

**Council Meeting: April 24, 2012**

SUBJECT: **2011-7829 - Silicon Valley Builders, Inc:** Application on a 0.4 acre site at 411 and 425 North Fair Oaks and 599 East Taylor Avenue in an R-3 (Medium Density Residential) Zoning District. (APNs: 204-38-046 and 204-38-047).

Introduction of an Ordinance Rezoning from R-3 to R-3/PD;

Motion Special Development Permit to allow the development of eight townhomes; and

Motion Vesting Tentative Map for eight townhouse lots and one common lot.

REPORT IN BRIEF:

Existing Site Conditions One single family home and one duplex on two properties

Surrounding Land Uses

North	Apartments
South	Retail center across E. Taylor Avenue
East	Apartments across N. Fair Oaks Avenue
West	Condominiums (Taylor Gardens)

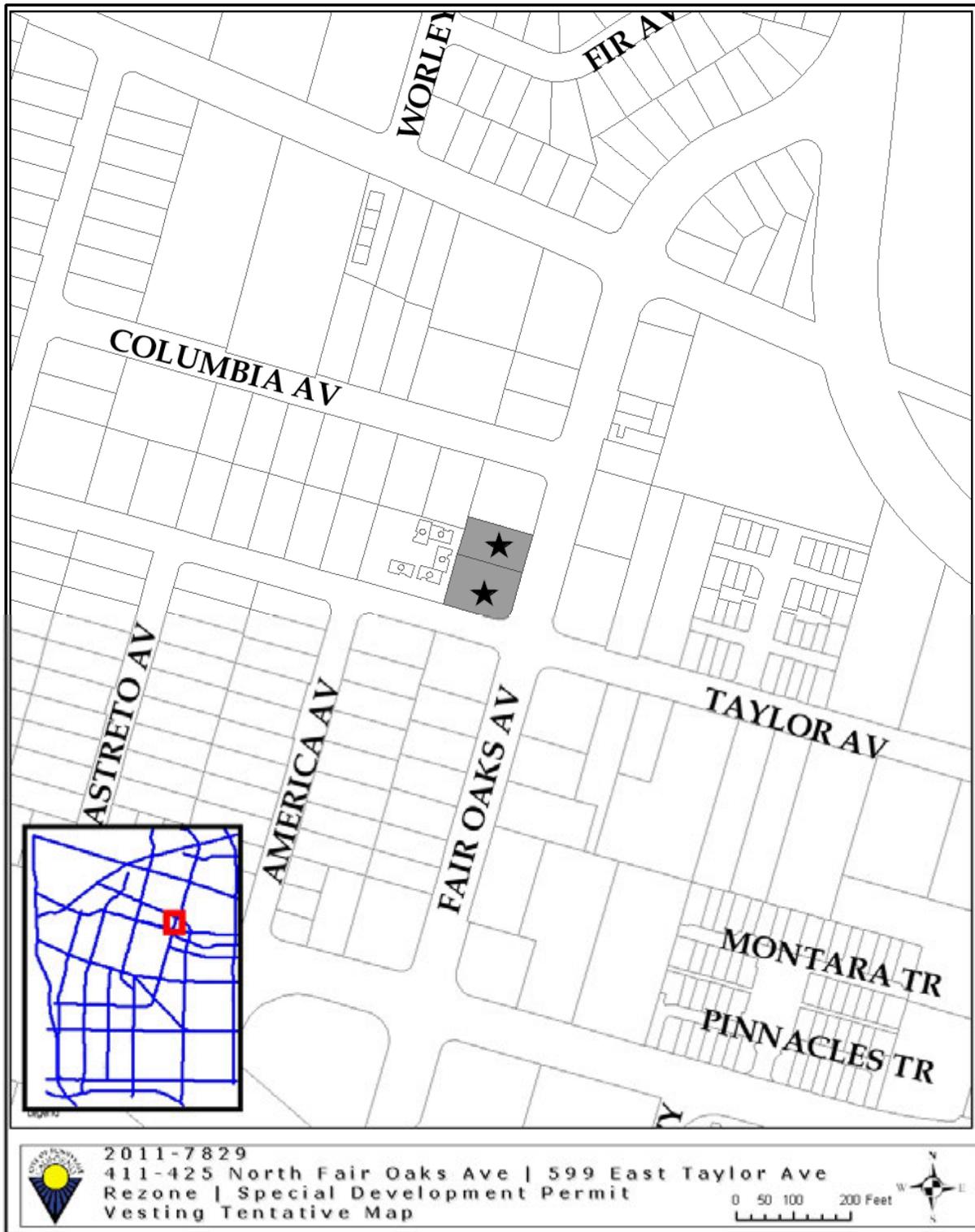
Issues Amount of open space and noise impacts on that space

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

Planning Commission Recommendation Approve with modified conditions for tree protection and parking restrictions in trash cart area.

Staff Recommendation Approve the project in accordance with Planning Commission recommendation.

VICINITY MAP



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Medium Density	Same	Residential Medium Density
Zoning District	R-3	R-3/PD	With Rezone
Lot Size (s.f.)	17,642	Same	941-1,124 permitted with SDP
Gross Floor Area (s.f.)		18,584	No max.
Lot Coverage (%)		33.8	40 max.
Floor Area Ratio (FAR)		105%	No max.
No. of Units	3	8	10 max.
Density (units/acre)	7 du/ac	20 du/ac	24 du/ac max.
Meets 75% min?	No	Yes	by Housing Policy
Bedrooms/Unit	N/A	4	N/A
Unit Sizes (s.f.)	N/A	2,294	N/A
Lockable Storage/Unit	N/A	Located in garage	Permitted for garages meeting minimum area requirements
Number of Buildings On-Site	2	2	N/A
Distance Between Buildings (ft.)	N/A	26	26 min.
Building Height (ft.)	N/A	35	35 max. for townhomes
No. of Stories	1	3	3 max.
Setbacks (Facing Property) ft.			
Front (Taylor Avenue)	N/A	15 min. 19.8 avg.	15 min. 20 avg.
Left Side	N/A	12.5	12 min.
Right Side (North Fair Oaks Avenue)	N/A	15 min. 27 combined side	12 min. 15 combined side
Rear	N/A	29.5	20 min.
Landscaping (sq. ft.)			
Total Landscaping	N/A	6,048 (34%)	3,528 (20%) min.
Landscaping/Unit	N/A	755	375 min.
Usable Open Space/Unit	N/A	385	400 min.
Frontage Width (ft.)	N/A	15 ft.	15 ft. min.
Parking Lot Area Shading (%)	N/A	54%	50% min. in 15 years
Water Conserving Plants (%)	N/A	92.6%	70% min.
Parking			
Total Spaces	N/A	22	22 min.
Accessible Spaces	N/A	1	1 min.



	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Covered Spaces	N/A	16	16 min.
Aisle Width (ft.)	N/A	26	24 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

BACKGROUND:

The proposed project includes demolition of several residential structures and construction of eight townhomes in conjunction with site improvements.

Previous Actions on the Site

The following table summarizes previous planning application related to the project site.

File Number	Brief Description	Hearing/ Decision	Date
76-74	Variance from minimum lot width and setback requirements for a lot split in the R-3 Zoning District	Administrative Hearing/ Approved	08/18/1976

Neighborhood Preservation Actions

There are no open cases for the site.

DISCUSSION:

Requested Permits

The applicant proposes to demolish the existing structures and construct eight three-story townhomes. The new units will be grouped into two buildings, with four units in each building.

- **Rezoning**

Change under Consideration: R-3 to R-3/PD.

Discussion of Rezoning: The Planned Development (PD) Combining District request does not change the permitted density of the site but instead is a common tool utilized throughout Sunnyvale for the development of infill and small lot development projects. PD is intended to allow for flexibility in meeting the City's development standards and in some instances to place stricter controls on new development. Below are the City Council Policy Guidelines for approving a PD zoning request that are applicable to this project:

- To allow for a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project.

The proposed density is consistent with the overall density allowed by the General Plan, and is compatible with the densities found within the

neighborhood. Additionally, the project exceeds other development standards, such as total landscaping and provides high quality architecture.

- **Special Development Permit/Use Permit**

A Special Development Permit (SDP) is required for site and architectural review of the proposed townhome development. A SDP may allow deviations from development requirements. The proposed project includes deviations from the following requirements (see discussions below):

- Front yard setback
- Useable open space

- **Vesting Tentative Map**

A Tentative Map is required to allow for 8 townhouse units and one common lot. The purpose of the Vesting Tentative Map is to entitle the project shown on the site plans by displaying the location of lot lines. 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 proposed architectural style has Spanish Eclectic influences with a stucco exterior, tile roof, and wrought iron details. Window accents include decorative treatments such as shutters, iron railings and wooden trellises. The architecture is compatible with recently approved townhomes at 628 E. Taylor Avenue which was also Spanish Eclectic.

Applicable Design Guidelines and Policy Documents

This property is subject to the City-wide Design Guidelines. The purpose of the Guidelines is to achieve a higher design quality and protect and preserve the existing character of the community.

The project architecture is consistent with recently approved townhome developments in the area and has a high degree of detailing with wall projections, molded stucco entry features and well-planned window placement.

Development Standards

The proposed project complies with the applicable Development Standards as set forth in the Sunnyvale Municipal Code. The following items are those in which the applicant is requesting a deviation from the requirements of the code or have been identified as items for clarification by the Planning Commission:

- **Site Layout**

There are two main buildings on the site with a driveway entrance from Taylor Avenue. The building along North Fair Oaks has front entrances

leading from the sidewalk. A 3 ft. stucco wall with wrought iron gates separates the project from Fair Oaks Avenue and provides decorative entry features at the driveway on Taylor Avenue. Open space is located at the rear of the site and in the individual yard areas.

The front yard setback, as measured from the Taylor Avenue property line is 15 ft. for one building and 24.74 ft. for the other building. SMC 19.34.040 allows for properties with two or more units in the R-3 Zone to have a minimum of 15 ft. as long as the average is 20. The project falls just short of that requirement with a 19.8 average.

- **Parking/Circulation**

Each unit provides two covered spaces in an enclosed garage. Six unassigned spaces are available at the end of the driveway, and one of the spaces is accessible.

- **Landscaping and Tree Preservation**

Useable Open Space: The project proposes approximately 2,750 sq. ft. of useable open space between the west property line and the building, and the landscaped areas at the rear of the lot. The amount of open space is 385 sq. ft. /unit, which is below the 400 sq. ft. required minimum area.

Some of the difficulty in providing useable open space is the tension between minimum density, access and parking requirements, and design and setback requirements. This tension is especially apparent on small corner lots such as the subject property.

If the project were to reduce units, it would fall below the 75% minimum density requirement set by the General Plan Housing policy (see Attachment A). The unit sizes generally are consistent for townhomes, with 1,800 sq. ft. of living area with the mandatory 400 sq. ft. garage. City-wide Design Guidelines discourage “walling-off” projects from the street, and encourage visible entryways, which put yard areas in front of units.

