

Gerri Caruso - Fwd: Web Correspondence re Withdrawal of appeal on Toll Bros. approval; Council Agenda Sept. 20, 2011

From: Kathryn Berry
To: Caruso, Gerri; Ryan, Trudi
Date: 9/12/2011 4:42 PM
Subject: Fwd: Web Correspondence re Withdrawal of appeal on Toll Bros. approval; Council Agenda Sept. 20, 2011

Just to let you know the Ben Franzia letter has been filed to withdraw the appeal.
Kathy

>>> "Norm Matteoni" [REDACTED] 9/12/2011 4:37 PM >>>
Dear City Clerk

My client, Ben Francia, is withdrawing the appeal on the above mentioned matter. The hearing is scheduled for Sept. 20.

Please let me know if anything further is required.

Norm Matteoni

Matteoni
O'Laughlin
& Hechtman
LAWYERS

NORMAN MATTEONI
[REDACTED]

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Subject: 700 Timberpine Avenue, Sunnyvale Ca
File No.: 2010-7672
Prop Project: To allow 51 new single family homes

We've emailed your office in the past about possible extension of Dahlia Drive/Street which is a dead end from side to the other side. We've indicated that this place will be a catastrophe if something's happened because there's no outlet in the neighborhood of Torrey, Toyon, and Vinemaple Avenues except one tiny street. Because instead of making another outlet on the other side of Dahlia Drive/Street, a big house has blocked and ended the connection of Dahlia Drive to Timberpine Avenue which branches out to other major streets. As far as we're concerned, there's should be an open outlet on both sides of Dahlia Drive/Street for safety reasons. All these people in the same neighborhood had to pass and share only one street which is the Columbine Avenue in order to get out of the neighborhood. And this place will be more crowded and busier if you will build additional 51 new single homes, and a more disaster pruned area if no additional street outlets will be provided between streets and avenues to another major streets and avenues for safety reasons. Let us please take more consideration for the safety of the people and not just for the safety of our own selfish financial gains and schemes. Thank you very much if you will consider this plea, since we did not hear anything from your office after we emailed your office a while back ago. -- mh

Steve,

Thanks for sending the plan document. I would like to submit these suggestions/objections to the plan:

1. In the page 20 of the plan I see projections (labeled as Vegetated Grassy Bio retention Storm Water Treatment Area) encroaching the into the roadway on Lily and Timberpine. These look like potential hazard because by eating into the roadway these projections are making road narrower and less safe. The space that has been eaten into could be used by cyclists. If you compare the usable width of Lily on the west of Timberpine to the usable width of Lily east of Timberpine you will notice an appreciable loss of usable space on the road.

Similarly, the Timberpines also has projections encroaching into thereby reducing the usable width of the road.

If these projections are important, they must recede back so that they do not present a hazard to traffic on these roads.

2. I am also concerned about the potential traffic snarls at Whiteoak lane and Poinciana intersection that feeds into Lawrence Expressway. Presently, the traffic on whiteoak loan has to stop for cross traffic on Poinciana to enter Lawrence Expressway. Due to this new development, I am expecting more traffic on whiteoak lane trying to get into Lawrence Expressway. Presently, the traffic on whiteoak lane has a STOP while the traffic on Poinciana enters into Lawrence freely. I feel that traffic during busy hours on whiteoak lane will get fewer opportunity and very small window of time to enter Lawrence. In fact I have minimized using this intersection because during busy hours it is sometimes unsafe for a car from white oak lane to enter Lawrence as the traffic on whiteoak lane zips into Lawrence without a need to slowdown or stop. Furthermore, there is not enough visibility towards right into Poinciana at the whiteoak lane STOP post. The visibility is further hampered by the cars parked along the apartment complex.

Therefore, I suggest that a stop be posted on Poinciana so that the cars on whiteoak lane get a fair opportunity to make a safe turn into Lawrence Expressway.

Sincerely,
Ratendra Pandey

[REDACTED]
[REDACTED]



Hearing Date: September 20, 2011
File Number: 2010-7672

SUBJECT: **Toll Brothers:** Applications for a 10-acre site located at **700 Timberpine Avenue** in an R-0/PD Zoning District (APN: 213-12-002):

Motion **2010-7672** - Appeal of a decision by the Planning Commission to approve a Special Development Permit to allow the development of 51 new single-family homes; and

Motion Vesting Tentative Map for 51 parcels and one remnant lot.

REPORT IN BRIEF:

Existing Site Conditions Agricultural use.

Surrounding Land Uses

North Single-family homes

South Single-family homes

East 10-acre agricultural site and Lawrence Expressway

West Single-family homes

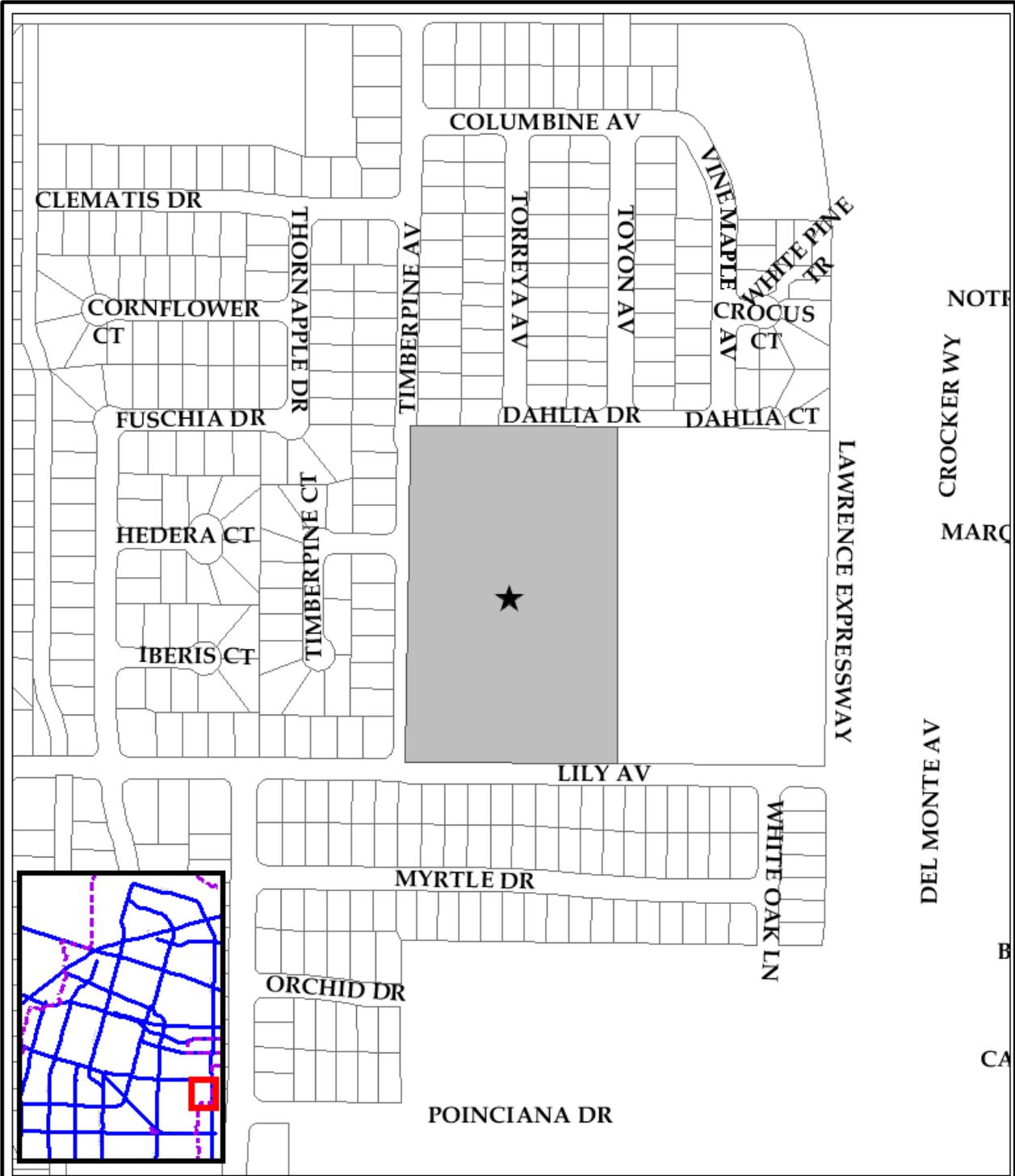
Issues Parking, Neighborhood Compatibility, existing site conditions

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

Planning Commission's Action Approved with conditions.

Staff Recommendation Deny the appeal and uphold the decision of the Planning Commission to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions.

VICINITY MAP



2010-7672
700 Timberpine Ave. (APN: 213-12-002)
Special Development Permit and Vesting Tentative Map

0 40 80 160 Feet



BACKGROUND:

The purpose of this report and hearing are to consider an appeal of a decision by the Planning Commission. On September 12, 2011, after the public hearing notice was given for the hearing, the appellant withdrew the appeal. Since the public hearing notices and hearing agenda had already been posted, the City is required to hold the public hearing. The appellant's e-mail withdrawing has been sent with the hearing packet as supplemental information.

In 1990, the City Council approved a similar project that included the subject site, as well as the adjacent 10-acre parcel. The project included the following:

- Tentative Map (#6328) for 51 single-family homes on subject site and 61 units on the eastern 10-acres;
- Special Development Permit (SDP) (#6329);
- Annexation of the two 10-acre parcels into the City;
- Cancellation of Williamson Act Contract, for both parcels;
- Rezoning of adjacent 10-acre site from R-2 to R-1.5/PD. Subject 10-acre site has been zoned R-0/PD since 1988 and R-0 since 1965.

The 1990 Tentative Map and SDP approvals have now expired. The property annexations are complete and the properties are within the City limits. The Williamson Act Contracts were tentatively cancelled and require no further action by the City at this time. See Williamson Act Contract section below.

Previous Actions on the Sites: This application was heard before the Planning Commission at their July 25, 2011 meeting. The Commission discussed architecture, landscaping, traffic, and the existing well. Four members of the public spoke on the project. Only two had concerns which related to loss of view of the hills, traffic, and birds using the site. The Commission voted unanimously to approve the SDP and Tentative Map with only a minor change to the conditions of approval. See Attachment F for details.

The appellant was not present at the Planning Commission hearing and they did not have a representative speak on their behalf. Their concerns, discussed in detail below, were not raised at the Commission hearing, although they were considered by staff during the processing of the application.

DISCUSSION:

Requested Permits**• Special Development Permit**

The proposed project is an SDP to allow 51 single-family homes and related design review for the homes. The project meets all of the applicable City Municipal Code zoning requirements and the applicant is not seeking any deviations from zoning code at this time.

- **Vesting Tentative Map**

A subdivision is required to create 51 separate ownership lots and one remnant parcel for the existing water well. The Vesting Tentative Map vests the developer's right to build the project for the life of the map. It also secures the approved project against future Sunnyvale Municipal Code (SMC) changes by the City that might otherwise affect the project.

ANALYSIS:

Architecture

The homes would be 3,387-3,508 square feet each, including two-car garages and two uncovered parking spaces in the driveways. There are three different floor plans with three different elevations or architectural styles available. See architectural elevations in Attachment D for details. All homes are two story units and the parcels will provide private rear yard spaces which vary in size. The applicant has incorporated all of staff's comments and there are no recommended modifications at this time.

The proposed home are similar in character to the existing homes in the surrounding neighborhood; however the proposed homes would have larger square footage. To the south of the site (across Lily Ave.) homes are primarily single-story and range from 1,400 – 1,800 square feet. Across Timberpine to the west, homes are generally larger with one and two-stories. The sizes typically range from 2,100 – 2,800 square feet. Homes in the Torreya, Dahlia, and Toyon neighborhood to the north have a greater size variance from 1,500 – 2,600 square feet and are primarily single story.

Individual homeowners will be allowed to select the model (plan and architectural style) and the parcel. As a condition of approval, the developer will submit to staff a plan to ensure there is a variation in the pattern of home plans and architectural styles.

Development Standards

- **Site Layout**

The proposed subdivision is for 51 new single-family homes. Lot sizes are approximately 6,000 square feet each with larger corner lots. The site is currently vacant and has historically been under agricultural use. There was no prior development of the site. The site is located adjacent to residential uses (single-family homes to the north, south, and west). A 10-acre parcel is located directly east and is expected to remain an agricultural use for the foreseeable future.

The project would include two new public street extensions. Toyon Avenue and Torreya Avenues would extend from their existing street terminus down to Lily Avenue. The streets Timberpine, Dahlia, and Lily Avenue are currently substandard in width and would be widened as part of the project. With the widening of these streets, Lily, Timberpine, and Dahlia will meet current City street standards.

There are no setback deviations proposed in the project. Note, however, under SMC 19.34.030 the front yard minimum is 15' and the average is 20'. This means the front yard setback on each block must average 20'. The intent is to allow variations in the rhythm or pattern of homes placement on each block. The applicant is proposing that the three plans would have different setbacks, one at 15', one at 20', and the third at 25'. The average of the three plans will achieve the minimum setback average of 20'.

- **Water Well**

The 10-acre project site currently has an irrigation well that historically served the agricultural uses on the subject parcel, and the 10-acre parcel to the east. It is understood by the City that the well and its associated delivery system (ditches and pipes) has been used in the past by two property owners. Currently the well and associated delivery system only serves the 10-acre parcel to the east. The well and conveyance system will remain in its current location and continue to serve the 10-acre parcel to the east until such time as the eastern 10 acres is no longer in agricultural use.

The well pump and ditch (delivery system) will be placed underground to the extent possible. This will translate to the pump being placed in an underground vault and water delivery via underground pipes.

- **Parking and Circulation**

SMC Section 19.46.050 requires that new single-family homes provide two covered parking spaces, plus two uncovered spaces. Parking would be provided within two-car garages for each unit, two-car driveways at each unit, and additional parking on the existing and new public streets.

A Traffic and Operations Analysis has been prepared by Hexagon Transportation Consultants, Inc, dated April 22, 2011. The Hexagon report describes the existing traffic conditions at this site. The report also discusses the project's effects on access, circulation, and the proposed improvements related to the extension of the project area roadways. The proposed 51 new housing units will result in new vehicle trips in the area, but the number of residential trips will not exceed the capacity of the existing circulation system, including non-motorized travel and all relevant components of the circulation system; this includes the existing intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit. The report concludes that the estimated increase in traffic volumes due to project-generated traffic would not create any operational problems, and all of the studied road segments currently have more than adequate capacity to handle the additional traffic generated by the project. There will be no substantial impact on the existing circulation patterns in the neighborhood. See Attachment D for more details.

Although the project would not result in any significant traffic impacts, the project would be required to pay a traffic impact fee. The anticipated Traffic Impact Fee is approximately \$104,508.18, and will be used by the City as part of the ongoing

maintenance and upgrade of the City's transportation systems to offset the contribution of project-generated traffic on local roadways. The project would result in a less than significant traffic impact.

- **Tree Preservation**

An Arborist's Report was completed by Hort Science on in September 2010. The report reviewed the existing trees on-site and concludes that as part of the project, 16 protected trees will be removed. Protected under SMC is defined as any tree greater than 38" in circumference, measured at 4.5' from the adjacent grade. All 16 trees proposed for removal are in poor condition and are located in areas of future roadway widening. The trees cannot be saved with the City's requirements for standard public street widths. Per Conditions of Approval, a 36" box tree is to be provided for each protected tree being removed. All new public streets will have street trees installed per SMC requirements.

- **Landscaping**

The applicant has submitted a preliminary landscaping plan that shows public right-of-way landscaping and private fences. Private landscaping in the front and rear yards will be installed at the option of the individual homeowners. Future homeowners can include landscape installation as part of their property purchase or they can install through a private party. All new landscaping must be installed according to the City's Water Efficient Landscaping code requirements. The developer will draft landscape plans that can be optionally purchased by the homeowners and will have them pre-approved by the City through a Miscellaneous Plan Permit. If individual homeowners choose to install landscaping themselves, they will be required to submit a Miscellaneous Plan Permit for staff review and approval prior to installation.

- **Stormwater Management**

A preliminary Stormwater Management Plan has been submitted as required, which shows proposed drainage patterns and conceptual treatment techniques to minimize surface runoff and pollution. A more detailed Stormwater Management Plan will be submitted during the building permit phase per Conditions of Approval.

The project will require the construction of new stormwater management devices and the expansion of existing City utilities in the area. The stormwater treatment devices consist of vegetated swales in the public right-of-way to treat street runoff, and vegetated swales on private property to treat the impervious surfaces on the new parcels. All new street stormwater run-off will be captured and treated in stormwater treatment swales located within the public right-of-way.

Future homeowners will be fully responsible for the cost of maintenance and repair of the private stormwater treatment areas as well as those in the public right-of-way. A maintenance district will be formed for the purpose of funding these improvements.

- **Green Building Requirements**

The project is required to achieve a minimum of 70 green building points to fulfill green building requirements. Most of the green building points are incorporated into the design of the landscaping, building materials, energy performance and plumbing. A Green Point Rated Checklist has been provided and demonstrates the project is expected to achieve 133 points. As required, verification of the green building measures will be completed by the Building Safety Division during the building permit process.

- **Below Market Rate (BMR) Housing**

No BMRs are required of this development since the R-0 zoning does not require BMRs.

- **Construction Activities and Schedule**

Project construction will consist of two phases. The first phase will involve site grading, underground utilities, and street construction associated with the first 51 lots of the proposed subdivision. Grading intensive activities are expected to last 10 to 14 weeks. The second phase involves construction of the homes and associated site improvements. This phase will begin with the parcels fronting on Timberpine and Torreya Avenues and will proceed east with the parcels fronting on the east side of Torreya and Toyon Avenues. Construction is expected to take two and one-half years to complete. The project will be subject to the SMC requirements for noise and hours of construction contained in Section 16.08.030.

Williamson Act Contract

The project site is currently under a Williamson Act Contract with the City. In 1990 the City Council took action to approve a tentative cancellation of the Williamson Act Contract, at the request of the property owners. The Tentative Certificate of Land Contract Cancellation by the City Council (Resolution 124-90) remains in effect today, and no further action by the Council is required according to the State Department of Conservation. Once the property owner or contract holder receives a certificate of tentative cancellation from the City, the conditions, including the cancellation fee payment, must be fulfilled before a final cancellation may be approved. There is no expiration date on a tentative cancellation action.

The property owner will notify the City Council when they have satisfied the conditions and contingencies stated in the certificate of tentative cancellation, including the cancellation fee of \$1,687,500 (12.5% of the \$13,500,000 land valuation) that needs to be paid to the State Lands Commission. Within 30-days of receipt of the notice, and upon a determination that the conditions and contingencies have been satisfied, the City Council will execute a certificate of cancellation of contract, which will finalize the contract cancellation. (GC §51283.4(b)).

Environmental Review

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

determined that the proposed project would not create any significant environmental impacts with implementation of the recommended mitigation measures.

The Initial Study includes discussion about noise impacts, traffic, hazardous materials, air quality, aesthetics, etc. See Attachment D for more details. Mitigation measures have been incorporated in the attached conditions of approval at the appropriate states of construction (Attachment B). The following is a summary of a few issues not already discussed in the report above:

- **Soil Contamination**

A Phase I Environmental Assessment has been prepared by Berlogar Geotechnical Consultants (BGC), dated April 2, 2010. A second study dated January 29, 2010, also analyzed soil samples. The reports include the property's prior-use history, a review of neighborhood properties for hazardous material contaminations, a preliminary screening for asbestos containing building materials, lead based paint, drinking water quality and radon, a search for above ground storage tanks, underground tanks, and equipment containing PCBs. Soil samples were also taken at the site. The reports conclude that there is no environmental impairment of the site and that any contamination is within acceptable levels. The reports also conclude that a Phase II assessment is not warranted.

- **Noise**

An Acoustical Analysis was completed by Charles M. Salter Associates, Inc. in April 2011. The report discusses existing noise conditions at the site as well as applicable Sunnyvale noise standards and thresholds.

The study measured noise levels at four locations surrounding the property. Existing noise levels were measured at levels between DNL 60 dBA and DNL 64 dBA. To account for future traffic volumes of 1-2%, 1dB was added to the measured DNL. A future DNL of up to 65 dB is expected for the exterior noise level. This level is considered conditionally acceptable by the City Noise Sub-Element. In order to meet the City's goal of 60 dB in rear yards, a six foot tall noise barrier is necessary for the proposed homes on Lily Avenue and the house on the northeast corner of the project site on Dahlia at Toyon Avenue. These fences meet existing SMC requirements.

Noise generating activities would include grading, the establishment of utilities, construction of streets, construction of 51 new homes, and landscaping. Pile driving or other ground born vibrations are not anticipated during construction. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction noise lasts over extended periods of time. Where noise from construction activities could

exceed the City's goal of 60 dBa in the project vicinity for duration of one year or more, the impacts would be reduced to a less than significant level with mitigation.

- **Aesthetics**

The project site is not located within or near any known scenic vista or scenic highways. There are no scenic resources present on the project site as the property is currently vacant. The project site is surrounded by residential uses with the exception of the 10-acre parcel to the east which is currently in agricultural use. The project would result in the development of a vacant 10-acre parcel with 51 dwelling units. Although the development of the project would change the existing visual character of the site, it would not substantially degrade the quality of the site and its surroundings, nor would it cause a significant adverse visual change to the neighborhood character. The project would extend one and two-story single-family residences into a residential neighborhood of similar massing, scale and building heights. The City's implementation of the Single-Family 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.

Appeal

- **Appellant's Justification**

The appellant is the adjoining property owner to the east, Ben Francia. In his appeal letter (Attachment G) he gives his justifications for appeal, but there is no requested action (i.e deny, continue, add conditions of approval). The following is a summary of the justifications for appeal:

1. *Ben Francia holds a 50% interest in the well and associated mechanical equipment and did not give consent to the developer or the current property owner for this application.*

Staff's Response: Staff acknowledges the appellant owns a 50% interest in the well and associated mechanical equipment, but the appellant is not an owner of record for the property. The City only requires applications to have signature or consent of the property owner of record. This requirement is similar to a property that has a private easement held by a third party. The City does not require private easement owners to sign applications. In cases where there is disagreement between the private agreement parties, there are private disputes only, and the City does not intercede to broker a solution. The appellant's claim they must give consent to this application is incorrect and was never raised to City staff during the 10 months the application was under review or to staff personally during conversations with the appellant and his attorney.

2. *The appellant did not receive appropriate notice of the July 25th Planning Commission meeting.*

Staff's Response: The appellant's claim they did not receive proper notice of the hearing is incorrect. The appellant was sent four notices; two of public outreach meetings and two of the Planning Commission hearings. The noticing mailing lists show that staff sent notices to 247 N. Whisman Road, Mountain View, CA 94043, which is the legal address and home of the appellant. In addition, the subject property was posted twice with public hearing notices. Finally, the appellant's representative, David Bider, met with planning staff in the weeks prior to the hearing to discuss the project and was given a copy of the plans. The representative stated he subsequently had several meetings the appellant.

3. *The appellant did not have an opportunity to be heard at the Planning Commission meeting.*

Staff's Response: Neither the appellant or their attorney attended any of the four public meetings to voice concern or objection to the project. The appellant's representative, David Bider, did attend the Planning Commission hearing but chose not to speak when there was opportunity.

4. *The Mitigated Negative Declaration did not analyze the impact on preserving Ben Francia's farming operation and loss of an historical agricultural use of the site.*

Staff's Response: A detailed environmental analysis is not necessary when current operations will remain unchanged after the project is constructed. Under current CEQA guidelines this is considered "no impact" and thereby, no further analysis required.

5. *Placement of future residential lots over private utility lines, preventing use and maintenance.*

Staff's Response: The future subdivision will have a private easement for the well's water lines running through side yard areas. This type of easement is similar to many single-family homes in the City where there is a private utility easement, such as PG&E power pole easements in rear or side yards. Maintenance and access will remain unimpeded, as it is today.

6. *Isolation or removal of the well which will affect continued use.*

Staff's Response: The appellant's use of the well and water will also remain unchanged from current usage.

7. *City staff did not analyze reasonable alternatives to the project.*

Staff's Response: Staff did not analyze alternatives since the project submitted is in conformance with the current zoning and General Plan. An alternatives analysis is typically completed only if the project proposes to modify the zoning or General Plan or as part of an EIR.

FISCAL IMPACT

Transportation Impact Fee

Projects resulting in net new peak hour automobile trips are subject to a transportation impact fee. The transportation impact fee is estimated to be \$104,508.18, and must be paid prior to issuance of a building permit. The amount is subject to the fee in place at the time of payment.

Park Dedication In-Lieu Fee

The project is subject to a park dedication in-lieu fee for each new residential unit. The park dedication in-lieu fee is based on the acreage standard in place at the time the project was deemed complete (2.25 acres/1,000 population); the fee, based on FY 2011-2012 adopted land values is estimated to be \$948,467.27, and must be paid prior to recordation of a Final Map. The amount is subject to the fee, based on a formula in the Municipal Code, in place at the time of payment.

PUBLIC CONTACT

Outreach Meeting

The applicant held two community outreach meetings on April 22, 2010 and August 5, 2010. Approximately 80 residents and 50 residents respectively attended from the surrounding neighborhood. A majority of the concerns were related to construction timing, construction impacts, density, circulation, soil contamination, using the land for a park, the existing water well, architecture, and home sales prices. Most residents attending the meeting were generally positive about the proposed project with the largest concern being the possibility of developing the site at a density higher than the existing R-0 zone; since this is not being proposed, this issue was satisfied.

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 • 412 notices mailed to the property owners and residents 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 the project, as conditioned, meets the required Findings and Goals of the General Plan. The Conditions of Approval ensure that impacts to the site and surrounding development are considered minimal.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit that were provided by the applicant as well as based on staff analysis. Recommended Findings and General Plan Goals are located in Attachment A.

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

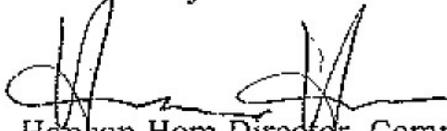
ALTERNATIVES

1. Deny the appeal and adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions.
2. Deny the appeal and adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with modified conditions.
3. Grant the appeal and do not adopt the Mitigated Negative Declaration and deny the Special Development Permit and Vesting Tentative Map.

RECOMMENDATION

Alternative 1: Deny the appeal and adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions.

Reviewed by:

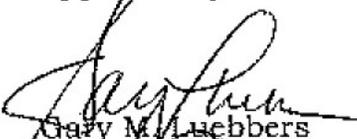


Hanson Horn Director, Community Development Department

Prepared by: Trudi Ryan, Planning Officer

Prepared by: Steve Lynch, Senior Planner

Approved by:



Gary M. Luebbers
City Manager

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Hexagon Transportation Consultants Analysis, April 22, 2011
- E. Site and Architectural Plans
- F. Planning Commission Minutes from July 25, 2011
- G. Appellant's Letter of Justification
- H. Project Data Table

RECOMMENDED FINDINGS

Special Development Permit

General Plan Goals and Policies:

Housing and Community Revitalization Sub-element

Policy A.2: *All new residential developments should build at least 75 percent of the permitted density.*

Policy C.1: *Continue efforts to balance the need for additional housing with other community values, such as preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.*

Goal D: *Maintain diversity in tenure, type, size, and location of housing to permit a range of individual choices for all current residents and those expected to become city residents.*

Goal E: *Maintain and increase housing units affordable to households of all income levels and ages.*

Land Use and Transportation Element

Goal C2: *Ensure Ownership and rental housing options in terms of style, size and density that are appropriate and contribute positively to the surrounding area.*

Policy C2.2: *Encourage the development of ownership housing to maintain a majority of housing in the city for ownership choices.*

Policy N1.2: *Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*

Community Design Sub-element

Policy C.4: *Encourage quality architectural design, which improves the City's identity, inspires creativity, and heightens individual as well as cultural identity.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. (*Finding Met*).

