement green building requirements and to maintain facilities in accordance with the installed green building techniques. The agreement is subject to review and approval by the Director of Community Development.

4. ART IN PRIVATE DEVELOPMENT

- A. Comply with the art in private development requirements as noted in Sunnyvale Municipal Code Section 19.52.
- B. Submit an Art in Private Development application to the Director of Community Development for approval by the Arts Commission, prior to issuance of a Building Permit.
- C. A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the development project will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque.

5. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. Final exterior building materials and color scheme are subject to review and approval of the Director of Community Development prior to issuance of a building permit.

6. EASEMENTS AND DEDICATIONS

- A. Dedicate egress/ingress easements at driveways prior to issuance of a Building Permit or Final Map

7. FEES

- A. Pay Traffic Impact fee estimated at \$98,057.98 prior to issuance of a Building Permit. (SMC 3.50) The fee may be paid at anytime prior to issuance of building permit and is subject to the fee in place at the time the payment is made.
- B. Pay Housing Mitigation fee estimated at \$266,666.150 for 29,795.1 square feet above the 1997 General Plan levels. (SMC 19.22) The fee may be paid at anytime prior to issuance of building permit and is subject to the fee in place at the time the payment is made.

8. FENCES

- A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.

9. STORMWATER MANAGEMENT

- A. An Impervious Surface Calculation worksheet for each phase and the final project is required to be completed and submitted for the California Regional Water Quality Control Board and a copy provided to the City prior to issuance of a Building permit.
- B. Prior to the issuance of a grading permit, a "Blueprint for a Clean Bay" shall be submitted and approved by the City.
- C. A final Stormwater Management Plan is subject to the review of the Director of Community Development prior to issuance of a building permit in conformance with 12.60 of the Sunnyvale Municipal Code, including third party certification of the final plan.

10. LANDSCAPING

- A. Landscape and irrigation plans shall be submitted for review and approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The landscape plan shall include the following elements:
1. Enhanced paving for pedestrian paths
 2. Provide detailed specifications for bicycle parking and locations
 3. Note location of informational kiosks on site
- B. Provide decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- C. Provide a separate meter for domestic and irrigation water systems.
- D. At a minimum, the project shall utilize recycled water for irrigation purposes, and to the extent practicable, for connections to plumbing fixtures or washing and cleaning materials and outdoor surfaces.
- E. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition.
- F. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. Specific care for the pruning of the parking lot trees is required to ensure full canopy development to meet shading requirements.

- G. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size. Large, native species shall be considered as appropriate for the site.
- H. Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
- I. At the expense of the applicant, City staff shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.38.070) prior to issuance of a Building Permit.
- J. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.

11. TREE PRESERVATION

- A. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval. The Southern Live Oak street tree shall be preserved and protected.
- B. The tree protection plan shall remain in place for the duration of construction. Phased implementation of protection may be approved by the Director of Community Development
- C. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:
 - 1. An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
 - 2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
 - 3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
 - 4. Provide relocation and storage measures for trees to be replanted on site.
 - 5. Irrigation for protected trees shall be maintained during construction activities.

6. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

12. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Driveway and parking area lights shall include the following:
 1. Sodium vapor (of illumination with an equivalent energy savings).
 2. Pole heights (including base and fixture) shall not exceed 22 feet in height; an alternative height may be permitted by demonstrating its necessity in order to achieve green building design techniques for energy efficiency and outdoor lighting.
 3. Pedestrian-scaled lighting shall be provided as appropriate, for the pedestrian area adjacent to the lighting.
 4. Provide photocells for on/off control of all security and area lights.
 5. All exterior security lights shall be equipped with vandal resistant covers.
 6. Wall packs shall not extend above the roof of the building.
 7. Lighting shall be design to be directed downward
- B. Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements.

13. TRANSPORTATION DEMAND MANAGEMENT PROGRAM

- A. Provide a final Transportation Demand Management (TDM) Program which establishes specific required measures and provides an estimate of the resulting trip reductions. The TDM Program shall achieve a 15% reduction in total trips. Trip calculations shall be based upon the number of employees over a 24-hour period. The TDM Program must be approved by the Director of Community Development prior to occupancy.
- B. Provide the City with annual progress reports on the functioning of the TDM Program, including a description of ongoing trip reduction measures and a report on the actual trip reductions achieved by the program during the year. The TDM monitoring reports shall be due on January 1 of each year.

- C. The TDM Program shall incorporate a schedule of monetary fines for non-compliance with TDM goals. The schedule of fines shall be determined by the Director of Community Development and indexed for inflation.

14. PARKING

- A. Specify compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, as approved by the Director of Community Development.
- B. Specify preferential parking stalls in the first row of parking adjoining the buildings shall be reserved and so marked for pool vans capable of carrying at least eight people.
- C. Specify preferential parking spaces shall be reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle.

15. BICYCLE PARKING

- A. Provide a minimum of 17 (75% Class I/25% Class II) bicycle parking spaces per VTA guidelines and as approved by the Director of Community Development. The secured bicycle lockers shall meet the latest VTA standards.

16. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. The enclosure shall be of masonry construction and shall match the exterior design, materials and color of the main building.

17. RIGHT-OF-WAY IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for improvements.
- B. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by the Department of Public Works.
- C. Install new handicap ramps at the intersection of Santa Trinita Avenue and Kern Avenue. Handicap ramps shall conform to City standard and Caltrans detail A88A.

- D. Remove and replace all broken/uplifted/depressed sidewalk, curb and gutter along project frontage.
- E. Sanitary and storm sewer discharge calculations will be required at the street improvement plan stage.
- F. Slurry seal Kern and Santa Trinita to half street along project frontages. Grind and remove all striping prior to slurry seal. All striping shall be thermoplastic. Prepare signing and striping plan to show all striping to be replaced. Shall be done in accordance with 2006 California Manual for Traffic Control Devices (MUTCD)
- G. A Traffic Control Plan is required for any work being done in the public right-of-way, short-term and/or long-term. This plan must be submitted with the Public Improvement Plans and must be approved by a Transportation Engineer.
- H. Provide separate streetlighting plan as part of the improvement plans. Remove and replace streetlighting conduits and conductors along property frontage. New conduits, pullboxes, LED streetlight fixtures and conductors will be required.
- I. Remove all private signs and poles from public right of way. Remove and replace all public signs and poles along project frontages on Kern Avenue and Santa Trinita Avenue.

18. SIGNS

- A. All existing/new signs shall be in conformance with Sunnyvale Municipal Code and require separate Planning and Building Division approval.

19. UNDERGROUND UTILITIES

- A. All proposed utilities shall be undergrounded including boundary lines and transformers.
- B. The developer shall contribute their fair share of the costs for undergrounding as determined by the City where existing overhead utilities extend from the boundary of the subject site across adjoining private properties to the south in accordance with SMC 19.38.100 b & c.
- C. Applicant shall provide a copy of an agreement with affected utility companies for undergrounding of existing overhead utilities which are on-site or within adjoining rights-of-way prior to issuance of a Building Permit or a deposit in an amount sufficient to cover the cost of undergrounding shall be made with the City.
- D. If any additional poles are proposed to be added, developer shall have PG&E submit the preliminary plan to Public Works Department for review. City Council shall make the decision if

additional poles are acceptable or not. Under no circumstances shall additional poles be permitted along the frontage of this development.

- E. Install conduits along frontage for Cable TV, electrical and telephone lines in accordance with standards required by utility companies, prior to occupancy. Submit conduit plan to Planning Division prior to issuance of a Building Permit.
- F. Conduit sizing and locations shall be included on street improvement plans. Submit one copy to the Planning Division.
- G. Improvement plans showing conduits for future undergrounding of existing overhead utilities shall be submitted to the Planning Division for review and approval prior to issuance of a Building Permit. Complete installation of conduits prior to occupancy.
- H. Any additional poles are proposed to be added, developer shall have PG&E submit the preliminary plans to the Director of Public Works Department for review. City Council shall make the decision if any additional poles are acceptable or not. Under no circumstances shall additional poles be permitted along the frontage of this development.
- I. Indoor shower and locker facilities shall be provided for men and women at the ratio consistent with the LEED checklist provided to meet "Certified" level (two shower facilities each for men and women).

Certain development in excess 35% floor area ratio (FAR) in Industrial Zoning Districts (M-3 or M-S) requires approval of a Use Permit. To assist the decision makers in considering higher FAR developments, the following review criteria will be used:

Review Criteria	Discussion/Explanation
CATEGORY I: COMMUNITY CHARACTER addresses the issues of land use and transportation capacity and neighborhood compatibility within the context of an overall City image.	
A.	Is there sufficient current and future land use and transportation capacity to incorporate this project? There is approximately 2.6 million s.f. in the development pool; this project would utilize 25,426 s.f. The project adds 187 AM and 190 PM peak hour trips.
B.	Does project use and design contribute positively to a City image and community character that reflects current and future "high-tech" Silicon Valley? The proposal will upgrade a vacant site with exceptional architecture through sustainable design methods that can contribute positively to the community character of Sunnyvale. The higher class building in this neighborhood will reflect more accurately the future of Sunnyvale's industrial and office buildings.
C.	Does the project include minor upgrading of the building for safety or special function purposes? The proposed project includes redevelopment of the entire site and does not include minor upgrading of the building for safety or specific function purposes.
D.	Have potential adverse impacts on nearby land uses been avoided, minimized or mitigated? The project site is surrounded entirely by other industrial and office uses in the City's Industrial and Service zoning district. The proposed project will not have any adverse impacts to the surrounding land uses. A Mitigated Negative Declaration has been prepared for CEQA.