Proposed Landscaping: The proposed landscape plan includes 10 Chinese Pistache trees located along North Fair Oaks Avenue and in the common areas. Water-efficient landscaping is proposed throughout. The applicant will coordinate with the Public Works department on the planting of street trees along Taylor Avenue and North Fair Oaks Avenue.

Tree Preservation: An arborist’s report was completed identifying 19 trees of 11 different species. The site currently has only two protected trees that exceed 38 inches in circumference. One tree is an English Walnut, the other is a yucca.

The proposed landscape plan preserves the English Walnut and a smaller Chinese Pistache that is not significantly sized. The yucca is proposed to be removed due to conflicts with the proposed pedestrian walkway along the western property line.

- **Stormwater Management**

The project is subject to stormwater management measures. A swale along western and northern property lines leads to detention basins with biofilters.

- **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 GreenPoint Rated Checklist has been provided and demonstrates that the project is expected to achieve 81 points.

- **Easements and Utilities**

New utilities will be placed underground and easements will be created to provide for ingress/egress, guest parking and other common area uses. New sidewalks are conditioned to be built. The project is providing individual containers for recycling and trash enclosures as a townhouse project with dedicated attached garages. An area along Taylor has been designated for placement of the containers on pick-up days (Attachment D, Trash Plan).

- **Noise**

The project is subject to traffic noise from North Fair Oaks Avenue. An acoustical analysis by Edward L. Pack Associates, Inc. determined that while the interior noise levels would comply with Title 24 standards, the exterior useable open space areas would exceed the 60 dB DNL standard suggested by the City's General Plan Policies for Noise. To mitigate the noise effects, the report recommends a 6- ft. tall noise control barrier 1 ft. behind the front façade of the buildings along Fair Oaks to the North Property line. This wall should wrap around the north property line and continue to terminate at the east property line to control "flanking" noise. This mitigation measure is included in Conditions of Approval BP-16.

Environmental Review

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

FISCAL IMPACT

Transportation Impact Fee: Projects resulting in net new peak hour trips are subject to a transportation impact fee. This fee is estimated at approximately \$3,900 and must be paid prior to issuance of a building permit. The amount may change depending on the fee in place at the time of payment.

Park Dedication Fee: The project is subject to a park dedication in-lieu fee for each net new residential unit. The project was deemed complete on February 1, 2012 and is subject to the park dedication requirement of three acres per one

thousand people. Assuming that the park dedication in-lieu fee is paid during fiscal year 2011-2012, the fee is estimated to be approximately \$81,200 and must be paid prior to recordation of a Final Map. The amount is subject to the fee (based on the value of land) in place at the time of payment.

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

Neighborhood Meeting: A neighborhood meeting was held on Wednesday, March 21st at the Fair Oaks Park Building. Five people attended. The comments were generally positive. A question was asked about the adequacy of street lighting along Taylor Avenue. There are no street lights currently along the north side of Taylor Avenue and no streetlight directly across Taylor Avenue from the project site at the convenience store. Public Works has confirmed that there is no street light planned for that side of Taylor Avenue. Staff is recommending as Condition of Approval BP-16 that a lighting plan be submitted to ensure adequate lighting safety along the Taylor Avenue frontage of the project.

Planning Commission Study Session: Planning Commission reviewed this project at their study session of March 26, 2012. The following comments were given:

- Ensure that the recycling and solid waste plan is in accordance with City guidelines and codes and does not create a safety hazard. *Planning staff has reviewed the plan with the Solid Waste Division and the Transportation and Traffic Division and confirmed the project complies with the code and applicable guidelines and will not create a safety hazard. The plan was further modified to require containers to be placed east of the proposed driveway entrance.*
- Look at additional ways to add detail to the Taylor Avenue frontage and entry features. Also consider the additional use of color to break up the buildings. *The applicant has added a window to the entry facades along Taylor and modified the color scheme.*
- Confirm speed limits along Taylor and Fair Oaks Avenues and ensure that the driveway is positioned safely. *Marked speed limits for that section of Fair Oaks Avenue is 30 mph. The speed limit for Taylor Avenue is 25 mph.*

Planning Commission Hearing: Planning Commission heard this project at their April 9, 2012 meeting. No members of the public spoke. Planning Commission recommended approval of the project with two modified conditions:

- Allow staff to make the “best effort” to preserve the existing English Walnut and Chinese Pistache trees (Condition BP-9).

- Give staff flexibility to determine the best arrangement for parking in the area proposed for trash pickup (Condition BP-26).

Notice of Mitigated 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• 64 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

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Permit. 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. Adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 411, 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue from R-3 to R-3/PD and approve the Special Development Permit and Vesting Tentative Map with attached conditions (per Planning Commission action).
2. "Previous Alternative" with modified conditions.
3. Adopt the Mitigated Negative Declaration and do not introduce an Ordinance to Rezone 411, 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue and deny the Special Development Permit, Use Permit and Vesting Tentative Map).
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1. Adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 411, 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue from R-3 to R-3/PD and approve the Special Development Permit and Vesting Tentative Map with attached conditions (per Planning Commission action).

Reviewed by:

Hanson Hom, Director, Community Development
Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Diana O'Dell, Senior Planner

Approved by:

Gary Luebbers
City Manager

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans
- E. Draft Rezoning Ordinance
- F. Draft Planning Commission Hearing Minutes of April 9, 2012

RECOMMENDED FINDINGS

Rezone

In order to approve a Rezoning request the City Council is required by Zoning Code Section 19.92.050 to make a finding that "the amendment, as proposed, changed, or modified, is deemed to be in the public interest." The proposed Rezoning is consistent with this finding because it is consistent with the proposed General Plan land use designation and density, while also assisting the City in meeting its housing goals by providing five additional ownership units (eight units total).

Special Development Permit

General Plan Goals and Policies: Housing

Policy HE-1.1: *Encourage diversity in the type, size, price and tenure of residential development in Sunnyvale, including single-family homes, townhomes, apartments, mixed-use housing, transit oriented development and live-work housing.*

Policy HE-4.3: *Require new development to build to at least 75% of the maximum zoning density, unless an exception is granted by the City Council.*

Policy HE-6.6: *Encourage use of sustainable and green building design in new and existing housing.*

Land Use and Transportation

Policy LT-3.2: *Encourage the development of ownership housing to maintain a majority of housing in the city for ownership choices.*

Policy LT-4.2: *Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*

Community Character

Policy CC-3.1: *Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project [*Finding Met*].

The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project in that the proposed project provides eight new ownership housing units in compliance with the planned residential density for the area.

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 meets the City-Wide Design Guidelines with high quality architecture and adequate setbacks to be compatible with surrounding development. The construction of this project will further encourage other high-quality development in the area compatible with the Medium Density Residential zoning district.

Vesting Tentative Map

In order to approve the Vesting 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 APRIL 24, 2012

Planning Application 2011-7829

411-425 N. Fair Oaks Avenue, 599 E. Taylor Avenue
Rezone, Special Development Permit and Vesting Tentative Map to allow eight townhomes.

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. PERMIT EXPIRATION:

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

to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. ON-SITE AMENITIES:

Swimming pools, pool equipment structures, play equipment and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors. [COA] [PLANNING]

GC-4. 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 Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]

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

PS-1. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme 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. 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-4. GREEN BUILDINGS:

The project shall comply with green building requirements. A copy of the green building checklist shall be included on a sheet of the building permit plans. [SDR] [PLANNING]

BP-5. 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 prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) PARK IN-LIEU - Pay Park In-lieu fees prior to approval of the Final Map. (SMC 18.10). [SDR] [PLANNING]

BP-6. 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. 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-7. LANDSCAPE PLAN:

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

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Ten percent (10%) 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) Provide a band of decorative paving for the width of the private drive(s) immediately behind the public sidewalk. [COA] [PLANNING]
 - g) No trees are to be planted within 10' of laterals when the City maintains sanitary sewer mains and laterals up to the property line. [COA][PUBLIC WORKS]
- BP-8. LANDSCAPE MAINTENANCE PLAN:
Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-9. TREE PROTECTION PLAN:
Staff shall make the best effort to preserve the English Walnut and Chinese Pistache tree on the site. If the trees can be preserved, the applicant must obtain approval of a tree protection plan prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:
- a) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
 - b) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]
- BP-10. 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-11. 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-12. BEST MANAGEMENT PRACTICES - STORMWATER:

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.

BP-13. CITY STREET TREES:

The landscape plan shall include street trees and shall be submitted for review and approval by the City Arborist prior to issuance of building permit. [COA] [ENGINEERING/CITY ARBORIST]

BP-14. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

A Parking Management Plan is subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) A clear definition of "guest" as proposed by the property manager/homeowner's association and subject to review and approval by the Director of Community Development.
- b) The property manager/homeowner's association may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that the property manager/homeowner's association shall not rent unassigned spaces, except that a nominal fee may be charged for parking management.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV's, trailers, or boats from parking in the development.
- f) Notify potential residents of the number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]

BP-15. NOISE REDUCTION:

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

Mitigation Measure

WHAT: Noise control barriers must be installed at locations specified in the Noise Assessment in compliance with barrier construction details.

WHEN: This mitigation shall be converted into conditions of approval for this Special Development Permit (SDP) prior to its final approval by the City’s Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. These barriers must be shown on the plans for the building permit.

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

HOW: As part of the building permit submittal, the property owner shall submit a letter from Edward L. Pack Associates, Inc. stating that the proposed noise barriers are in compliance with the noise recommendations of the report.

BP-16. EXTERIOR LIGHTING PLAN:

Prior to issuance of a Building Permit submit an exterior lighting plan for the Taylor Avenue frontage, including fixture and pole designs, for review and approval by the Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor (or illumination with an equivalent energy savings).
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building. [COA] [PLANNING]

BP-17. TIMING OF FINAL MAP:

Final map shall be recorded prior to any building permit issuance.

BP-18. SIDEWALKS:

Install new sidewalk, curb, gutter and driveway approaches along the entire project frontage.

BP-19. STREET LIGHT:

Upgrade existing streetlight on Fair Oaks to most current city standard, if necessary.

BP-20. SEWER CAPACITY:

-
- This project site has been identified by the city's preliminary "wastewater collection master plan" to have potential sewer capacity issues on Fair Oaks Avenue, therefore, submit incremental and cumulative sewer impact analysis during plan check process. The applicant shall be responsible for the fair share of any sewer capacity upgrades.
- BP-21. FIRE ACCESS DRIVES:
Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems if applicable.
- BP-22. FIRE PROTECTION PLAN:
Provide a written construction fire protection plan prior to issuance of the building permit. (refer to www.unidocs.org , fire prevention documents).
- BP-23. SANITARY SEWER LATERALS:
If there are sanitary sewer laterals on the site, abandonment procedures must be completed. New sanitary sewer laterals are required for each lot.
- BP-24. DOMESTIC WATER METER:
A domestic master water meter must be provided.
- BP-25. PAVING IN THE PUBLIC RIGHT-OF-WAY:
Decorative paving is not permitted in the public right-of-way.
- BP-26. SOLID WASTE DISPOSAL PLAN:
A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. Staff shall have the flexibility to determine whether parking is allowed in the bin collection area. [COA] [PLANNING]

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

- TM-1. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (DRAFT REVIEW):
Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development and the City Attorney. Four (4) sets of the CC&Rs including all information required below shall be submitted to the Engineering Division of the Public Works Department for routing.