The proposed project meets the goals and policies of the General Plan as listed above by creating 51 single-family homes that promote housing goals that encourage home ownership. The project also meets the policy for a minimum 75% of the allowable density for the zoning district.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. (*Finding Met*)

The proposed project is the same density and similar style of the surrounding development. The site layout will complete the circulation patterns in the existing neighborhood as well as complete three substandard streets surrounding the project. The design of the homes is considered high quality and will greatly improve the overall appearance of the area over current conditions.

Vesting Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

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

Staff was not able to make any of the findings (B.1-8), and recommends approval of the Tentative Map.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JULY 25, 2011

Planning Application 2010-7672

700 Timberpine Avenue

Special Development Permit to allow the development of 51 new single-family homes; and Vesting Tentative Map for subdivision of one lot into 51 parcels and one remnant lot

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

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

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. USE EXPIRATION:

The approved Special Development Permit shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)

- GC-3. PERMIT EXPIRATION:
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]
- GC-4. TITLE 25:
Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]
- GC-5. STORMWATER MANAGEMENT PLAN:
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Final Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-6. ENCROACHMENT PERMIT:
Obtain an encroachment permit from the Department of Public Works for all off-site improvements. [SDR] [PUBLIC WORKS]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

- PS-1. ARCHITECTURAL VARIATION:
The developer shall submit to staff, for review and approval, a plan to ensure there is a variation in the pattern of home plans and architectural styles. The intent is to ensure there are not similar homes next to one another. [COA] [PLANNING]
- PS-2. FRONT YARD SETBACK COMPLIANCE:
The developer shall submit to staff, for review and approval, a plan to ensure there is a variation in the pattern of front yard setback that achieves the minimum average of 20' [COA] [PLANNING]
- PS-3. EXTERIOR MATERIALS REVIEW:
Final exterior building materials and color schemes are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

BP-4. NOISE DISTURBANCE COORDINATOR:

A Disturbance Coordinator will be assigned to the project for the full duration of building construction. This coordinator will ensure that all conditions of approval and mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site at two different locations. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules. [COA] [PLANNING]

BP-5. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]

BP-6. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit.

- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project that will be calculated prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) PARK IN-LIEU - Pay Park In-lieu fees shall be paid under FY 2011-2012 fees (based on a park land dedication rate of 2.25 acres/1,000

population) at the land value in place at the time of payment, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]

BP-7. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits whether to be installed by the developer or by new property owners at a later time. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [PLANNING] [COA]

BP-8. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through a Miscellaneous Plan Permit at the time of Building Permit submittal. The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- c) Ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- d) 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.
- e) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- f) The design of each perimeter wall for the development shall be similar in appearance and construction material. Final design is subject to review and approval by Planning Staff prior to issuance of a building permit.
- g) Backflow devices and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front or side yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. – “mailbox style”). [COA] [PLANNING]

BP-9. PRE-APPROVED, WATER EFFICIENT LANDSCAPE PLANS:

The developer shall submit a minimum of three landscape plans for review and approval by the Community Development Department. These plans will be reviewed through a Miscellaneous Plan Permit to ensure they meet the City’s Water Efficient Landscaping code requirements. These plans shall be available for purchase by the future homeowners. [PLANNING] [COA]

- BP-10. PRIVATE INSTALLATION OF LANDSCAPING:
Future homeowners who choose to install the site landscaping privately (private landscape company or homeowner) are shall submit for review and approval Miscellaneous Plan Permit to ensure they meet the City's Water Efficient Landscaping code requirements. This MPP must be approved prior to installation of the landscaping.
[PLANNING] [SDR]
- BP-11. STORMWATER MANAGEMENT CALCULATIONS:
Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]
- BP-12. STORMWATER MANAGEMENT PLAN:
Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, pursuant to SMC 12.60, prior to issuance of building permit.
[COA] [PLANNING/PUBLIC WORKS]
- BP-13. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance.
[SDR] [PLANNING/PUBLIC WORKS]
- BP-14. BEST MANAGEMENT PRACTICES:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
 - b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
 - c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
 - d) Covered trash, food waste, and compactor enclosures.
 - e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.

- ii) Dumpster drips from covered trash and food compactor enclosures.
- iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
- iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
- v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-15. NOISE REDUCTION:

Final construction drawings shall incorporate all noise mitigation measures as set forth under “Mitigation Measures” in the approved environmental document (MND) and all plans shall be wet-stamped and signed by the noise consultant. [COA] [PLANNING]

Mitigation Measure

WHAT: 1) A six foot tall noise barrier shall be constructed at the rear yards of the homes on Lily Avenue and the house on the northeast corner of the project site on Dahlia at Toyon Avenues. This barrier, as described the Salter 2011 report, must be solid from top to bottom, have no surface gaps or cracks, and must be a minimum of three pounds per square foot. The wall shall be enhanced wood.

2) To achieve compliance with the 45 dB interior noise level standard, Sound Transmission Class minimum rated 26-28 windows shall be installed near all living spaces.

3) All units shall have a ventilation or air-conditioning system that provides habitable interior environments.

WHEN: The conditions shall be incorporated into the construction plans. All conditions must be installed prior to Building Permit final.

WHO: The property owner (developer) will be solely responsible for implementation and maintenance of these conditions.

HOW: The conditions shall be incorporated into the construction plans

Mitigation Measure

WHAT: The project applicant shall implement a Construction Management Plan (CMP) for all development within 1,000 feet of occupied residential uses, approved by the Director of Community Development to minimize impacts to surrounding sensitive land uses to the extent possible. The CMP shall include the following measures to minimize the impacts of construction upon nearby sensitive land uses:

1. Measures to control noise by limiting hours of operation of construction activities to those allowed under SMC and by avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and scheduling equipment selection.
2. Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.
3. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
4. Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or noise-sensitive land uses.
5. Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
6. Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible. Construction workers will not be permitted to park on neighborhood streets.
7. Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.
8. Prohibit all unnecessary idling of internal combustion engines.
9. Notify all adjacent business, residences, and noise-sensitive land uses of the construction schedule in writing. Notification by door hangars of nearby residence regarding significant upcoming construction activities.
10. Designate a "disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of noise complaints (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. The noise disturbance coordinator shall be authorized to address and accommodate special circumstances (home bound or medical condition-adjacent homeowners).

WHEN: The CMP shall be submitted for review and approval prior to Building Permit issuance.

WHO: The property owner (developer) will be solely responsible for implementation and maintenance of these conditions.

HOW: The CMP shall be submitted for review and approval prior to Building Permit issuance.

BP-16. HISTORICAL AND CULTURAL REMAINS:

The project shall comply with all necessary requirements regarding Historic and Cultural Remains. [COA][PLANNING]

Mitigation Measures

WHAT: 1) For projects involving substantial ground disturbance, the individual project sponsor shall be required to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future development projects that the CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project sponsor contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.

2) If a significant archaeological resource is identified during grading, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

- Planning construction to avoid the archaeological site;
- Incorporating the site within a park, green space, or other open space element;
- Covering the site with a layer of chemically stable soil; or
- Deeding the site into a permanent conservation easement.

3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities.

A data recovery plan and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for

review at the California Historical Resource Regional Information Center [CEQA Guidelines section 15126.4(b)].

In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a project area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above.

If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

WHEN: These conditions shall apply during construction of the project.

WHO: The property owner will be solely responsible for implementation and maintenance of these conditions.

HOW: These conditions shall apply during construction of the project and shall be incorporated into the construction plans.

BP-17. AIR QUALITY:

The project shall comply with all necessary requirements regarding Air Quality. [COA][PLANNING]

Mitigation Measures

WHAT: Permits must be obtained from the City of Sunnyvale (grading permit and Storm Water Pollution Prevention Plan) and BAAQMD (J-Permit) prior to demolition or new construction. The City of Sunnyvale permit shall, amongst others, specifically include the following mitigation measures:

1. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
2. Cover all hauling trucks or maintain at least two feet of freeboard.
3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
6. Replant vegetation in disturbed areas as quickly as possible.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
8. Limit traffic speeds on the construction site to 15 mph.

9. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
10. Install windbreaks or fences along adjacent residential properties.
11. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations (refer to Section 2.9, Hazards and Hazardous Materials).
12. A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.
13. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.
14. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite.
15. The project shall develop and implement a plan, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. Note, the Sacramento Metropolitan Air Quality Management District maintains a Construction Mitigation Calculator that could be used to demonstrate compliance with these requirements.
16. Properly tune and maintain equipment for low emissions.
17. Avoid staging construction equipment within 100 feet of residential properties.

WHEN: These conditions shall apply during construction of the project.

WHO: The property owner will be solely responsible for implementation and maintenance of these conditions.

HOW: The conditions shall be incorporated into the construction plans.

BP-19: FIRE PREVENTION REQUIREMENTS:

The following requirements and upgrades are required, for review and approval by the Department of Public Safety: [COA] [PLANNING/ PUBLIC SAFETY]

- a) As applicable, comply with the requirements contained in Sunnyvale Municipal Code Chapter 16.52, 16.53 and 16.54; California Fire Code, and Title 19 California Code of Regulations. Building plan submittals after January 1, 2011 will have to comply with the 2010 adopted codes.
- b) The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety (508 CFC)
- c) A fully automatic fire sprinkler system is required for the new homes. The fire sprinkler systems shall be in accordance with NFPA 13, and CFC. (16.52.270 SMC & Section 903 CFC)
- d) Provide a water meter size sufficient to handle the fire sprinkler system.
- e) A fire alarm system is required for buildings meeting the requirements under Section 907.2.9 CFC.
- f) Install approved smoke detectors and carbon monoxide detectors in accordance with the Sunnyvale Municipal Code (MC 16.52.280).
- g) Fire hydrants are required to be spaced no more than every 300 feet. Hydrants shall be Clow 75. (508 CFC)
- h) Provide required number of approved fire extinguishers (minimum size of 2A10BC) (CCR Title 19: 568)
- i) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems if applicable. (Chapter 14 CFC)
- j) Provide a written construction Fire Protection Plan. (Section 1408 CFC)(Refer to Unidocs.org , Fire Prevention documents).

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

EP-1 MAINTENANCE DISTRICT RELATED TO STORMWATER TREATMENT AREAS:

Prior to issuance of the Public Works encroachment permit, the owner/subdivider shall conduct a study and prepare an Engineer's report for the formation of a Benefit Assessment District, in accordance with the Benefit Assessment Act of 1982 (California Government Code, Section 54703, et seq.) to fund perpetual maintenance of stormwater treatment areas on private properties and in the public right-of-way, to City's satisfaction. Prior to issuance of the first building permit for any lot, the owner/subdivider shall show evidence of substantial progress to establish said District. Prior to the final sale of the first residential unit, the owner/subdivider shall complete the process to establish the District.

- EP-2. ENCROACHMENT AGREEMENT RELATED TO STORMWATER TREATMENT AREAS IN THE PUBLIC RIGHT-OF-WAY:
Prior to issuance of the Public Works encroachment permit, the owner/subdivider shall execute and record an Encroachment Agreement regarding installation, and perpetual maintenance of stormwater treatment facilities located in the public right-of-way. The Encroachment Agreement shall include but not limited to the following provisions:
- a. Identify the areas and items of encroachment with description and plot map.
 - b. Identify the party(ies) (such as the Home Owner's Association or Maintenance District) responsible for perpetual maintenance of those encroachment items.
 - c. Outline the maintenance schedule and requirements.
 - d. Refer to the established Maintenance District (see EP-1 above) to fund perpetual maintenance of those encroachment items.
- [COA] [PUBLIC WORKS]:
- EP-3. REMOVAL AND/OR UNDERGROUNDING OF EXISTING PRIVATE IRRIGATION FACILITIES:
The existing well and appurtenances on Lot A shall be placed underground to the extent feasible. The existing well riser on Timberpine and any existing underground private facilities within the public right-of-way shall be removed. The existing shed shall be removed. The lot shall be landscaped according to the approved plans.
- EP-4. PROTECTION OF EXISTING IRRIGATION CONVEYANCE:
The existing irrigation conveyance shall be maintained at all times until it is replaced with underground pipes.
- EP-5. PUBLIC IMPROVEMENT MODIFICATIONS:
The owner/subdivider is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the park strip area, caused by the development. [COA] [PUBLIC WORKS]
- EP-6. DEFICIENT PUBLIC IMPROVEMENTS:
Any existing deficient public improvements shall be upgraded to current city standards as required by the Director of Public Works.
- EP-7. COMPLIANCE WITH CITY DESIGN STANDARDS AND STANDARD DETAILS AND SPECIFICATIONS:
All public improvements shall be designed in accordance with applicable city design standards pursuant to Sunnyvale municipal code sections 18.12, and city standard details and specifications, unless otherwise approved by the Director of Public Works. [SDR] [PUBLIC WORKS]

- EP-8. LANDSCAPING IN PUBLIC RIGHT-OF-WAY:
The owner/subdivider shall install street trees of species determined by the Public Works Department. Street trees and landscaping in the public right-of-way shall be included in the detailed landscape and irrigation plan subject to review and approval by the Director of Public Works. New street trees shall be 24-inch box size or 25 gallon size or larger and installed with minimum of one City tree per lot. A continuous root barrier shall be installed along new sidewalk. The City trees shall be planted to be compatible with the private stormwater treatment piping system within the vicinity. No City trees should be planted within 10' of a sanitary sewer lateral. The fire hydrant shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc for a minimum of 4 feet high. [SDR] [PUBLIC WORKS]
- EP-9. UTILITY PROVIDERS:
Contact the utility companies for their review/approval requirements and/or procedures for site development. [COA] [PUBLIC WORKS]
- EP-10. UTILITY ABANDONMENT/RELOCATION:
All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City. [COA] [PUBLIC WORKS]
- EP-11. CATCH BASIN STENCIL:
All catch basins and storm drain inlet facilities in the public right-of-way shall be stenciled with the appropriate "No Dumping" message as supplied by the Public Works Department.
- EP-12. RECORD DRAWINGS:
Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

- TM-1. INDEMNIFICATION AGREEMENT:
Prior to final map recordation, the owner/subdivider shall provide the City a separate Indemnification Agreement to indemnify, defend and hold harmless the City against claims relating to or arising from the 1952 agreement executed by and between Ben Francia and Joseph Francia, recorded April 02, 1952 as Book 2393, Page 469 of Official Records. [PLANNING/PUBLIC WORKS]
- TM-2. (DELETED BY PLANNING COMMISSION)

- TM-3. MAINTENANCE FOR IRRIGATION PIPES ON PRIVATE PROPERTIES:
There shall be private irrigation water easements identified on the final map for Lots 1, 26, 27 and 51. On the final map, the owner/subdivider shall state the responsible party(ies) for on-going maintenance of private irrigation pipes on private properties, and that the subject easement shall expire once the private irrigation pipes on private properties are no longer needed.
- TM.4. “LOT A” MAINTENANCE:
The title owner(s) of Lot A or other third party that has been determined to be acceptable by the City, shall landscaped and maintain in a neat condition, as shown on the approved plans. Lot A which includes the well and its associated facilities as well as the public sidewalk and landscaping within Lot A, until such time the private well is abandoned/destroyed in accordance with condition TM-5 below, and Lot A is offered to the City and accepted by the City for public use.
- TM.5. “LOT A” OWNERSHIP:
The current title owner(s), or developer/subdivider (Toll Brothers), or other third party that has been determined to be acceptable by the City, of Lot A shall own Lot A, which includes the well and its associated facilities as well as the public sidewalk and landscaping within Lot A, until such time the private well is abandoned/destroyed in accordance with condition TM-5 below, and Lot A is offered to the City and accepted by the City for public use. Lot A shall not be owned by individual homeowners and/or future Homeowners Association and/or the future maintenance district. Prior to conveyance to the City Pending conveyance, the owner/subdivider will maintain Lot A including landscaping and surface area.
- TM.6. LOT A OFFER AND ACCEPTANCE OF DEDICATION:
The title owner(s) of Lot A may dedicate Lot A to the City in the future for public use upon abandonment and/or destruction of the private well and its associated facilities. However, City’s acceptance of the subject dedication is contingent upon the following items:
- a. Complete the abandonment and destruction of the well in accordance with the rules and regulations established by the Santa Clara Valley Water District at the time of the abandonment/destruction.
 - b. Comply with condition TM-8.
 - c. The 1952 agreement, recorded April 02, 1952 as Book 2393, Page 469 of Official Records, is relinquished or terminated.
[COA] [PUBLIC WORKS]
- TM-7. FINAL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:
Final map shall be substantially the same as the vesting tentative map. Any alteration of vesting tentative map after the vesting tentative map is approved maybe subject to additional approval by the City prior to final map approval. Record the final map prior to any building permit issuance.
[COA] [PUBLIC WORKS]

TM.8. EASEMENTS:

A public sidewalk easement shall be established across Lot A. Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with the map or with separate instruments prior to occupancy. Quitclaim Deed is required for abandonment of private easements. No permanent structures are allowed within any of the easement limits. The City shall not be responsible for maintenance of any non-City utilities within any easements. [COA] [PUBLIC WORKS]

TM.9. OFFER AND ACCEPTANCE OF DEDICATION:

The following conditions shall be satisfied prior to final map approval and no later than 24 months after approval of the Vesting Tentative Map.

a. The owner/subdivider shall provide an updated Phase I Environmental Site Assessment (ESA) to the April 2, 2010 report for the dedicated area, as the current ESA prepared by Berlogar Geotechnical Consultants has expired. A follow-up Phase II investigation if recommended by the Phase I conclusion shall be paid for by the owner/developer.

b. The owner/subdivider shall provide a written statement from a professional geotechnical engineer (with stamp) that:

1. The dedicated area is free of contamination or hazardous material and is suitable for unrestricted public use;
2. The dedicated area's soils have adequately characterized in light of the city's intended public use; and
3. Chemical constituents found in soils are below levels of concern and not present or require no further remediation for unrestricted public use.

TM.10. SUBDIVISION AGREEMENT:

Execute a Subdivision Agreement and provide improvement securities and/or cash deposit(s) for all proposed public and/or private improvements prior to the final map recordation and/or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

TM.11. DEVELOPMENT FEES:

Development fees associated with the entire subdivision, including but not limited to utility frontage and/or connection fees, off-site improvement plan check and inspection fees, shall be paid prior to recordation of the final map or encroachment permit issuance whichever occurs first. [COA] [PUBLIC WORKS]

TM.12. PUBLIC IMPROVEMENTS:

The owner/subdivider is required to install all public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees

and landscaping, signs, striping, street lights, etc., prior to occupancy as required by the Director of Public Works. [COA] [PUBLIC WORKS]

TM.13. COMPLIANCE WITH SUBDIVISION REQUIREMENTS:

Comply with all applicable Sunnyvale Municipal Code requirements as outlined in Title 18: Subdivisions. [SDR] [PUBLIC WORKS]

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

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. DISCLOSURE:

The owner/subdivider shall provide full written disclosure of the following:

a) For buyer of Lot 1 - Disclosure of Lot A, sub-surface well and irrigation facilities, requirements for well abandonment/destruction by the Lot A owner, and the 1952 agreement executed by and between Ben Francia and Joseph Francia, recorded April 02, 1952 as Book 2393, Page 469 of Official Records.

b) For buyers of Lots 1, 26, 27, and 512 - Disclosure of private sub-surface irrigation facilities/easement and the 1952 agreement executed by and between Ben Francia and Joseph Francia, recorded April 02, 1952 as Book 2393, Page 469 of Official Records.

c) For buyers of all 51 lots - Disclosure of all stormwater treatment areas and maintenance requirements, specifically the areas in the public right-of-way.

d) All other pertinent agreements and known facts that affect the properties.

PF-3. COMPLETION OF PUBLIC IMPROVEMENTS:

All public improvements for the entire subdivision shall be completed prior to first building occupancy. [COA] [PUBLIC WORKS]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. CONSTRUCTION PARKING:

Construction parking shall be managed by the applicant and their general contractor so that neighbors are not impacted by construction vehicle parking. When the site permits, all construction parking shall be on-site and not on the public streets.

[COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE SPECIAL DEVELOPMENT PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

AT-1. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. 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. [COA] [PLANNING]

AT-2. GARAGES CLEAR:

Homeowners shall keep garages clear and operable for two-car parking at all times.

AT-3. BMP MAINTENANCE:

The project applicant, owner, landlord, or Maintenance Agreement parties, must properly maintain any structural or treatment control best management practices to be implemented in the project, as described in the approved Stormwater Management Plan and indicated on the approved building permit plans. [SDR] [PLANNING]

AT-4. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or Maintenance Agreement parties,, shall provide access to the extent allowable by law for representatives of city, the local vector control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm water treatment best management practices contained in the approved Storm Water Management Plan. [SDR] [PLANNING]



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

**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 **Special Development Permit and Vesting Tentative Map** filed by **Toll Brothers**.

PROJECT DESCRIPTION AND LOCATION (APN):

2010-7672: Toll Brothers [Applicant] Josephine Angelo Trustee [Owner] Application for a Special Development Permit and Vesting Tentative Map to allow 51 new single family homes located at **700 Timberpine Avenue. (APN: 213-12-002) SL**

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 **Thursday, July 11, 2011**. 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:

Thursday, July 11, 2011 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale, CA 94086.

TOXIC SITE INFORMATION:

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

Circulated On June 17, 2011

Signed: Gerri Caruso
Gerri Caruso, Principal Planner

Project Title	51 new single-family homes on a 10-acre parcel that is a portion of the 20-acre property commonly referred to as the "Corn Palace". (APN 213-12-002)
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Steve Lynch, Senior Planner
Phone Number	408-730-2723
Project Location	700 Timberpine Avenue (located to east of Timberpine Avenue and to the north of Lily Avenue)
Applicant's Name	Toll Brothers
Project Address	700 Timberpine Avenue, Sunnyvale, CA 94086
Zoning	R-0/PD (Low Density Residential/ Planned Development)
General Plan	Residential Low Density
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT: The proposed project is a Vesting Tentative Map for the subdivision of one, 10-acre parcel (the site) into 51 lots and a Special Development Permit (SDP) for the construction of 51 single-family homes.

DETAILED PROJECT DESCRIPTION:

On-site Development: The site is currently vacant and has historically been under agricultural use. There were no prior uses of, or development of the site.

The developer is proposing to subdivide the existing 10-acre parcel into 51 parcels, approximately 6,000 square feet each. The parcels are proposed to contain 51 single-family detached dwelling units. The homes would be around 3,000 square feet each, including two-car garages and two uncovered parking spaces in the driveways. There are three different floor plans with three different elevations or architectural styles available. All homes are two story units and the parcels will provide private rear yard spaces which vary in size.

Parking would be provided within two-car garages for each unit, two-car driveways at each unit, and additional parking on the existing and new public streets.

The project would be developed in two phases. The first phase consists of the subdivision of 47 of the 51 lots. The second phase consists of the development of the remaining 4 lots in the future.

The 10-acre project site currently has an irrigation well that historically served the agricultural uses on the subject parcel, and the approximate 10-acre parcel to the east. It is understood by the City that the well and its associated delivery system (ditches and pipes) was used by two property owners. Currently the well and associated delivery system only serves the approximate 10-acre parcel to the east. The well and conveyance system will remain in and continue to serve the 10-acre parcel to the east. The well is not proposed to be significantly modified or otherwise altered under this project. Water service will continue without interruption to the eastern 10-acres as it historically has been delivered, until such time as the eastern 10 acres is no longer in agricultural use.

The project meets all of the applicable City Municipal Code requirements and the applicant is not seeking any deviations from code at this time.

Off-site Improvements: Standard water, sewer, right-of-way and utility connections/upgrades are available and will be extended to the site as part of the project as required by the Municipal Code. The project also includes additions to the existing public sidewalk network.

The project would include two new public street extensions. Toyon Avenue and Torreya Avenues would extend from the existing street terminus to Lily Avenue. Timberpine, Dahlia, and Lily Avenue are currently substandard streets in width and would be widened as part of the project. With the extension of these streets, Lily, Timberpine and Dahlia will meet current street standards for the City.

All new street stormwater run-off will be captured and treated in stormwater treatment swales located within the public right-of-way. Future homeowners will be responsible for the cost of maintenance and repair of these stormwater treatment areas.

Construction Activities and Schedule: Project construction will consist of two phases. The first phase will involve site grading, underground utilities, and street construction associated with the first 47 lots of the proposed subdivision. House construction will begin with the parcels fronting on Timberpine and Torreya Avenues and will proceed east with the parcels fronting on the east side of Torreya and Toyon Avenues. Construction timing is expected to take two and one-half years. Phase 2 consists of the development of the remaining 4 lots of the 51-lot subdivision following irrigation well abandonment. Construction will be in accordance with the California Building Code. The project will be subject to the Sunnyvale Municipal Code requirements for noise and hours of construction contained in Chapters 19.42.0.0 and 16.08.030.

Surrounding Uses and Setting: The site is located adjacent to residential uses (single-family homes to the north, south, and west). A 10-acre parcel is located directly east and is expected to remain an agricultural use.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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. 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.

3. 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.
4. "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).
5. 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:
6. Earlier Analysis Used. Identify and state where they are available for review.
7. 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.
8. 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
9. 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 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:

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 | |

MANDATORY FINDINGS OF SIGNIFICANCE (see checklist for further information):

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

Yes
 No

prehistory?

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 past projects, the effects of other current projects, and the effects of probable future projects)? Yes No

Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Yes No

DETERMINATION:

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.