CATEGORY II: ENVIRONMENTAL: TRAFFIC AND AIR QUALITY focuses on the ability of a proposed project to avoid, minimize or mitigate City-wide and local traffic and air quality impacts.		
E.	Does the project avoid or mitigate significant effects on the regional or City-wide roadway system? Is the project sited to avoid impacts on constrained intersections or roadway segments?	The proposed project is subject to a Transportation Impact Fee for all new trips generated by the new project. The applicant has submitted a TDM program aimed at reducing the number of trips to the future office buildings.
F.	Are potential air quality impacts mitigated?	The applicant is proposing a TDM program to reduce future project trips. With the implementation of this program, additional air pollutants from automobile travel would be minimized. The applicant is proposing a TDM program to reduce future project trips. With the implementation of this program, additional air pollutants from automobile travel would be reduced.
G.	Does the project provide opportunities for appropriate on-site retail/support services and amenities to minimize mid-day vehicle trips?	The buildings are speculative only at this time. Future tenants may provide on-site services such as: <ul style="list-style-type: none"> • On-site support services to include employee laundry pick-up and delivery service; • Cafeteria or restaurant; • Shipping and postal services; • Transit shuttle services; • Extended campus facilities may include fitness facilities, cafeterias, a sport court, and employee training rooms. <p>General support services are not provided and are not within a short walking distance of this site. Some retail and food services are provided at Fry's located across the street and on Lawrence Expressway approximately 1 mile away.</p>

H.	Does the project provide mixed uses on the site to complement the primary use and adjacent land uses?	The project is not a mixed-use project.
I.	Is the project located in close proximity to a light rail or Cal-Train station, and/or other convenient transit stops?	Caltrain and ACE Shuttles and VTA bus route 304 provide transit service in proximity to the project site. The site is 1.2 miles from the Lawrence Caltrain station and 2.5 miles from the Sunnyvale Caltrain station, Shuttle service to both stations is provided by the free AMD Duane area Caltrain shuttle. The site is located 3.3 from the Great America ACE station and a free shuttle service is provided from a stop located in front of the site on Santa Trinita. This proximity to transit service may promote and encourage transit use. While ridership may be low compared to vehicle travel, there would be a reduction in single-occupant vehicle trips.
J.	Can identifiable and measurable negative impacts on City infrastructure and services be mitigated?	The amount of traffic from the proposed project over and above the General Plan allowances is negligible, but it does constitute a small contribution to a cumulative impact of traffic congestion over the life of the General Plan. The General Plan currently calls for major transportation capital improvements to mitigate planned development. These improvements are currently funded through the Transportation Strategic Program for which the TIF is collected. The project will pay TIFs to help offset the impacts in the area due to the increase in traffic.

<p>K.</p>	<p>Is a Transportation Demand Management program planned for the site? Does it reduce traffic general and promote transit use?</p>	<p>The applicant has submitted a draft traffic demand management program (TDM) from The Hoyt Company Transportation Consultants. The program proposes TDM measures in five general categories including Carpool/Vanpool program, Transit Subsidy Program, Parking Program, Promotional Program, and Alternative Work Scheduling/Location Programs. This program will be managed by the tenants of these buildings, which are not known at this time.</p>
<p>CATEGORY III: SITE DESIGN AND ARCHITECTURE addresses several components of site design and architecture; focusing on the visual features and aesthetics, techniques to reduce the bulk and mass of the buildings, ways to reduce the amount of surface parking on the site.</p>		
<p>L.</p>	<p>Does the project demonstrate exemplary architecture and design through:</p> <ul style="list-style-type: none"> • use of unique and/or high quality building materials, singly and in combination • state of the art design and materials • introduction of significant, innovative, and noteworthy architectural forms and elements • special or unique features of the site plan design and implementation 	<p>The proposed project architecture demonstrates sensitivity and good design through the following elements:</p> <ul style="list-style-type: none"> ○ Green building practices ○ Various quality materials including reflective glass for the exterior facades. ○ Clear glass stair towers ○ Radius entry feature <p>The architectural form and elements are arranged to create a rhythm and balance that provides state-of-the-art design. The building's architecture shows excellence in design and the building is Class A and a GREEN building. Therefore they do induce significant, innovative, or special architectural forms and elements.</p>
<p>M.</p>	<p>Does the project complement the City image and community character currently primarily low profile with a less intensive development density?</p>	<p>The proposed four-story buildings and the site design meet the Industrial Design Guidelines and the community's character of mid-rise development.</p>

<p>N.</p>	<p>Does the site plan reduce the bulk and mass of the buildings on the site? Are the following techniques and others used in a creative and resourceful way?</p> <ul style="list-style-type: none"> • Façade and roofline variations • Reduction in the building footprint and significant increase of landscaping required by Zoning Code • Substantially greater setbacks than required by the Zoning Code. 	<p>The proposed architecture reduces the effect of mass through the following:</p> <ul style="list-style-type: none"> ○ The variety of roofline heights and variations in façade treatments greatly reduces the bulk and mass of the building ○ Four story buildings ○ Variation in exterior glass materials ○ The buildings generally have strong horizontal orientations through the lines of exterior materials. ○ Greater building setbacks than is required by the zoning code.
<p>O.</p>	<p>Does the site plan include techniques to reduce non-point source pollution?</p>	<p>The project is subject to current storm water management requirements and will incorporate “Best Management Practices” to reduce storm water runoff from the site. The majority of the site will incorporate grassy swales for filtration the storm water.</p>
<p>P.</p>	<p>Is a reduction in the amount of surface parking achieved?</p> <ul style="list-style-type: none"> • Significant reduction in the number of surface parking spaces • Provision of structured parking and/or underground parking • Introduction of a landscape reserve that can be converted to parking on an as-needed basis, or as a permanent park. 	<p>The proposed project reduces the number of parking spaces than what is allowed per the zoning and has exceeded the minimum amount of landscaped area required.</p>

<p>Q.</p>	<p>Is the site comprehensively planned through the creation of a Master Plan or Site Specific Plan? Has a long term development plan been prepared that allows phasing of the project based on implementation of improvements and mitigations?</p>	<p>The proposal does not include a Master Plan or a Site Specific Plan and does not have a long-term development plan. The project is not a large campus that warrants a long term master plan. The project is limited in scope to developing one building.</p>
<p>R.</p>	<p>How is the calculation of the “effective” FAR being conducted? Does the size of the project warrant a different method of calculating the FAR?</p>	<p>The FAR is being determined based on SMC standards for FAR; which includes all square footage within the exterior walls of the buildings. No “effective” reduction has been taken because no significant amenity spaces have been planned at this time.</p>
<p>CATEGORY IV: ECONOMIC, FISCAL AND COMMUNITY BENEFIT identifies the need to relate the project to the economic prosperity program of the City, potential impact on the City, the relationship to the local economy and employment in terms of the types and numbers of jobs likely to be generated by the project and other features of the development that will result in an overall positive community benefit. The following questions provide examples of how benefit can be described. Please respond to as many as apply.</p>		
<p>A.</p>	<p>Does the project implement the goals of the Economic Prosperity Program?</p>	<p>The proposed buildings will implement the goals of the Economic Prosperity Program which includes business retention, expansion and economic vitality in a significant industry sector.</p> <ul style="list-style-type: none"> • The proposed project could promote retention, expansion, and relocation of existing businesses.
<p>B.</p>	<p>Does this project have a significant net positive fiscal impact over the next 5-20 years?</p>	<p>The project does not include a “point of sale” use since the buildings are speculative only; thus no sales tax revenues are anticipated at this time.</p>

C.	Does the project include the provision of on-site corporate headquarters and/or a “point of sale” office?	The proposed buildings are only speculative at this time. A corporate headquarters or “point of sale” company may or may not occupy the site.
D.	To what extent does this project provide resident and/or youth employment opportunities both now and in the future?	The future tenants of the building are not known at this time.
E.	Do the anticipated types and numbers of jobs complement the current and desired future job profile in Sunnyvale?	The project would help provide additional research and development related jobs that are critical to the current and growth of job expansion within the City.
F.	To what degree do the proposed jobs generate related jobs and services in Sunnyvale?	Although minor, the proposed jobs will generate additional demand for related services. Using the industry multiplier forecast; for every one job created in this industry segment, three additional jobs are created in the community as support services.
G.	The project is intended primarily for a single user or has common/shared management (Action Statement C4.2.2.)	The future tenant(s) of the building are not known at this time.
H.	Can the applicant identify other community benefits that could be attributed to the proposed project?	The proposal redevelops an older industrial site with a compatible industrial use and furthers the City’s goals of higher class “A” buildings in the area.



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2008-0407
No. 08-14

**NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

Application for a Use Permit filed by **The Martin Company**.

E-14917

PROJECT DESCRIPTION AND LOCATION (APN):

2008-0407: The Martin Company [Applicant] TMG Santa Trinita LLC [Owner]: Application for a Use Permit on a 4.56 acre site to allow a new 99,317 square foot 4-story office building resulting in a 50% Floor Area Ratio. The property is located at **384 Santa Trinita Avenue** (at Kern Ave) in an M-S (Industrial & Service) Zoning District. (Mitigated Negative Declaration) (APN: 205-24-001) RK

WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Tuesday, August 12, 2008**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

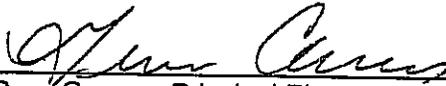
A public hearing on the project is scheduled for:

Tuesday, August 12, 2008 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On July 3, 2008

Signed: 
Gerry Caruso, Principal Planner

E-14917

INITIAL STUDY
 City of Sunnyvale
 Department of Community Development
 Planning Division
 P.O. Box 3707
 Sunnyvale, CA 94088-3707

Project #: 2008-0407
Project Address: 384 Santa Trinita Avenue
 Sunnyvale, CA 94085
Applicant: The Martin Company

Project Title	Application for a Use Permit to allow the construction of a 99,317 s.f. 4-story industrial R&D office building on a 4.56 acre site.
Lead Agency Name and Address	City of Sunnyvale PO Box 3707 Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Associate Planner
Phone Number	(408) 730-7431
Project Location	384 Santa Trinita Ave., Sunnyvale, CA 94085
Project Sponsor's Name	The Martin Company
Address	100 Wilshire Boulevard, Ste. 1845 Santa Monica, CA 90401
Zoning	M-S (Industrial & Service)
General Plan	Industrial
Other Public Agencies whose approval is required	None

Description of the Project

The project consists of an application for a Use Permit for the construction of a 99,317 square foot 4-story R&D office building on a 4.56 acre site. The site is currently undeveloped. The previously industrial office building was demolished in 2000 and 2001.

The layout of the proposal includes one 4-story office building positioned at the center of the lot with contains frontage on Santa Trinita Avenue and Kern Avenue. Parking is positioned around the building with driveway entrances along both street frontages. Landscaping is positioned mostly along the perimeter of the site and adjacent to the building. Additional landscaping islands are integrated throughout the parking area.

Environmental Context

The surrounding zoning is comprised of Industrial and Service (M-S) in all directions of the project site. West of the site, across Santa Trinita Avenue, lies a Fry's Electronics store. A mix of uses is adjacent of the property to the south, including a bank, religious facility, daycare and industrial offices. East and north of the site are similar industrial office uses.