In addition to requirements as may be specified elsewhere, the CC&R's shall include the following provisions:

- a) Membership in and support of an association controlling and maintaining all common facilities shall be mandatory for all property owners within the development.
- b) The owners association shall obtain approval from the Director of Community Development prior to any modification of the CC&R's pertaining to or specifying the City.
- c) The developer shall maintain all private utilities and landscaping for a period of three (3) years following installation of such improvements or until the improvements are transferred to a owners association, following sale of at least 75% of the units, whichever comes first.
- d) The Standard Development Requirements and Conditions of Approval included as part of the approved Planning Application, Permit #2011-7829, and associated map shall be incorporated into the CC&Rs as an exhibit or attachment. The included map shall clearly indicate all public/private easements as disclosure for property owners. The CC&Rs shall include a list of all attachments and/or exhibits.
- e) The CC&Rs shall contain language for Best Management Practices "Agreement to Maintain" pursuant to Sunnyvale Municipal Code 12.60.200.
- f) The CC&Rs shall contain the following provisions:
 - i) The owners association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site.
 - ii) Property owners are prohibited from modifying drainage facilities and/or flow patterns unless reviewed and approval granted from the Public Works Department.
- g) The CC&Rs shall contain the following language:
 - i) "Right to Remedy Failure to Maintain Common Area. In the event that there is a failure to maintain the Common Area so that owners, lessees, and their guests suffer, or will suffer, substantial diminution in the enjoyment, use, or property value of their Project, thereby impairing the health, safety and welfare of the residents in the Project, the City, by and through its duly authorized officers and employees, will have the right to enter upon the subject Property, and to commence and complete such work as is necessary to maintain said Common Area. The City will enter and repair only if, after giving the Association and Owners written notice of the failure to maintain the Common Area, they do not commence correction of such conditions in no more than thirty (30) days from the giving of the notice and proceed diligently to completion. All expenses incurred by the City

shall be paid within thirty (30) days of written demand. Upon a failure to pay within said thirty (30) days, the City will have the right to impose a lien for the proportionate share of such costs against each lot in the Project.

- iii) It is understood that by the provisions hereof, the City is not required to take any affirmative action, and any action undertaken by the City will be that which, in its sole discretion, it deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
- iv) It is understood that action or inaction by the City, under the provisions hereof, will not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
- v) It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law will be cumulative and not exclusive of the maintenance of any other remedy. In this connection, it is understood and agreed that the failure to maintain the Common Area will be deemed to be a public nuisance and the City will have the right to abate said condition, assess the costs thereof, and cause the collection of said assessments to be made on the tax roll in the manner provided by appropriate provisions of the Sunnyvale Municipal Code or any other applicable law.
- vi) No Waiver. No failure of the City of Sunnyvale to enforce any of the covenants or restrictions contained herein will in any event render them ineffective.
- vii) Hold Harmless. Declarant, Owners, and each successor in interest of Declarant and said Owners, hereby agree to save, defend and hold the City of Sunnyvale harmless from any and all liability for inverse condemnation which may result from, or be based upon, City's approval of the Development of the subject Property." [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

TM-2. HOA CREATION:

The developer/Owner shall create a Homeowner's Association that comports with the state law requirements for Common Interest Developments. Covenants, conditions and restrictions (CC&Rs) relating to the development are subject to review for consistency with the Conditions of Approval by the City Attorney and Director of Community Development prior to approval of the Final Map. The

Conditions of Approval shall be attached as an exhibit to the CC&Rs created for this subdivision. [COA] [PLANNING]

TM-3. HOA TRANSFER:

At the time the homeowners association is transferred from the developer to the individual property owners (typically at election of board members or officers), the developer shall schedule a meeting between the board members or officers, the City of Sunnyvale and the developer to review the Conditions of Approval of the development and other applicable City requirements. [COA] [PLANNING]

TM-4. COMMON LOT:

The common lot shall be assigned a private street name in accordance with the official Street Name System, as selected by the Community Development Department. [COA] [PLANNING]

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. HOA ESTABLISHMENT:

The developer shall submit to the Planning Division the names, addresses and telephone numbers of the officers of the homeowners association, architectural review committee or similar committee, at the time the organization is granted autonomy. Until such information is supplied, the developer shall remain a Responsible Person for purposes of maintaining all common property. The chairperson, secretary or principal officer of any committee or association shall notify the City of any change in officers and provide the names, addresses and telephone numbers of the new officers within thirty (30) days after the change becomes effective. [COA] [PLANNING]

PF-3. IRRIGATION METERS:

For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters.

Such meters could be installed prior to occupancy of the building.
[COA] [PLANNING]

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. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE 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. PARKING LOT MAINTENANCE:

The parking lot shall be maintained as follows:

- a) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
- b) Clearly mark all assigned, guest, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- c) Maintain all parking lot striping and marking.
- d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and/or patrons. [COA] [PLANNING]

AT-3. RECREATIONAL VEHICLE STORAGE PROHIBITED:

Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]

AT-4. HOA REVIEW AND APPROVAL:

In common interest developments, any future applications to the City for physical modifications on commonly owned property shall require consent of the board of directors of the homeowners association, architectural review committee or similar committee; applications for physical modifications on privately owned property shall require the individual property owner's signature. Individual property owners submitting an application for physical modifications on private property shall comply with any approval processes outlined as such in the conditions, covenants & restrictions (CC&Rs) of their respective development. [COA] [PLANNING]

AT-5. HOA RESPONSIBILITIES:

The chairperson, secretary or principal officer of any committee or association shall notify the Planning Division and the Neighborhood and Community Resources Division of any change in officers and provide the names, addresses and telephone numbers of the new officers within thirty (30) days after the change becomes effective. [COA] [PLANNING DIVISION/NEIGHBORHOOD AND COMMUNITY RESOURCES DIVISION]

AT-6. BMP MAINTENANCE:

The project applicant, owner, landlord, or HOA, 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-7. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or HOA, 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]

Santa Clara County Clerk - Recorder's Office
State of California

County of Santa Clara
Office of the County Clerk-Recorder
Business Division



County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Document No.: 509
Number of Pages: 23
Filed and Posted On: 3/07/2012
Through: 3/28/2012
CRO Order Number:
Fee Total: 0.00

REGINA ALCOMENDRAS, County Clerk - Recorder
by Mary Rattanapanya, Clerk - Recorder Office Spe, YVA

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

- 1. LEAD AGENCY: City of Sunnyvale
- 2. PROJECT TITLE: Application for a Special Development Permit filed by the City of Sunnyvale
- 3. APPLICANT NAME: City of Sunnyvale PHONE: 408-730-7257
- 4. APPLICANT ADDRESS: 456 W. Olive Avenue, Sunnyvale, CA 94086
- 5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
- 6. NOTICE TO BE POSTED FOR 21 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152)	\$ 2,919.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C))	\$ 2,101.50	\$ <u>0.00</u>
<input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY)	\$ 850.00	\$ <u>0.00</u>
<input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS	\$ 992.50	\$ <u>0.00</u>
<input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e)	\$ 50.00	\$ <u>0.00</u>

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

<input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)	\$ 50.00	\$ <u>0.00</u>
<input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED)		
DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION	\$ 50.00	\$ <u>0.00</u>

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

<input type="checkbox"/> NOTICE OF PREPARATION	<input checked="" type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 0.00

*NOTE: "SAME PROJECT" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE SUBSEQUENT FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND THREE COPIES. (YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER
PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)



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

File Number: 2011-7829
No. 12-02

**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** filed by the **City of Sunnyvale**.

PROJECT DESCRIPTION AND LOCATION (APN):

The proposed project is a Rezoning from R-3 to R-3/PD, a Special Development Permit to allow 8 townhomes and a Vesting Tentative Map to allow 8 townhomes and one common lot.

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 **Monday, April 9, 2012**. 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:

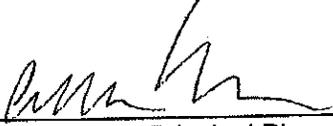
A public hearing on the project is scheduled for:

Monday, April 9, 2012 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

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

Circulated On March 7, 2012

Signed: 
Andrew Miner, Principal Planner

Project Title	8 Townhomes on North Fair Oaks
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Diana O'Dell
Phone Number	408-730-7257
Project Location	411 - 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue
Applicant's Name	City of Sunnyvale
Project Address	456 W. Olive Avenue Sunnyvale, CA 94088
Zoning	R-3
General Plan	Medium Density Residential (14-27 du/acre)
Other Public Agencies whose approval is required	None

Description of the Project: The proposed project is a Rezoning from R-3 to R-3/PD, a Special Development Permit to allow 8 townhomes and a Vesting Tentative Map to allow 8 townhomes and one common lot.

DETAILED PROJECT DESCRIPTION:

Surrounding Uses and Setting: The subject property is located along the west side of Fair Oaks Avenue north of Taylor Avenue, in an area that has a mix of industrial and residential uses. The site is bordered along the north, west and east by multi-family residential developments, with a retail center to the south across Taylor Avenue.

On-site Development: Currently, the 17,642 square foot site is made up of two properties: one single family house and one duplex. The project includes full demolition of the entire site and construction of 8 three-story townhomes. The new units will be grouped into two buildings, with four units in each building. Each 4-bedroom unit will also have individual two-car garages and storage areas. In addition, private open space will be provided in the form of enclosed patio areas for some of the units. Living units are 2,294 sq. ft. including the garage. The common lot will include landscaped areas and uncovered parking spaces. Driveway access to the site will be provided from Taylor Avenue.

Construction Activities and Schedule: Construction activities include full demolition of all existing buildings on the subject properties, and construction of all new residential buildings and associated site improvements. 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.

Off-site Improvements: New sidewalks will be installed in the public right of way. Standard water, sewer, right-of-way and utility upgrades will be provided as required by the Municipal Code.