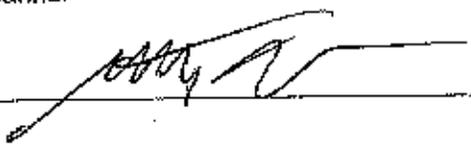
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR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

Checklist Preparer: Steve Lynch

Date: June 14, 2011

Title: Senior Planner

City of Sunnyvale

Signature: 

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element City Guidelines www.sunnyvaleplanning.com Project Description
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element City Guidelines www.sunnyvaleplanning.com Project Description
3. Aesthetics -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 checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element City Guidelines www.sunnyvaleplanning.com Project Description
4. Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Land Use and Transportation Element of the General Plan, General Plan Map www.sunnyvaleplanning.com Project Description
5. Population and Housing -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"/>	Housing Sub-Element, Land Use and Transportation Element and General Plan Map www.sunnyvaleplanning.com Project Description
6. Population and Housing -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"/>	Housing Sub-Element www.sunnyvaleplanning.com Project Description
7. Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element, Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code. http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off .
10. Hazards and Hazardous Materials - For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map. The previous environmental review associated with the establishment of the church concluded that activities and previously completed construction would not interfere with activities at Moffett Field. www.sunnyvaleplanning.com
11. Hazards and Hazardous Materials - 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"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. Hazards and Hazardous Materials - For a project within the vicinity of Moffett Federal Airfield, 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"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-Element, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off . 2011 Charles Salters Report

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
15. Noise - Exposure of persons to or generation of excessive ground borne vibration?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com
17. Biological Resources - 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"/>	General Plan Map Project Description
18. Biological Resources - 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"/>	General Plan Map Project Description
19. Biological Resources - 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"/>	General Plan Map Project Description
20. Biological Resources - 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 checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Hort Science Arborist's Report, September 2010
21. Biological Resources - 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"/>	Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description. Planned grading will disturb the site and may affect sub-surface resources if they exist.
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality -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"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality -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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
precursors)?					
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
31. Seismic Safety -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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
33. Seismic Safety-Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety-Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if "Less than Significant" with or without mitigation:

2. Aesthetics (Less than Significant): The project site is not located within or near any known scenic vista or scenic highways. There are no scenic resources present on the project site as the property is currently vacant. The project site is surrounded by residential uses with the exception of the 10-acre parcel to the east which is currently in agricultural use. The project would result in the development of a vacant 10-acre parcel with 51 dwelling units. Although the development of the project would change the existing visual character of the site, it would not substantially degrade the quality of the site and its surroundings, nor would it cause a significant adverse visual change to the neighborhood character. The project would extend one and two-story single-family residences into a residential neighborhood of similar massing, scale and building heights. The City's implementation of the Single-Family 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. Therefore, the project will not substantially degrade the visual character or quality of the site and its surroundings. As a result, this impact will be less than significant.

3. Aesthetics (Less than Significant): City's implementation of the Single-Family Design Guidelines, staff's review of final development plans, and implementation of the Department of Public Work Standard

Details, which will be submitted for final Building Permit and Public Works reviews, will ensure that the final design of the project will not create substantial new sources of light and glare and that the project will be consistent with the surrounding neighborhood. As a result, this impact will be less than significant.

4. Population and Housing (Less than Significant): The site is currently vacant and would be replaced with a 51-unit residential project. The proposed 51 single-family units are consistent with the allowable density of the existing zoning (R-O/PD – Low Density Residential Planned Development) and General Plan designation (Low Density Residential – 7du/ac) of the site. The new homes would provide additional home ownership opportunities and would have a slight incremental increase in the City's Jobs/Housing balance. There are no Below Market Rate (BMR) units required in this project. This minor increase in population is considered a less than significant impact because the Sunnyvale General Plan and zoning ordinance contemplate development of the property with residential uses and account for the projected slight increase in residential population. Therefore, the project would not induce substantial population growth and it would not be inconsistent with the Sunnyvale General Plan.

9. Transportation and Traffic (Less than Significant): A Traffic and Operations Analysis has been prepared by Hexagon Transportation Consultants, Inc, dated April 22, 2011. This study is attached to this Initial Study and is available for review at the City of Sunnyvale's One-Stop Counter.

The Hexagon report dated April 22, 2011 describes the existing traffic conditions at this site. The report also discusses the project's effects on access, circulation, and the proposed improvements related to the extension of the project area roadways. The report concludes that the project will have no substantial impact on the existing circulation patterns in the neighborhood.

The proposed project meets the City's parking requirements by providing a two-car garage for each unit and two uncovered spaces in the driveways in accordance with the applicable zoning. This is consistent with the existing homes in the surrounding neighborhood. In addition, new public streets would provide on-street parking for residents and the general public. As a result, this impact will be less than significant.

13. Agricultural Resources (Less than Significant): The project site is zoned R-O/PD – Low Density Residential Planned Development. The project site is currently under a Williamson Act Contract with the City. The City Council in 1990 took action to approve a tentative cancellation of the Williamson Act contract, at the request of the property owners. The Tentative Certificate of Land Contract Cancellation by the Council (Resolution 124-90) remains in effect (still valid), and no further action by the local jurisdiction is required according to the Department of Conservation. Once an applicant receives a certificate of tentative cancellation, the conditions, including the cancellation fee payment, must be fulfilled before a final cancellation may be approved. There is no expiration date on a tentative cancellation.

The landowner shall notify the board or council when he or she has satisfied the conditions and contingencies enumerated in the certificate of tentative cancellation. Within 30-days of receipt of the notice, and upon a determination that the conditions and contingencies have been satisfied, the board or council shall execute a certificate of cancellation of contract, cause the certificate to be recorded, and send a copy to the Director of Conservation. (GC §51283.4(b)). Because the property is already zoned for residential use and the Williamson Act Contract was cancelled, this impact will be less than significant.

14. Noise (Less than Significant with Mitigation) - Existing Conditions Effects on Project: An Acoustical Analysis was completed by Charles M. Salter Associates, Inc. in April 2011. This study is attached to this Initial Study and is available for review at the City of Sunnyvale's One-Stop Counter.

The report dated April 11, 2011 discusses existing noise conditions at the site as well as applicable SMC noise standards and thresholds.

The study measured noise levels at four locations surrounding the property. Existing noise levels were measured at levels between DNL 60 dBA and DNL 64 dBA. To account for future traffic volumes of 1-2%, 1dB was added to the measured DNL. A future DNL of up to 65 dB is expected for the exterior noise level. This level is considered conditionally acceptable by the City Noise Sub-Element. In order to meet the City's goal of 60 dB, a six foot tall noise barrier is necessary for the rear yards of the proposed homes on Lily Avenue and the house on the northeast corner of the project site on Dahlia at Toyon Avenue. This will reduce this impact to less than significant.

An interior noise level above 45 dB is also expected to occur in the living spaces. The noise report recommends typical dual-pane windows (STC 26-28 minimum) and standard frame construction. The report also recommends mechanical ventilation of the units to provide for a habitable interior environment when the windows are closed to shield noise. This will reduce this impact to less than significant.

To achieve this reduction the following mitigation measures are needed required:

WHAT: 1) A six foot tall noise barrier shall be constructed at the rear yards of the homes on Lily Avenue and the house on the northeast corner of the project site on Dahlia at Toyon Avenues. This barrier, as described the Salter 2011 report, must be solid from top to bottom, have no surface gaps or cracks, and must be a minimum of three pounds per square foot. The wall may be masonry, CMU block, or enhanced wood.

2) To achieve compliance with the 45 dB interior noise level standard, Sound Transmission Class minimum rated 26-28 windows shall be installed near all living spaces.

3) All units shall have a ventilation or air-conditioning system that provides habitable interior environments.

WHEN: These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The building plans will reflect the noise attenuation measures identified above prior to conditions will become valid when the SDP is approved and prior to Building Permit issuance. All mitigation measures must be installed prior to Building Permit final.

WHO: The property owner (developer) will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

14. Noise (Less than Significant with Mitigation) – Construction Impacts: The first phase of construction of the project would occur over an approximate two and one-half year period, followed by the future construction of the remaining four lots in the second phase. Grading intensive activities would last 10 to 14 weeks. Noise generating activities would include grading, the establishment of utilities, construction of streets, construction of 51 new homes, and landscaping. Pile driving or other ground born vibrations are not an anticipated during construction.

Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily result

when construction activities occur during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction noise lasts over extended periods of time. Where noise from construction activities could exceed the City's goal of 60 dBA in the project vicinity for duration of one year or more, the impacts would be reduced to a less than significant level with mitigation.

To achieve this reduction the following mitigation measures are required:

WHAT: The project applicant shall implement a Construction Management Plan (CMP) for all development within 1,000 feet of occupied residential uses, approved by the Director of Community Development to minimize impacts to surrounding sensitive land uses to the extent possible. The CMP shall include the following measures to minimize the impacts of construction upon nearby sensitive land uses:

1. Measures to control noise by limiting hours of operation of construction activities to those allowed under SMC and by avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and scheduling equipment selection.
2. Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.
3. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
4. Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or noise-sensitive land uses.
5. Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
6. Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible. Construction workers will not be permitted to park on neighborhood streets.
7. Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.
8. Prohibit all unnecessary idling of internal combustion engines.
9. Notify all adjacent business, residences, and noise-sensitive land uses of the construction schedule in writing. Notification by door hangars of nearby residence regarding significant upcoming construction activities.
10. Designate a "disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of noise complaints (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. The noise disturbance coordinator shall be authorized to address and accommodate special circumstances (home bound or medical condition-adjacent homeowners).

WHEN: These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and the CMP shall be submitted for review and approval prior to Building Permit issuance.

WHO: The property owner (developer) will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The CMP shall be submitted for review and approval prior to Building Permit issuance.

15. and 16. Noise (Less than Significant with Mitigation): The project may introduce short-term and temporary additional sources of noise to the project area during construction. This will occur primarily during the heavy-construction phase of the project (grading, utilities, and street construction). Through the City's implementation of the Municipal Code noise regulations contained in Chapters 19.42.030 and 16.08.030, this impact will be lessened to a less than significant level during construction. The project will not require pile driving.

To achieve this reduction the following mitigation measures are required:

WHAT: The project applicant shall implement a Construction Management Plan (CMP) for all development within 1,000 feet of occupied residential uses, approved by the Director of Community Development to minimize impacts to surrounding sensitive land uses to the extent possible. The CMP shall include the following measures to minimize the impacts of construction upon nearby sensitive land uses:

1. Measures to control noise by limiting hours of operation of construction activities to those allowed under SMC and by avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and scheduling equipment selection.
2. Utilize 'quiet' models of air compressors and other stationary noise sources where technology exists.
3. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
4. Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or noise-sensitive land uses.
5. Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
6. Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible. Construction workers will not be permitted to park on neighborhood streets.
7. Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project site.
8. Prohibit all unnecessary idling of internal combustion engines.
9. Notify all adjacent business, residences, and noise-sensitive land uses of the construction schedule in writing. Notification by door hangars of nearby residence regarding significant upcoming construction activities.
10. Designate a "disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of noise complaints (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. The noise disturbance coordinator shall be authorized to address and accommodate special circumstances (home bound or medical condition-adjacent homeowners).

- WHEN:** These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and the CMP shall be submitted for review and approval prior to Building Permit issuance.
- WHO:** The property owner (developer) will be solely responsible for implementation and maintenance of these mitigation measures.
- HOW:** The CMP shall be submitted for review and approval prior to Building Permit issuance.

20. Biological Resources (Less than Significant): An Arborist's Report was completed by Hort Science on in September 2010. This study is available for review at the City of Sunnyvale's One-Stop Counter. The report reviewed the existing trees on-site and concludes that as part of the project, 16 protected trees are proposed for removal. Protected under SMC is defined as any tree greater than 38" in circumference, measured at 4.5' from the adjacent grade. All 16 trees proposed for removal are in poor condition and are located in areas of future roadway widening. The trees cannot be saved with the City's requirements for standard public street widths. Per Conditions of approval, a 36" box tree is to be provided for each protected tree being removed. This impact is less than significant.

23. Historic and Cultural Remains (Less than Significant with Mitigation): The proposed project includes grading and land disturbance for public and private improvements associated with the tentative map and new homes. Although there are no recorded archeological sites for the subject properties, there still remains the possibility of discovery of Native American remains during grading. In the event of a discovery, project grading could result in potential disturbance of subsurface cultural resources which would result in a significant impact unless mitigated. There are no surface historic resources currently known to be on the project site. Although the discovery of cultural resources on the site is not anticipated and the following mitigation measure has been included in the project to reduce the potential impact to a less than significant level:

WHAT: 1) For projects involving substantial ground disturbance, the individual project sponsor shall be required to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future development projects that the CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project sponsor contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.

2) If a significant archaeological resource is identified during grading, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

- Planning construction to avoid the archaeological site;
- Incorporating the site within a park, green space, or other open space element;
- Covering the site with a layer of chemically stable soil; or
- Deeding the site into a permanent conservation easement.

3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the

studies must also be submitted to the Native American Heritage Commission. Identified cultural resources should be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities.

A data recovery plan and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the California Historical Resource Regional Information Center [CEQA Guidelines section 15126.4(b)].

In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a project area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above.

If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

- WHEN: These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved. Conditions will be applicable during the construction of the project.
- WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.
- HOW: The conditions of approval require these mitigation measures to be incorporated into the construction plans.

25. and 26. Air Quality (Less than Significant with Mitigation):

The Bay Area Air Quality Management District (BAAQMD) 2011 CEQA Guidelines thresholds of significance provide that a development project would have a significant cumulative impact unless: 1) the project can be shown to be in compliance with a qualified Climate Action Plan, 2) project emissions of CO₂ equivalent greenhouse gases (CO₂ e) are less than 1,100 metric tons per year, or 3) project emissions of CO₂ equivalent greenhouse gases are less than 4.6 metric tons per year per service population (residents plus employees). The City of Sunnyvale does not have a Climate Action Plan at the time of the writing of this Initial Study. The applicant provided information stating the project is estimated to produce approximately 657 metric tons of CO₂ (51 homes (488 daily trips) x 2.80 population x 4.6 metric tons = approximately 657 metric tons) which is less than 1,100 metric tons assuming worst case of 4.6 metric tons per year per service population.

With respect to construction-related air quality impacts, the project requires grading of the site, including significant cut-and-fill to balance or level the site. Project grading and construction may introduce temporary and short-term dust into the air, and therefore temporarily affect air quality. There are existing residential units to the north, south and west of the subject property. This population could be negatively affected by the change in air quality, if mitigation is not implemented. Through the City's implementation of the Municipal Code's construction regulations (measures to keep all streets and public ways clean of debris, dirt, dust, and other undesirable outcomes of construction), and the BAAQMD regulations, this impact will be lessened to a less than significant level during construction.

This could be accomplished through the following mitigation measures:

WHAT: Permits must be obtained from the City of Sunnyvale (grading permit and Storm Water Pollution Prevention Plan) and BAAQMD (J-Permit) prior to demolition or new construction. The City of Sunnyvale permit shall, amongst others, specifically include the following mitigation measures:

1. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
2. Cover all hauling trucks or maintain at least two feet of freeboard.
3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
6. Replant vegetation in disturbed areas as quickly as possible.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
8. Limit traffic speeds on the construction site to 15 mph.
9. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
10. Install windbreaks or fences along adjacent residential properties.
11. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations (refer to Section 2.9, Hazards and Hazardous Materials).
12. A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.
13. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.
14. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite.
15. The project shall develop and implement a plan, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. Note, the Sacramento

Metropolitan Air Quality Management District maintains a Construction Mitigation Calculator that could be used to demonstrate compliance with these requirements¹.

16. Properly tune and maintain equipment for low emissions.
17. Avoid staging construction equipment within 100 feet of residential properties.

WHEN: These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved. Conditions will be applicable during the construction of the project.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

30. Air Quality (Less than Significant with Mitigation): The project requires grading of the site, including significant cut-and-fill to balance or level the site. This may introduce temporary and short-term construction impacts including vehicle emissions generated by construction equipment, dust in the air, and therefore temporarily affect air quality. The project may result in potential increases in air pollutant emissions during construction and due to the increased generation of project traffic. Project construction-related emissions would be associated with elevated particulate levels and emissions associated with construction equipment operations. Nearby residents could be affected by the change in air quality if mitigation is not implemented. Through the City's implementation of the Municipal Code's construction regulations and the BAAQMD regulations, this impact will be lessened to a less than significant level during construction.

This could be accomplished through the following mitigation measures:

WHAT: Permits must be obtained from the City of Sunnyvale (grading permit and Storm Water Pollution Prevention Plan) and BAAQMD (J-Permit) prior to demolition or new construction. The City of Sunnyvale permit shall, amongst others, specifically include the following mitigation measures:

1. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
2. Cover all hauling trucks or maintain at least two feet of freeboard.
3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
6. Replant vegetation in disturbed areas as quickly as possible.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
8. Limit traffic speeds on the construction site to 15 mph.
9. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
10. Install windbreaks or fences along adjacent residential properties.

¹ see <http://www.airquality.org/ceqa/index.shtml#construction>

11. During renovation and demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations (refer to Section 2.9, Hazards and Hazardous Materials).
12. A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.
13. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.
14. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite.
15. The project shall develop and implement a plan, demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project-wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. Note, the Sacramento Metropolitan Air Quality Management District maintains a Construction Mitigation Calculator that could be used to demonstrate compliance with these requirements².
16. Properly tune and maintain equipment for low emissions.
17. Avoid staging construction equipment within 100 feet of residential properties.

WHEN: These mitigation measures shall be converted into conditions of approval for the SDP prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved. Conditions will be applicable during the construction of the project.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

Responsible Division: Planning Division

Completed by: Steve Lynch

Date: 6/14/11

² see <http://www.airquality.org/ceqa/index.shtml#construction>

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, and AASHTO: A Policy on Geometric Design of Highways and Streets. Hexagon Traffic Report, dated 4/22/11
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Congestion Management Program and Technical Guidelines (for conducting TIA and LOS thresholds).
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan including the Land Use and Transportation Element.
38. 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"/>	City and CA Standard Plans & Standard Specifications.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan.

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual, and Sunnyvale Neighborhood Traffic Calming Program.
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies and associated capital projects.
42. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Transit Operations Performance Report, VTA Short Range Transit Plan, and Valley Transportation Plan for 2035.

Further Discussion if "Less Than Significant" with or without mitigation:

35. Transportation (Less than Significant) – A Traffic and Operations Analysis has been prepared by Hexagon Transportation Consultants, Inc, dated April 22, 2011. This study is attached to this Initial Study and is available for review at the City of Sunnyvale's One-Stop Counter.

The Hexagon report dated April 22, 2011 describes the existing traffic conditions at this site. The report also discusses the project's effects on access, circulation, and the proposed improvements related to the extension of the project area roadways.

The project proposes 51 new housing units which will result in new vehicle trips in the area. The number of residential trips will not exceed the capacity of the existing circulation system, including non-motorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit. The Hexagon report prepared for this project concludes that the estimated increase in traffic volumes due to project-generated traffic would not create any operational problems, and all of the studied road segments currently have more than adequate capacity to handle the additional traffic generated by the project.

Although the project would not result in any significant traffic impacts, the project would be required to pay a traffic impact fee. The anticipated Traffic Impact Fee is approximately \$104,508.18, and will be used by the City as part of the ongoing maintenance and upgrade of the City's transportation systems to offset the contribution of project-generated traffic on local roadways. The project would result in a less than significant traffic impact.

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - 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"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
44. Hydrology and Water Quality - 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"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
45. Hydrology and Water Quality - 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"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Project Description Blueprint for a Clean Bay
47. Geology and Soils -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 checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Seismic Safety Sub-Element, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

Further Discussion if "Less than Significant" with or without mitigation:

46. Geology and Soils (Less than Significant): The project site is currently an agricultural use and subject to erosion and loss of topsoil during rainy times. The proposed project will have a significant amount of grading intended to level the site through a cut-and-fill process. During the time the existing topsoil is exposed and potentially subject to erosion and loss. There is no surface run-off anticipated during construction and no long-term run-off expected after construction. This aspect of the project will be less than significant with the implementation of Sunnyvale's Municipal Code 12.60, Storm Water Quality Best Management Practices, Regional Water Quality Boards C.3 permit requirements, and the Blueprint for a Clean Bay.

Based on the project description (no hazardous material usage, no septic tanks, to significant water usage or discharge) and implementation of Sunnyvale's Municipal Code 12.60, Storm Water Quality Best Management Practices, Regional Water Quality Boards C.3 permit requirements, and the Blueprint for a Clean Bay, the project will have a less than significant impact on water quality.

47. Geology and Soils (Less than Significant): 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 areas with potential for seismic activity, this aspect of the project will be less than significant.

Responsible Division: Planning Division

Completed by: Steve Lynch

Date: 6/14/11

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems: 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"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: 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"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: 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"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: 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"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: 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"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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)?					www.valleywater.org
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems: Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
61. Public Services Infrastructure? 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

Further Discussion if "Less than Significant" with or without mitigation:

51. and 58. Utilities and Service Systems (Less than Significant): The project will require the construction of new stormwater management devices and the expansion of existing City utilities in the area. The stormwater treatment devices consist of vegetated swales in the public right-of-way to treat street runoff, and vegetated swales on private property to treat the impervious surfaces on the new parcels. The 51 houses and stormwater treatments will both be connected to the City's drainage facilities in the area. This will require an expansion of the existing system, but it will not cause a degradation or significant impact to the City because stormwater management measures will be incorporated into project roadways.

The project site currently has an irrigation well that historically served the agricultural uses on the subject parcel, and the approximate 10-acre parcel to the east. It is understood by the City that the well and its associated delivery system (ditches and pipes) was used by the two property owners. Currently the well and associated delivery system only serves the approximate 10-acre parcel to the east. The well and conveyance system will remain in order to serve the 10-acre parcel to the east, and the well is not proposed to be significantly modified or otherwise altered under this project. Water service will continue without interruption to the eastern 10-acres as it historically has been delivered, until such time as the eastern 10 acres is no longer in agricultural use. The use of the well will not be impacted by this project.

This impact is less than significant.

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
62. Public Services Police and Fire protection - 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Law Enforcement Sub-Element Sunnyvale Fire Services Sub-Element Safety and Seismic Safety Sub-Element www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

Further Discussion if "Less than Significant" with or without mitigation: None required.

Responsible Division: Planning Division

Completed by: Steve Lynch

Date: 6/14/11

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
64. Hazards and Hazardous Materials - 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"/>	Project Description
65. Hazards and Hazardous Materials - 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"/>	Project Description
66. Hazards and Hazardous Materials - 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"/>	Project Description
67. Hazards and Hazardous Materials - 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale BGC Phase I Environmental Assessment, April 2, 2010 BGC Soil Sample Report, January 29, 2010
68. Hazards and Hazardous Materials - 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"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if "Less than Significant" with or without mitigation:

67. Hazards and Hazardous Materials (Less than Significant) – A Phase I Environmental Assessment has been prepared by Berlogar Geotechnical Consultants (BGC), dated April 2, 2010. A second study dated January 29, 2010, also analyzed soil samples. These studies are available for review at the City of Sunnyvale's One-Stop Counter. The reports includes the property's prior-use history, a review of neighborhood properties for hazardous material contaminations, a preliminary screening for asbestos containing building materials, lead based paint, drinking water quality and radon, a search for above ground storage tanks, underground tanks, and equipment containing PCBs. Soil samples were also taken at the site. The reports conclude that there is no environmental impairment of the site and that any

contamination is within acceptable levels. The reports also conclude that a Phase II assessment is not warranted. This impact is less than significant.

Responsible Division: Planning Division

Completed by: Steve Lynch

Date: 6/14/11

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
69. Public Services Parks - 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
70. Recreation - 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
71. Recreation - 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"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description

Further Discussion if "Less than Significant" with or without mitigation:

69. and 70. Recreation (Less than Significant): Development of 51 residences will generate an increase in the use of existing park facilities. Through implementation of the City's Park Dedication requirement, which includes payment of the estimated park in-lieu fee of approximately \$1,319,606.64 for the 51 units. This impact is less than significant.

Responsible Division: Planning Division

Completed by: Steve Lynch

Date: 6/14/11

City of Sunnyvale General Plan:

- A. General Plan Map
- B. Air Quality Sub-Element (1993)
- C. Arts Sub-Element (1995)
- D. Community Design Sub-Element (1990)
- E. Community Engagement Sub-Element (2007)
- F. Fire Services Sub-Element (1995)
- G. Community Vision (2007)
- H. Fiscal Sub-Element (2006)
- I. Heritage Preservation Sub-Element (1995)
- J. Housing & Community Revitalization Sub-Element (2009)
- K. Land Use & Transportation Sub-Element (1997)
Revised 4/28/09 with Allocation of Street Space Policies
- L. Law Enforcement Sub-Element (1995)
- M. Legislative Management Sub-Element (1999)
- N. Library Sub-Element (2003)
- O. Noise Sub-Element (1997)
- P. Open Space and Recreation Sub-Element (2006) *Updated with Parks of the Future Study 4/28/2009. Revised 4/24/09.*
- Q. Safety & Seismic Safety Sub-Element (2008)
- R. Socio-Economic Sub-Element (1989)
- S. Solid Waste Management Sub-Element (1996)
- T. Support Services Sub-Element (1988)
- U. Surface Run-off Sub-Element (1993)
- V. Wastewater Management Sub-Element (1996)
- W. Water Resources Sub-Element (2008)

City of Sunnyvale Municipal Code:

- A. Title 8 Health and Sanitation
- B. Title 9 Public Peace, Safety or Welfare
- C. Title 10 Vehicles and Traffic
- D. Title 12 Water and Sewers
- E. Chapter 12.60 Storm Water Management
- F. Title 13 Streets and Sidewalks
- G. Title 16 Buildings and Construction
- H. Chapter 16.52 Fire Code
- I. Chapter 16.54 Building Standards for Buildings Exceeding Seventy-Five Feet in Height
- J. Title 18 Subdivisions
- K. Title 19 Zoning
- L. Chapter 19.28 Downtown Specific Plan District
- M. Chapter 19.29 Moffett Park Specific plan District
- N. Chapter 19.39 Green Building Regulations
- O. Chapter 19.42 Operating Standards
- P. Chapter 19.54 Wireless Telecommunication Facilities
- Q. Chapter 19.81 Streamside Development Review

- R. Chapter 19.96 Heritage Preservation
- S. Title 20 Hazardous Materials

Specific Plans:

- A. Downtown Specific Plan
- B. El Camino Real Precise Plan
- C. Lockheed Site Master Use Permit
- D. Moffett Park Specific Plan
- E. 101 & Lawrence Site Specific Plan
- F. Southern Pacific Corridor Plan
- G. Lakeside Specific Plan
- H. Arques Campus Specific Plan

Environmental Impact Reports:

- A. Futures Study Environmental Impact Report
- B. Lockheed Site Master Use Permit Environmental Impact Report
- C. Tasman Corridor LRT Environmental Impact Study (supplemental)
- D. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- E. Downtown Development Program Environmental Impact Report
- F. Caribbean-Moffett Park Environmental Impact Report
- G. Southern Pacific Corridor Plan Environmental Impact Report
- H. East Sunnyvale ITR General Plan Amendment EIR
- I. Palo Alto Medical Foundation Medical Clinic Project EIR
- J. Luminaire (Lawrence Station Road/Hwy 237 residential) EIR
- K. NASA Ames Development Plan Programmatic EIS
- L. Mary Avenue Overpass EIR
- M. Mathilda Avenue Bridge EIR

Maps:

- A. General Plan Map
- B. Zoning Map
- C. City of Sunnyvale Aerial Maps
- D. Flood Insurance Rate Maps (FEMA)
- E. Santa Clara County Assessors Parcel
- F. Utility Maps
- G. Air Installations Compatible Use Zones (AICUZ) Study Map
- H. Noise Sub-Element Appendix A 2010 Noise Conditions Map

Lists / Inventories:

- A. Sunnyvale Cultural Resources Inventory List
- B. Heritage Landmark Designation List
- C. Santa Clara County Heritage Resource Inventory
- D. Hazardous Waste & Substances Sites List (State of California)
- E. List of Known Contaminants in Sunnyvale
- F. USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- G. USFWS / CA Dept. F&G Endangered, Threatened and Rare Plants of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEPlants.pdf>