Environmental Checklist Form

Project #: 2008-0407

Project Address: 384 Santa Trinita Avenue
Sunnyvale, CA 94085

Applicant: The Martin Company

EVALUATION OF ENVIRONMENTAL IMPACTS

E-14917

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
6. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
7. Earlier Analysis Used. Identify and state where they are available for review.
8. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
9. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
10. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a

Environmental Checklist Form

Project #: 2008-0407
 Project Address: 384 Santa Trinita Avenue
 Sunnyvale, CA 94085
 Applicant: The Martin Company

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: E-14917

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
Ryan Kuchenig, Associate Planner	For the City of Sunnyvale

Environmental Checklist Form

ATTACHMENT **D**
 Page **5** of **17**

Project #: 2008-0407

Project Address: 384 Santa Trinita Avenue
 Sunnyvale, CA 94085

Applicant: The Martin Company

(Lead Agency) **E-14917-**

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See discussion
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 101
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
2. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 94, 100, 111
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 94, 100, 111
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 96, 97, 100, 111
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	62,63,111, 112
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111, 112
3. BIOLOGICAL RESOURCES:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109

Environmental Checklist Form

Project #: 2008-0407

Project Address: 384 Santa Trinita Avenue
 Sunnyvale, CA 94085

Applicant: The Martin Company

E-14917

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
Game or U. S. Fish and Wildlife Service?					
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	41, 94, 111, 112
4. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 60, 61, 94, 111
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 94
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 94, 111
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
5. LAND USE AND PLANNING. Would the project:					

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 12, 21, 28
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	31, 28, 111
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 41, 94, 111
6. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
7. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 16, 26, 94, 111, 112
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See discussion
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 16, 26, 94, 111, 112, 115
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See discussion
8. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
of roads or other infrastructure)?					
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 111, 112
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 111, 112
9. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26, 65, 66, 103, 104
c. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26, 65, 66, 103, 104
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
e. Other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
10. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 10, 26, 42, 59, 60, 61, 111, 112
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 111, 112

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
past projects, the effects of other current projects, and the effects of probable future projects)?					
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111, 112
11. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
b. Result in substantial soil erosion or the loss of topsoil?					"
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
disposal of waste water?					
12. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 87, 88, 89, 90, 111, 112
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
e. Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 22, 90, 111, 112
g. Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 22, 90, 111, 112
13. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See discussion

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
Intersections)?					
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See discussion
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112, 113
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 71, 75-77, 80, 84, 111, 112
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	37, 111
g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 81, 111, 112
14. HAZARDS AND HAZARDOUS MATERIALS. Would the project?					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
e. For a project located within an airport land use plan or, where such a plan has not	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
g. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
15. RECREATION					
a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 18, 111, 112
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 18, 111, 112
16. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94
17. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112

DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT

1. AESTHETICS (a) The City's implementation of the Citywide Design Guidelines and staff's review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not degrade the visual character or quality of the site and its surroundings. As a result, this impact will be less than significant.

7. NOISE (b&d) The project will introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.

The construction associated with this project would increase the noise levels in the neighborhood. Sunnyvale Municipal Code Section 16.08.150 regulates the hours of construction in order to reduce the noise impact on surrounding properties. Construction is permitted between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturday and construction is prohibited on Sundays and national holidays. These restrictions are sufficient to reduce noise impact.

11. GEOLOGY AND SOILS (ii) and (iii) The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity this aspect of the project will be reduced to a less than significant level.

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DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED:

13. TRANSPORTATION AND TRAFFIC (a & b) The Traffic Division of the Public Works Department determined the project warranted the preparation of a Traffic Study in order to determine if the proposed project will not have a significant impact on transportation or traffic and if mitigation measures were needed.

A Traffic Impact Analysis was prepared by Hexagon Transportation Consultants, Inc. on May 9th 2008. As a result of the study, certain mitigation was recommended:

WHAT:

- 1) Driveway widths and curb radii shall comply with City standards.
- 2) The applicant shall work with City staff to develop a mutually acceptable TDM and bicycle parking plan for the project site

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The developer is responsible for completing all of the above mitigation measures.

HOW: These measures shall be clearly marked and demonstrated in the plans submitted for building permits.

Ryan Kuchenig, Associate Planner

6/27/2008

Completed By

Date

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City of Sunnyvale General Plan:

- 2. Map
- 3. Air Quality Sub-Element
- 4. Community Design Sub-Element
- 5. Community Participation Sub-Element
- 6. Cultural Arts Sub-Element
- 7. Executive Summary
- 8. Fire Services Sub-Element
- 9. Fiscal Sub-Element
- 10. Heritage Preservation Sub-Element
- 11. Housing & Community Revitalization Sub-Element
- 12. Land Use & Transportation Sub-Element
- 13. Law Enforcement Sub-Element
- 14. Legislative Management Sub-Element
- 15. Library Sub-Element
- 16. Noise Sub-Element
- 17. Open Space Sub-Element
- 18. Recreation Sub-Element
- 19. Safety & Seismic Safety Sub-Element
- 20. Sanitary Sewer System Sub-Element
- 21. Socio-Economic Sub-Element
- 22. Solid Waste Management Sub-Element
- 23. Support Services Sub-Element
- 24. Surface Run-off Sub-Element
- 25. Water Resources Sub-Element

City of Sunnyvale Municipal Code:

- 27. Chapter 10
- 28. Zoning Map
- 29. Chapter 19.42. Operating Standards
- 30. Chapter 19.28. Downtown Specific Plan District
- 31. Chapter 19.18. Residential Zoning Districts
- 32. Chapter 19.20. Commercial Zoning Districts
- 33. Chapter 19.22. Industrial Zoning Districts
- 34. Chapter 19.24. Office Zoning Districts
- 35. Chapter 19.26. Combining Zoning Districts
- 36. Chapter 19.28. Downtown Specific Plan
- 37. Chapter 19.46. Off-Street Parking & Loading
- 38. Chapter 19.56. Solar Access
- 39. Chapter 19.66. Affordable Housing
- 40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
- 41. Chapter 19.94. Tree Preservation
- 42. Chapter 19.96. Heritage Preservation

Specific Plans

- 43. El Camino Real Precise Plan
- 44. Lockheed Site Master Use Permit
- 45. Moffett Field Comprehensive Use Plan
- 46. 101 & Lawrence Site Specific Plan
- 47. Southern Pacific Corridor Plan

Environmental Impact Reports

- 48. Futures Study Environmental Impact Report
- 49. Lockheed Site Master Use Permit Environmental Impact Report
- 50. Tasman Corridor LRT Environmental Impact Study (supplemental)

- 51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- 52. Downtown Development Program Environmental Impact Report
- 53. Caribbean-Moffett Park Environmental Impact Report
- 54. Southern Pacific Corridor Plan Environmental Impact Report

Maps

- 55. City of Sunnyvale Aerial Maps
- 56. Flood Insurance Rate Maps (FEMA)
- 57. Santa Clara County Assessors Parcel
- 58. Utility Maps (50 scale)

Lists/Inventories

- 59. Sunnyvale Cultural Resources Inventory List
- 60. Heritage Landmark Designation List
- 61. Santa Clara County Heritage Resource Inventory
- 62. Hazardous Waste & Substances Sites List (State of California)
- 63. List of Known Contaminants in Sunnyvale

Legislation/Acts/Bills/Codes

- 64. Subdivision Map Act
- 65. Uniform Fire Code, including amendments per SMC adoption
- 66. National Fire Code (National Fire Protection Association)
- 67. Title 19 California Administrative Code
- 68. California Assembly Bill 2185/2187 (Waters Bill)
- 69. California Assembly Bill 3777 (La Follette Bill)
- 70. Superfund Amendments & Reauthorization Act (SARA) Title III

Transportation

- 71. California Department of Transportation Highway Design Manual
- 72. California Department of Transportation Traffic Manual
- 73. California Department of Transportation Standard Plan
- 74. California Department of Transportation Standard Specification
- 75. Institute of Transportation Engineers - Trip Generation
- 76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 78. California Vehicle Code
- 79. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 80. Santa Clara County Congestion Management Program and Technical Guidelines

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- 81. Santa Clara County Transportation Agency Short Range Transit Plan
- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

Public Works

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA Interim Document In 1985?)

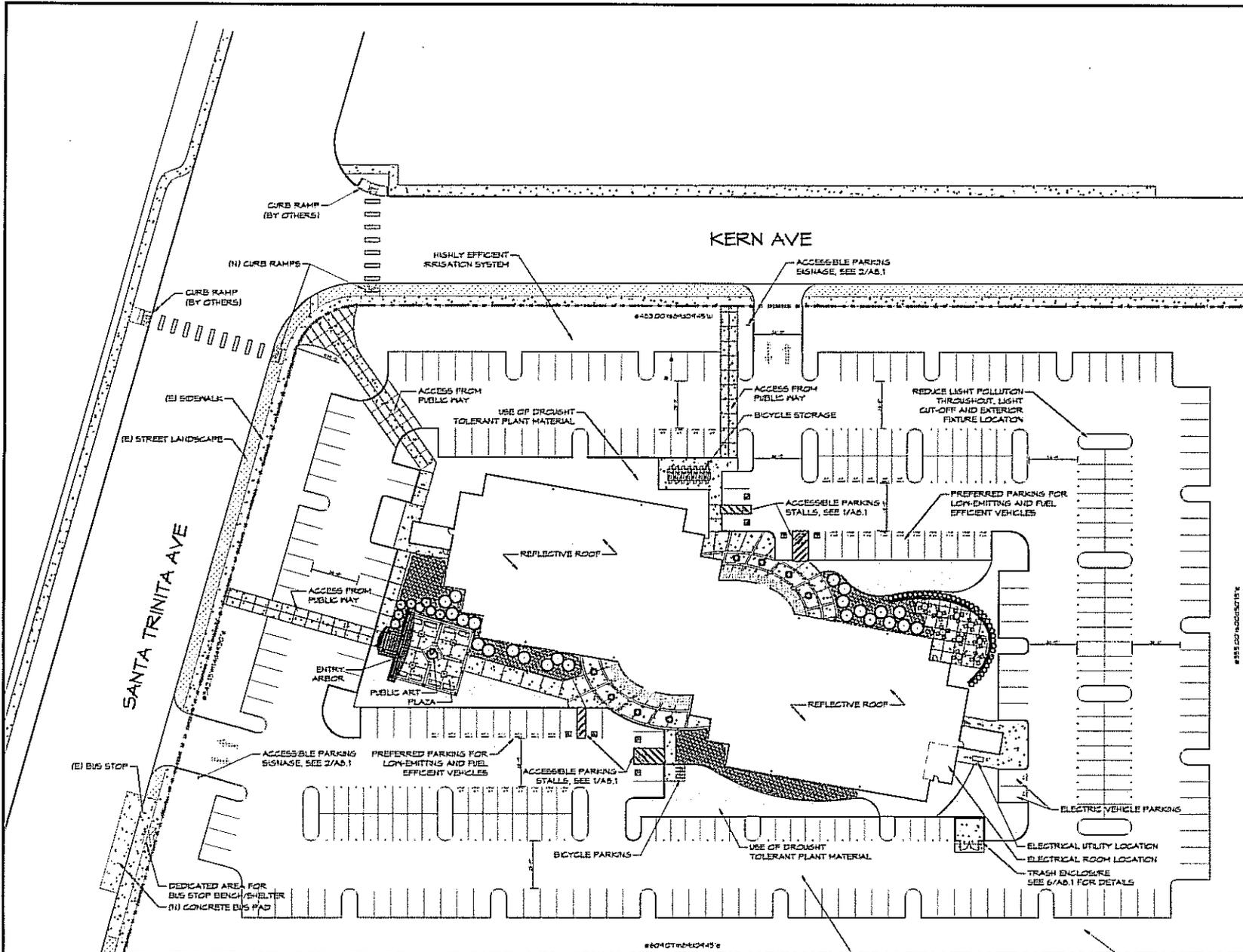
- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