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 checked="" 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 checked="" 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 prehistory? Yes
 No

Mandatory Findings of Significance? 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

Mandatory Findings of Significance? 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 Prepared By: **Error! Reference source not found.** Diana O'Dell Date: March 2, 2012

Title: Senior Planner

City of Sunnyvale

Signature: 

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Planning					
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, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan generalplan.InSunnyvale.com
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 type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Community Character and Land Use Chapters of the Sunnyvale General Plan
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 type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan
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"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, General Plan Map www.sunnyvaleplanning.com
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 Chapter of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
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
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
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"/>	Land Use and Transportation Chapter of the 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 type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
					http://gcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off
10. 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 Air Installations Compatible Use Zones (AICUZ), Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. 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. 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"/>	Air Installations Compatible Use Zones (AICUZ) Study Map
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	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"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://gcode.us/codes/sunnyvale/view.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive ground borne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan 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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012),

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					habitatplan.org 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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org 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 type="checkbox"/>	<input checked="" type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org
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"/>	Community Character Chapter of the Sunnyvale General Plan, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project description. Project archeological study and cultural resource survey.
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. See discussion for information about school impacts.
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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major road, hwy. or freeway?					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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines AB 32
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 AB 32
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
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 precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
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"/>	Safety and Noise Chapter 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"/>	Safety and Noise Chapter 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"/>	Safety and Noise Chapter 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"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Further Discussion if "Less Than Significant" with or without mitigation: None required.

4. Population and Housing (Less than Significant): The 8 proposed residential units will provide additional opportunities for homeownership in the City of Sunnyvale. The project is consistent with the General Plan designation of the sites. The project's impact will be a slight incremental beneficial impact to the City's Jobs/Housing balance. As a result, this positive aspect of the project is a less than significant impact.

14. Noise (Less than Significant with Mitigation): An Noise Assessment study was completed by Edward L. Pack Associates, Inc. in October 2011. The study measured noise levels along the perimeter property lines of the two properties and provided estimated DNL or LD_N (Day-Night Level). The study found that the existing exterior noise exposure in the most impacted private yards is 71 dB DNL and 69 dB DNL at the building setback. Under future traffic conditions, the noise exposure is expected to increase to 72 dB DNL in the open spaces and 70 dB DNL at the building setback. Thus, the noise exposures will be 10-12 dB in excess of the City of Sunnyvale Noise Sub-element standards. The interior noise exposures are not expected to exceed 45 dB under future traffic conditions, and thus no mitigation is required for interior noise exposure.

The installation of a noise barrier is expected to reduce exterior noise exposures to 62 and 63 dB DNL at the common area closest to North Fair Oaks under existing and future traffic conditions, respectively. The General Plan encourages exterior noise in residential areas to achieve a 60 dB DNL, however, noise in excess of this amount is considered "conditionally acceptable" up to 75 dB DNL. To mitigate the exterior noise, the following mitigation measure is required:

WHAT: Noise control barriers must be installed at locations specified in the Noise Assessment in compliance with barrier construction details.

WHEN: This mitigation shall be converted into conditions of approval for this Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. These barriers must be shown on the plans for the building permit.

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

HOW: As part of the building permit submittal, the property owner shall submit a letter from Edward L. Pack Associates, Inc. stating that the proposed noise barriers are in compliance with the noise recommendations of the report.

15. Noise (Less than Significant): The project will introduce short-term sources of noise to the project area during construction and demolition of the site. 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.

23. Historic and Cultural Resources (Less than Significant): A Phase 1 Environmental Site Assessment report was completed by PIERS Environmental Services, Inc. in October 2011 which found no evidence of historic and cultural resources on site. The existing buildings on site do not have any Federal, State, local historical or architectural significance. Staff has no evidence of archaeological resources being located on site or being found in the immediate vicinity. However, the scope of the project does include grading and excavation of the site associated with the construction of the project. There may be the potential that the project may uncover resources. As a standard Condition of Approval, staff has included specific project requirements related to the potential discovery of resources and procedural requirements.

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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26. Air Quality (Less than Significant): The project falls below BAAQMD's applicable operational-criteria air pollutant levels and screening criteria; therefore, this impact will be less than significant.

30. Air Quality (Less than Significant with Mitigation): The project requires significant grading of the site, including demolition and removal of the existing building and landscaping. This may introduce temporary and short-term dust into the air, and therefore temporarily affect air quality. 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 Bay Area Air Quality Management District (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 and Bay Area Air Quality Management (BAAQMD).
- WHEN: This mitigation shall be converted into conditions of approval for this Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. These permits are required prior to any demolition or construction on site.
- 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 Completed by: Diana O'Dell Date: March 2, 2012

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Transportation					
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 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.
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?					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 non-motorized 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.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road non-motorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for non-motorized 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	<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.

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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pedestrian circulation?					
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 checked="" type="checkbox"/>	<input 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: None required.

42. Transportation and Traffic (Less than Significant): The Traffic Division of Public Works Department has determined the project does not warrant the preparation of a Traffic Study based on the anticipated number of peak trips relative to existing peak trip amounts. In addition, there are no roadway or signal upgrades needed to accommodate the multi-modal project trips and the proposed project is expected to result in no impact on peak traffic conditions for the area streets. Pedestrian movements to/from the site can be accommodated by the existing sidewalks. Through implementation of the City's Transportation Impact Fee requirement this impact is less than significant.

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Building					
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
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
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
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual
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 type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, 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: The California Building Code contains a series of building code requirements to address safety issues regarding seismic shaking, flooding, and soil types. In addition, Title 16.62 of the Sunnyvale Municipal Code requires a series of measures for provisions to reduce flood-related hazards to buildings. These standards are suggested by the Federal Emergency Management Agency and required by code by the City of Sunnyvale. These standards must be met for a building permit to be issued.					
Responsible Division: Building Division Completed by: Diana O'Dell				Date: March 2, 2012	

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Engineering					
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"/>	Environmental Management Chapter of the Sunnyvale General Plan
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 Environmental Management Chapter of the Sunnyvale General Plan
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 type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Environmental Management Chapter of the Sunnyvale General Plan
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 Environmental Management Chapter of the Sunnyvale General Plan
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 Environmental Management Chapter of the Sunnyvale General Plan
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"/>	Environmental Management Chapter of the Sunnyvale General Plan
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 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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land uses or planned uses for which permits have been granted)?					
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 Environmental Management Chapter of the Sunnyvale General Plan
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 type="checkbox"/>	<input checked="" 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
60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter of the Sunnyvale General Plan
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"/>	

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

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety					
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"/>	Safety and Noise Chapter of the Sunnyvale General Plan 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: Department of Public Safety

Completed by: Diana O'Dell

Date: March 2, 2012

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety – Hazardous Materials					
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"/>	Sunnyvale Zoning Map 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 type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale
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"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Community Services					
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 type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
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"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
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 checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

69. & 70. Recreation (Less than Significant): The project 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, this impact is less than significant.

Responsible Division: Department of Community Services

Completed by: Diana O'Dell

Date: March 2, 2012

ENVIRONMENTAL SOURCES

Initial Study Checklist
 8 Townhomes on North Fair Oaks
 File #2011-7829
 Page 19 of 21

City of Sunnyvale General Plan:

Sunnyvale General Plan Consolidated in (2011)
generalplan.InSunnyvale.com

- Community Vision
- Land Use and Transportation
- Community Character
- Housing
- Safety and Noise
- Environmental Management
- Appendix A: Implementation Plans

City of Sunnyvale Municipal Code:

- Title 8 Health and Sanitation
- Title 9 Public Peace, Safety or Welfare
- Title 10 Vehicles and Traffic
- Title 12 Water and Sewers
- Chapter 12.60 Storm Water Management
- Title 13 Streets and Sidewalks
- Title 16 Buildings and Construction
 - Chapter 16.52 Fire Code
 - Chapter 16.54 Building Standards for Buildings Exceeding Seventy –Five Feet in Height
- Title 18 Subdivisions
- Title 19 Zoning
 - Chapter 19.28 Downtown Specific Plan District
 - Chapter 19.29 Moffett Park Specific plan District
 - Chapter 19.39 Green Building Regulations
 - Chapter 19.42 Operating Standards
 - Chapter 19.54 Wireless Telecommunication Facilities
 - Chapter 19.81 Streamside Development Review
 - Chapter 19.96 Heritage Preservation
- Title 20 Hazardous Materials

Specific Plans:

- Downtown Specific Plan
- El Camino Real Precise Plan
- Lockheed Site Master Use Permit
- Moffett Park Specific Plan
- 101 & Lawrence Site Specific Plan
- Southern Pacific Corridor Plan
- Lakeside Specific Plan

Environmental Impact Reports:

- Arques Campus Specific Plan
- Futures Study Environmental Impact Report
- Lockheed Site Master Use Permit Environmental Impact Report
- Tasman Corridor LRT Environmental Impact Study (supplemental)
- Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
- Downtown Development Program Environmental Impact Report
- Caribbean-Moffett Park Environmental Impact Report
- Southern Pacific Corridor Plan Environmental Impact Report
- East Sunnyvale ITR General Plan Amendment EIR
- Palo Alto Medical Foundation Medical Clinic Project EIR
- Luminaire (Lawrence Station Road/Hwy 237 residential) EIR
- NASA Ames Development Plan Programmatic EIS
- Mary Avenue Overpass EIR
- Mathilda Avenue Bridge EIR

Maps:

- General Plan Map
- Zoning Map
- City of Sunnyvale Aerial Maps
- Flood Insurance Rate Maps (FEMA)
- Santa Clara County Assessor's Parcel
- Utility Maps
- Air Installations Compatible Use Zones (AICUZ) Study Map
- 2010 Noise Conditions Map

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

- Subdivision Map Act
- San Francisco Bay Region
- Municipal Regional Stormwater NPDES Permit
- Santa Clara County Valley Water District Groundwater Protection Ordinance
- Section 404 of Clean Water Act

ENVIRONMENTAL SOURCES

Initial Study Checklist
8 Townhomes on North Fair Oaks
File #2011-7829
Page 20 of 21

Lists / Inventories:

- Sunnyvale Cultural Resources Inventory List
- Heritage Landmark Designation List
- Santa Clara County Heritage Resource Inventory
- Hazardous Waste & Substances Sites List (State of California)
- List of Known Contaminants in Sunnyvale
- USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.htm
- The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
- California Department of Transportation Traffic Manual
- California Department of Transportation Standard Plans & Standard Specifications
- Highway Capacity Manual
- Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- Institute of Transportation Engineers - Traffic Engineering Handbook
- Institute of Transportation Engineers - Manual of Traffic Engineering Studies
- Institute of Transportation Engineers - Transportation Planning Handbook
- Institute of Transportation Engineers - Manual of Traffic Signal Design
- Institute of Transportation Engineers - Transportation and Land Development
- U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- California Vehicle Code
- Santa Clara County Congestion Management Program and Technical Guidelines