Legislation / Acts / Bills / Resource Agency Codes and Permits:

- A. Subdivision Map Act
- B. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit
- C. Santa Clara County Valley Water District Groundwater Protection Ordinance
- D. The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
- E. The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- F. The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.html
 Section 404 of Clean Water Act

Transportation:

- A. California Department of Transportation Highway Design Manual
- B. California Department of Transportation Traffic Manual
- C. California Department of Transportation Standard Plans & Standard Specifications
- D. Highway Capacity Manual
- E. Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- F. Institute of Transportation Engineers - Traffic Engineering Handbook
- G. Institute of Transportation Engineers - Manual of Traffic Engineering Studies
- H. Institute of Transportation Engineers - Transportation Planning Handbook
- I. Institute of Transportation Engineers - Manual of Traffic Signal Design
- J. Institute of Transportation Engineers - Transportation and Land Development

- K. U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- L. California Vehicle Code
- M. Santa Clara County Congestion Management Program and Technical Guidelines
- N. Santa Clara County Transportation Agency Short Range Transit Plan
- O. Santa Clara County Transportation Plan for 2035
- P. Traffic Volume Studies, City of Sunnyvale Public Works Department of Traffic Engineering Division
- Q. Statewide Integrated Traffic Records System
- R. Sunnyvale Zoning Ordinance – including Titles 10 & 13
- S. City of Sunnyvale General Plan – Land Use and Transportation Element
- T. City of Sunnyvale Bicycle Plan
- U. City of Sunnyvale Neighborhood Traffic Calming Program
- V. Valley Transportation Authority Bicycle Technical Guidelines
- W. Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use
- X. Santa Clara County Sub-Regional Deficiency Plan
- Y. City of Sunnyvale Deficiency Plan
- Z. AASHTO: A Policy on Geometric Design of Highways and Streets
- AA. City of Sunnyvale Pedestrian and Bicycle Opportunities Studies
- BB. Valley Transportation Authority Operations Performance Report

Public Works:

- A. Standard Specifications and Details of the Department of Public Works
- B. Storm Drain Master Plan
- C. Sanitary Sewer Master Plan
- D. Water Master Plan
- E. Solid Waste Management Plan of Santa Clara County
- F. Geotechnical Investigation Reports
- G. Engineering Division Project Files
- H. Subdivision and Parcel Map Files

Miscellaneous Agency Plans:

- A. ABAG Projections 2010
- B. Bay Area Clean Air Plan
- C. BAAQMD CEQA Guidelines
- D. Criteria of the National Register of Historic Places

Building Safety:

- A. California Building Code
- B. California Energy Code
- C. California Plumbing Code
- D. California Mechanical Code
- E. California Electrical Code
- F. California Fire Code
- G. Title 16.52 Sunnyvale Municipal Code
- H. Title 16.53 Sunnyvale Municipal Code
- I. Title 16.54 Sunnyvale Municipal Code
- J. Title 19 California Code of Regulations

Guidelines and Best Management Practices

- A. Storm Water Quality Best Management Practices Guidelines Manual 2007
- B. Sunnyvale Citywide Design Guidelines
- C. Sunnyvale Industrial Guidelines
- D. Sunnyvale Single-Family Design Techniques
- E. Sunnyvale Eichler Guidelines
- F. Blueprint for a Clean Bay
- G. SCVWD Guidelines and Standards for Land Use Near Streams
- H. The United States Secretary of the Interior's Guidelines for Rehabilitation
- I. Criteria of the National Register of Historic Places

Additional Project References:

- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated **/**/**
- D. Project Traffic Impact Analysis
- E. Project Noise Study - 2011 Edward Pack Study
- F. Project Air Quality Analysis
- G. Field Inspection
- H. Project Site Plan dated **/**/**
- I. Project construction schedule
- J. Project Draft Storm Water Management Plan
- K. Project Tree Inventory
- L. Project Tree Preservation Plan
- M. Project Green Building Checklist
- N. Project LEED Checklist

Other:

- A. State of California Department of Parks and Recreation From (DPR 523A-L)
- B. Traffic and Operations Analysis by Hexagon Transportation, dated April 22, 2011
- C. Acoustical Analysis by Charles M. Salter, dated April 20, 2011
- D. BGC Phase I Environmental Assessment, April 2, 2010
- E. BGC Soil Sample Report, January 29, 2010
- F. Hort Science Arborist's Report, September 2010



MEMORANDUM

Date: April 22, 2011
To: Mr. Richard Nelson, Toll Brothers, Inc.
From: Brian Jackson
Subject: *Traffic Operations Analysis for a Proposed Subdivision in Sunnyvale, CA*

Hexagon Transportation Consultants, Inc. has completed a traffic operations analysis for the proposed 51-unit subdivision on vacant land in Sunnyvale, California. The project site is located along the east side of Timberpine Avenue, between Dahila Drive and Lily Avenue, and currently is an open field. A reduced project size (47 units) also was analyzed. According to the reduced project, Torrey Avenue and Toyon Avenue will not connect to Lily Avenue due to an existing water well & irrigation easement that will remain indefinitely. The 51 lot subdivision involves connecting Torrey Avenue and Toyon Avenue to Lily Avenue, should the well easement no longer be needed & lot A is further subdivided.

According to Sunnyvale staff, a typical Traffic Impact Analysis (TIA) is not necessary for this project because the project would generate fewer than 100 peak-hour trips, but the City recommended a study of potential road system improvements. Hexagon analyzed traffic conditions based on traffic counts and field observations.

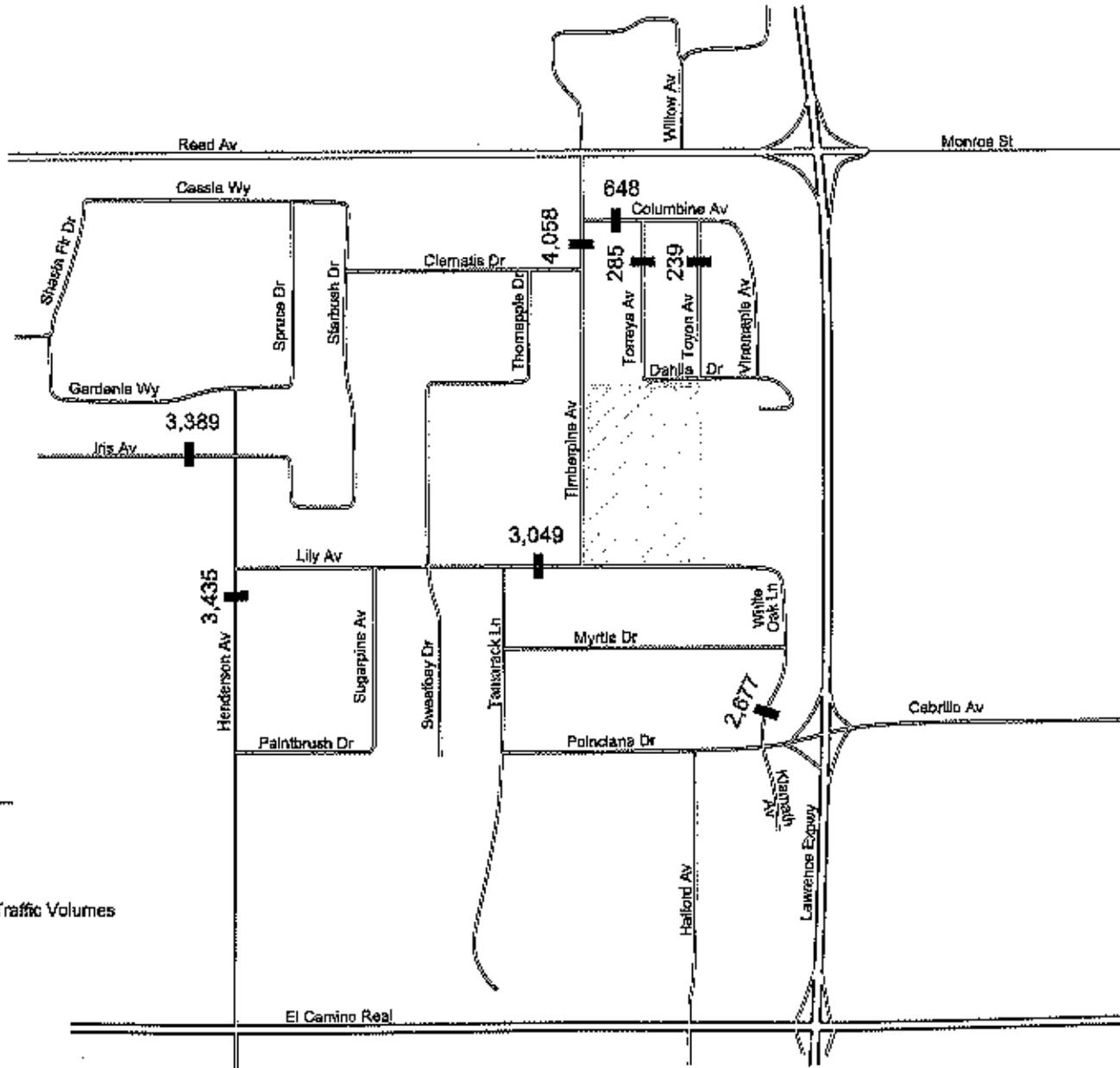
Scope of Work

The purpose of the traffic analysis is to determine whether any changes to the existing road system are necessary with the addition of project-generated traffic. The following streets were evaluated for Existing, Existing + Project Phase 1 (reduced project), and Existing + Project (51-lot subdivision) traffic conditions:

1. White Oak Lane
2. Lily Avenue
3. Timberpine Avenue
4. Columbine Avenue
5. Torrey Avenue
6. Toyon Avenue
7. Henderson Avenue
8. Iris Avenue

Existing Conditions

The project site is situated in an area of Sunnyvale consisting mostly of residential uses and supporting uses such as parks and schools. The site is located within a large neighborhood near the southwest corner of Lawrence Expressway and Reed Avenue. The major roadways that border the neighborhood are Reed Avenue on the north, El Camino Real on the south, Lawrence Expressway on the east, and Wolfe Road on the west. Access to the project site from Reed Avenue is provided via a traffic signal at Timberpine Avenue. Access from El Camino Real is provided via multiple streets including Henderson Avenue (signalized), Helen Avenue (unsignalized) and Halford Avenue (signalized). Access to the neighborhood from Lawrence Expressway is provided via a traffic signal at Poliniana Drive. Access from Wolfe Road is provided via a traffic signal at Iris Avenue. All of the internal intersections near the project site are either stop-controlled or uncontrolled, which is typical for residential neighborhoods.



LEGEND

-  = Site Location
-  = Tube Location
- XX** = Average Daily Traffic Volumes

Figure 1
Study Area and Count Locations



Existing Traffic Volumes

Hexagon conducted 2-day 24-hour tube counts (see Appendix A) on the 8 streets listed above. The counts were conducted in October 2010 on Tuesday the 19th and Wednesday the 20th while local schools were in session. Figure 1 shows the project study area, the approximate tube count locations, and the existing average daily traffic (ADT) volumes.

Average daily traffic volumes on the study road segments ranged from approximately 240 vehicles per day (Toyon Avenue) to 4,060 vehicles per day (Timberpine Avenue). The count data show that Columbine Avenue, Torreya Avenue and Toyon Avenue have relatively low traffic volumes (all less than 650 vehicles per day). This is to be expected since these three residential streets in essence dead-end and, therefore, do not provide any through traffic access. Based on historical count data provided by the City of Sunnyvale Department of Public Works, local residential streets in Sunnyvale typically carry between 200 and 1,800 vehicles per day. Therefore, the existing traffic volumes on these three streets are within the typical range for local streets in Sunnyvale.

Timberpine Avenue, Henderson Avenue, Iris Avenue, Lily Avenue and White Oak Lane are all City-designated Residential Collectors with traffic volumes ranging from approximately 2,680 to 4,060 vehicles per day. Based on historical count data provided by the City of Sunnyvale Department of Public Works, residential collectors in Sunnyvale typically carry between 1,200 and 10,000 vehicles per day. Therefore, the existing traffic volumes on these five study road segments also are within the typical range for residential collectors in Sunnyvale. Table 1 presents the existing ADT volumes.

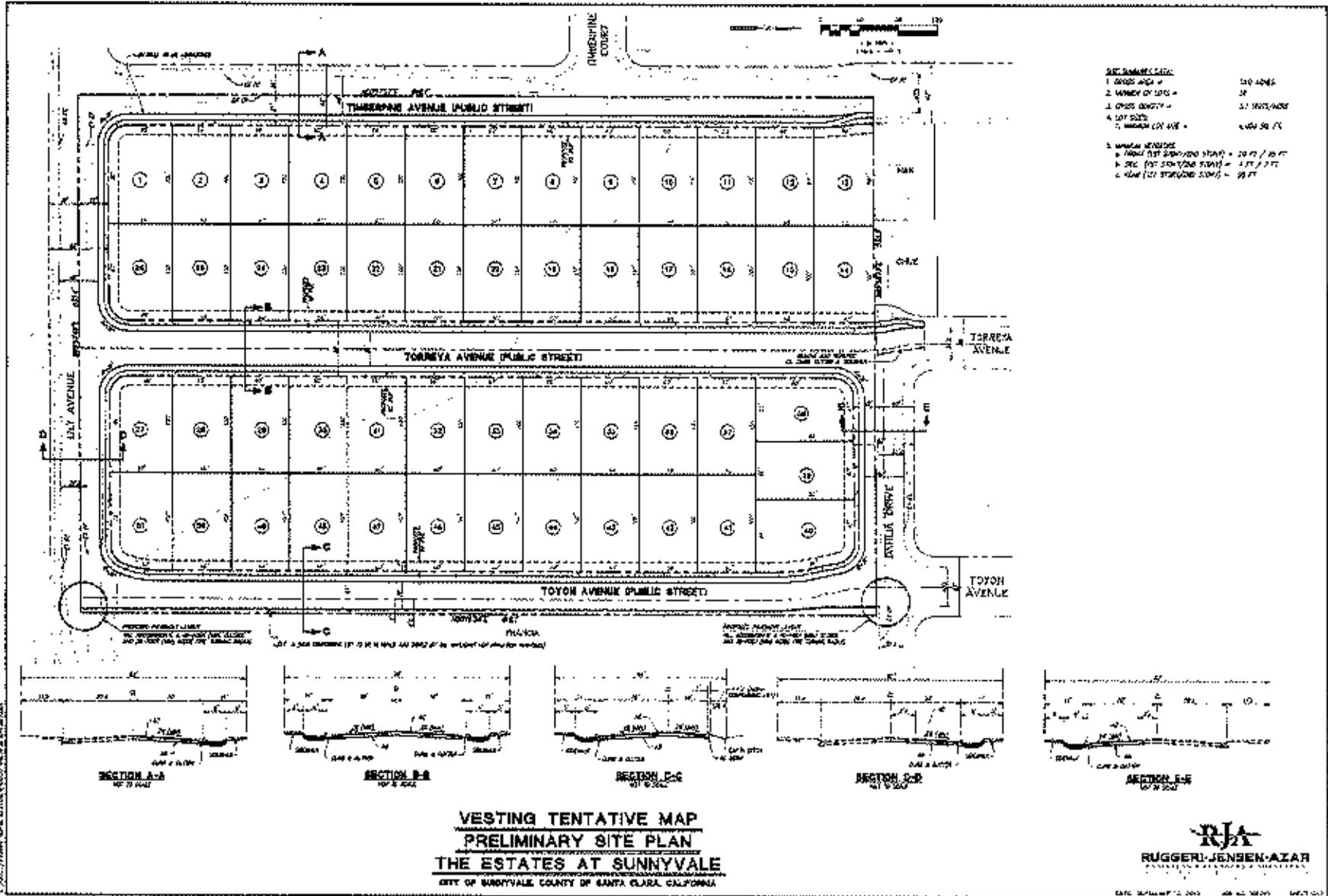
**Table 1
 Existing Average Daily Traffic Volumes**

Road Segment	Designation	Average Daily Traffic Volume
1 White Oak Ln, btwn Myrtle Dr and Polciana Dr	Residential Collector	2,680
2 Lily Av. btwn Tamarack Ln and Timberpine Av	Residential Collector	3,050
3 Timberpine Av, btwn Columbine Av and Clematis Dr	Residential Collector	4,060
4 Columbine Av, btwn Timberpine Av and Torreya Av	Local	650
5 Torreya Av, s/o Columbine Av	Local	290
6 Toyon Av, s/o Columbine Av	Local	240
7 Henderson Av, s/o Lily	Residential Collector	3,440
8 Iris Av, w/o Henderson Av	Residential Collector	3,390

Notes:
 In the City of Sunnyvale local residential streets typically carry up to 1,800 vehicles per day, while residential collectors typically carry up to 10,000 vehicles per day.

Project Description

Project buildout includes constructing 51 single-family homes on a vacant piece of land. Torreya Avenue and Toyon Avenue ultimately would be extended from Dahlia Drive southward to Lily Avenue. The new homes would be constructed along the east side of Timberpine Avenue, along both sides of the Torreya Avenue extension, and along the west side of the Toyon Avenue extension. Figure 2 shows the proposed site plan under the 51-lot subdivision conditions.



SECTION SUMMARY:

1. GROSS AREA =	130 ACRES
2. NUMBER OF LOTS =	24
3. GROSS DENSITY =	0.18 UNITS/ACRE
4. LOT SIZE =	5,417 SQ. FT.
5. ROADWAY LOT AREA =	4,650 SQ. FT.

3. SPECIAL NOTES:

- ROADWAY (1ST STATIONING STATION) = 29.77 / 29.77
- SEC. (1ST STATIONING STATION) = 1.77 / 2.77
- ROAD (1ST STATIONING STATION) = 29.77

Figure 2
Site Plan



Project Phase 1 (Reduced Project Conditions)

As described earlier, a reduced 47-unit project size also was analyzed. According to the reduced project plan, Torrey Avenue and Toyon Avenue will not connect to Lily Avenue. Figure 3 shows the proposed site plan under project phase 1 conditions.

Project Conditions

The magnitude of traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic generated by the project is estimated. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the project trips are assigned to specific streets and intersections. These procedures are described below.

Project Trip Generation

Through empirical research, available data quantify the amount of traffic produced by common land uses. Thus, for the most common land uses standard trip generation rates can be applied to predict the future traffic increases that would result from a new development. The magnitude of traffic added to the roadway network by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. The trip generation rates that are typically used for projects in Sunnyvale are published in the Institute of Transportation Engineers (ITE) manual entitled *Trip Generation, 8th Edition, 2008*.

Based on the ITE rate for Single-Family Detached Housing (ITE Land Use Code 210), buildout of the project would generate 488 daily vehicle trips, with 52 trips occurring during the PM peak hour of traffic. Phase 1 of the project would generate 450 daily vehicle trips, with 48 trips occurring during the PM peak hour. The weekday PM peak hour of traffic typically occurs between 4:00 PM and 6:00 PM. It is during this period on an average weekday that the highest traffic volumes are present on most roadways. The project trip generation estimates are shown below in Table 2.

**Table 2
 Project Trip Generation Estimates**

Land Use	Size	Daily Rate/ft	Daily Trips	PM Peak Hour			
				Rate/ft	In	Out	Total
Single-Family Detached Housing	51 units	9.57	488	1.01	33	19	52
Single-Family Detached Housing	47 units	9.57	450	1.01	30	18	48

Notes:
 /ft/ Rates based on ITE Trip Generation Manual, 8th Edition (2008), Land Use Code 210.

Trip Distribution Pattern and Trip Assignment

The trip distribution pattern for the proposed residential development was based on existing travel patterns on the surrounding roadway network and the relative locations of complementary land uses. The trips generated by both phase 1 and the 51-lot subdivision conditions of the proposed project were assigned to the roads in accordance with the trip distribution pattern. The project trip distribution pattern and trip assignments for phase 1 and the 51-lot subdivision conditions are shown graphically on Figures 4 and 5, respectively.

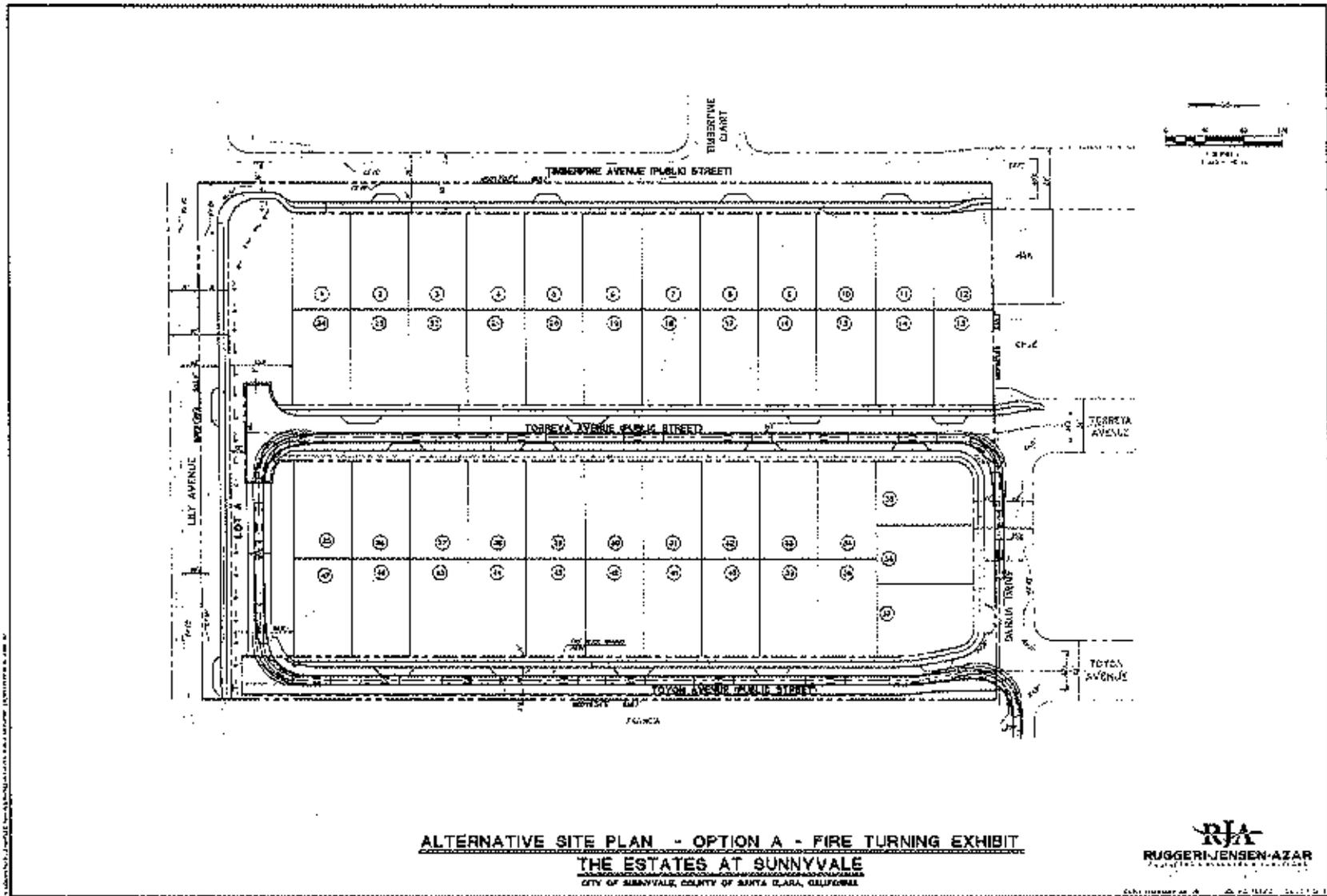
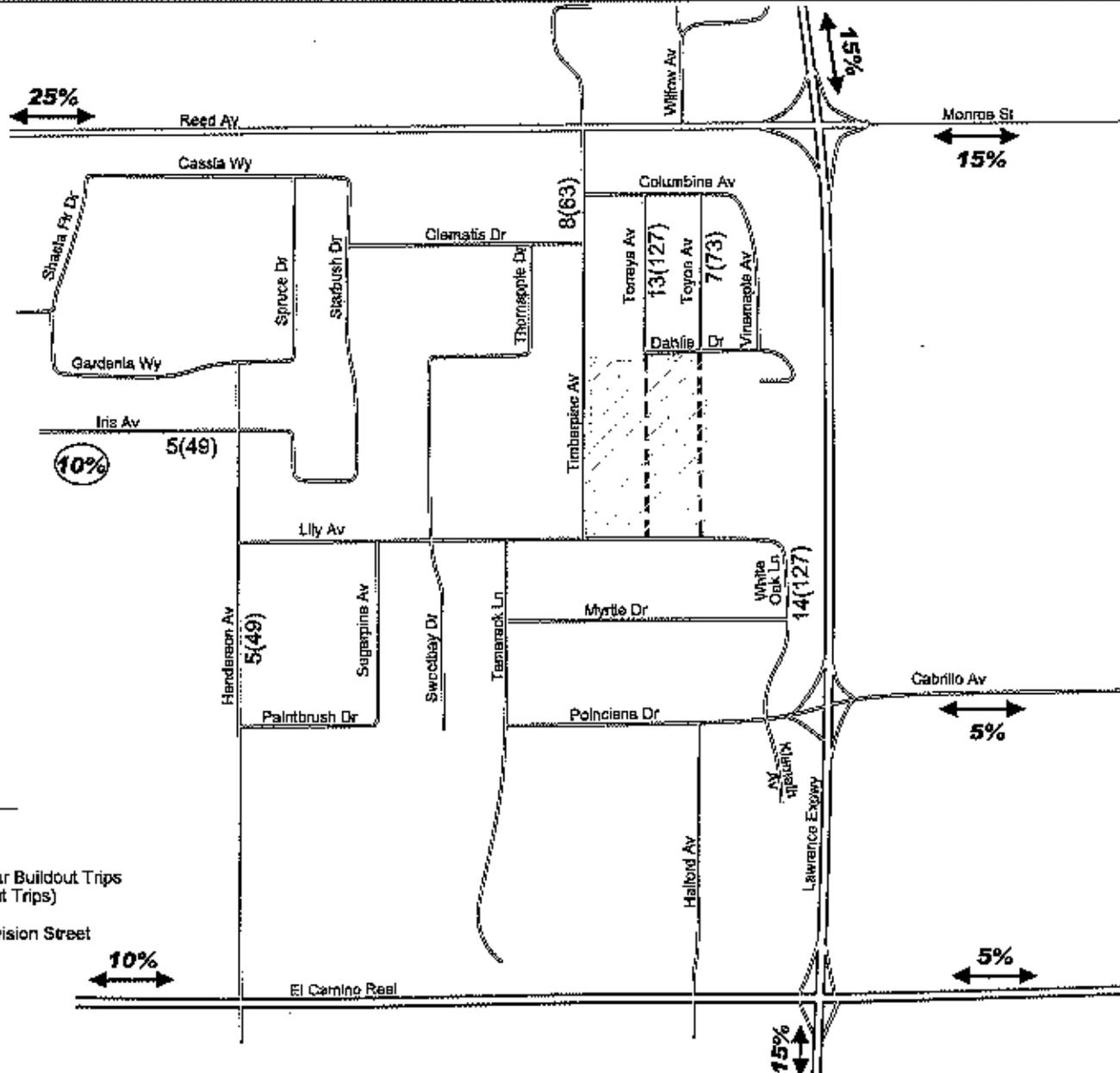