Building Safety

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

Additional References

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration
- 115. Acoustical Analysis by Illingsworth & Rodkin, 2006



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REVISIONS

NO.	DATE	DESCRIPTION	BY
01	03/21/08	30 PUNCH PACKAGE	JLP

SITE PLAN

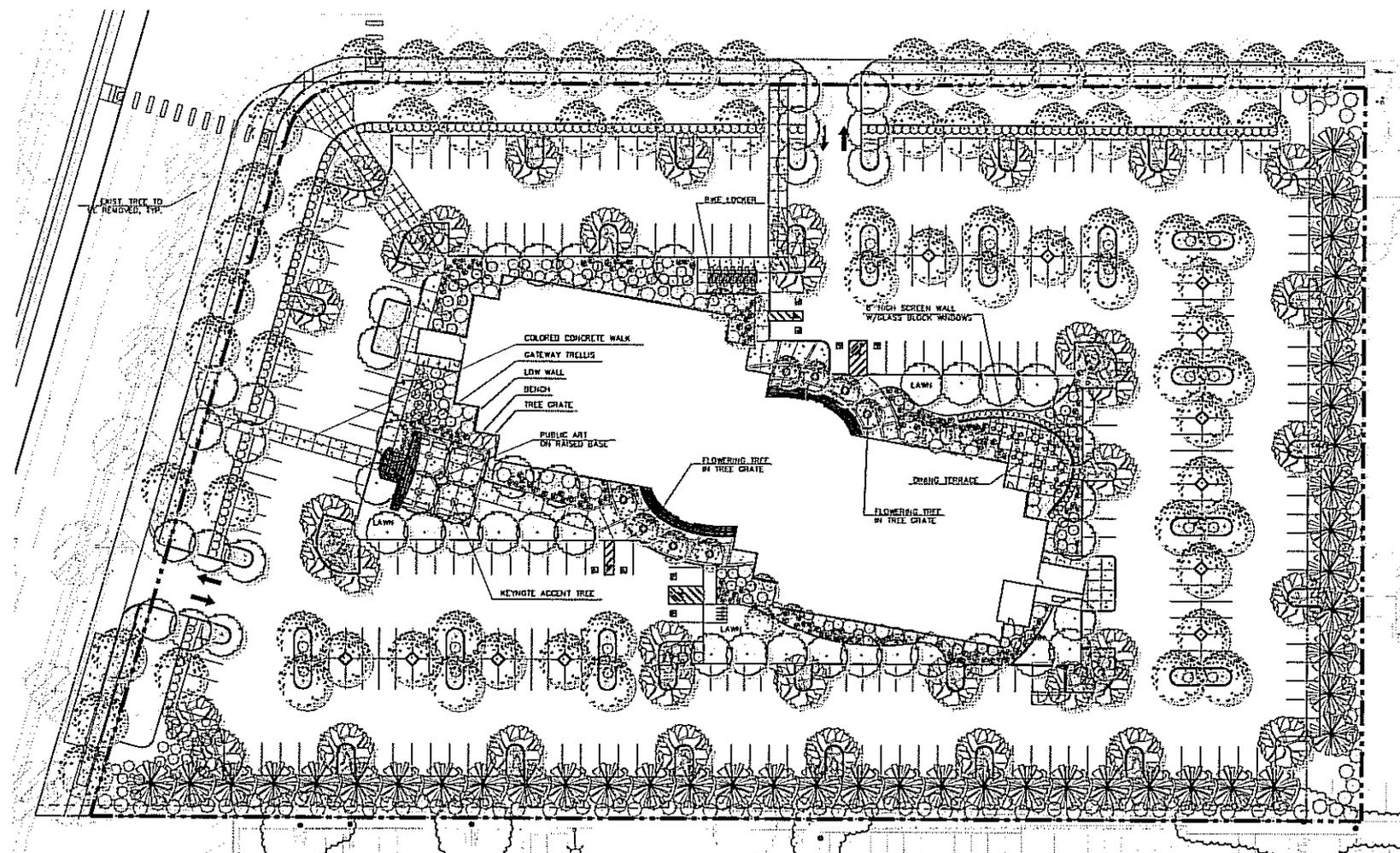
JOB NO. 08-044	SHEET NO.
DATE: 03/20/08	A1.0
DRAWN: DM/TT	OF SHEETS
CHECKED: BL	
ISSUE: PLANNING SUBMITTAL	

1 SITE PLAN

184 SANTA TRINITY
SUNNYVALE, CA

DEVCON CONSTRUCTION INCORPORATED
DEVCON
DEVCON

HILL ASSOCIATES
LANDSCAPE ARCHITECTURE INC.
175 SOUTH GARDEN STREET
SUNNYVALE, CA 94086
TEL: 415.961.1111 FAX: 415.961.1112



1 PRELIMINARY LANDSCAPE PLAN
1" = 20'

PLANT PALETTE

SYMBOL	DESCRIPTION - TREES	SCIENTIFIC NAME	COMMON NAME	SYMBOL	DESCRIPTION - SHRUBS	SCIENTIFIC NAME	COMMON NAME
(Symbol)	REDWOOD STREET TREE FOR CITY OF SUNNYVALE	PLATANUS ALERIFOLIA YANONDO	LONDON PLANE VAR. YANONDO	(Symbol)	SHADE TOLERANT ACCENT SHRUBS	CAMELLIA JAPONICA DIPSOSAURUM DUMOSUM HYDRANGEA PINKII MOLLENDIUM MENTHANA NANDINA DOMESTICA CORONILLA FRAGRANS	CAMELLIA TASHIRANAN TREE PINK PETERDORF PETERDORF PINK HEAVENLY SHADOX SWEET OLIVE
(Symbol)	SMALL SCALE FLOWERING TREES	FRAXINUS GALLIENIANA ARISTOCYCLUS GRACILIS FRAXINOPHYLLA MANGNOLA ST. MARK	ARISTOCYCLUS FRAXINUS ST. MARK'S MAGNOLIA	(Symbol)	EVERGREEN SCREENING SHRUBS	PHOTINIA FRAXINI PITCOPIUM BUCHANANII KILDEA COMPOSITA	RED LEAVED PHOTINIA YAKATA KILDEA COMPOSITA
(Symbol)	EVEN GREEN SCREENING TREES	PRUNUS SARAWATENSIS POTANINA LOPPERTA POTANINA SHALLOCK LAVINUS NOBLE	SARAWATENSIS POTANINA POTANINA LAVINUS	(Symbol)	FLOWERING ACCENT SHRUBS	APRILLA EDWARD GULCHER ASPARAGUS AFRICANUS DIETES YVESATA FELICIA ANEULIPEDE MIMULUS GIBBERIFLORUS ESCALONIA TERNI RAPHANISTRIS SYR POTANINA YOKONAS LIGHT	GLIMPY APRIL LEY OF THE HALE FURNITURE LILY BLUE HILLS JAZZIE DAILY DRAPE ESCALONIA ROSE HANDBOOK N.C.A.
(Symbol)	BROADLEAF EVERGREEN ACCENT TREES	QUERCUS ALIFOLIA QUERCUS TEREBINTHACEAE ARJUNUS MARIANA	COAST LIVE OAK BRAZILIAN PEPPER N.C.A.	(Symbol)			
(Symbol)	CANOPY SHADE TREES	PLATANUS ALERIFOLIA YANONDO	LONDON PLANE VAR. YANONDO	(Symbol)			



REVISIONS

NO.	DATE	DESCRIPTION	BY

PRELIMINARY LANDSCAPE PLAN
JOB NO. 0804 SHEET NO.
DATE: 1.12.08
DRAWN: RBH LP-1
CHECKED: DOM
ISSUE: PRE PLAN REVIEW 1 OF 2 SHEETS