Guidelines and Best Management Practices

- Storm Water Quality Best Management Practices Guidelines Manual 2007
- Sunnyvale Citywide Design Guidelines
- Sunnyvale Industrial Guidelines
- Sunnyvale Single-Family Design Techniques
- Sunnyvale Eichler Guidelines
- Blueprint for a Clean Bay
- Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams
- The United States Secretary of the Interior's Guidelines for Rehabilitation
- Criteria of the National Register of Historic Places
- Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012)
- Santa Clara County Transportation Agency Short Range Transit Plan
- Santa Clara County Transportation Plan
- Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- Statewide Integrated Traffic Records System
- Sunnyvale Zoning Ordinance – including Titles 10 & 13
- City of Sunnyvale General Plan – land Use and Transportation Element
- City of Sunnyvale Bicycle Plan
- City of Sunnyvale Neighborhood Traffic Calming Program
- Valley Transportation Authority Bicycle Technical Guidelines
- Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use

Transportation:

- California Department of Transportation Highway Design Manual

ENVIRONMENTAL SOURCES

Initial Study Checklist
 8 Townhomes on North Fair Oaks
 File #2011-7829
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- Santa Clara County Sub-Regional Deficiency Plan
- City of Sunnyvale Deficiency Plan
- AASHTO: A Policy on Geometric Design of Highways and Streets

- Title 16.52 Sunnyvale Municipal Code
- Title 16.53 Sunnyvale Municipal Code
- Title 16.54 Sunnyvale Municipal Code
- Title 19 California Code of Regulations
- National Fire Protection Association (NFPA) standards

Public Works:

- Standard Specifications and Details of the Department of Public Works
- Storm Drain Master Plan
- Sanitary Sewer Master Plan
- Water Master Plan
- Solid Waste Management Plan of Santa Clara County
- Geotechnical Investigation Reports
- Engineering Division Project Files
- Subdivision and Parcel Map Files

Additional Project References:

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans dated **/**/**
- Project Traffic Impact Analysis
- Project Noise Study
- Project Air Quality Analysis
- Field Inspection
- Project Site Plan dated **/**/**
- Project construction schedule
- Project Draft Storm Water Management Plan
- Project Tree Inventory
- Project Tree Preservation Plan
- Project Green Building Checklist
- Project LEED Checklist

Miscellaneous Agency Plans:

- ABAG Projections 2010
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines

Building Safety:

- California Building Code,
- California Energy Code
- California Plumbing Code,
- California Mechanical Code,
- California Electrical Code
- California Fire Code

Other



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 651-462-8233
 naturefirst@scglobal.net

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 TOM WAGNER
 650-268-2419

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 CAMPBELL, CA 95008
 408-966-1620
 hls24@k.netcom.com

SHEET INDEX

1.0 COVER SHEET
 1.1 SITE DATA AND SITE PLAN
 2.0 CONDITIONS OF APPROVAL (TO BE ADDED LATER)
 3.0 PLAN-A FLOOR PLANS
 4.0 PLAN-B END UNIT FLOOR PLANS
 5.0 PLAN-B INTERIOR UNIT FLOOR PLANS
 6.0 BUILDING -1 ELEVATIONS
 7.0 BUILDING-2 ELEVATIONS
 8.0 BUILDING ELEVATIONS

L1-L4. LANDSCAPE PLANS
 T-1 EXISTING SITE PLAN
 C1-C4 GRADING AND DRAINAGE PLAN
 TM-1 TENTATIVE MAP
 S1 SHADOW STUDY
 TS 15 YEAR TREE SHADING PLAN
 TP TREE PROTECTION PLAN
 F FENCE PLAN AND FENCE DETAILS
 TRASH TRASH PICK-UP PLAN
 BLUEPRINT FOR A CLEAN DAY

SITE LOCATION MAP



SITE DATA AND ZONING

PROJECT ADDRESS:
 411-425 FAIR OAKS AVE
 SUNNYVALE, CA

A.P.N. 204-36-046
 204-36-047

LOT SIZE: 117,642 SQ FT TOTAL
 ZONING: R3 MFD DENSITY
 GENERAL PLAN DESIGNATION: RESIDENTIAL MEDIUM DENSITY

DEFICIENCIES:

FRONT SETBACKS: 15/20
 A/C UNITS IN FRONT YARD
 USABLE OPEN SPACE 365400 SF

SQUARE FOOTAGES

LOTS 1,2,3,4,5,6,7,8

COVERAGE 6,000 SQ FT = 33.8 %
 OVERALL FAR 18,355.4 SQ FT = 1.03
 UPPER TO LOWER FLOOR RATIO 2.06
 COVERED PARKING 2 PER UNIT = 16 COVERED PARKING
 GUEST PARKING 6
 TOTAL PARKING PROVIDED 22
 TOTAL PARKING REQUIRED 22 (ONE HANDICAP ACCESSIBLE)
 MAX HEIGHT 35

ALL 8 UNITS ARE THE SAME SIZE IN SQ FT

FIRST FLOOR	750	INCLUDES GARAGE
SECOND FLOOR	772.4	
THIRD FLOOR	772.4	

TOTAL 2294.8 SF LIVING AREA 1706.4 SF

2294.8 X 8 = 18,358.4 SF (17,642 SF LOT AREA) = 1.03 FAR
 OVERALL FAR = 1.03

TOTAL PAVED AREAS	5,552.1	SQ FT = 31.5 %
TOTAL BUILDING COVERAGE	6,000	SQ FT = 33.8 %
TOTAL LANDSCAPED AREA	6,047.9	SQ FT = 34.7 %

TOTAL PUBLIC USABLE OPEN SPACE 3,082 SF = 385 SF / UNIT
 MIN REQUIRED USABLE PUBLIC OPEN SPACE = 400 SF / UNIT

CONSTRUCTION DATA

BUILDING TYPE: VB
 NUMBER OF STORIES: 3
 OCCUPANCY GROUP: R3,U
 CODES:
 2010 CRC
 2010 FIRE CODE
 2010 CMC,CPC,CEC
 2010 CEC (TITLE 24 ENERGY CODE)
 TITLE 24 HANDICAP ACCESSIBILITY CODE
 FIRE SPRINKLERS REQUIRED

SCOPE OF SITE WORK

UNDERGROUND ALL UTILITIES
 ALL ELECTRICAL SERVICES TO BE UNDERGROUND
 ALL UNITS TO BE FULLY FIRE SPRINKLER PROTECTED

SCOPE OF WORK

DEMOLISH EXISTING STRUCTURES AND BUILD 8
 NEW SINGLE FAMILY ATTACHED RESIDENCES
 (TOWNHOMES) WITH PRIVATE ROAD

COVER SHEET



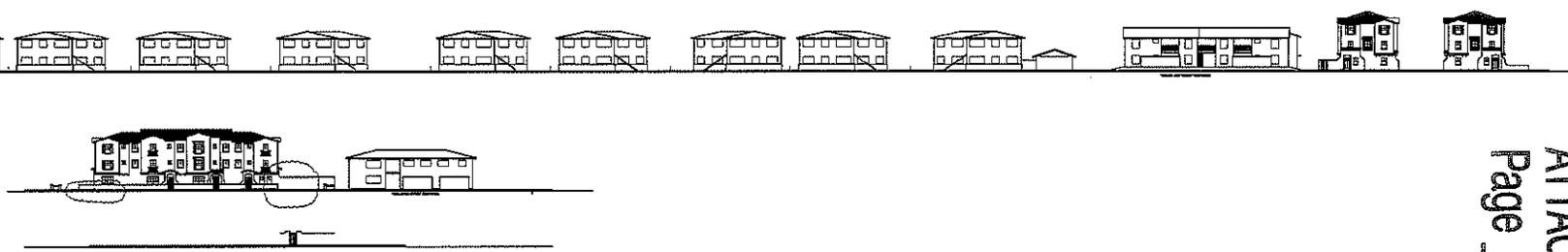
RICHARD HARRO
 DRAFTING AND PLANNING, INC.
 2150 HANBEN WAY, SAN JOSE, CA 95148
 (408) 533-1753 HARRHO@AOL.COM
 HARRO DRAFTING & PLANNING . COM

SANJEEV ACHARYA
 305 ELAN VILLAGE DRIVE
 SAN JOSE, CA

3-31-12
 RH
 ACHARYA FAIR OAKS
 1.0

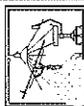
ATTACHMENT D
 Page 1 of 24

Attachment D



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STREETSCAPE



RICHARD HARD
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 (408) 532-1755 RHD@ADL.COM
 HARD DRAFTING PLANNING • CITY

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 SAN JOSE, CA

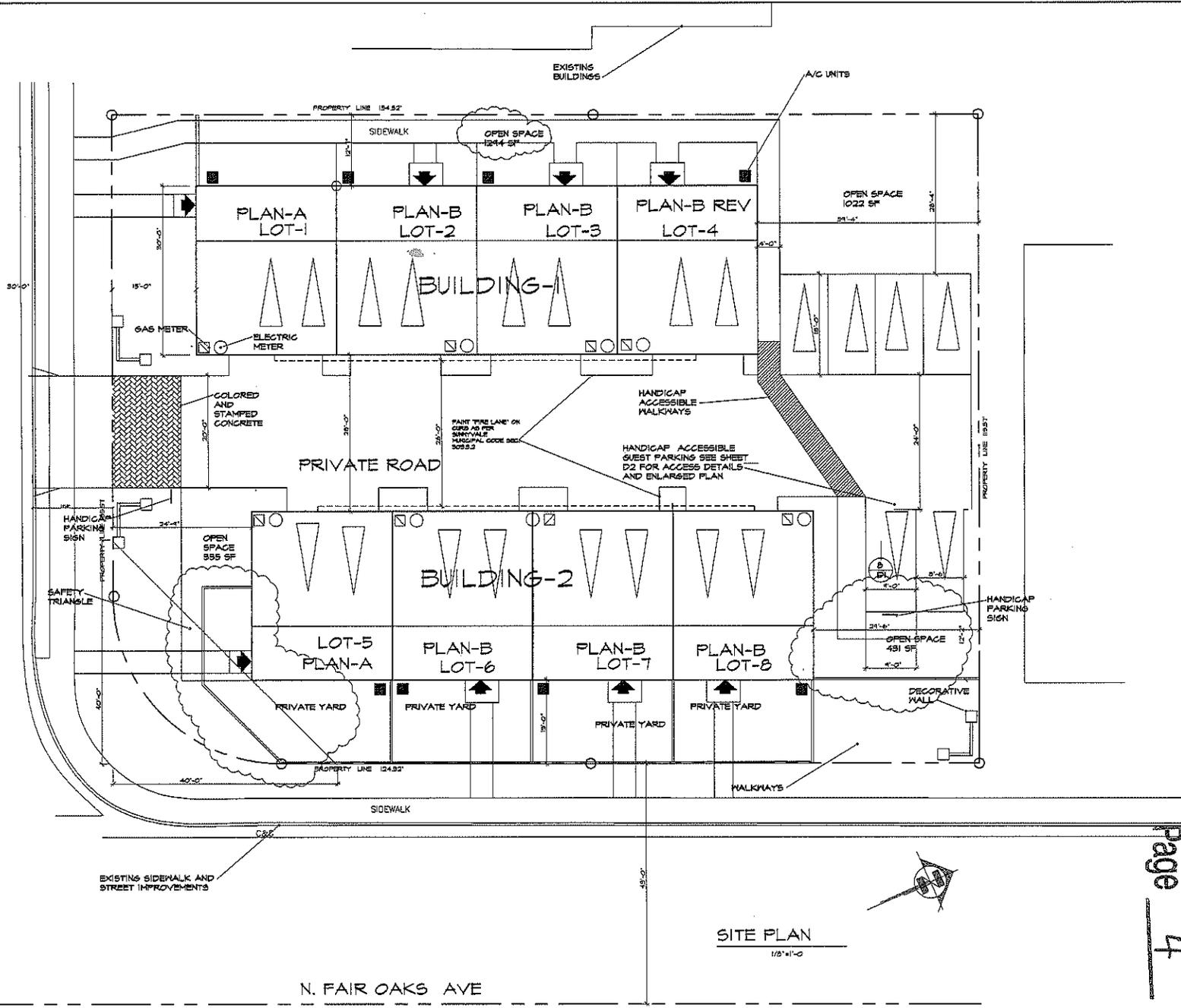
3-11-12
 RA
 ACHARYA FAIR OAKS

STREET

ATTACHMENT D
 Page 3 of 24

Attachment D

TAYLOR AVE



SITE PLAN

1/8"=1'-0"