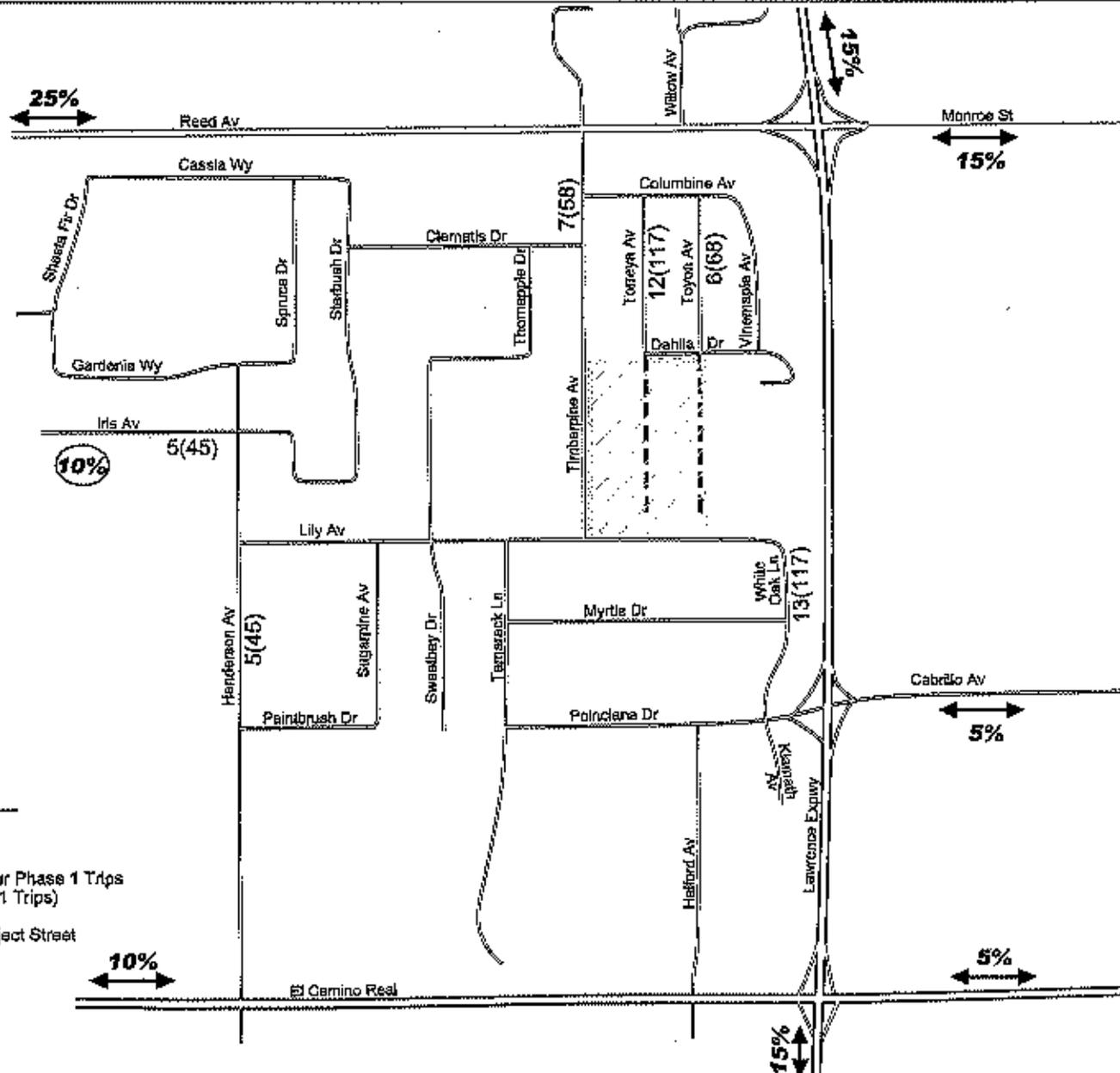
Figure 3
Site Plan - Project Phase 1



LEGEND

-  = Site Location
- XX(XX) = PM Peak-Hour Buildout Trips
(Daily Buildout Trips)
- - - = 51-Lot Subdivision Street

Figure 4
Project Trip Distribution Pattern and Trip Assignment - Buildout



LEGEND

-  = Site Location
- XX(XX) = PM Peak-Hour Phase 1 Trips
(Daily Phase 1 Trips)
- - - = Reduced Project Street

Figure 5
Project Trip Distribution Pattern and Trip Assignment - Phase 1



Project Traffic Volumes

The project trips for both the 51-lot and 47-lot subdivisions were added to existing volumes to obtain traffic volumes with the project under both conditions. Table 3 shows the increases in traffic volumes on the study road segments as a result of both the 51-lot and 47-lot project scenarios. As shown in the table, the project would increase the average daily traffic volumes on the study road segments by approximately 45 to 200 vehicles per day, depending on the project scenario. The project would add between 5 and 20 vehicle trips to the study road segments during the PM peak hour of traffic. The traffic increase on these streets over a 24-hour period and during the PM peak hour of traffic would be an average of 12% for the PM peak hour and 15% daily, and the total volumes still would be well within the typical range for these residential streets to function as expected under either 51-lot or 47-lot project traffic conditions.

On-site Circulation and Emergency Vehicle Access

With the 47 lot subdivision Terreya Avenue and Toyon Avenue would be extended into the site to provide access to most of the homes. The new streets would be built to standard public street specifications, so they would accommodate emergency vehicles. Some homes would have direct access to Timberpine Avenue, which would be widened to a standard public street cross-section. With the 51-lot subdivision, Terreya Avenue and Toyon Avenue would be connected to Lily Avenue, which would further enhance circulation for residents and emergency vehicles in the neighborhood.

Parking

The proposed project consists of single-family detached homes with garages, similar to the existing homes in the neighborhood. Each home would have a two-car garage plus a driveway apron for parking. In addition, the new public streets would allow on-street parking. The project complies with the City of Sunnyvale Parking Code.

Transit, Bicycle, and Pedestrian Access

The project would have a negligible impact on transit service or ridership. There are no transit routes that traverse the streets that would be modified by the project. The project would generate few transit riders because the closest bus service (one route) is on Reed Avenue, which is about ¼ mile from the site. The project would enhance bicycle and pedestrian circulation by widening Timberpine Avenue and adding sidewalks where they currently don't exist. The 51-lot subdivision would further enhance pedestrian and bicycle circulation by providing additional connections between Dahlia Drive and Lily Avenue.

Conclusions

The daily traffic volumes on all eight road segments currently are typical for these types of streets. The estimated increases in traffic volumes due to project-generated traffic would not create any operational problems, and all of the study road segments currently have more than adequate capacity to handle the additional traffic generated by the project under either the 51 or 47 lot conditions (between 5 and 20 peak-hour trips). Therefore, the slight increase in traffic with the project would not result in any significant traffic impact or warrant any road system improvements, including intersection design changes.



Table 3
Average Traffic Volume Increases Due to the Project

Road Segment	Road Designation	Existing Conditions		Reduced Project 47-Lot		51-Lot Subdivision		Reduced Project 47-Lot		51-Lot Subdivision	
		PM/PM-Hr	ADT	Project Tps	Project Tps	Project Tps	Project Tps	Project Conditions	Project Conditions	PM/PM-Hr	ADT
		Volume	Volume	Tps	Tps	Tps	Tps	Volume	Volume	Volume	Volume
1 White Oak, btwn Myrtle and Poinciana	Residential Collector	230	2,680	13	117	14	127	243	2,797	244	2,807
2 Lily, btwn Tamarack and Timberpine	Residential Collector	270	3,550	10	90	10	98	280	3,140	280	3,148
3 Timberpine, btwn Columbine and Clematis	Residential Collector	390	4,080	7	58	8	63	397	4,118	398	4,123
4 Columbine, btwn Timberpine and Torreya	Local	70	650	16	185	20	200	88	835	90	850
5 Torreya, s/o Columbine	Local	40	280	12	117	13	127	52	407	53	417
6 Torrey, s/o Columbine	Local	30	240	6	68	7	73	36	308	37	313
7 Henderson, s/o Lily	Residential Collector	380	3,440	5	45	5	49	385	3,485	385	3,489
8 Iris, w/o Henderson	Residential Collector	370	3,390	5	45	5	49	375	3,435	375	3,439

Notes:

In the City of Sunnyvale local residential streets typically carry up to 1,800 vehicles per day, while residential collectors typically carry up to 10,000 vehicles per day.

ATTACHMENT
 Page 10 of 11

Appendix A
Traffic Count Data



THE ESTATES AT SUNNYVALE

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07-19-2011

ATTACHMENT
Page 1

of 26



THE ESTATES AT SUNNYVALE

SHEET SCHEDULE

STREETSCAPE		
CS	COVER SHEET	
A1	MAIN FLOOR SITE PLAN	
A2	UPPER FLOOR SITE PLAN	
A3	ROOF SITE PLAN	
A4	PLAN 1 ELEVATIONS	
A5	PLAN 1C EUROPEAN ELEVATIONS	
A6	PLAN 2 ELEVATIONS	
A7	PLAN 2A SPANISH ELEVATIONS	
A8	PLAN 3 ELEVATIONS	
A9	PLAN 3B TRADITIONAL ELEVATIONS	
A10	PLAN 3 LEFT ELEVATIONS	
A11	BUILDING SECTIONS	
C1	TITLE SHEET	
C2	PRELIM. SITE PLAN	
C3	CONCEPTUAL LAND USE PLAN	
C4	PRELIM. PARKING PLAN	
C5	PRELIM. GRADING PLAN	
C6	PRELIM. UTILITY PLAN	
C7	PRELIM. STORMWATER TREATMENT PLAN	
C8	PRELIM. STORMWATER TREATMENT DETAILS	
L1	R.O.W. LANDSCAPING AND FENCING PLAN	
L2	TYP. LOTS - FRONT YARD LANDSCAPING	
L3	PRELIM. LANDSCAPING DETAILS	
L4	PLANTING PALETTE AND PLANTING DETAILS	
L5	CONCEPTUAL PLANT IMAGERY	

PROJECT TEAM

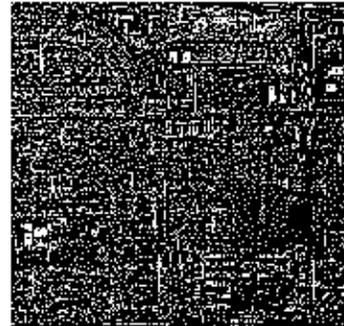
DEVELOPER:
TOLL BROTHERS, INC.

ARCHITECT:
HUNT HALE JONES ARCHITECTS

CIVIL ENGINEER:
RUGGERI-JENSEN-AZAR
ENGINEERS, PLANNERS, SURVEYORS

LANDSCAPE ARCHITECT:
VAN DORN ABED LANDSCAPE
ARCHITECTS, INC.

VICINITY MAP



SITE LOCATION

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America's Largest Home Builder
30 PARK PLACE, SUITE 100
SAN RAFAEL, CA 94901
PH: (415) 915-0030
FAX: (415) 915-9927

TOLL BROTHERS, INC.
THE ESTATES AT SUNNYVALE
SUNNYVALE, CA

**HUNT
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Architecture Planning Interiors

444 Spear Street, 8th Floor
San Francisco, CA 94105
www.hunt-hale-jones.com

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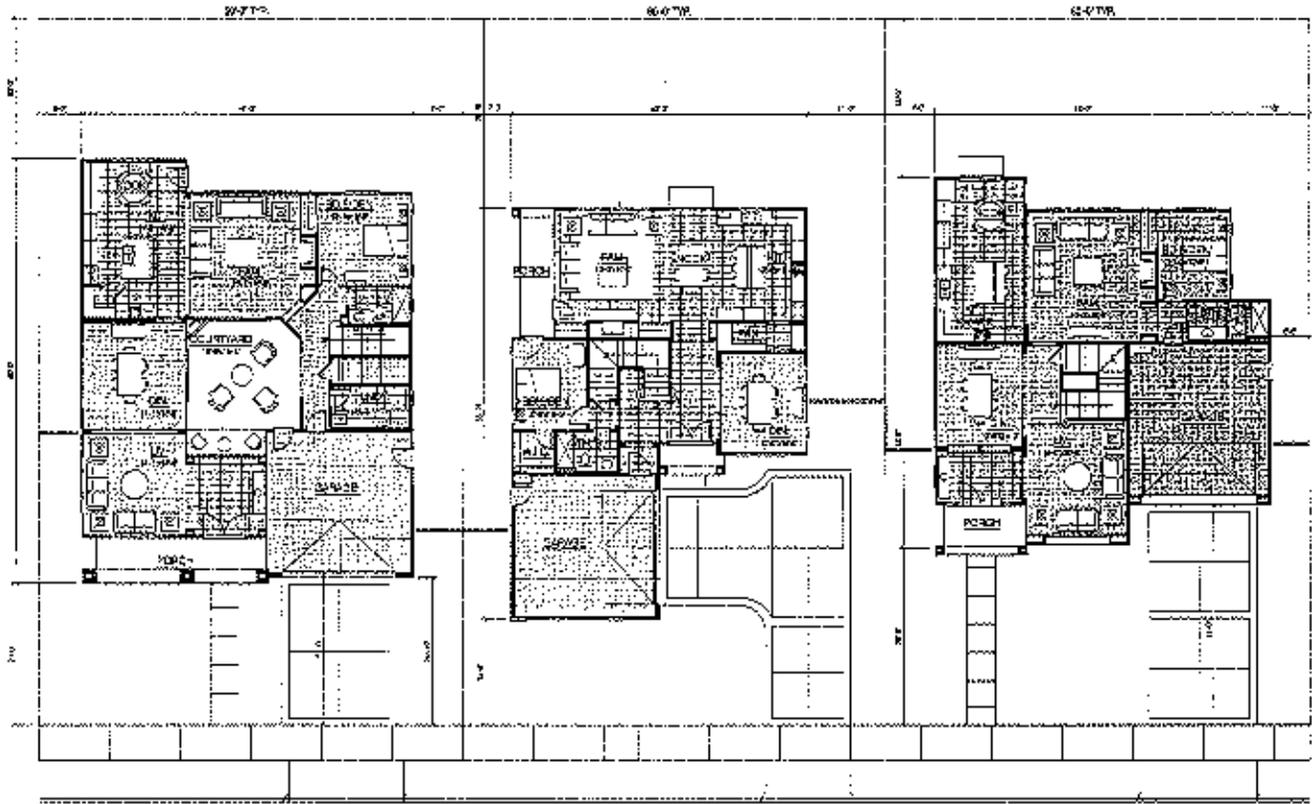
RJA
RUGGERI-JENSEN-AZAR
ENGINEERS, PLANNERS, SURVEYORS
1400 CALIFORNIA STREET, SUITE 300
SAN FRANCISCO, CA 94109
PHONE: (415) 277-1100 FAX: (415) 277-1105

Van Dorn Abed
LANDSCAPE ARCHITECTS, INC.
1100 MARKET STREET, SUITE 200
SAN FRANCISCO, CA 94102
PHONE: (415) 398-1100 FAX: (415) 398-1105

SCALE: N.T.S.
PREPARED BY: VAN DORN ABED
CHECKED BY: RUGGERI-JENSEN-AZAR
DATE: 08/11/03
PROJECT: 01081

COVER SHEET

CS



MAIN LEVEL

PLAN 28

1ST LEVEL: 107'00 FT.
 2ND LEVEL: 136'00 FT.
 GARAGE: 46'00 FT.
 TOTAL: 289'00 FT.

MAIN LEVEL

PLAN 29

1ST LEVEL: 136'00 FT.
 2ND LEVEL: 286'00 FT.
 GARAGE: 47'00 FT.
 TOTAL: 369'00 FT.

MAIN LEVEL

PLAN 30

MAIN LEVEL: 184'00 FT.
 1ST LEVEL: 282'00 FT.
 GARAGE: 43'00 FT.
 TOTAL: 509'00 FT.



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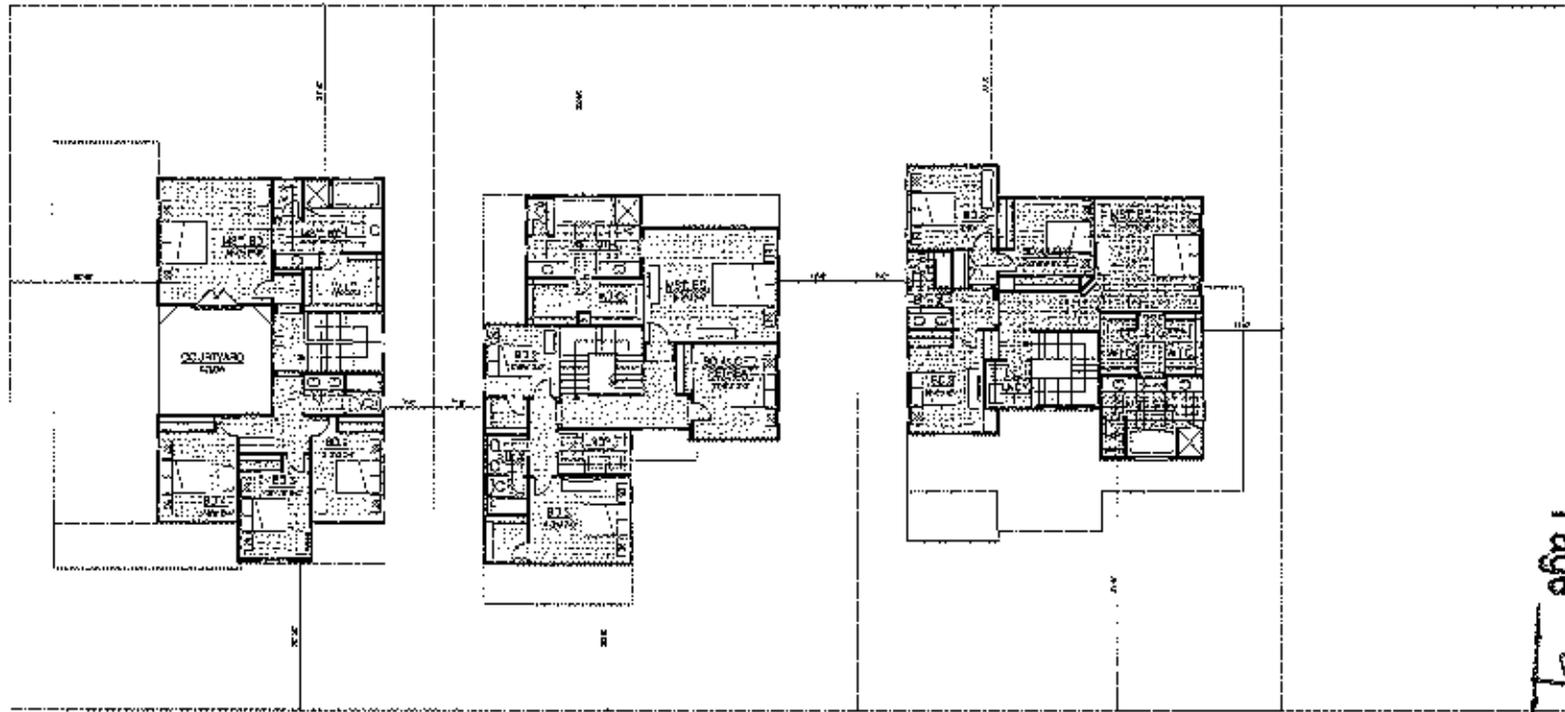


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MAIN FLOOR PLAN / SITE PLAN
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 PRE-SUBMITTAL: 04/26/2011
 1ST-SUBMITTAL: 04/26/2011
 2ND-SUBMITTAL: 04/26/2011
 3RD-SUBMITTAL: 07/16/2011
 PROJECT: 41504

ATTACHMENT
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UPPER LEVEL

PLAN 10

129' 00" FT.

UPPER LEVEL

PLAN 11

104' 00" FT.

UPPER LEVEL

PLAN 12

141' 00" FT.

ATTACHMENT
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San Francisco, CA 94108
www.hunt-hale-jones.com

T 415-618-1500
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ARCHITECTS
1700 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CA 94109
T 415-774-4400 F 415-774-4401



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LANDSCAPE ARCHITECTS INC
81 5th STREET, SUITE 2000 CA
SAN FRANCISCO, CA 94103

UPPER FLOOR PLAN / SITE PLAN

A2

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PRELIMINARY: 2/26/2010 2ND SHEET TOTAL: 30/2200
1ST SHEET TOTAL: 01/4200 3RD SHEET TOTAL: 09/1200
PROJECT: 01081

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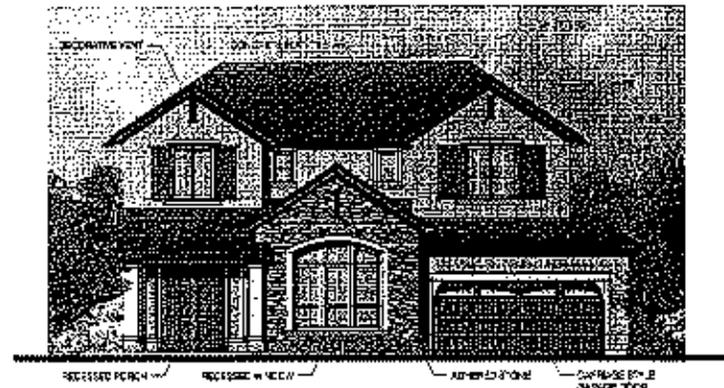
FRONT ELEVATION

1A - SPANISH



FRONT ELEVATION

15 - TRADITIONAL



FRONT ELEVATION

1C - EUROPEAN

Toll Brothers
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100 PARK PLACE, SUITE 140
SAN RAMON, CA 94583
TEL: (925) 354-0000
FAX: (925) 352-7900

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SUNNYVALE, CA

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Architecture Planning Interiors

444 Boehr Street, Suite 200
San Francisco, CA 94108
www.hunt-hale-jones.com

415-512-1920
415-285-2858

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RUGGERI-JENSEN-AZAR
1000 CALIFORNIA STREET, SUITE 1000
SAN FRANCISCO, CA 94108
PHONE: (415) 774-0000 FAX: (415) 774-0000

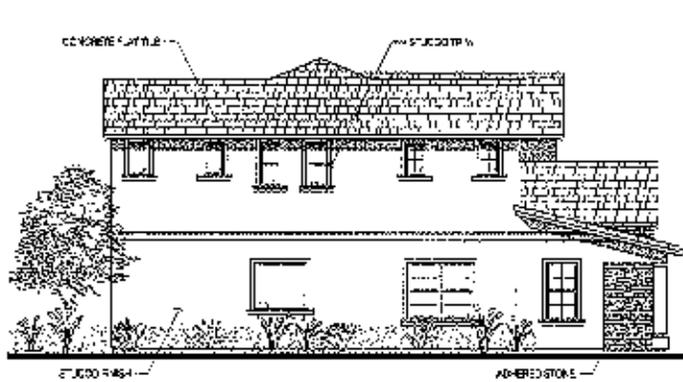
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1000 CALIFORNIA STREET, SUITE 1000
SAN FRANCISCO, CA 94108
PHONE: (415) 774-0000 FAX: (415) 774-0000

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PRELIMINARY DRAWING
PROJECT: 40001

PLAN 1 - ELEVATIONS

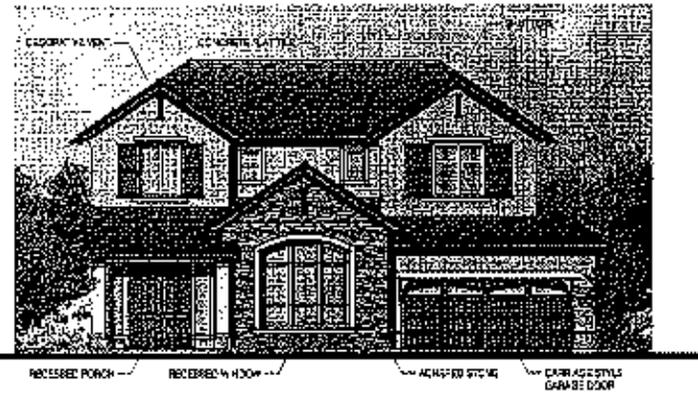
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Page 6 of 26
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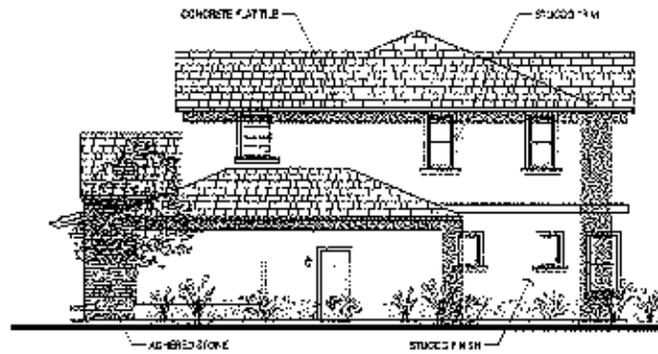
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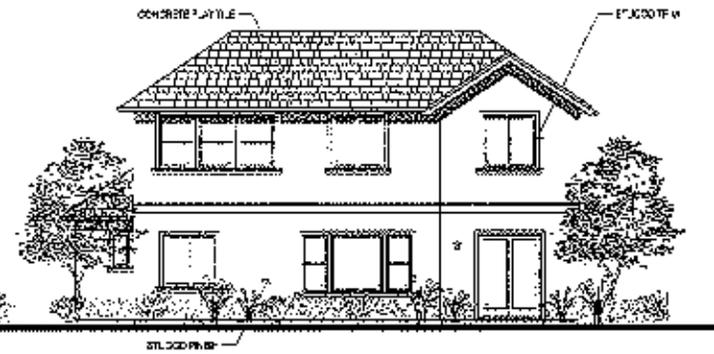
FRONT ELEVATION

1C - EUROPEAN



RIGHT ELEVATION

1C - EUROPEAN



REAR ELEVATION

1C - EUROPEAN

ATTACHMENT
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www.hunt-hale-jones.com

T: 415-618-1500
F: 415-238-0285



RUGGERI-JENSEN-AZAR
ARCHITECTS
4000 CALIFORNIA STREET, SUITE 200, OAKLAND, CA 94612
PH: 510.763.4400 FAX: 510.763.4405



VAN DORN, ABED
LANDSCAPE ARCHITECTS, INC.
4111 WILSON AVENUE, SUITE 200, SAN FRANCISCO, CA 94124
PH: 415.774.1100 FAX: 415.774.1101

PLAN 1C - EUROPEAN ELEVATIONS

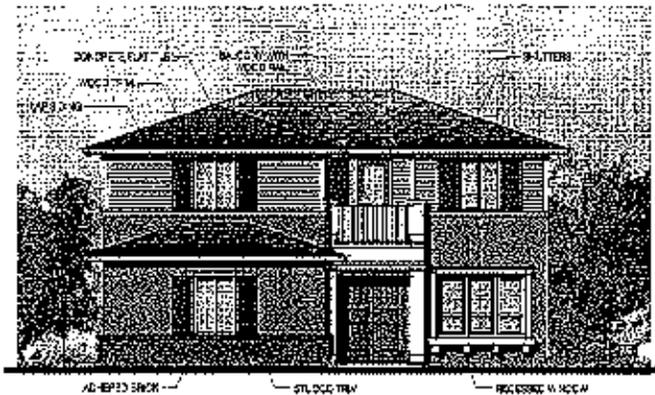
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CHECKED BY: JACOB