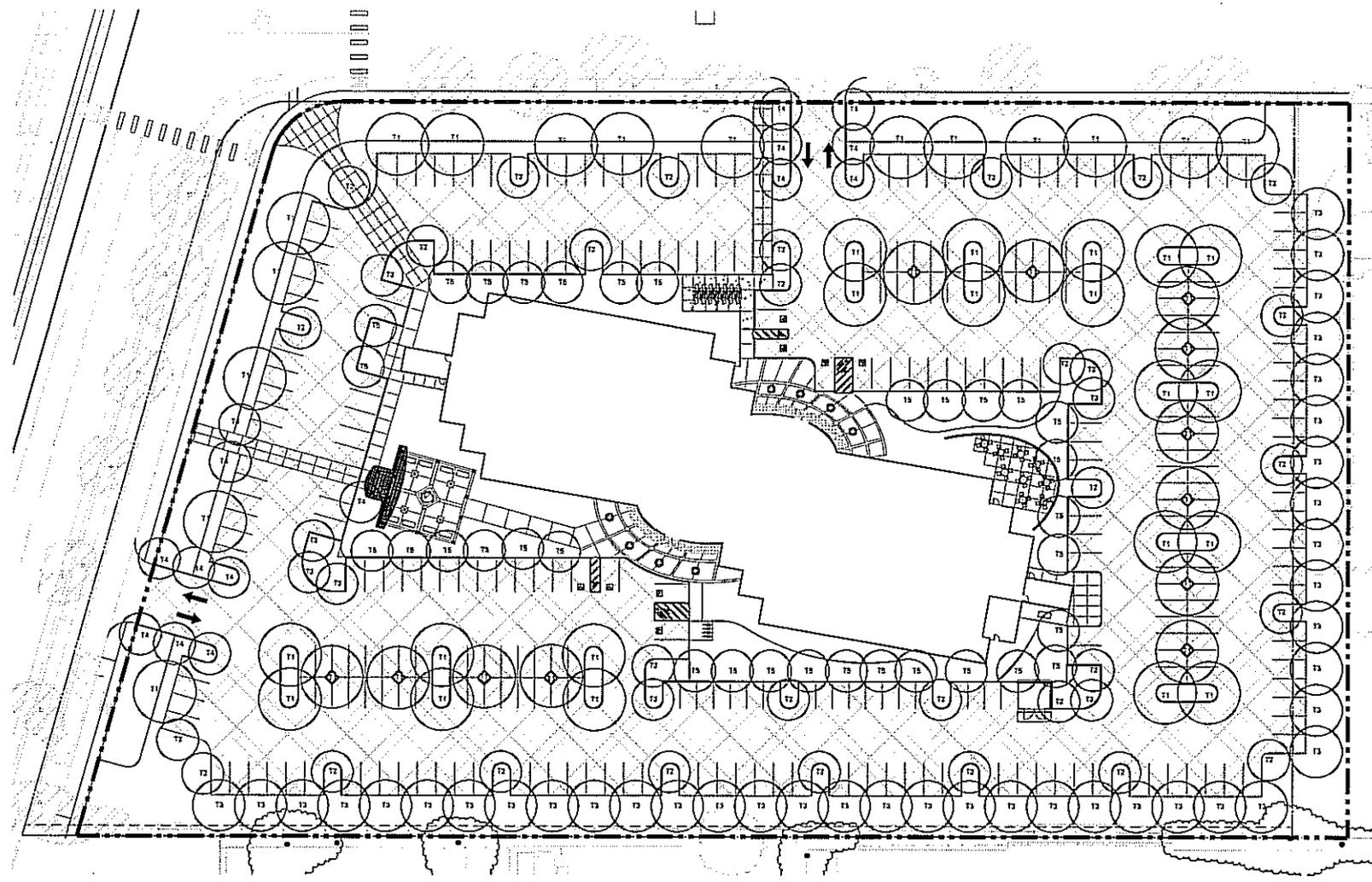
ATTACHMENT E
Page 2 of 11

384 SANTA TRINITA
SUNNYVALE, CA.

DEVCON CONSTRUCTION
INCORPORATED
DEVCON
DEVCON

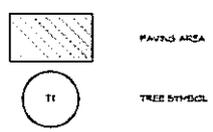


HILL ASSOCIATES
Landscape Architecture
17500 Santa Monica Blvd
Suite 200
Los Angeles, CA 90046
Tel: 310.441.1111 Fax: 310.441.1112
www.hillassoc.com



1 SHADE PLAN
1" = 20'

SHADE PLAN LEGEND



SHADE CALCULATIONS					
SYM	BOTANICAL NAME/COMMON NAME	FULL S.F.	3/4 S.F.	1/4 S.F.	TOTAL S.F.
T1	Platanus acerifolia 'Yanwood' Yanwood Sycamore	17 @ 708 s.f.	20 @ 517 s.f.	14 @ 354 s.f.	24,420 s.f.
T2	Arbutus Menziesii No Common Name	33 @ 238 s.f.	5 @ 157 s.f.		8,577 s.f.
T3	Bravelya asperifolia Claret Redwood	38 @ 242 s.f.		2 @ 123 s.f.	8,534 s.f.
T4	Prunus laurocerasus 'Atropurpurea' Purple Leaf Plum	4 @ 236 s.f.	11 @ 157 s.f.		2,873 s.f.
T5	Pyrus calleryana 'Attracta' Aristocrat Pear	2 @ 230 s.f.	21 @ 157 s.f.		5,329 s.f.

TOTAL TREE SHADE	30,807 S.F.
TOTAL PAVED AREA	101,200 S.F.
PERCENT SHADED	30.4%



REVISIONS			
NO.	DATE	DESCRIPTION	BY

SHADE PLAN

3051 MK 08.048 SHEET NO.
DATE: 7.1.08
DRAWN: DOM
CHECKED: RHM
ISSUE: PRE-PLAN REVIEW 2 OF 2 SHEETS

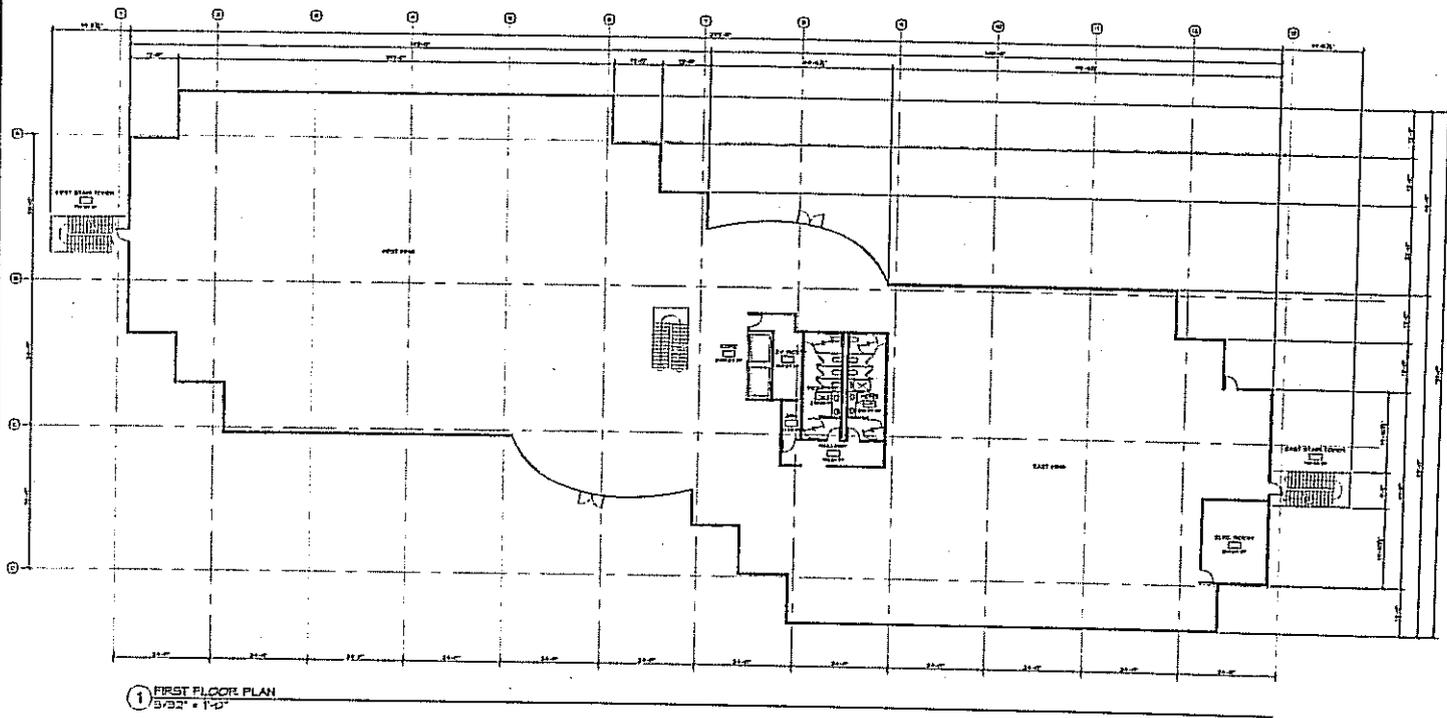
ATTACHMENT E
Page 3 of 11

THE MARTIN GROUP

184 SANTA TRINITA
SUNNYVALE, CA.



CONSTRUCTION
INCORPORATED
2000 Clarendon Blvd.
Baltimore, Maryland 21204
(410) 528-1100



1 FIRST FLOOR PLAN
3/22" = 1'-0"

NOTES:
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
8. THE CONTRACTOR SHALL MAINTAIN A SAFE WORKING ENVIRONMENT AT ALL TIMES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

FIRST FLOOR PLAN



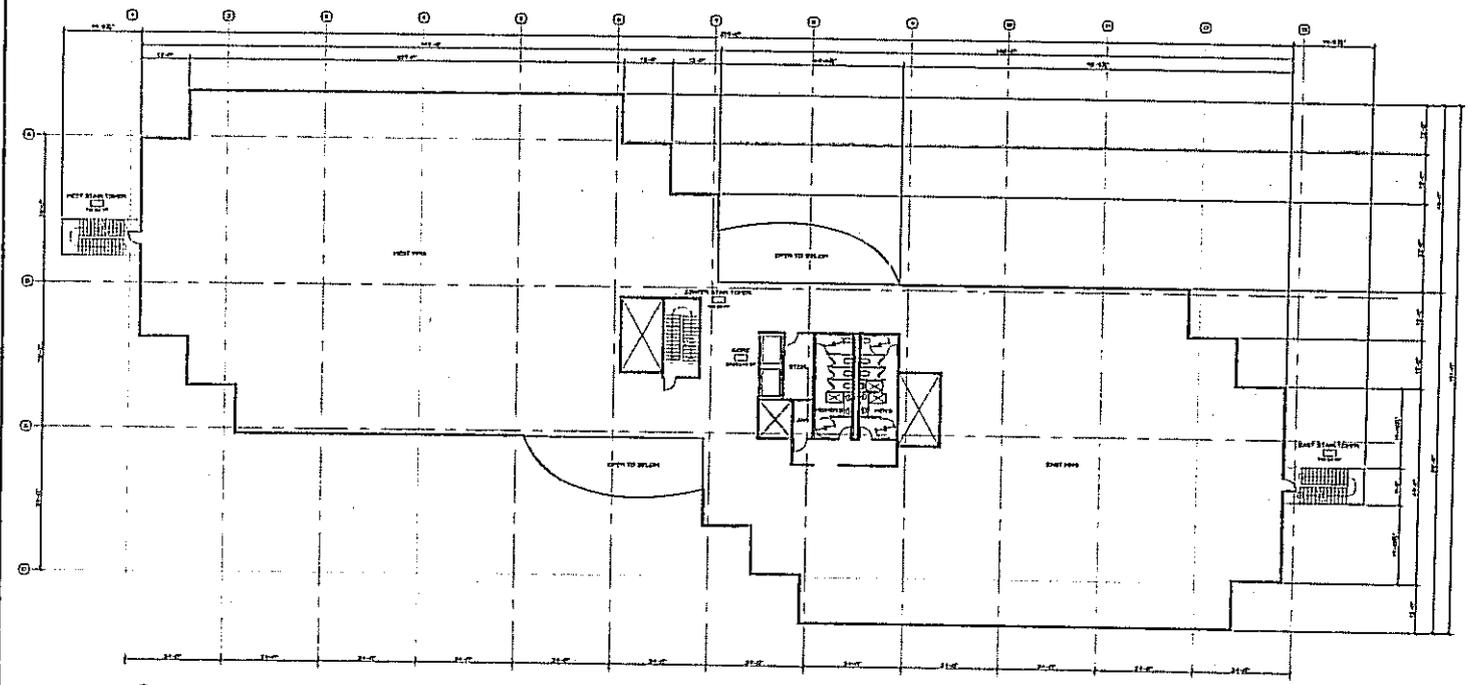
JOB NO. 08-010	SHEET NO.
DATE: 04/18/08	A2.1
DRAWN: ENH	OF SHEETS
CHECKED: MY	
ISSUE: FINAL SUBMITTAL	