N. FAIR OAKS AVE

ATTACHMENT D
Page 4 of 24

SITE PLAN



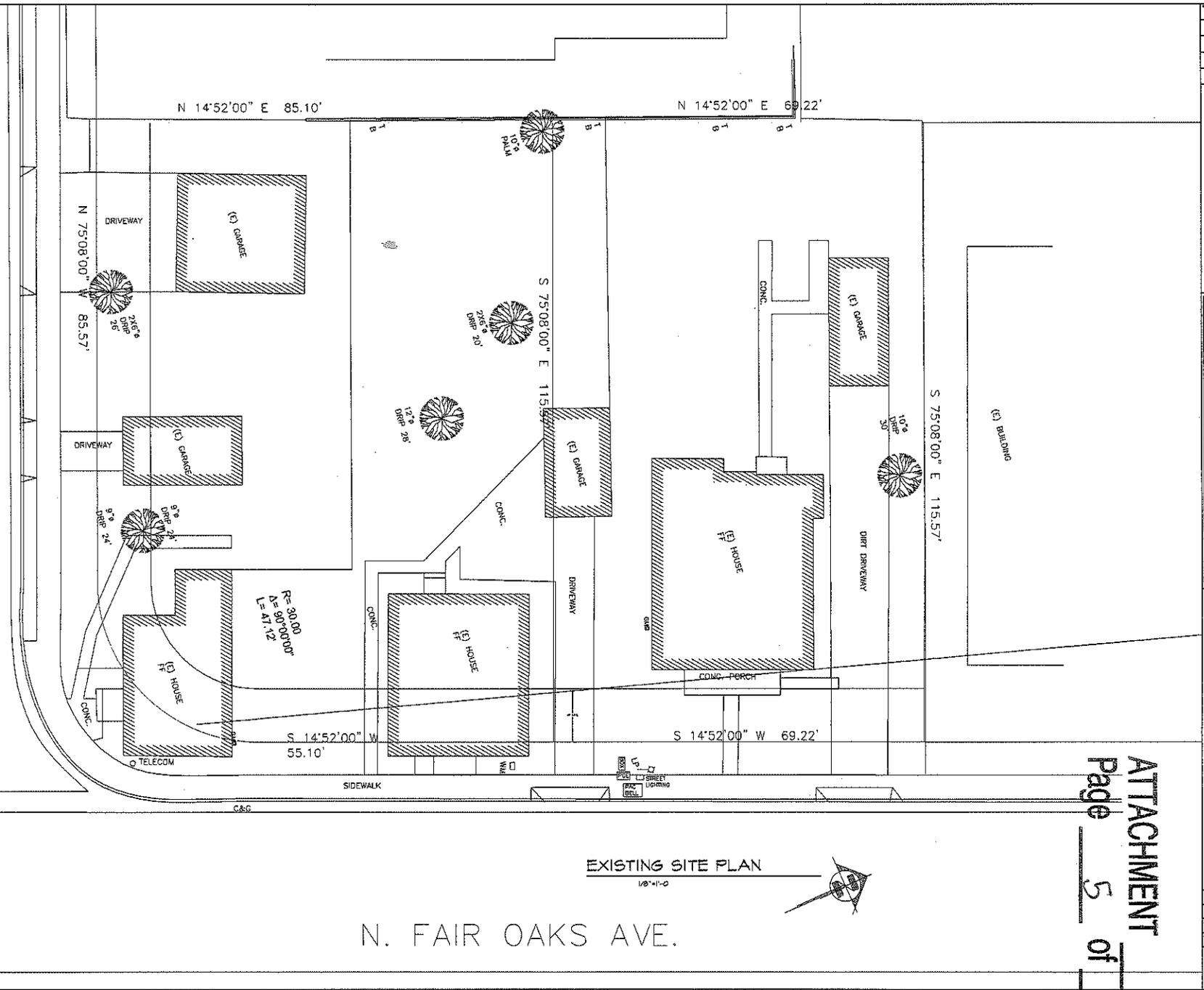
RICHARD HARD
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 (408) 532-1755 rhardinc@aol.com
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 305 ELAN VILLAGE DRIVE
 SAN JOSE, CA

3-31-12
RH
ACHARYA FAIR OAKS
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3 of 24

E. TAYLOR AVE.



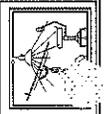
N. FAIR OAKS AVE.

EXISTING SITE PLAN

1/8"=1'-0"

ATTACHMENT D
 Page 5 of 24

EXISTING SITE PLAN

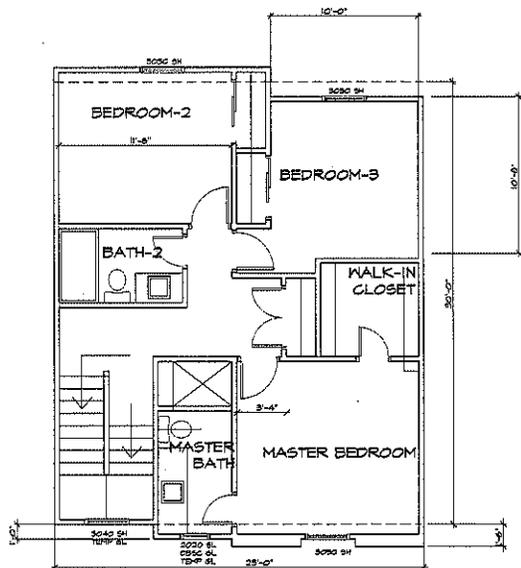


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 9150 HARDING WAY, SAN JOSE, CA 95148
 (408) 532-1755, FAX (408) 532-1756
 RICHARD.HARD@RHP.COM

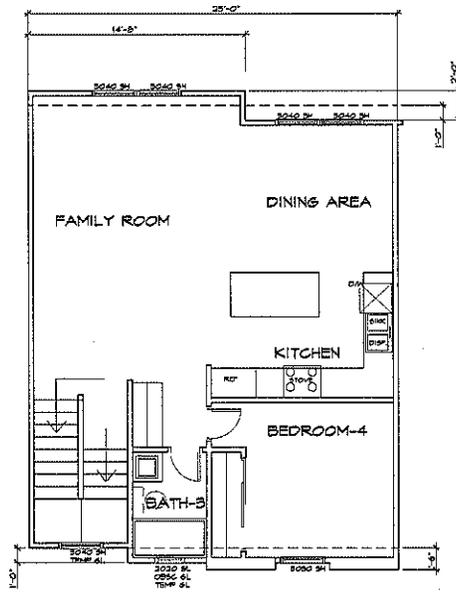
SANJEEV ACHARYA
 305 ELAN VILLAGE DRIVE
 SAN JOSE, CA

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ACHARYA FAIR OAKS
T1

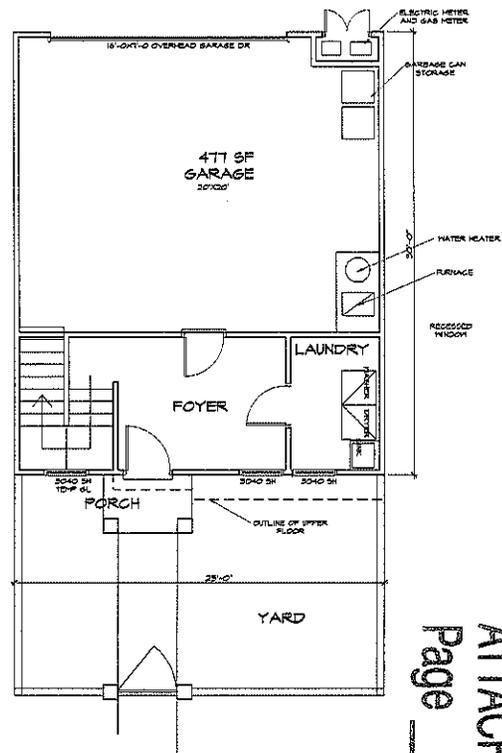
Attachment D
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THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