FRONT ELEVATION

2A - SPANISH



FRONT ELEVATION

2B - TRADITIONAL



FRONT ELEVATION

2C - EUROPEAN

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30 PARK SQUARE, SUITE 100
SUNNYVALE, CA 94089
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FAX: (415) 454-9907

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SUNNYVALE, CA

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Architecture Planning Interiors

446 Geary Street, Suite 300
San Francisco, CA 94102
www.hunt-hale-jones.com

T: 415-512-1800
F: 415-285-0238

RJA
RUGGERI, JENSEN-AZAR
100 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CA 94102
PHONE: (415) 398-0000 FAX: (415) 398-0000

LANDSCAPE ARCHITECTS
VAN DORN ABED
LANDSCAPE ARCHITECTS, INC.
4140 HAYWARD AVENUE, SUITE 100
EMERYVILLE, CA 94608
PHONE: (415) 435-1000 FAX: (415) 435-1000

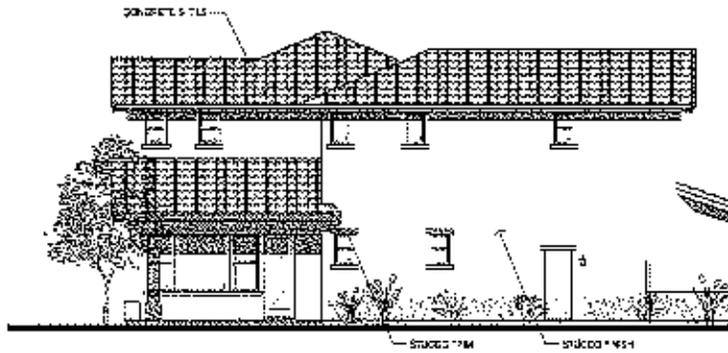
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3RD SUBMITTAL DESIGN 4TH SUBMITTAL DESIGN

PLAN 2 - ELEVATIONS

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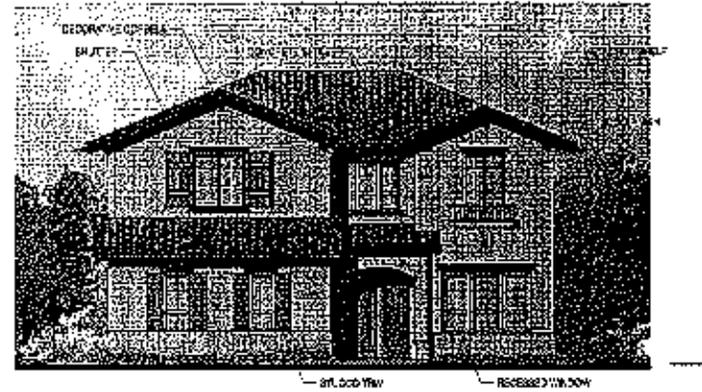
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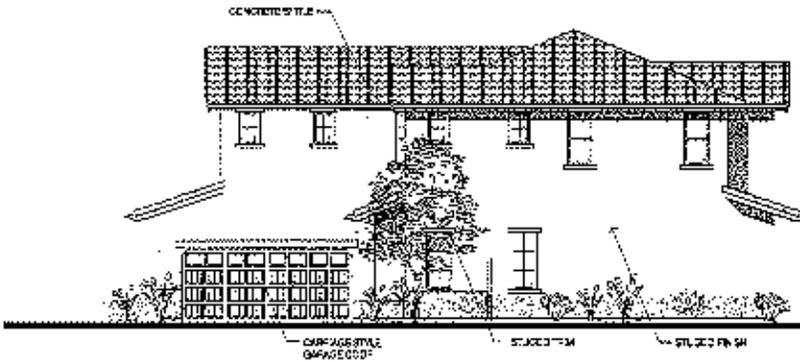
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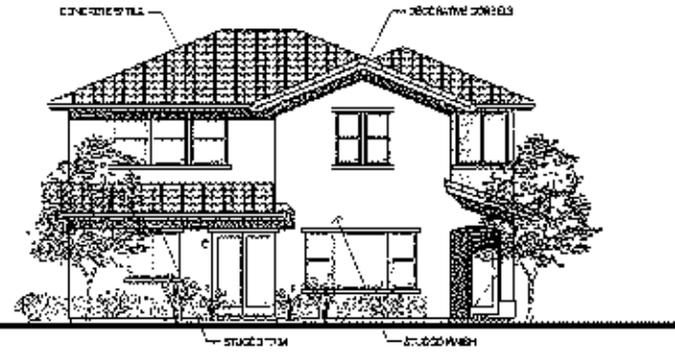
FRONT ELEVATION

2A - SPANISH



RIGHT ELEVATION

2A - SPANISH



REAR ELEVATION

2A - SPANISH

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Architecture Planning Interiors

444 Soledad Street, Suite 200
 San Francisco, CA 94103
 www.hunt-hale-jones.com

415-212-1900
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RJA
RUGGERI-JENSEN-AZAR
 ARCHITECTS - PLANNERS - INTERIORS
 425 MARKET STREET, SUITE 200, SAN FRANCISCO, CA 94102
 PHONE: (415) 397-4100 FAX: (415) 397-0206

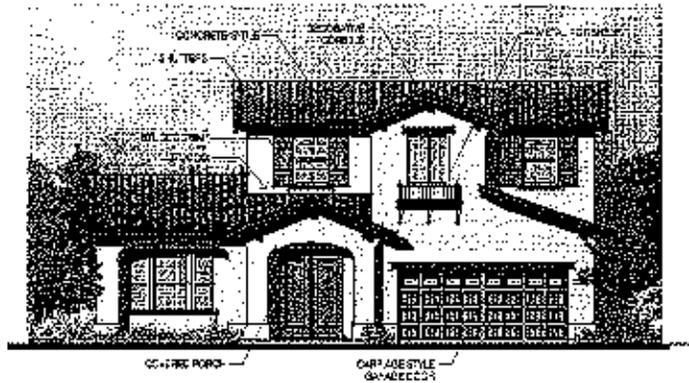
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PLAN 2A - SPANISH ELEVATIONS

A7

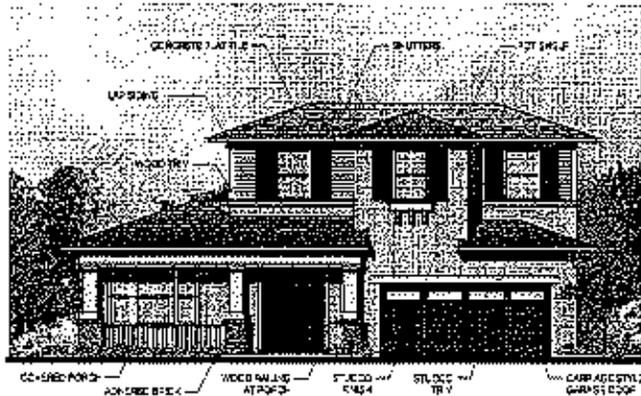
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 PROJECT: 03-001

ATTACHMENT
 Page 9 of 26



FRONT ELEVATION

24 - SPANISH



FRONT ELEVATION

35 - TRADITIONAL



FRONT ELEVATION

33 - EUROPEAN

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San Francisco, CA 94107
www.hunt-hale-jones.com

T: 415-671-2100
F: 415-625-0298

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RUGGERI-JENSEN-AZAR
LANDSCAPE ARCHITECTS, INC.
4401 MARKET STREET, SUITE 200, EMERYVILLE, CA 94608
PH: 415-761-3000 FAX: 415-761-3000

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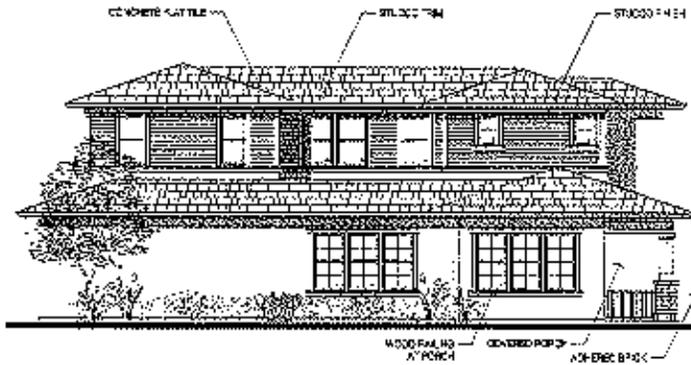
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1111 AVENUE 20, SAN FRANCISCO, CA 94115
PH: 415-771-0000 FAX: 415-771-0000

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1ST SUBMITTAL: 03/14/10 2ND SUBMITTAL: 07/15/11
REVISED: 01/21/11

PLAN 3 - ELEVATIONS

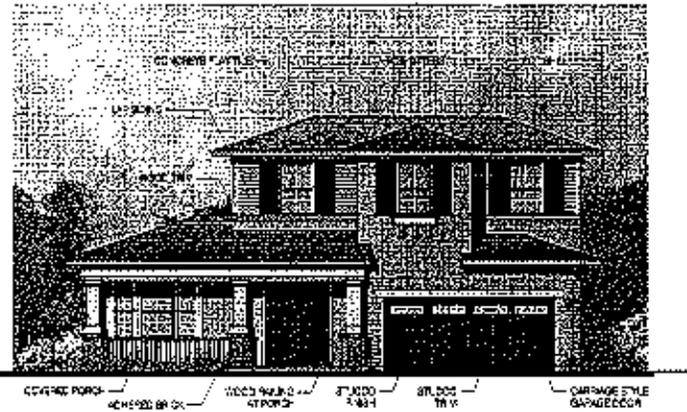
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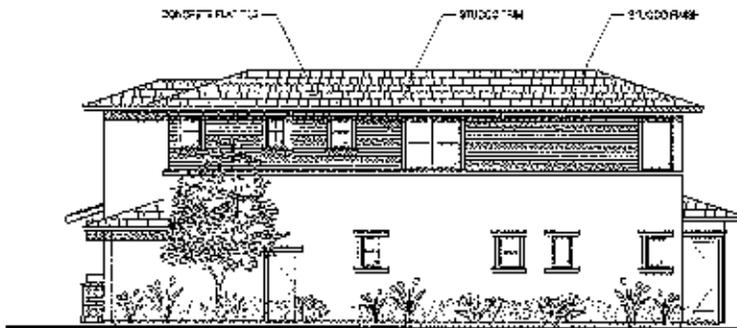
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63 - TRADITIONAL



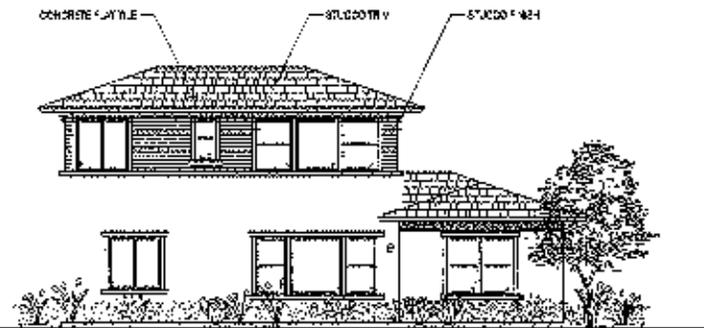
FRONT ELEVATION

2B - TRADITIONAL



RIGHT ELEVATION

35 - TRADITIONAL



REAR ELEVATION

65 - TRADITIONAL

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America's Luxury Home Builder
 103 PARK BLVD, SUITE 100
 SAN RAMON, CA 94583
 TEL: (925) 353-4223
 FAX: (925) 353-5723

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446 Spear Street, Suite 200
 San Francisco, CA 94108
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T: 415-771-2400
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 1145 BUCKLEUP AVENUE, SUITE 200
 SAN FRANCISCO, CA 94133
 TEL: (415) 771-2400 FAX: (415) 771-4288

VAN DORN ABED
 LANDSCAPE ARCHITECTS, INC.
 1010 MARKET STREET, SUITE 200
 SAN FRANCISCO, CA 94102
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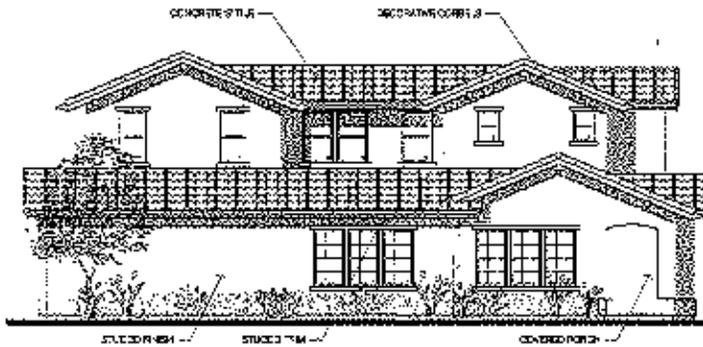
PLAN 9B - TRADITIONAL ELEVATIONS

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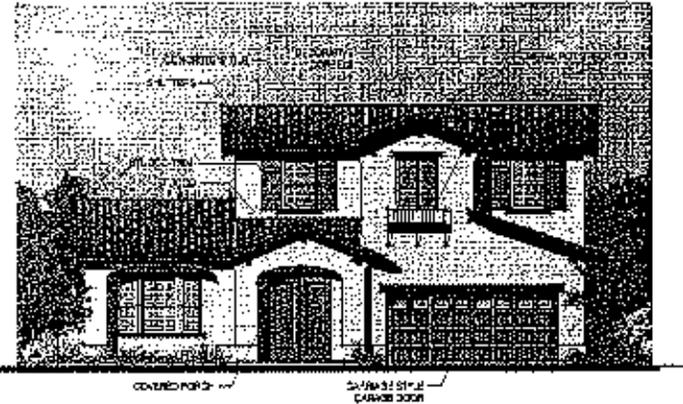
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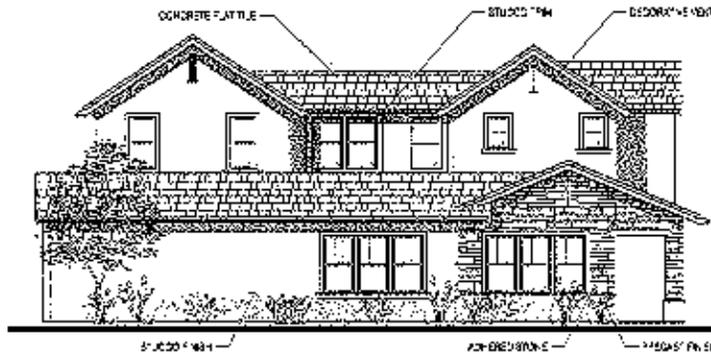
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3A - SPANISH



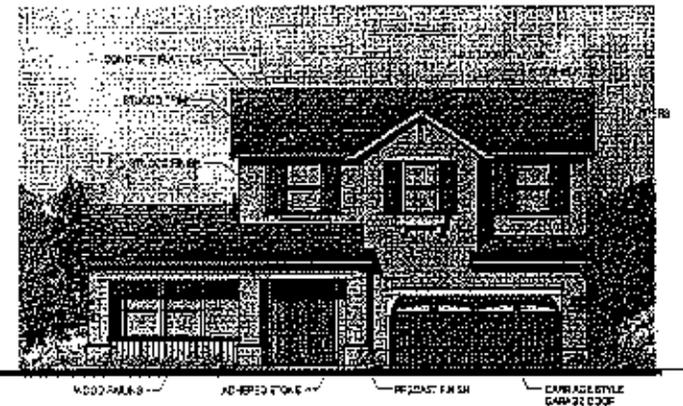
FRONT ELEVATION

3A - SPANISH



LEFT ELEVATION

3C - EUROPEAN



FRONT ELEVATION

3C - EUROPEAN

Toll Brothers
America's Leading Home Builders
100 TOLL BROS. PLACE, SUITE 140
SAN RAMON, CA 94583
PH: (925) 824-3366
FAX: (925) 824-0627

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Architecture | Planning | Interiors

444 Spauldine Street, Suite 200
San Francisco, CA 94105
www.hunt-hale-jones.com

L 415-215-1305
T 415-286-0825

RJA

RUGGERI-JENSEN-AZAR
ARCHITECTS AND INTERIORS
1445 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CA 94109
PHONE: (415) 398-4400 FAX: (415) 398-4400

VA

VAN DORN ABED
LANDSCAPE ARCHITECTS INC.
8110 CANTON, SAN FRANCISCO, CA
94134
PHONE: (415) 398-4400 FAX: (415) 398-4400

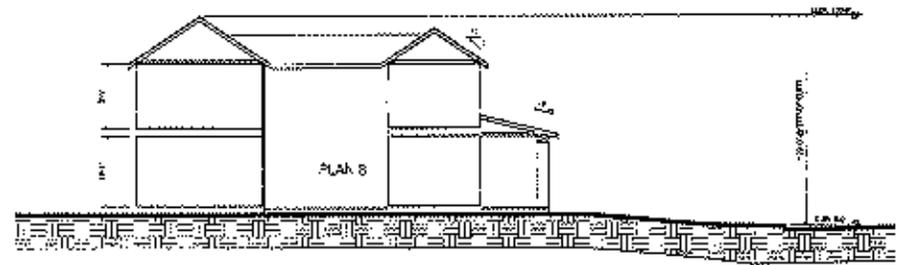
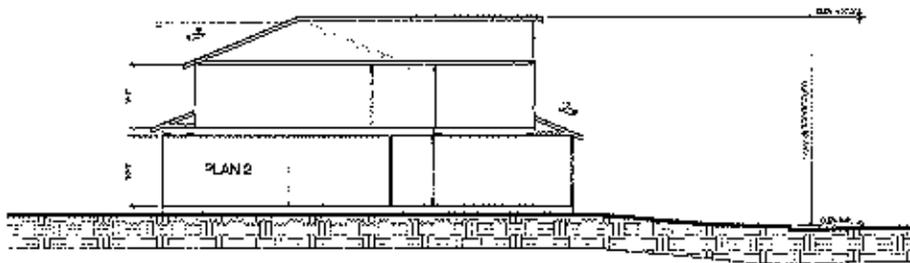
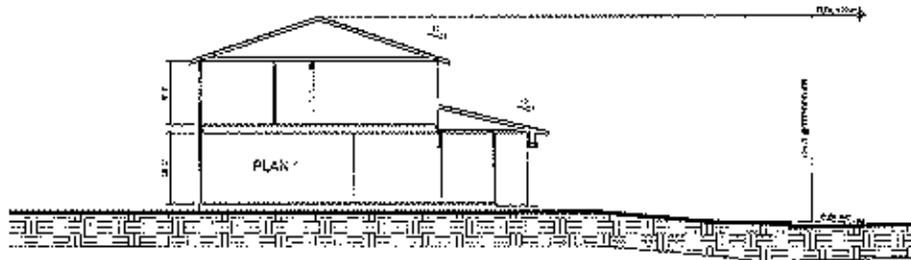
PRE-SUBMITTAL: 10-10-09 40'S JOURNAL: 06-09-09
1ST SUBMITTAL: 02-10-09 30'S JOURNAL: 07-09-09
PROJECT: 4-001

PLAN 3 - LEFT ELEVATIONS

A10

SCALE: 3/16" = 1'-0"
DATE: 10/10/09

ATTACHMENT
Page 7 of 26
E



Toll Brothers
America's Award-Winning Builder
30 PARK PLACE, SUITE 140
SUNNYVALE, CA 94088
PH: (415) 554-0031
FAX: (415) 554-9991

TOLL BROTHERS, INC.
THE ESTATES AT SUNNYVALE
SUNNYVALE, CA

**HUNT
HALE
JONES**

Architecture Planning Interiors

444 Solor Street, Suite 800
San Francisco, CA 94105
www.hunt-hale-jones.com

T: 415-515-1900
F: 415-285-0258

RJA

RUGGERI-JENSEN-AZAR
ARCHITECTS PLANNERS INTERIORS
VAN DYKE 2900 AVENUE 20, SUITE 200, SAN FRANCISCO, CA 94134
PHONE: (415) 554-1100 FAX: (415) 554-1992

VA

VAN DORN ABED
LANDSCAPE ARCHITECTS, L.P.
10100 AVENUE 100, SUITE 100, SAN FRANCISCO, CA 94134
PHONE: (415) 554-1100 FAX: (415) 554-1992

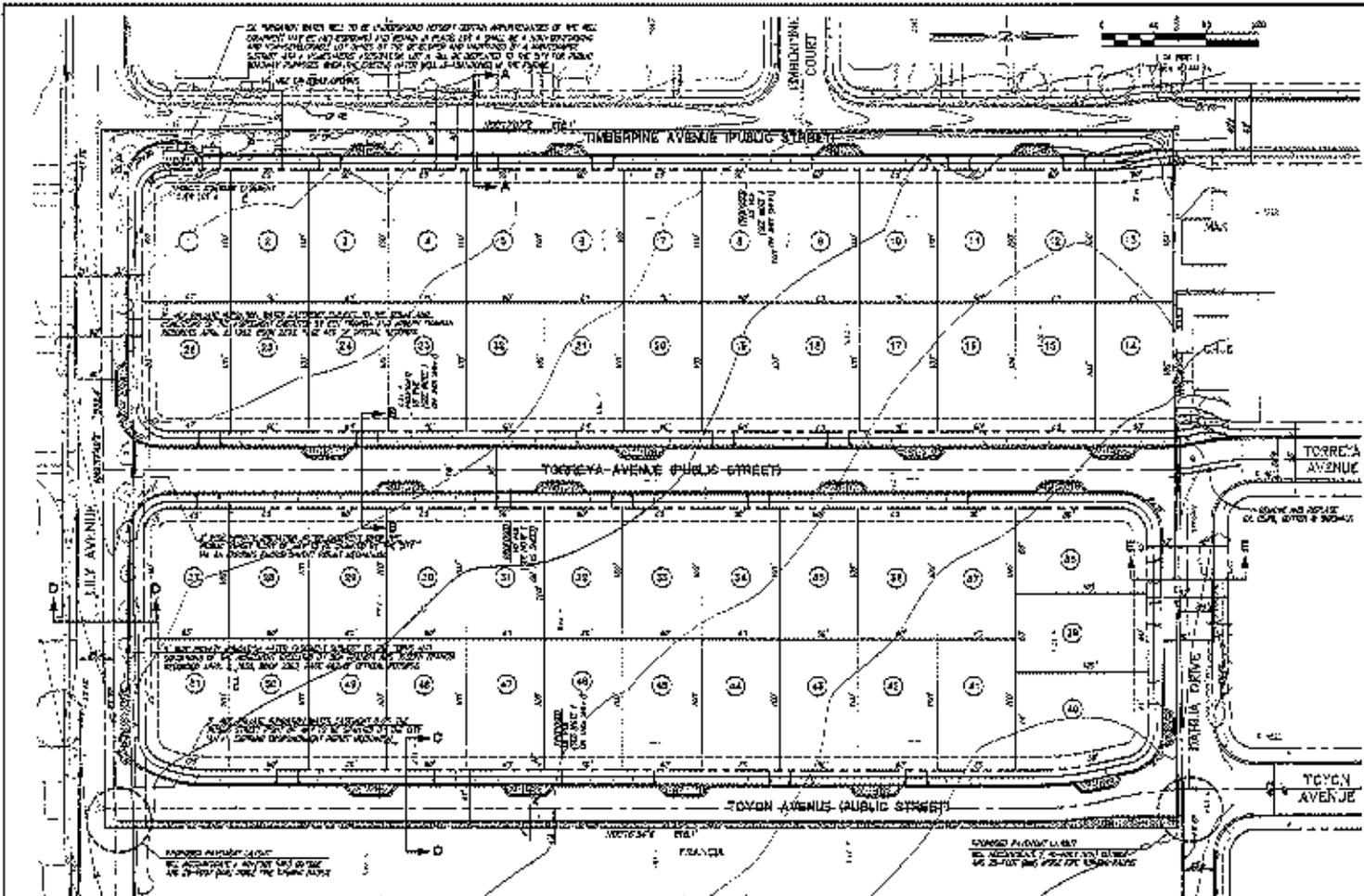
PREL SUBMITTAL: 06/20/06 PREL SUBMITTAL: 06/20/06
1ST SUBMITTAL: 08/14/06 1ST SUBMITTAL: 08/14/06

BUILDING SECTIONS

A1

SCALE: 1/8" = 1'-0"
PROJECT: 415231

ATTACHMENT
Page 13 of 26



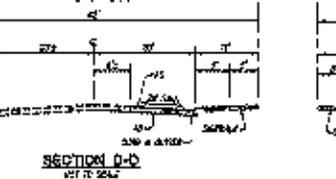
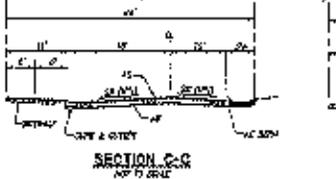
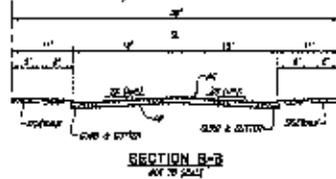
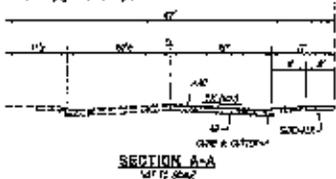
KEY SUMMARY DATA:

1. GROSS AREA =	11.0 ACRES
2. INCLUDING LOT A =	3,332 ACRES
3. NUMBER OF LOTS =	31
4. GROSS DENSITY =	31 UNITS/ACRE
5. LOT AREA =	0.355 AC. (30,700 SQ. FT.)
6. MINIMUM LOT SIZE =	0.355 AC. (30,700 SQ. FT.)

7. MINIMUM SETBACKS:

a. FRONT (ST. STOP/2ND ST. STOP)	= 30 FT. / 25 FT.
b. SIDE (ST. STOP/2ND ST. STOP)	= 4 FT. / 4 FT.
c. REAR (ST. STOP/2ND ST. STOP)	= 25 FT.
d. CORNER LOT (ST. STOP/2ND ST. STOP)	= 4 FT. / 12 FT.