ATTACHMENT E
Page 4 of 11

THE MARTIN GROUP

314 SANTA TRINITA
SUNNYVALE, CA.

DEVCON
CONSTRUCTION
INCORPORATED
188 Elmhurst Drive
San Jose, California 95128
PH: (415) 951-1200



1 SECOND FLOOR PLAN
3/8/02 * 1-0'

NOTES:
1. All dimensions shall be in feet and inches, unless otherwise specified.
2. All dimensions shall be to the centerline of the member, unless otherwise specified.
3. All dimensions shall be to the finished surface, unless otherwise specified.
4. All dimensions shall be to the centerline of the member, unless otherwise specified.
5. All dimensions shall be to the finished surface, unless otherwise specified.
6. All dimensions shall be to the centerline of the member, unless otherwise specified.
7. All dimensions shall be to the finished surface, unless otherwise specified.
8. All dimensions shall be to the centerline of the member, unless otherwise specified.
9. All dimensions shall be to the finished surface, unless otherwise specified.
10. All dimensions shall be to the centerline of the member, unless otherwise specified.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

SECOND FLOOR PLAN

JOB NO. 0104	SHEET NO.
DATE: 04/10/02	A2.2
DRAWN: ETR	OF SHEETS
CHECKED: ELY	
ISSUE: PLAN SUBMITTAL	



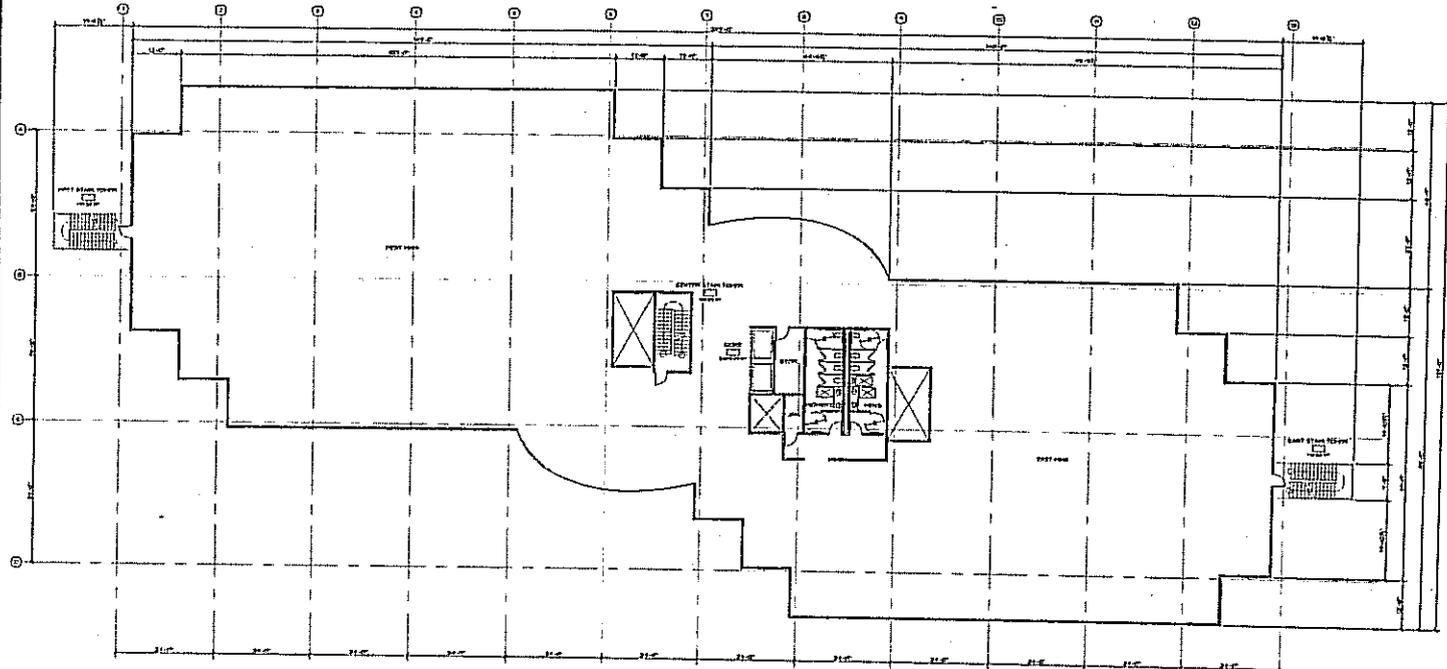
27-12-2007 14:11:12 27-12-2007 09:55:07

A:\projects\mtrn\p10\cadd\

THE MARTIN GROUP

384 SANTA TRINITY
SUNNYVALE, CA.

DEVCON
CONSTRUCTION
INCORPORATED
322 Church Street
Menlo Park, CA 94025
(415) 321-1100



1 FOURTH FLOOR PLAN
3/22 * 1-0*

NOTES:
1. THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON.
2. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.
3. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.
4. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.
5. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

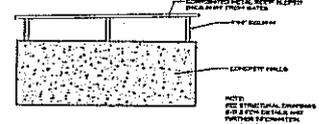
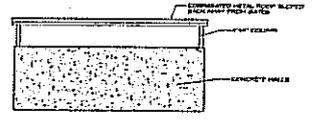
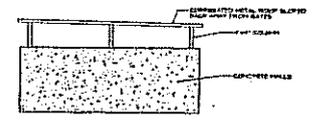
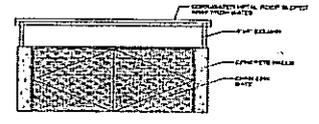
FOURTH FLOOR PLAN



DESIGN: BLS/DE	SHEET NO.
DATE: 04/08/08	A2.4
DRAWN: ERM	OF SHEETS
CHECKED: ELY	
ISSUE PLAN SUBMITTAL	

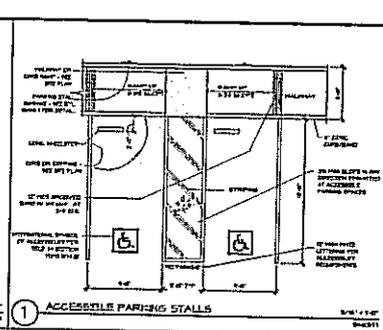
ATTACHMENT E
Page 7 of 11

B



NOTE: SEE STRUCTURAL DRAWINGS FOR SECTION DETAILS AND MATERIALS TO CONSTRUCTION PLAN, SHEET 1001

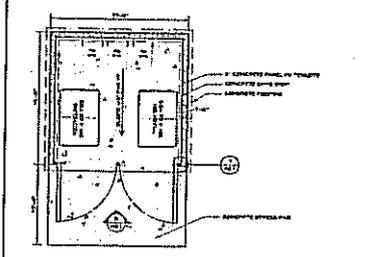
5' DEEP ALL-LITE SUNSHADE
SCALE: 1/4\"/>



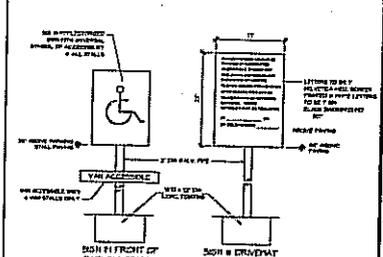
1 ACCESSIBLE PARKING STALLS
SCALE: 1/4\"/>

14

10 TRASH ENCLOSURE ELEVATIONS
SCALE: 1/4\"/>



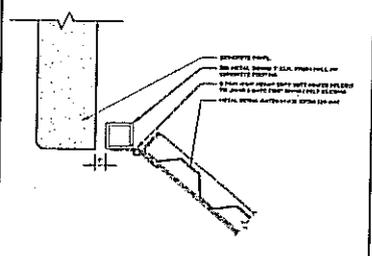
6 TRASH ENCLOSURE PLAN VIEW
SCALE: 1/4\"/>



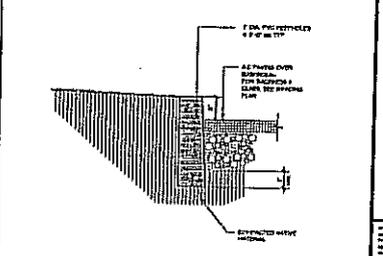
2 ACCESSIBLE PARKING SIGNAGE
SCALE: 1/4\"/>

6

11



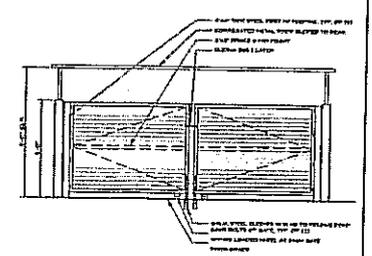
7 GATE AT TRASH ENCLOSURE DETAIL
SCALE: 1/4\"/>