PLAN-B INTERIOR UNITS

ATTACHMENT D
Page 8 of 24

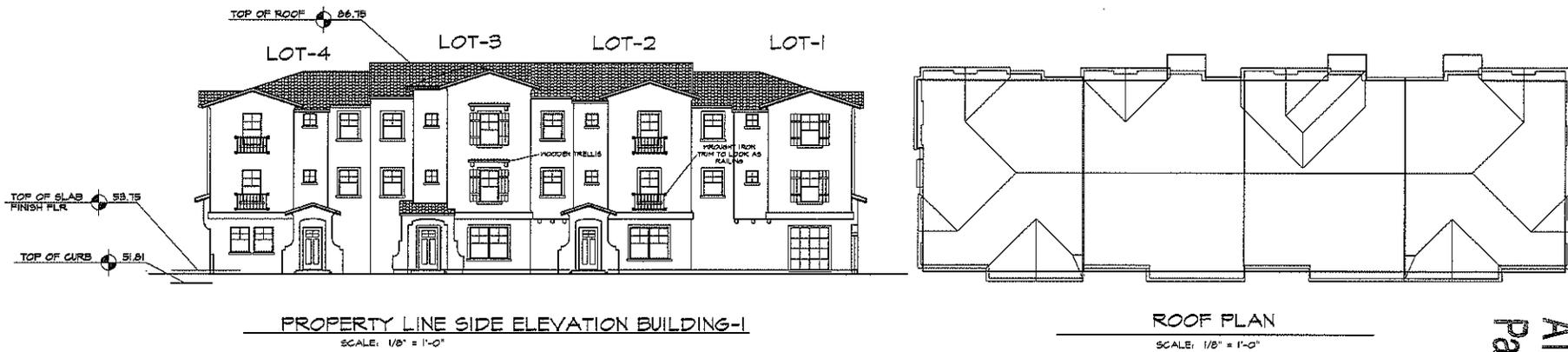
PLAN-B INTERIOR FLOOR PLAN



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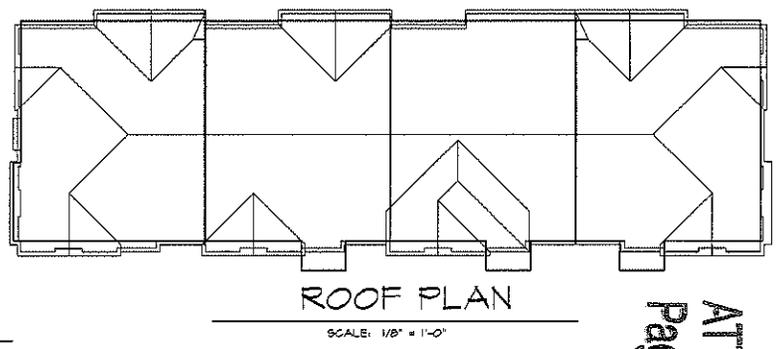
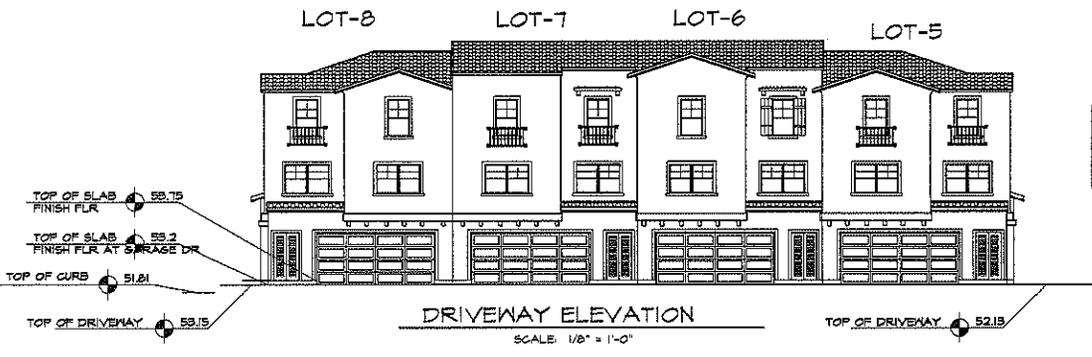
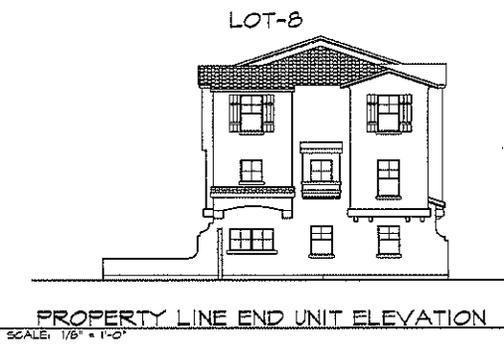
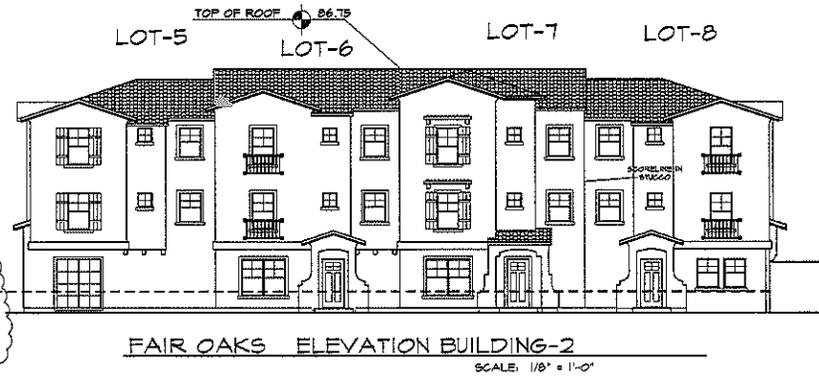
SANJEEV ACHARYA
305 ELAN VILLAGE
SAN JOSE, CA

3-31-22
RH
ACHARYA FAR OAKS
5.0



ATTACHMENT
 Page 9 of 24
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BUILDING ELEVATIONS	
RICHARD HARD DRAFTING AND PLANNING, INC. 5110 UNIVERSITY AVENUE, SUITE 200, SAN JOSE, CA 95148 (408) 233-1785 www.rhdrafting.com	
SANJEEV ACHARYA 305 ELAN VILLAGE LANE SAN JOSE, CA	
3-31-12 RH	6.0 <small>REV 1 OF 10</small>



BUILDING 2 ELEVATIONS

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SAN JOSE, CA

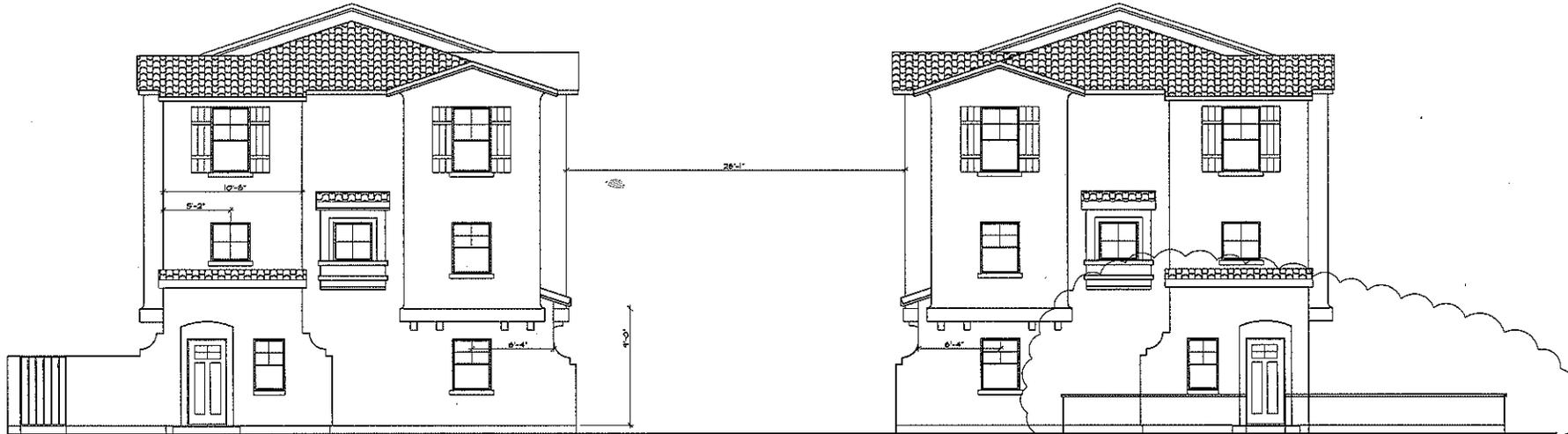
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RH
ACHARYA FAIR OAKS
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LOT-1

LOT-5

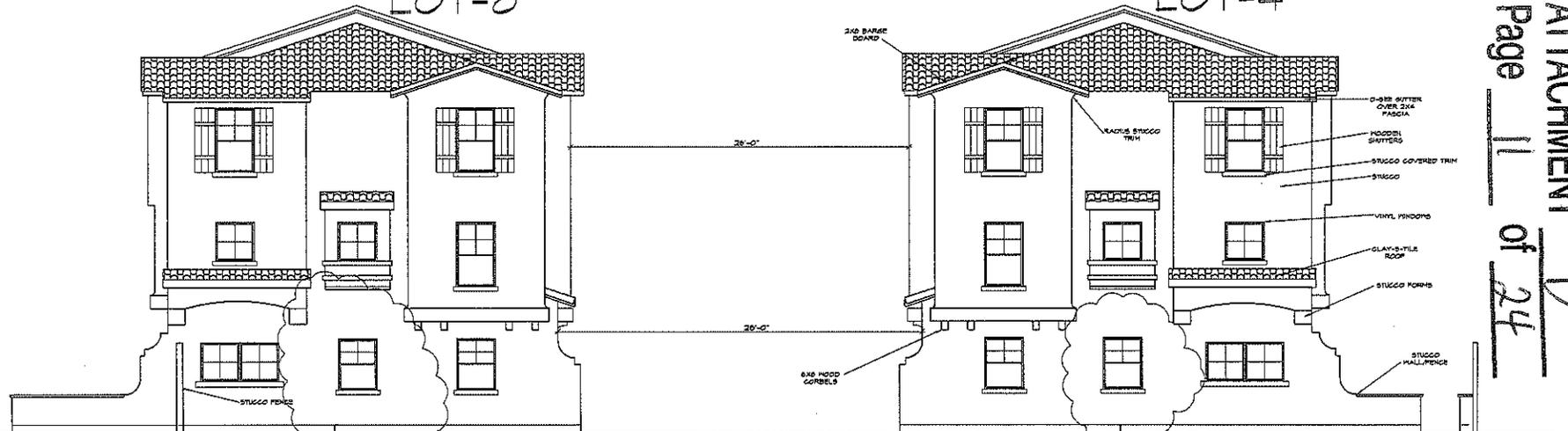


TAYLOR AVE SIDE ELEVATION

SCALE: 1/4" = 1'-0"

LOT-8

LOT-4

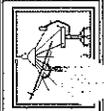


PROPERTY LINE END UNIT ELEVATION

SCALE: 1/4" = 1'-0"

ATTACHMENT D
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BUILDING ELEVATIONS



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SANJEV ACHARYA
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3-31-12
 BH
 ACHARYA FAR OMS

8

Attachment D
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Revision
10/0/11
City comments
12/16/11
City comments
1/24/12
City comments

GREGORY LEWIS LANDSCAPE ARCHITECT
 1215 S. FAIR OAKS AVENUE, SUITE 100
 SUNNYVALE, CA 94087
 TEL: 415.335.1234
 FAX: 415.335.1234
 WWW.GLEWIS.COM



8 Townhomes
 N. Fair Oaks and Taylor, Sunnyvale, CA APN
 Ownr: Sanjeev Acharya

Date	11/01
Drawn	As-Held
Checked	Gap
Reviewed	
Scale	
Sheet	L1

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Plant Legend

KEY	SIZE	BOTANICAL NAME	COMMON NAME
TL	5	Yucca baccata Elegans	Street Tree
SP	56"	Palmetto clematis	Chinese Palmetto
PC	5	Palmetto clematis	Chinese Palmetto
JM	5	Platanus argentata - tree fern	

KEY	SIZE	BOTANICAL NAME	COMMON NAME
BY	5	Bryonia dioica	Bryonia
HL	5	Hebe x exoniifolia	Coast Rosemary
RC	5	Rosa chinensis	India Rosemary
N	5	Nandina domestica	Heavenly Bamboo
DV	5	Dalmanella	Fortnight Lily
PH	5	Phlox paniculata	Madras Phlox
SM	5	Smilax	Small Palm

KEY	SIZE	BOTANICAL NAME	COMMON NAME
VS	5	Solanum elaeagnifolium	Potato Vine

Trim vines on fences with lattice.