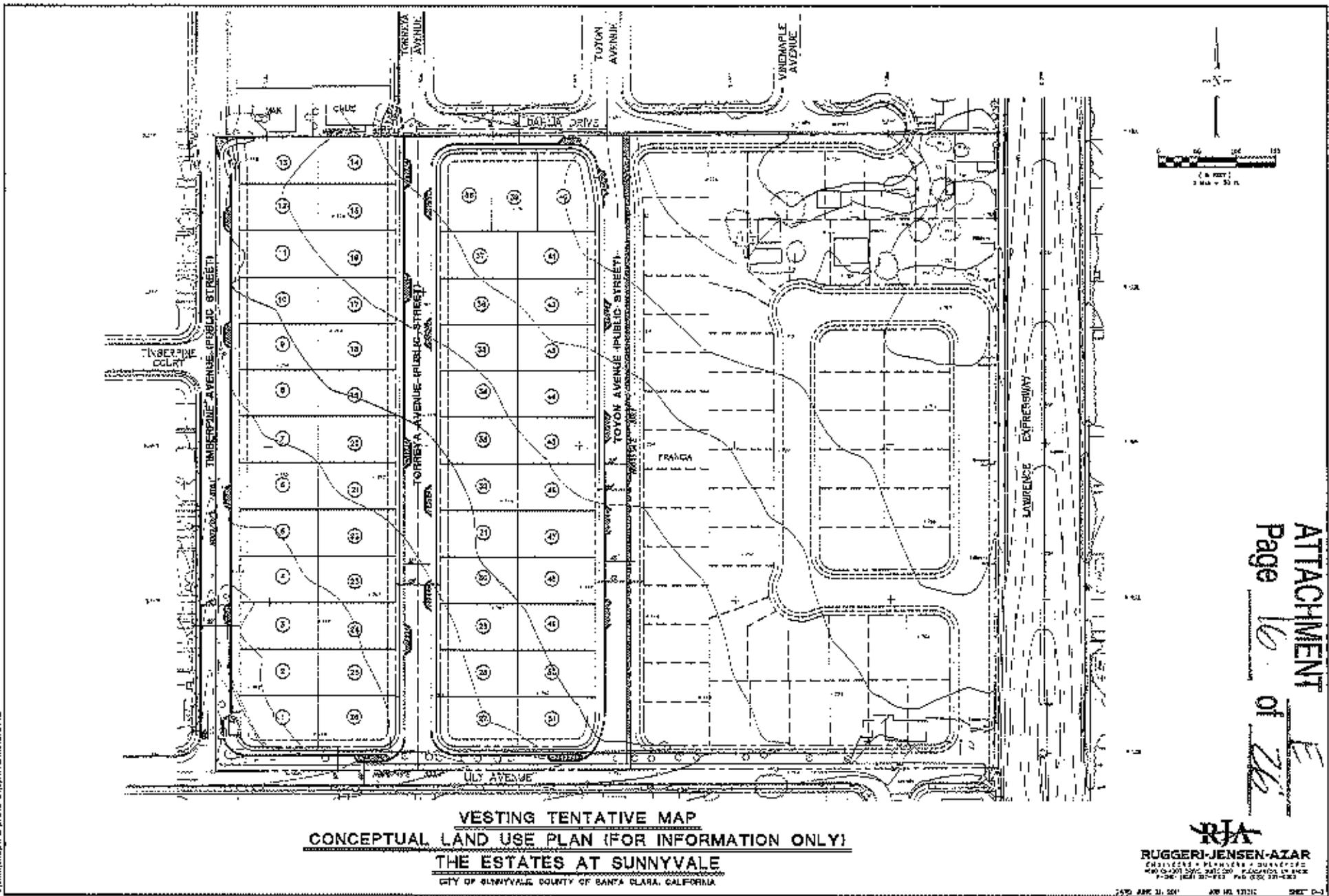
NOTE:
 1. THE PROPOSED 10 FOOT SETBACK FOR PHONE TELEPHONE AND CABLE FACILITIES. THE CITY HAS AN ORDINANCE REGULATING THESE BY THE PLAN.



VESTING TENTATIVE MAP
PRELIMINARY SITE PLAN
THE ESTATES AT SUNNYVALE
 CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

RUGGERI
 ENGINEERS
 1000 WEST 10TH ST.
 SUNNYVALE, CA 94086
 LICENSED CIVIL ENGINEER
 NO. 40874

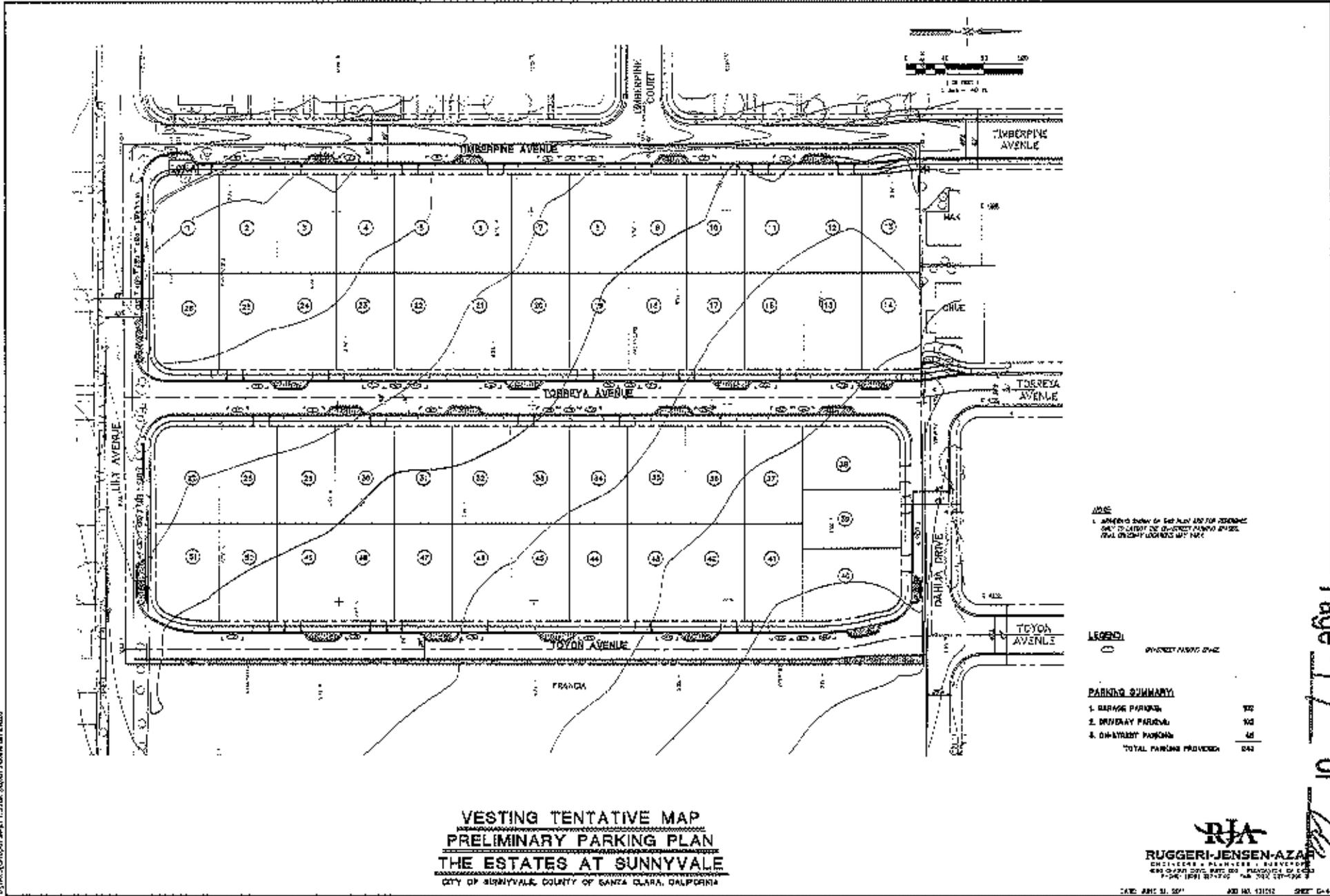
ATTACHMENT
 Page 15 of 26
 E



ATTACHMENT E
 Page 16 of 21

RJA
RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS & ARCHITECTS
 4000 N. 1ST ST., SUITE 200, FLORENCE, CA 95021
 PHONE: (925) 371-1122 FAX: (925) 371-4283

PRINTED ON 100% RECYCLED PAPER WITH SOY INK



VESTING TENTATIVE MAP
PRELIMINARY PARKING PLAN
THE ESTATES AT SUNNYVALE
 CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

1. SHOWN BELOW THE LOT PLAN AND FOR ZONING
 ONLY TO CARRY THE QUANTIFIED PARKING SPACES.
 FINAL ON-SITE LOCATIONS MAY VARY.

LEGEND:

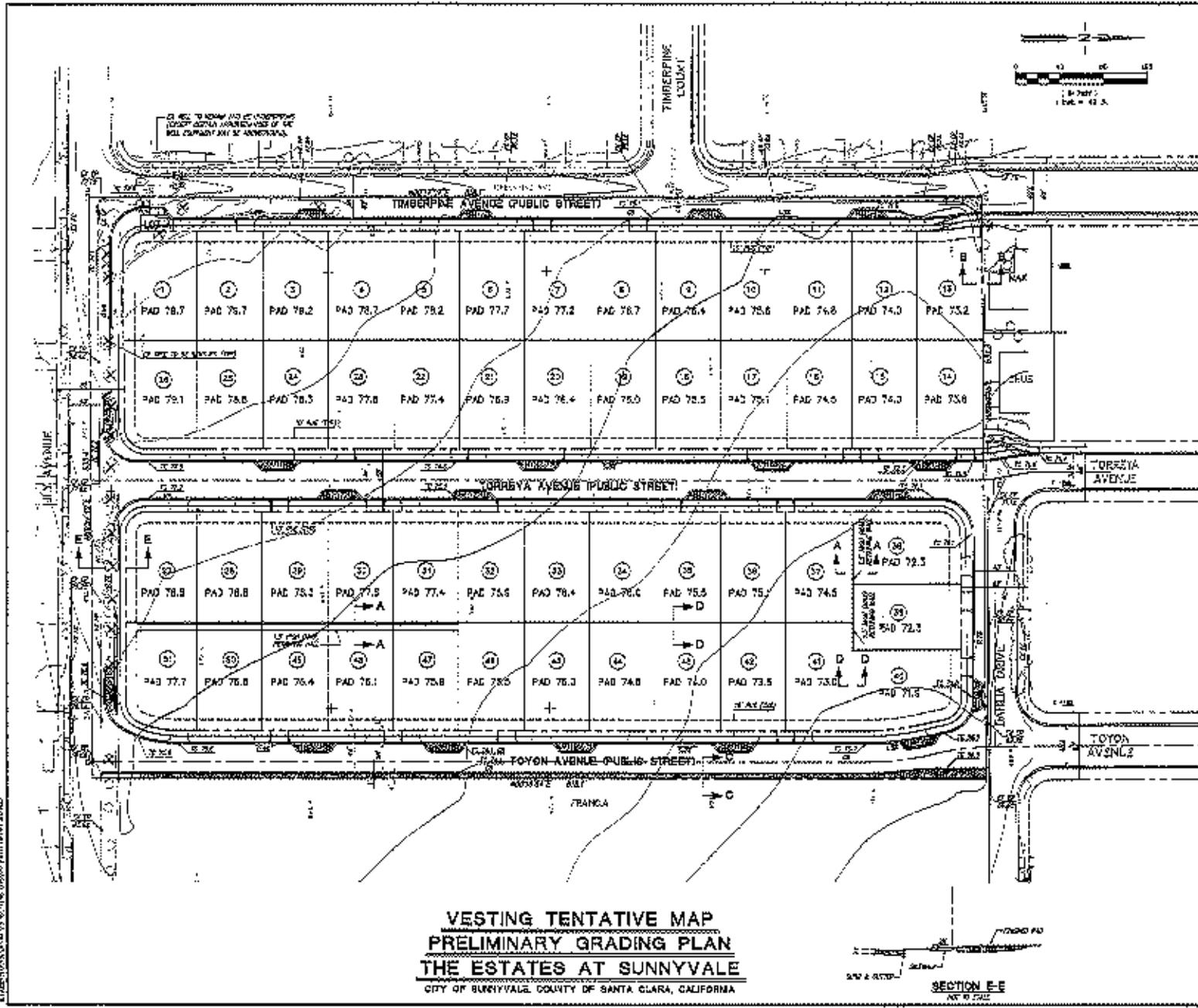
 DRIVEWAY PARKING SPACE

PARKING SUMMARY

1. DRIVEWAY PARKING	100
2. DRIVEWAY PARKING	100
3. ON-STREET PARKING	48
TOTAL PARKING PROVIDED	248

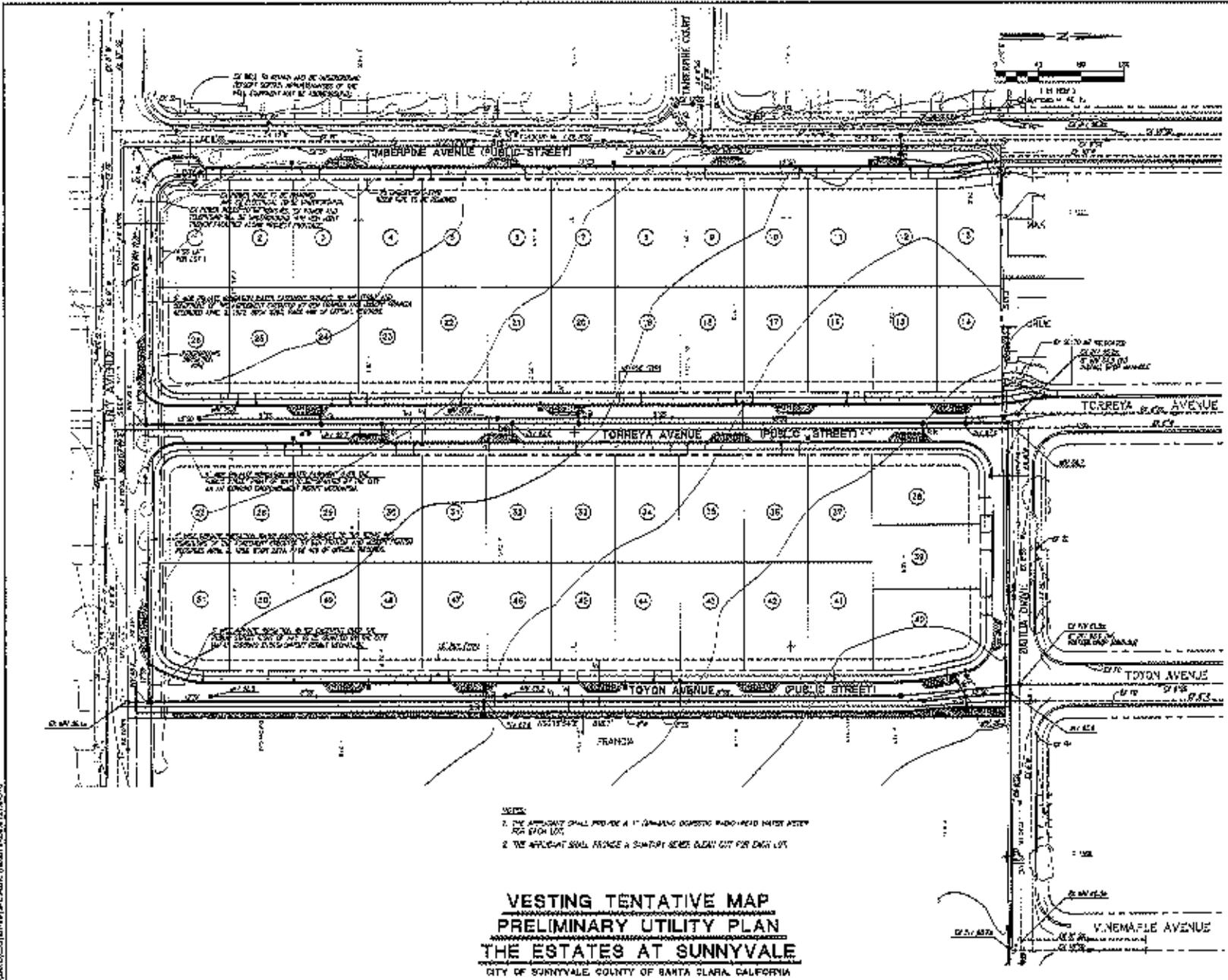


RUGGERI-JENSEN-AZA
 ENGINEERS & ARCHITECTS - REGISTERED
 480 QUINN DRIVE, SUITE 200, PALO ALTO, CALIFORNIA 94301
 PHONE: (650) 951-7200 FAX: (650) 951-7202



**VESTING TENTATIVE MAP
PRELIMINARY GRADING PLAN
THE ESTATES AT SUNNYVALE**
CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

ATTACHMENT **E**
Page 18 of 216



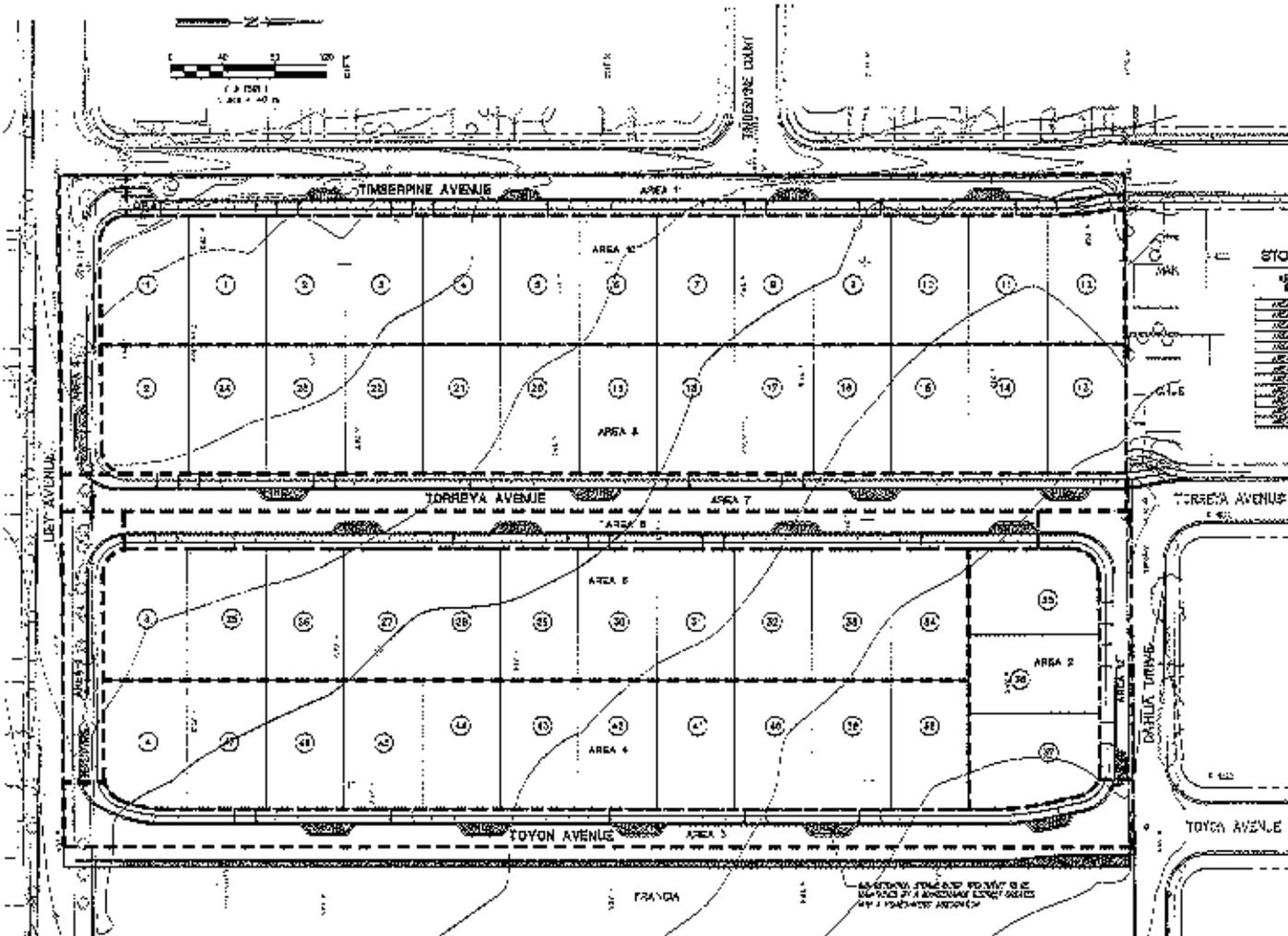
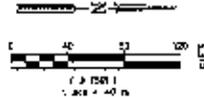
NO.	DESCRIPTION	DATE
1	PRELIMINARY UTILITY PLAN	7/18/2017
2	REVISION	7/18/2017
3	REVISION	7/18/2017
4	REVISION	7/18/2017
5	REVISION	7/18/2017
6	REVISION	7/18/2017
7	REVISION	7/18/2017
8	REVISION	7/18/2017
9	REVISION	7/18/2017
10	REVISION	7/18/2017
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48	REVISION	7/18/2017
49	REVISION	7/18/2017
50	REVISION	7/18/2017

- NOTES:
1. THE APPLICANT SHALL PROVIDE A 1" GRADING EXISTING PAVED ROAD IMPROVEMENT FOR EACH LOT.
 2. THE APPLICANT SHALL PROVIDE A SUMP/STREET CLEAN CUT FOR EACH LOT.

VESTING TENTATIVE MAP
PRELIMINARY UTILITY PLAN
THE ESTATES AT SUNNYVALE
 CITY OF SUNNYVALE COUNTY OF SANTA CLARA, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • ARCHITECTS
 1000 AVENUE 86 • SUITE 200 • SAN JOSE, CALIFORNIA 95128
 PH: (408) 293-1100 FAX: (408) 293-1101
 WWW: WWW.RJA.COM

ATTACHMENT
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STORM WATER TREATMENT CALCULATIONS

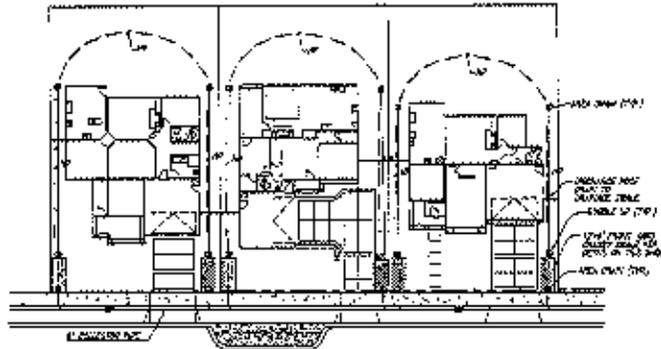
AREA	SURFACE	IMPERVIOUS AREA (SF)	IMP. LOSS	SEMG. FACTOR	REVISED SURFACE AREA	SURFACE AREA AS DEVELOPED
AREA 1	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 2	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 3	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 4	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 5	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 6	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 7	ASPH	2,250	0.00	0.85	1,913	2,250
AREA 8	ASPH	2,250	0.00	0.85	1,913	2,250
TOTAL		18,000	0.00	0.85	15,300	18,000

1. THE ABOVE CALCULATIONS ARE BASED ON THE SANTA CLARA VALLEY OF GOVERNMENT MAINTENANCE AND ARE FOLLOWING CUSTOMER'S REQUIREMENTS.
2. THE PERCENTAGE IMPERVIOUS SURFACE OF THE DEVELOPMENT SHALL BE 100% FOR THE PURPOSES OF THIS PLAN AND IS NOT TO EXCEED 100% OF THE TOTAL AREA.
3. THE PERCENTAGE IMPERVIOUS SURFACE OF THE DEVELOPMENT SHALL BE 100% FOR THE PURPOSES OF THIS PLAN AND IS NOT TO EXCEED 100% OF THE TOTAL AREA.
4. THE PERCENTAGE IMPERVIOUS SURFACE OF THE DEVELOPMENT SHALL BE 100% FOR THE PURPOSES OF THIS PLAN AND IS NOT TO EXCEED 100% OF THE TOTAL AREA.

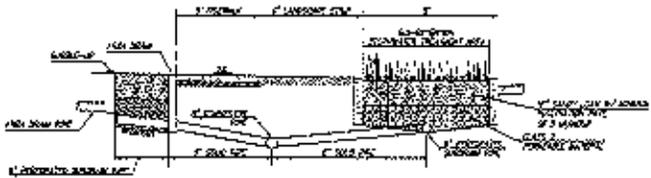
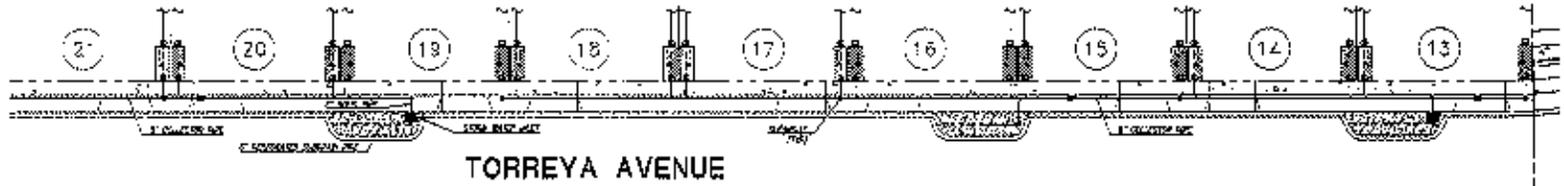
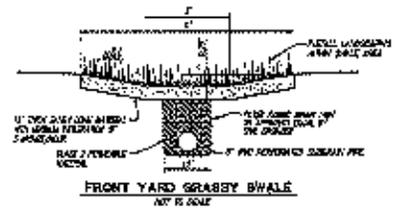
VESTING TENTATIVE MAP
PRELIMINARY STORMWATER TREATMENT PLAN
THE ESTATES AT SUNNYVALE
 CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS & ARCHITECTS
 4000 CHASE DRIVE, SUITE 200, FOLSOM, CA 95630
 PHONE: (916) 439-1100 FAX: (916) 439-1101

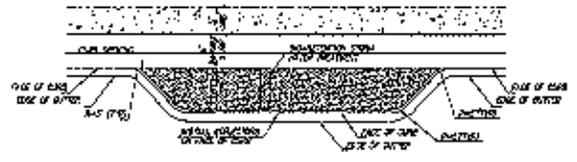
ATTACHMENT
 Page 20 of 26



TYPICAL LOT DRAINAGE
NOT TO SCALE



TYPICAL STORM WATER TREATMENT DETAIL
NOT TO SCALE

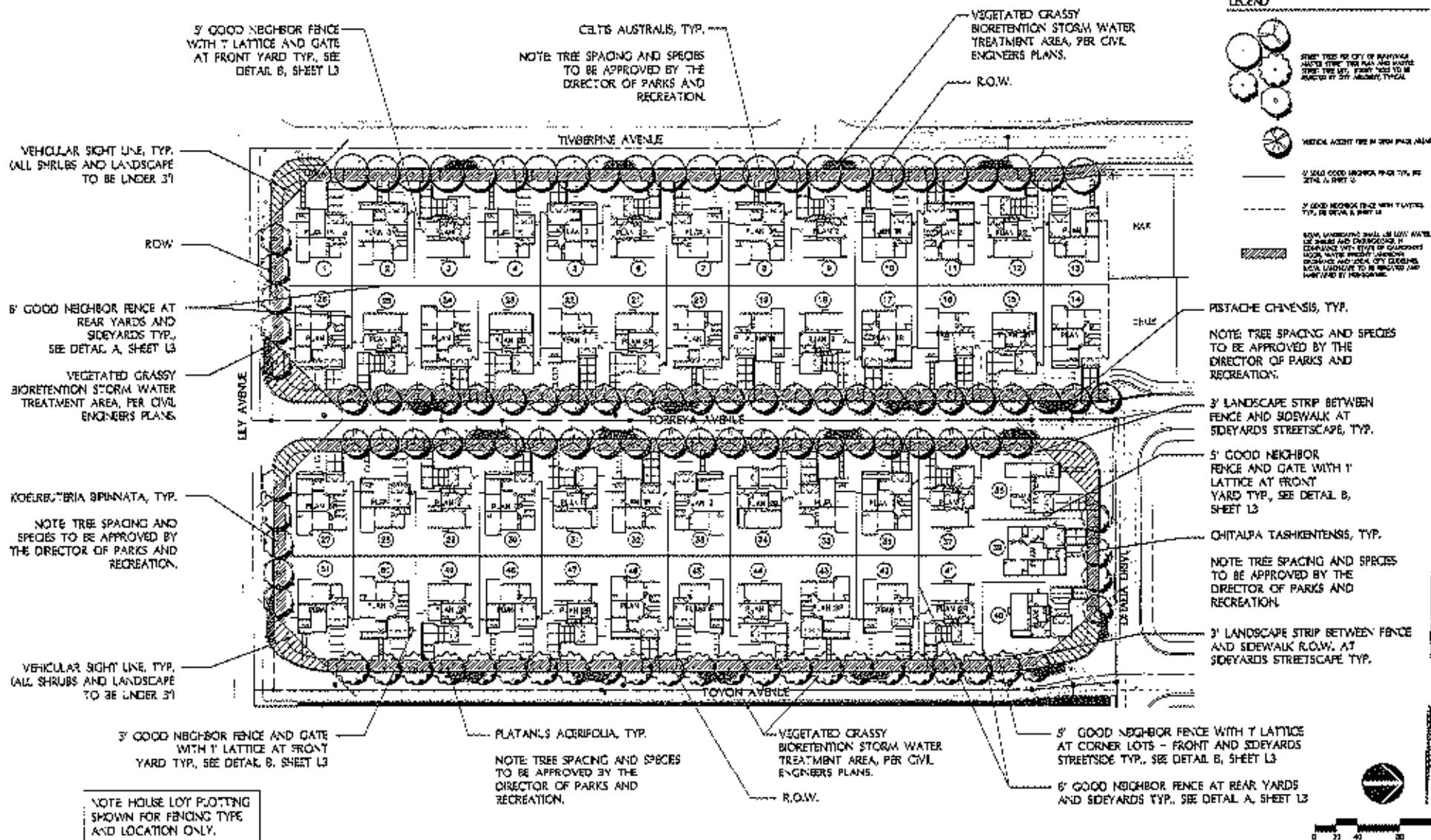


BIO-RETENTION AREA DETAIL
NOT TO SCALE

VESTING TENTATIVE MAP
PRELIMINARY STORM WATER TREATMENT DETAILS
THE ESTATES AT SUNNYVALE
CITY OF SUNNYVALE, COUNTY OF SANTA CLARA, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS, ARCHITECTS & PLANNERS
4000 SANDHILL AVENUE, SUITE 100, SAN JOSE, CA 95128
TEL: (415) 321-4100 FAX: (415) 321-4100

ATTACHMENT
Page 01 of 110



VAN DORN ABED
LANDSCAPE ARCHITECTS, P.C.
14 44TH ST., SAN FRANCISCO, CA
415 778 3444 FAX 415 778 3444



ESTATES AT SUNNYVALE
SUNNYVALE, CALIFORNIA

R.O.W. LANDSCAPING AND FENCING PLAN
SCALE: 1" = 40'-0"
DATE: 4/22/2011

L1

PLANTING AND IRRIGATION PLANS SHALL INDICATE THE INTENT OF THE ABOVE SPECIFIC LANDSCAPING OBJECTIVES.