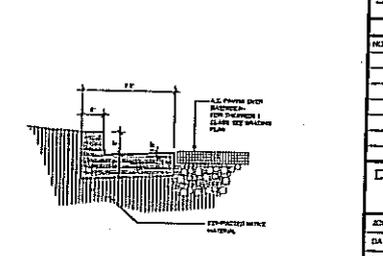
3 CURB IN LANDSCAPE
SCALE: 1/4\"/>

15

12



8 TRASH ENCLOSURE GATE ELEVATION
SCALE: 1/4\"/>



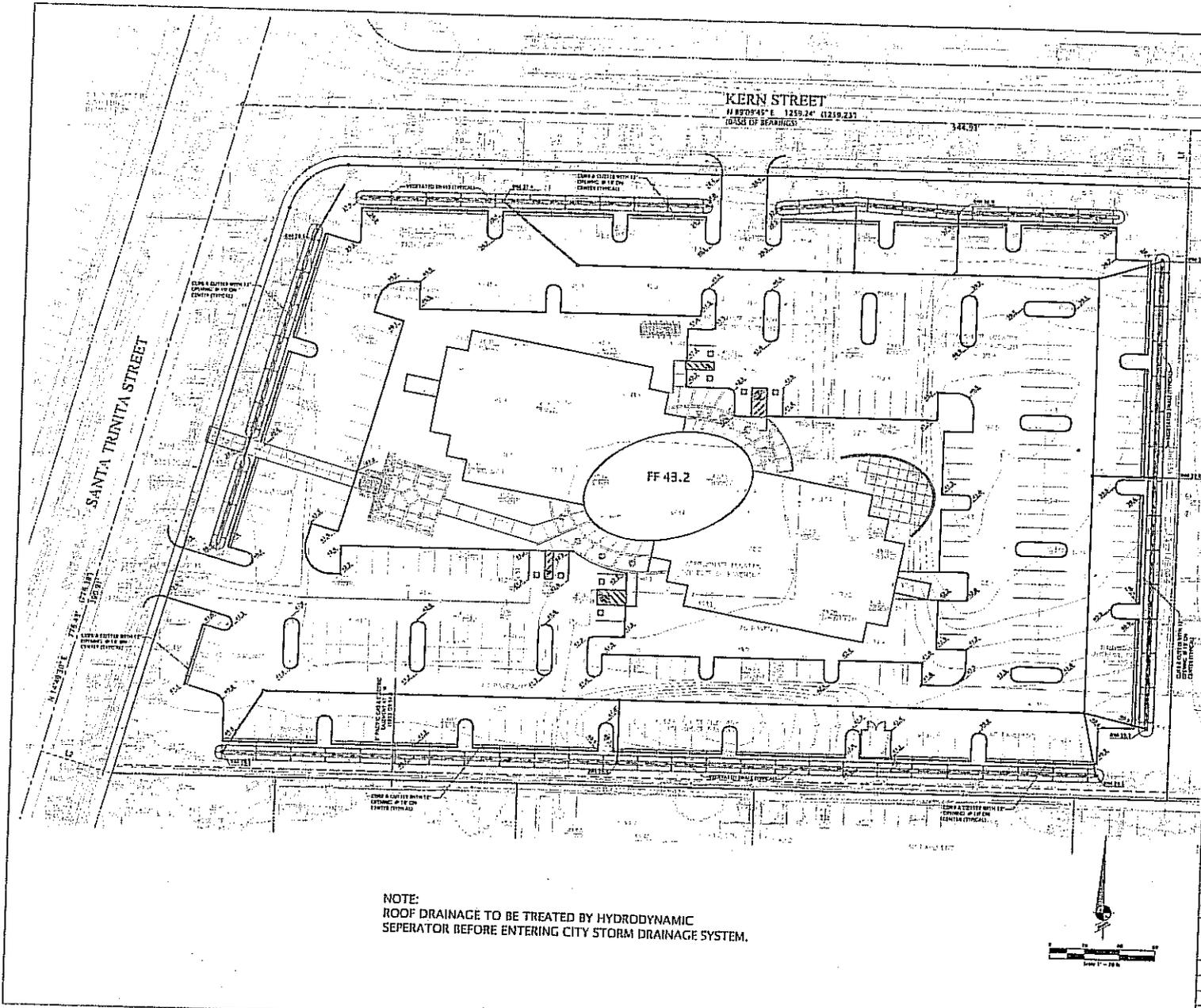
4 CURB AND GUTTER
SCALE: 1/4\"/>

NOTES:
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
2. ALL MATERIALS SHALL BE AS SHOWN OR APPROVED EQUIVALENTS.
3. ALL FINISHES SHALL BE AS SHOWN OR APPROVED EQUIVALENTS.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL AND ELECTRICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL CODES AND ALL APPLICABLE LOCAL ORDINANCES.
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL FIRE AND SAFETY CODES AND ALL APPLICABLE LOCAL ORDINANCES.
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SAFETY AND HEALTH CODES AND ALL APPLICABLE LOCAL ORDINANCES.
9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ENVIRONMENTAL AND OCCUPATIONAL SAFETY AND HEALTH CODES AND ALL APPLICABLE LOCAL ORDINANCES.
10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ACCESSIBILITY STANDARDS AND ALL APPLICABLE LOCAL ORDINANCES.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

DETAILS	
DATE: 04.18.08	SHEET NO. A8.1
DATE: 04.18.08	OF SHEETS
DESIGNED BY: [Signature]	
CHECKED BY: [Signature]	
ISSUED: FINAL SUBMITTAL	

ATTACHMENT E
 Page 8 of 11



NOTE:
 ROOF DRAINAGE TO BE TREATED BY HYDRODYNAMIC
 SEPERATOR BEFORE ENTERING CITY STORM DRAINAGE SYSTEM.

TITLE BLOCK

DEVCOR CONSTRUCTION INCORPORATED

KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 2100 East Hemlock, Building 27 • (408) 727-8441
 Santa Clara, California 95054 • (408) 727-8441

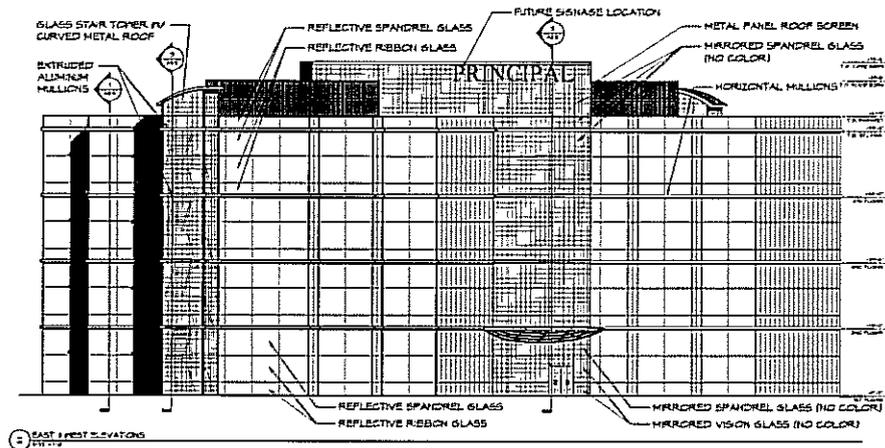
PRELIMINARY GRADING PLAN

NO.	DESCRIPTION	DATE
1	PRELIMINARY GRADING PLAN	10/20/10

PRELIMINARY GRADING PLAN

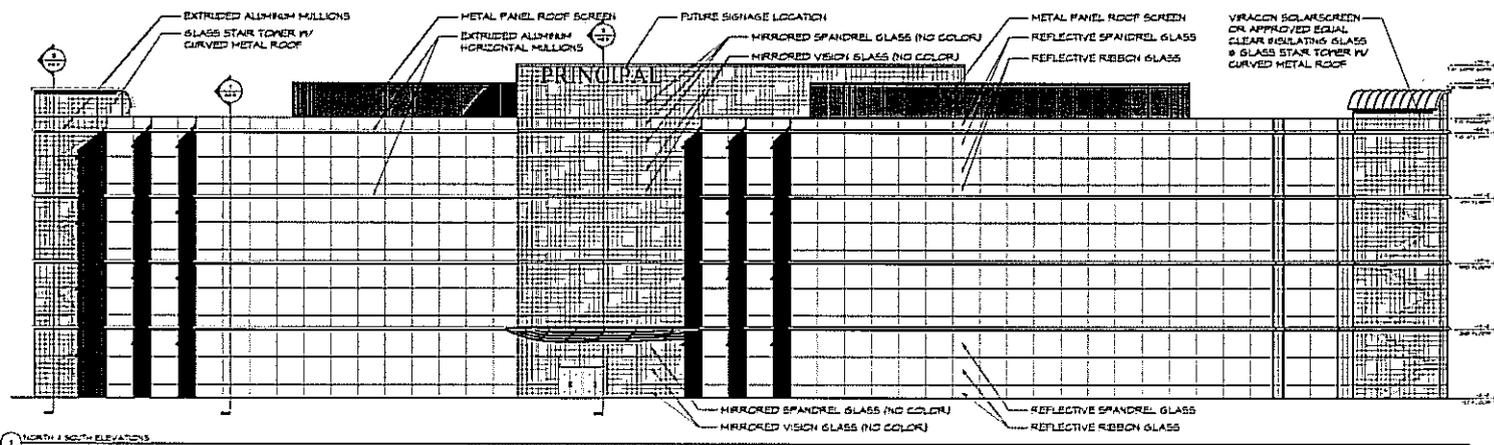
DATE	10/20/10
BY	JK
CHECKED BY	JK
SCALE	AS SHOWN
SHEET NO.	C1

ATTACHMENT E
 Page 9 of 11



1 EAST & WEST ELEVATIONS

NOTE: GLASS VITACON OR APPROVED EQUAL HIGH PERFORMANCE REFLECTIVE INSULATING GLASS (H.I.G.)



1 NORTH & SOUTH ELEVATIONS

ATTACHMENT
Page 11 of 11

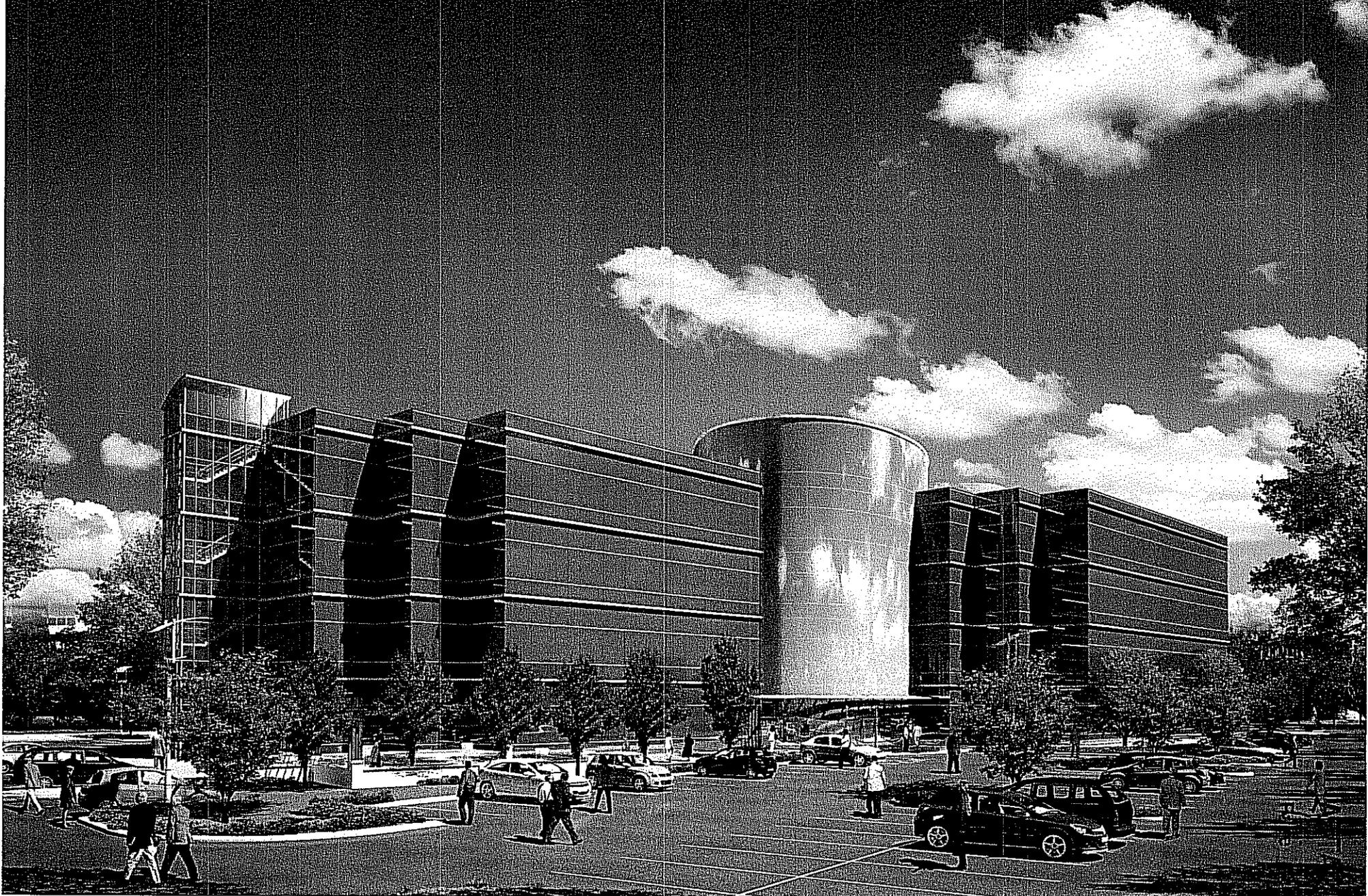
EXPLANATION:
1. CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIALS AND LABOR TO BE PROVIDED BY THE CONTRACTOR TO BE SHOWN ON THE DRAWINGS AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES.

REVISIONS

NO.	DATE	DESCRIPTION	BY
01	02/23/00	ISSUED FOR PERMIT	JAP
02	03/02/00	REVISIONS SET	DMW

ELEVATIONS

JOB NO: 00-046	SHEET NO:
DATE: 12.23.00	A3.1
DRAWN: DMW/JAP	
CHECKED: JAP	
ISSUE: PLANNING SUBMITTAL	OF SHEETS



PLANNING COMMISSION MINUTES OF JULY 28, 2008

2008-0407: The Martin Company [Applicant] TMG Santa Trinita LLC [Owner]: Application for a Use Permit on a 4.56 acre site to allow a new 99,317 square foot 4-story office building resulting in a 50% Floor Area Ratio. The property is located at **384 Santa Trinita Avenue** (at Kern Ave) in an M-S (Industrial & Service) Zoning District.(Mitigated Negative Declaration) (APN: 205-24-001) RK

Ryan Kuchenig, Associate Planner, presented the staff report. He said staff recommends approval of this Use Permit. Mr. Kuchenig provided several corrections to the report: on page 1, the report makes reference to a "5.56 acre site" when it is actually a "4.56" acre site; on page 4 of the report, the Background chart should include a project that was approved in 2000 for a 79,000 square foot building with a 40% FAR (Floor Area Ratio) that was never constructed; Condition of Approval (COA) 17.F should be removed as the site is not near the City's recycled water system and the connection cannot be required at this time; and COA 19.I should state that the shower facilities shall be provided to meet the levels as specified in the LEED (Leadership in Energy and Environmental Design) certified checklist, rather than the ratio that is listed in the condition.

Comm. McKenna said she really likes this project. She referred to page 9 of the report and discussed with staff the location of a third walkway that has been proposed. Comm. McKenna said she is concerned that the bus stop does not have a walkway and that it is too far from the building. Mr. Kuchenig explained that the pedestrian access is good for the nearby retail. Comm. McKenna said the bus stop accessibility is the only issue she has so that is pretty good.

Comm. Sulser asked staff about the front setback of the building with staff confirming that the closest position of the building is 107 feet with the entrances being even further setback. Comm. Sulser and staff discussed the setbacks with staff stating that the setbacks are not out of character with the surrounding development. Staff explained their reasons for supporting the positioning of the building on the site in relation to significant landscaping and parking. Comm. Sulser discussed the height of the building, with staff stating that the majority of the building is about 60 feet in height and the circular feature in the middle is about 75 feet high which is the maximum allowed. Comm. Sulser said he is not uncomfortable with the height and was just curious about the layout.

Comm. Klein said he is happy to see the developer improve the pedestrian flow and the added sidewalk. He asked about improving one of the crosswalks and who would be responsible to maintain the crosswalk markings and curbing. **Gerri Caruso**, Principal Planner said the City does have funding for this type of maintenance, but typically larger portions of improvements occur when there is a

development to make the improvements. Comm. Klein further discussed the curbing with staff. Comm. Klein asked about the site, the previous demolition that occurred in 2000 and what protected trees had been there. Ms. Caruso said staff does not have that information and that she is not sure the tree protection ordinance was in place at the time of the project in 2000. She further commented that many earlier industrial sites were void of much landscaping.

Comm. Travis referred to Attachment C, page 1 and asked staff about the 2.6 million square feet in the development pool. Ms. Caruso explained the history of the development pool which was a pool of square footage that was not being used on underdeveloped sites in industrial zoning districts. She said the extra square footage is available to be granted to projects that propose higher FARs. She said once the limit in the pool is reached then the City would need to rethink the development pool.

Vice Chair Chang discussed with staff the speed limit, traffic signals and whether there are any stop signs on Kern as he said there is a lot pedestrian traffic. Mr. Kuchenig said he would have to verify if there is a stop sign on that intersection. Ms. Caruso said that typically if the traffic counts warrant signage then the signage is requested by the Traffic Division. Vice Chair Chang asked where the Arts in Private Development would be located. Staff said that would be determined by the Arts Commission. Vice Chair Chang commented that he likes the changes that have been made since the study session.

Chair Rowe referred to page 9 of the report and asked staff to further explain the development pool. Staff explained that in the late 80's, early 90's that the Golden Triangle Task Force was formed in the region and recommended that cities consider adopting a maximum 35% FAR in their industrial areas, which Sunnyvale did. Staff explained that Sunnyvale began receiving requests for industrial projects exceeding the 35% FAR and in the late 90s created the development pool from identified sites and square footage in industrial areas that were underdeveloped and not using the maximum FAR for the site. She said the currently development pool has about 2.6 million square feet that can be devoted to industrial zones for projects proposed that exceed 35% FAR. Ms. Caruso said that ultimately City Council would determine whether this project would be allowed to draw from the pool and said the criteria for considering higher FAR developments and to grant pool square footage is shown in Attachment C. Ms. Caruso said the development pool allows economic development without exceeding the environmental limits of our General Plan. Chair Rowe commented that if the applicant meets the LEED certification on this project that the City grants an additional 5% FAR over the permitted FAR. Chair Rowe asked staff if the additional 5% FAR would reduce the amount of square footage to be drawn from the pool. Ms. Caruso said she thought that the 29,795 would still be the square footage removed from the pool. Chair Rowe and staff further discussed the LEED certification for this project.

Chair Rowe opened the public hearing.

David Wright, a partner with the Martin Group, explained some of the projects that their Group has developed in Sunnyvale and other areas. He commented that they currently have 24 points towards the LEED certification and hope to eventually be in excess of 27 points to reach the silver level. Mr. Wright said their landscape architect, project architect, and LEED consultant are present this evening to answer questions.

Sylvester Ramirez, project architect with Devcon, commented that staff has been a pleasure to work with and thanked the Commission for their input at the earlier study session.

Chair Rowe closed the public hearing.

Comm. McKenna moved for Alternative 1, to adopt the Negative Declaration and approve the Use Permit with attached conditions. Comm. Klein seconded the motion.

Comm. McKenna said she likes the design of the building, the walking paths, the landscaping, the Traffic Demand Management, the public art, and that the developer is trying to reach a higher degree of conservation. She said she thinks it is a great project and her only concern is improved access to the bus stop.

Comm. Klein said he would be supporting the motion. He commended the applicant for working with the staff to fix some of the issues and said this was a good staff report. He said he applauds the applicant for their LEED certification and said he hopes they reach the silver level. He said he likes the improvements to the pedestrian flow, bicycle parking, and unique architecture, and thinks this site will get good use.

Comm. Sulser commended the applicant on the architecture. He said he was initially nervous about the layout of the plans and that maybe the building was pushed too far from the street. He said he is now won over due to the pedestrian access and landscaping that have been added to the plans. He said he looks forward to seeing this project completed.

Comm. Travis said he would be supporting the motion and commended the applicant on their architecture and the work the applicant is making for the LEED certification. He said he agrees with the other Commissioners that this should be a great addition to the City.

Vice Chair Chang said he likes the contemporary architecture, that the location will be perfect for this type of building, that the green features are a plus, and the landscaping is good. He said he feels the art will be a nice addition.

Chair Rowe said it was a pleasure to read this report as there are no requests for deviations from the code. She said she thinks the architecture is exciting, there is more landscaping than is required, and there are a lot of features provided beyond the requirements. She said this project is a good example of cooperation between the City of Sunnyvale and a developer.

ACTION: Comm. McKenna made a motion on 2008-0407 to recommend to City Council to adopt the Negative Declaration and approve the Use Permit with attached conditions. Comm. Klein seconded. Motion carried, 6-0-1, with Comm. Hungerford absent.

APPEAL OPTIONS: This recommendation will be forwarded to City Council for consideration at the August 19, 2008 City Council meeting.