PLANTING AND IRRIGATION PLANS SHALL INDICATE THE INTENT OF THE ABOVE SPECIFIC LANDSCAPING OBJECTIVES.

THE PLANTING DESIGN REPRESENTS PERMISSIBLE PLANTING IN THE TYPICAL FRONT YARD OVERSEEN.

SELECTED TREES HAVE BEEN CHOSEN TO PROVIDE A SHADENING OF FEDERAL, STATE, COUNTY, AND MUNICIPAL. THE LOCATION AND IDENTIFICATION HAS BEEN PROVIDED FOR MAJOR ANNUAL DIRECT AND MAJOR SEASONAL SHADENING.

VEGETATED RAISED AND BIODEGRADABLE STORMWATER TREATMENT AREAS WILL BE PLANTED WITH APPROPRIATE PLANTING PER CIVIL ENGINEERS PLANS. PER CIVIL ENGINEERS PLANS, PER CIVIL ENGINEERS PLANS.

THE PLANTING DESIGN REPRESENTS PERMISSIBLE PLANTING IN THE TYPICAL FRONT YARD OVERSEEN.

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THE PLANTING DESIGN REPRESENTS PERMISSIBLE PLANTING IN THE TYPICAL FRONT YARD OVERSEEN.

IRRIGATION DESIGN INTENT STATEMENT

THE IRRIGATION DESIGN INTENT STATEMENT SHALL BE PROVIDED TO THE CLIENT AND SHALL BE SUBJECT TO THE APPROVAL OF THE CLIENT AND THE CITY OF SAN JOSE.

ALL IRRIGATION SHALL BE DESIGNED WITH A MAXIMUM OF 1.5 GPM PER 1000 SQ FT OF IRRIGATED AREA.

ALL IRRIGATION SHALL BE DESIGNED WITH A MAXIMUM OF 1.5 GPM PER 1000 SQ FT OF IRRIGATED AREA.

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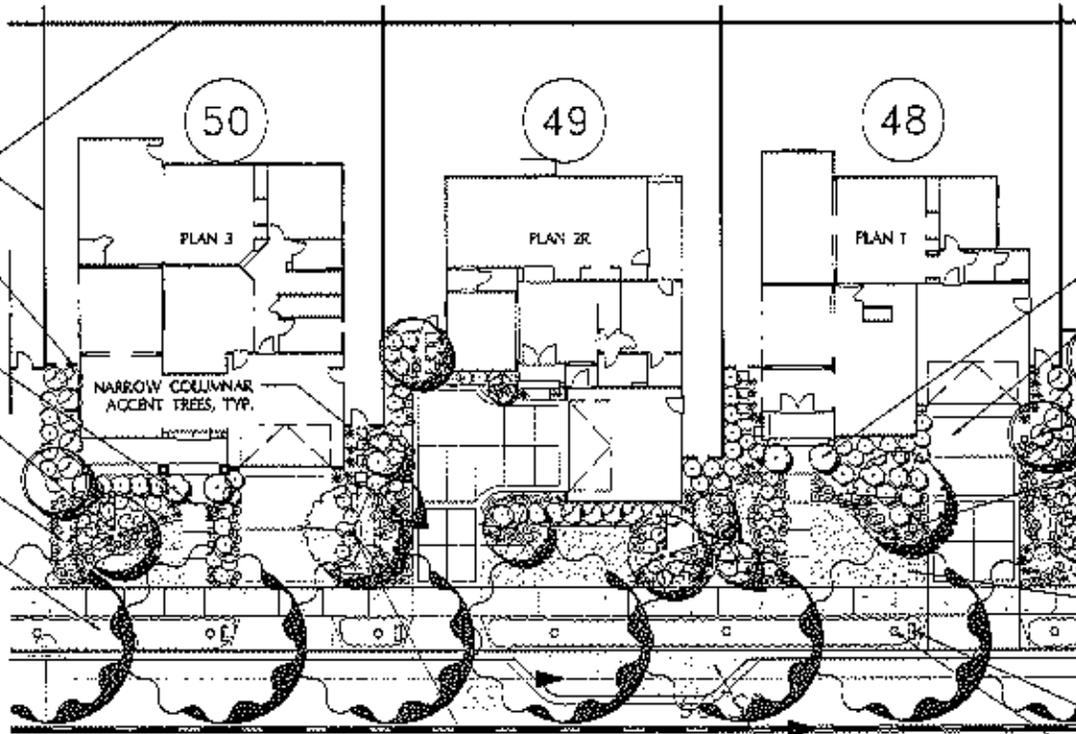
ALL IRRIGATION SHALL BE DESIGNED WITH A MAXIMUM OF 1.5 GPM PER 1000 SQ FT OF IRRIGATED AREA.

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ALL IRRIGATION SHALL BE DESIGNED WITH A MAXIMUM OF 1.5 GPM PER 1000 SQ FT OF IRRIGATED AREA.



6' GOOD NEIGHBOR FENCE AT REAR AND INTERIOR SIDE YARDS TYP., SEE DETAIL A, SHEET L3

5' GOOD NEIGHBOR FENCE AND GATE WITH 2" LATTICE AT FRONT YARD TYP., SEE DETAIL B, SHEET L3

CONCRETE ENTRY WALKS, TYP. SEE DETAIL E, SHEET L3

MULTI-TRUNK FRONTYARD ACCENT TREE, TYP.

VEGETATED GRASSY BIOSWALE PER CIVIL ENGINEERS PLANS, TYP.

PARKWAY STRIP WITH STREET TREES & LOW SHRUBS & GROUND COVERS, TYP.

NARROW COLUMNAR ACCENT TREES, TYP.

FRONTYARD CANOPY TREE, TYP.

VEGETATED GRASSY BIODEGRADABLE STORM WATER TREATMENT AREA, PER CIVIL ENGINEERS PLANS.

FLOWERING STANDARDIZED SHRUBS AT ENTRIES

DECORATIVE, SCORED CONCRETE DRIVEWAYS, TYP. SEE DETAILS D & F, SHEET L3

SIDEYARD SCREEN TREE, TYP.

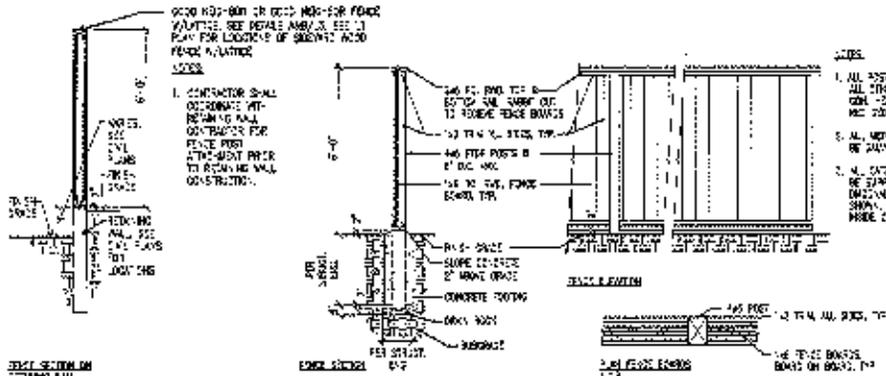
LAYERED MASSINGS OF LOW WATER-USE ORNAMENTAL SHRUBS AND GROUNDCOVERS AT FRONT YARD LANDSCAPING, TYPICAL

SCOOPED TURF AREAS PER MAXIMUM ALLOWABLE PER STATE MODEL EFFICIENT LANDSCAPE ORDINANCE REQUIREMENTS, TYP.

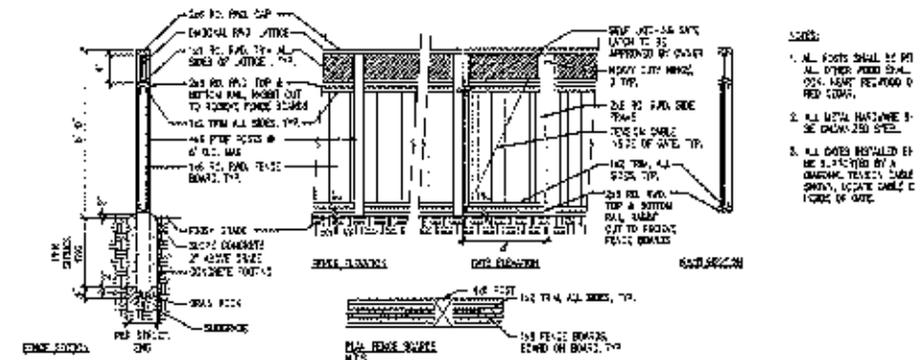
METAL MAILBOX, TYP. SEE DETAIL C, SHEET L3

SEE SHEET L1 FOR STREET TREES

NOTE: TREE SPACING AND SPECIES TO BE APPROVED BY THE DIRECTOR OF PARKS AND RECREATION.



A 6' GOOD NEIGHBOR FENCE

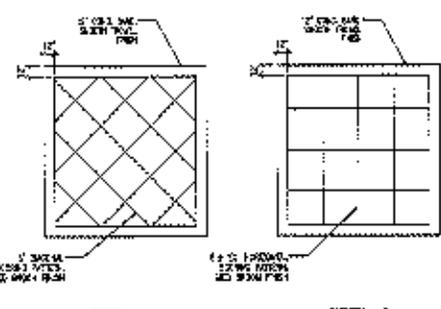


B 6' GOOD NEIGHBOR FENCE & GATE W/ 1' LATTICE

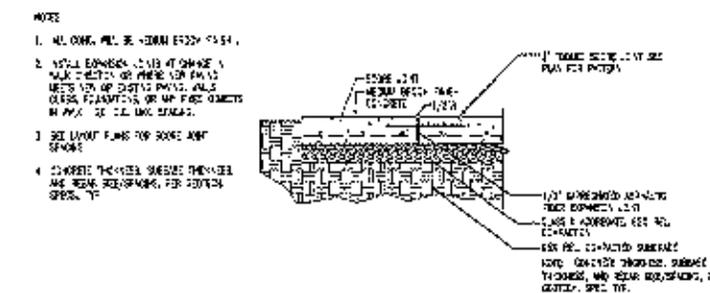


- NOTES:**
1. MAIL BOX:
GOM Mailbox Company -
Hampton, Estates Model or
Equivalent.
 2. COLOR TO BE SELECTED BY
OWNER.
 3. Available online at
Korek@boxes.com
(800) 579-0481 or email: c:
service@korekboxes.com

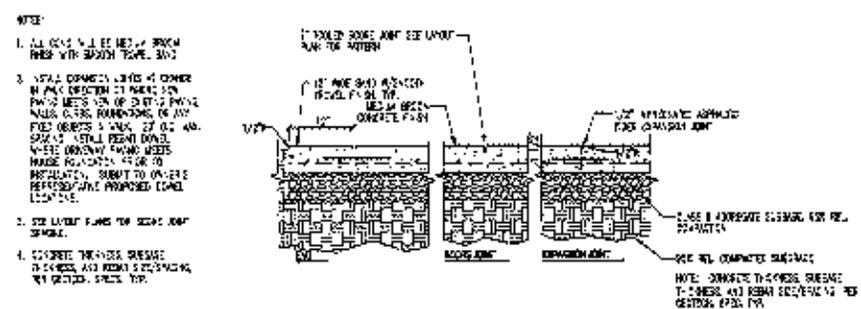
C METAL MAILBOX



D SCORED CONCRETE PAVING PATTERNS



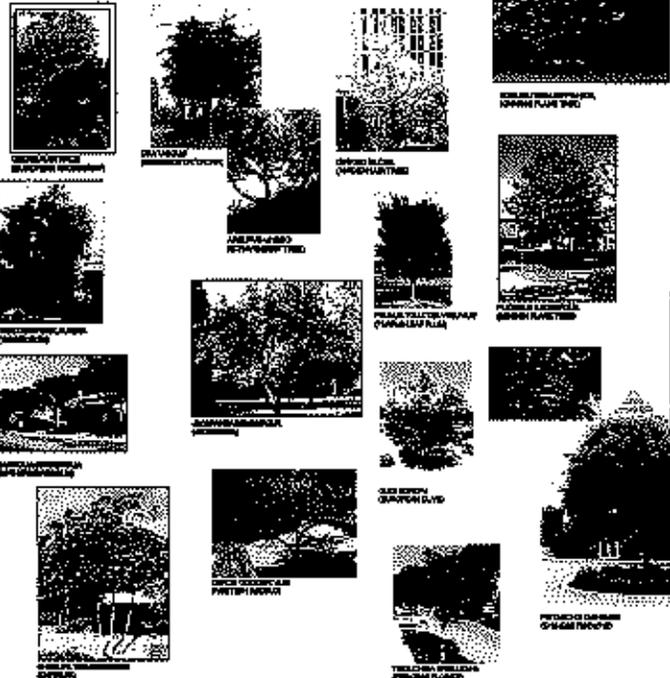
E CONCRETE ENTRY WALKS



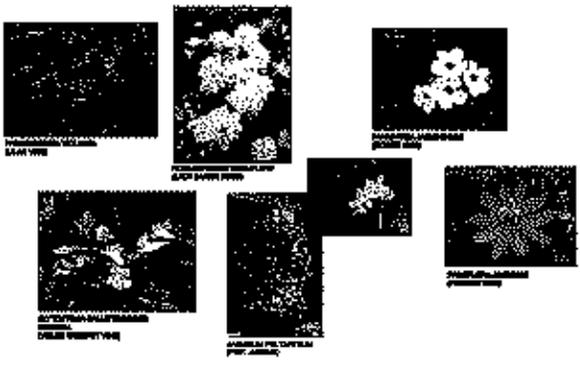
F DECORATIVE SCORED CONCRETE DRIVEWAYS

ATTACHMENT
Page 24 of 26

TREES



VINES



SHRUBS



GROUNDCOVERS



ATTACHMENT
Page 26 of 102
E

PLANNING COMMISSION MINUTES OF JULY 25, 2011

FILE #: 2010-7672
Location: 700 Timberpine Ave. (APN: 213-12-002)
Proposed Project: Special Development Permit and Vesting Tentative Map to allow 51 new single family homes.
Applicant / Owner: Toll Brothers / Josephine Angelo Trustee
Environmental Review: Mitigated Negative Declaration
Staff Contact: Steve Lynch, 408-730-2723
slynch@ci.sunnyvale.ca.us
Notes: *Continued from July 11, 2011*

Steve Lynch, Senior Planner, presented the staff report. Mr. Lynch said three revised conditions of approval were provided on the dais this evening.

Comm. Chang referred to Attachment B, condition TM-3 and discussed with staff the underground irrigation pipes located in the side yards of four homes. Staff said the homeowners of the four homes affected will have to work with the developer on what they want to do with the pipes when the eastern 10 acres no longer need the pipes.

Comm. Sulser discussed with staff the 1952 water agreements and the stormwater maintenance agreement for this site. Staff said this a unique situation, the City will not be paying to provide stormwater treatment, as the homeowners maintenance district would be responsible. **Trudi Ryan**, Planning Officer, noted that the City's position not to maintain the stormwater treatment is in the Sunnyvale Municipal Code that says any new areas have to be maintained by the owners. Comm. Sulser discussed with staff that potential home buyers would select their floor plan, with the applicant monitoring the selections to make sure there is variety in the home styles and colors. Comm. Sulser confirmed with staff that there are no planned changes for the proposed site as a result of the Lawrence Station Area Plan.

Vice Chair Larsson discussed with staff the well and noise from the underground equipment. Staff said the pump would need to meet the City noise standards. Vice Chair Larsson discussed with staff the noise barrier with staff confirming that the Commission could modify the related condition if they are concerned about the wall being made of masonry.

Comm. Dohadwala discussed with staff the building height and bulk, and whether staff had concerns about these items in regards to the home designs.

Chair Hendricks discussed with staff the installation of private landscaping, pads for the homes, and the phasing of building the homes. Chair Hendricks discussed with staff the well, who owns the well, and the location of the well and the pipes. Mr. Lynch said the well is maintained by the property owner who draws the water from it and when the water is no longer needed the remnant parcel where it is located will go to the City.

Vice Chair Larsson asked staff about the well and how do we determine when it is no longer needed. **Kathryn Berry**, Senior Assistant City Attorney, said that the Santa Clara Valley Water

District (SCVWD) maps and monitors all the agricultural wells because they are deep and are conduits for contamination. She said if a well has not been used for a year, the SCVWD would be in touch to make sure the well is properly closed and capped. She said currently the well is being used for agriculture.

Chair Hendricks opened the public hearing.

Rick Nelson, Division President with Toll Brothers, the applicant, and **Dan Hale**, project architect with Hunt Hale Jones Architects, discussed the project. Mr. Nelson provided an introduction about Toll Brothers and discussed background information on the project. He said the proposed project conforms to the zoning and they are requesting no variances. Mr. Nelson discussed related issues to the project, including the existing irrigation system for the property to the east of the project, the well and the pump. He confirmed that when the well is no longer needed that the land where the well is located would be conveyed to the City. Mr. Nelson discussed the stormwater drainage and that it would be paid for by a maintenance district. Mr. Hale discussed the project architecture and said they are providing a variety of homes that complement and fit in the existing community. He discussed the specifics of the three home designs being offered which are Spanish, European and Traditional styles.

Comm. Sulser asked the applicant how they plan to guarantee variety in the street scape if home buyers all request the same style. Mr. Nelson said they have done this in other communities by using look-a-like restrictions providing an explanation of options.

Vice Chair Larsson asked about the color palates with Mr. Hale providing explanation that there would be three different color schemes offered for each style of home. Vice Chair Larsson asked about the noise barriers with Mr. Nelson confirming that it would be acceptable to Toll Brothers if the conditions required the barrier be made of enhanced wood.

Chair Hendricks discussed with Mr. Nelson the setbacks, that there are no deviations being requested, and the construction phasing plans.

Comm. Chang discussed with Mr. Nelson that there is no fence planned for Toyon and that the owner of adjacent eastern lot will probably continue to operate the agricultural use in the same fashion as it is currently being operated.

Judy Steward, a Sunnyvale resident, spoke in support of the proposal, saying she likes the project and is glad it is for single-family homes. Comm. Chang asked about the noise from the nearby farming equipment, with Ms. Steward saying she likes the tractor sounds.

Ray Crump, a Sunnyvale resident, spoke in support of the project, and discussed his experience with residential development. He said he thinks this is a great project for Sunnyvale and that Sunnyvale has not had this kind of product available in a long time. He said he is glad to see the well situation worked out.

Jonathan van Clute, a Sunnyvale resident, expressed concerns about the project. He said he likes the open space, the skyline will be lost, and there is a flock of Canadian geese that may be affected. He said his biggest concern is increased traffic on Toyon Ave. He said he is relieved that the homes are single-family homes.

Barb Hamel, a Sunnyvale resident, said she thought these were going to be single-story homes and that she is concerned about no longer being able to see the hills. She said she is also concerned about the increased traffic and speeding, and about pesticide exposure during construction. She said she would like to see this addressed.

Mr. Nelson responded to the pesticide question and said the site assessment soil testing showed all the samples below residential standard requirements.

Chair Hendricks closed the public hearing.

Vice Chair Larsson discussed with staff traffic concerns, City programs for traffic calming, and the process for a neighborhood to request traffic assistance from the City.

Comm. Dohadwala discussed with staff traffic concerns, cul-de-sacs, street calming measures, and that the Transportation and Traffic Division helps determine the least impact on residents when determining the location of streets.

Comm. Chang moved for Alternative 1, to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions. Comm. Sulser seconded.

Comm. Chang thanked applicant for working with staff, and for providing this type of product. He said the applicant addressed the issues and concerns and he is looking forward to a great project.

Comm. Sulser said he would be supporting the motion and that the different architectural styles and floor plans presented will result in a nice final product.

Vice Chair Larsson offered a Friendly Amendment regarding the noise barriers changing condition BP-15.1 to say that the wall shall be made of enhanced wood. Ms. Ryan asked the maker of the motion if the revised conditions provided on the dais this evening were the conditions approved and included in the motion. The maker of the motion said yes. The Friendly Amendment and the revised conditions provided on the dais were acceptable to the maker and seconder of motion.

Vice Chair Larsson said he would be supporting the motion.

Chair Hendricks said he would be supporting the motion, that he thinks this is a great product and that the solution for the well is a good addition. He said he is glad they provided a project with no deviations.

ACTION: Comm. Chang made a motion on 2010-7672 to adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with the revised conditions as recommended by staff, and modifying condition BP.15.1, that the wall shall be made of enhanced wood. Comm. Sulser seconded. Motion carried 7-0.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than August 9, 2011.

FILE #: 2010-7672

Location: 700 Timberpine Ave. (APN: 213-12-002)

Proposed Project: Special Development Permit and Vesting Tentative Map to allow 51 new single family homes.

Applicant / Owner: Toll Brothers / Josephine Angelo Trustee

Environmental Review: Mitigated Negative Declaration

Staff Contact: Steve Lynch, 408-730-2723

slynch@ci.sunnyvale.ca.us

Notes: Continued from July 11, 2011

This is an appeal of the above project and its environmental review by Ben Francia, co-owner of an agricultural well on the subject property and remaining farmer of the Corn Palace property.

By agreement in 1952, recorded at County of Santa Clara Official Records, Book 2393, Page 469, Ben Francia holds one half interest in the well and pumping plant located on the subject property, serving his property with an irrigation line extending along the southerly boundary of subject property to his 10 acre parcel. The subject property of 10 acres was operated agriculturally by Ben Francia's brother Joe until his death, with the property then being transferred to a trust.

The application of Toll Bros. and Josephine Angelo, Trustee, did not include consent by Ben Francia who holds the above described legal interest in the property. Nor did he receive appropriate notice of the hearing of July 25, 2011.

This appeal is based on:

1. Failure to include a record owner on the application for development.
2. Failure of notice and opportunity to be heard at the Planning Commission.
3. Failure to analyze in the mitigated negative declaration the impact on preserving Ben Francia farming operation and loss of an historical agricultural use of subject property.
4. Placement of lots of residential subdivision over the private irrigation line of Ben Francia, preventing use and maintenance.
5. Isolation or removal of well serving his property thus adversely affecting the continued agricultural use.
6. Failure to analyze reasonable alternatives to the project and preserving the rights of Ben Francia to use of water from the well.

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-0/PD	Same	R-0/PD
Lot Size (s.f.)	435,600	308,000 net after street dedications. Lots are 6,000 min. up to a maximum of 7,300	6,000 min.
Gross Floor Area (s.f.)	N/A	3,387-3,508 per lot	2,700 w/out PC hearing
Lot Coverage (%)	N/A	30-38%	40% max.
Floor Area Ratio (FAR)	N/A	56%-58%	No max.
No. of Units	0	51	52 max.
Density (units/net acre)	N/A	7	7 acre max.
Meets 75% min?	N/A	Yes	38 min. based on net lot area
Bedrooms/Unit	N/A	5	N/A
Unit Sizes (s.f.) (including garage)	N/A	3,387-3,508	N/A
Building Height (ft.)	N/A	29' 9"	30' max.
No. of Stories	N/A	2	2 max.
Setbacks (First /Second Facing Property)			
Front	N/A	20' average 25' average	20' min. 25' min.
Left Side	N/A	5' 5" / 7'	4' / 7' min.
Right Side	N/A	5' 5" / 7'	4' / 7' min.
Rear	N/A	20'	20' min.
Landscaping (sq. ft.)			

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Total Landscaping	N/A	3,000 per lot	N/A
Water Conserving Plants (%)	N/A	70%	70%
Parking			
Total Spaces	N/A	4	4 min.
Covered Spaces	N/A	2 per lot	2 min. per lot
Stormwater			
Impervious Surface Area (s.f.)	435,600	222,284	No Max.
Impervious Surface (%)	100%	51%	No Max.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.