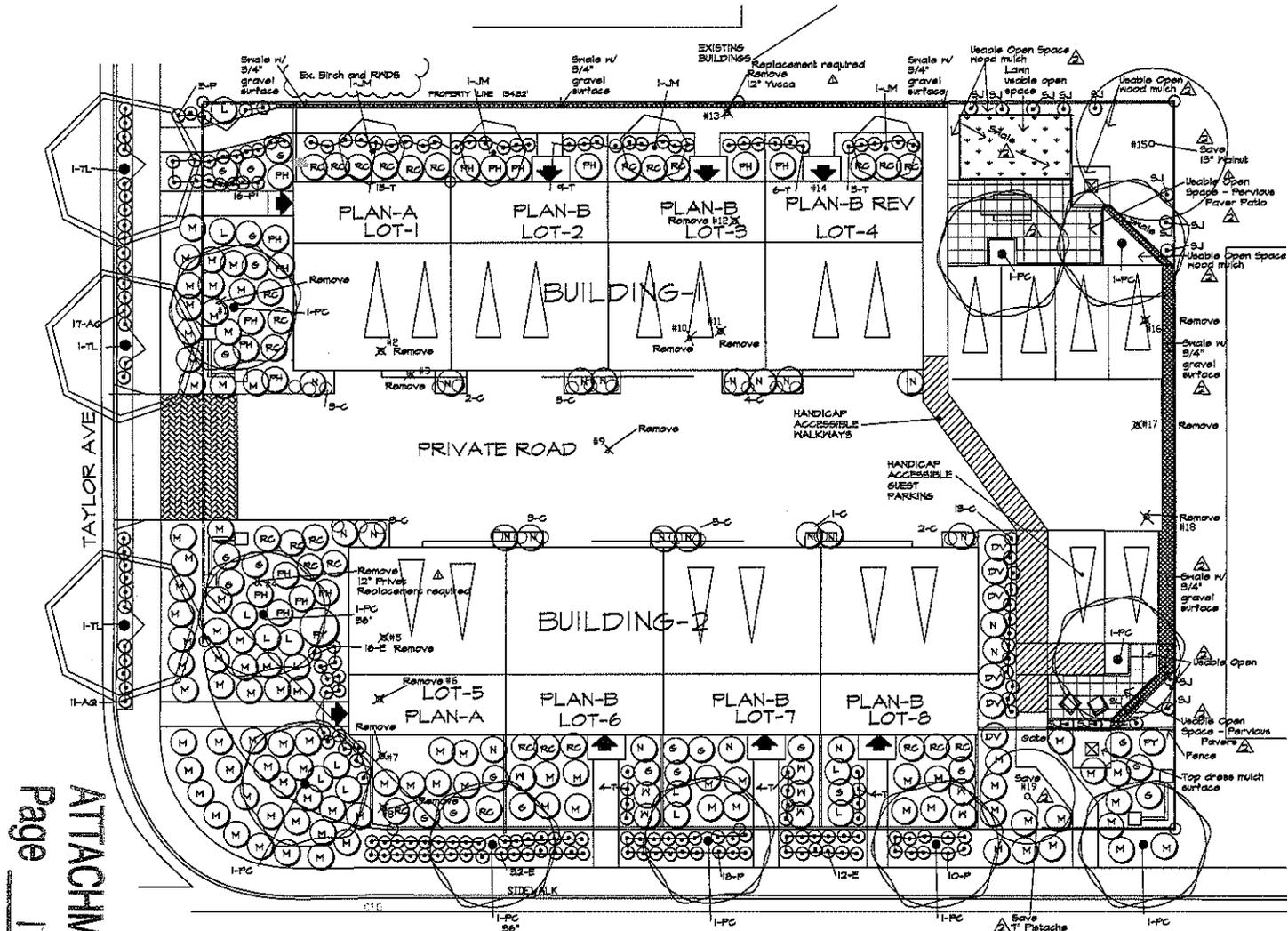
GRASS COVERS

L	Liriodendron tulipifera	Phyllis Larkspur
B	Bryonia dioica	Santa Barbara Daisy
S	Solanum elaeagnifolium	Max Sage
P	Platanus argentata	Brown Forsythia
AG	Agave americana	Lily of the Nile
F	Ficus religiosa	San Landmark
T	Taxus canadensis	Scotch Pine
C	Cycas revoluta	Palmetto
N	Nandina domestica	San Landmark

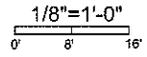
▲ Add enough of ground cover "T" between other shrubs and grass covers to achieve 70% coverage of dirt and mulch between shrubs within 18 months

Landscape Notes

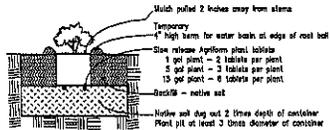
- See sheets L2 and L4 for planting and irrigation details and specifications.
- Basic location of plants on site to be adjusted so as to best coordinate with irrigation component locations, light, drainage, features, and access.
- Use 2 inch deep mulch in all planting areas. Provide cover with different mulch depths and prices including 20% Brown Pro-Prop Discarded Mulch from 80% Organic in Material (408) 440-2944, golden nugget from Sun Up in Sacramento (916) 222-2800 or similar in town.
- Label plants for all plant codes shown on the plan even if they aren't labeled. Call for clarification. For labeling purposes, if no one is available to answer questions, assume that any plant code is scaled less than 8" wide is 8" tall, and any other scaled larger is 20" tall.
- The plan is schematic. Don't place plants too close to edge of paving or building. Keep vines and other climbers away from trees.
- The plants will do much better if efforts to understand soil that has been compacted during building construction.
- Use species appropriate soil amendments and fertilizers. For bedding purposes and the soil fertility test is done, let it settle grade of 20" Original native terra concolor. 18 percent of 10-20-20 fertilizer listed for the top 4" to 6" of all other types soil to 12" deep, except in steep slopes. Some of the planting areas are so narrow that it will need to be dug 12" to 18" deep.
- The site is relatively level. There are no slopes exceeding 10%.
- There are no trees on site.
- Plants in the clear right triangle at the corner to be maintained at 2 feet or less in height and tree branches pruned up to at least 7 feet high to create better visibility for cars at the corner.
- See the 8-12-11 Landscape Maintenance Plan.
- There are two "Protected Trees" that are being removed, tree #4 (2" Private) and #5 (2" Yucca). There are 2 replacement trees being installed: 2" tall Chinese Palmetto trees. See the 8-12-11 report. They were located in appropriate plan locations by the architect.
- There is 4000 sq ft of protected area divided by 300 degree 14 feet required not including required parking lot shading trees.
- Useable open space - Useable open space can be used for ADA accessible plants, lawn and area that can be used for chairs with the same purpose. Owners and contractor adding used on the other side in the project. See the civil and architectural drawings for the exact scope, and details. In areas under the existing street tree use 2 inch deep top dress mulch depth.
- In 4 foot x 4 foot area under proposed trees use 2 inch deep top dress mulch depth with better shading.
- Flame discharge under concrete disapproved granite paving is common area use 2 inch deep top dress mulch for surface or 2 inch deep top dress mulch use the previous process if that will work.
- Low areas to have 2nd reduced waterboard. Lawn can be in drainage area but be sure to set the grade of the soil so it doesn't block the water.



Planting Plan 1/8" = 1'-0"

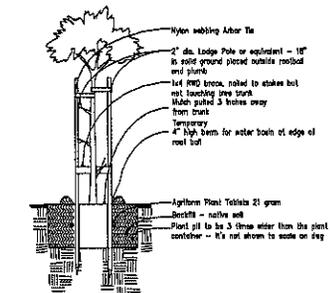


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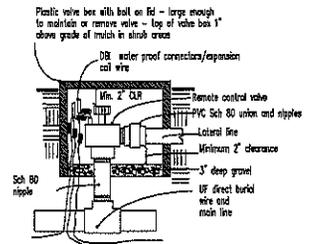
- 1) 8 - 12 hours before installation, water all plants while still in containers sufficiently to thoroughly wet root balls.
- 2) Dig hole at least 3" deeper than the container and 3 times wider than the diameter of the container. The plants were delivered in.
- 3) Dig holes in the area of the plant pit - 2 holes per sq. ft. of soil surface.
- 4) Remove rootball carefully from container with support from below. Remove any circling roots (3/8" dia. or greater) with sharp knife. Do not pull roots apart. The severing of large roots will encourage new roots at the cuts. Insert enough backfill around root ball on top of rootball ends up 2" above grade of surrounding soil when it settles. Install some of fertilizer packets under root ball.
- 5) Fill around rootball with backfill into 1/2" to height and pack it as you fit with shovel handle or feet being careful not to disturb root ball.
- 6) Pull AgriForm Plant Tablets halfway at top level adjacent to rootball end of bottom of hole (5 tablets per 10 gal. or 4 tablets per 1 hole of entire width). Fill the remainder of the hole with backfill and pack it.
- 7) Water tree thoroughly by filling the basin and allowing the water to percolate in, doing 3 times or more until root ball and backfill is wet.
- 8) Install stakes such that the stakes and the tree line won't damage the tree and the stakes won't lean toward each other. Call out tops of stakes if necessary to lower before branches that could be rubbed by stakes. Install stakes so they are straight up and don't lean in to each other.

Shrub Planting
No Scale

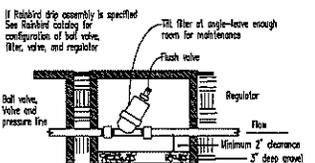


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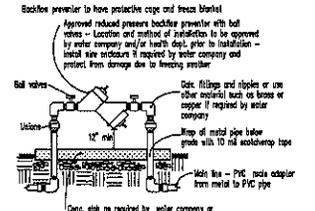
Tree Planting
No Scale



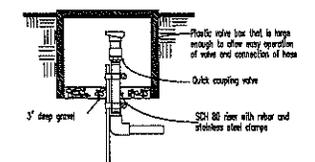
Remote Control Valve
No Scale



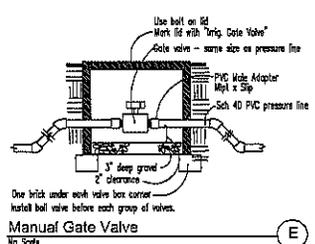
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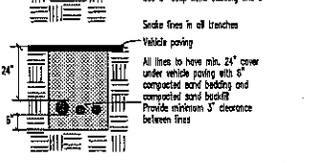
Backflow Preventor
No Scale



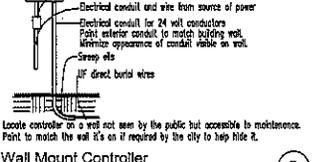
Quick Coupling Valve
Below Grade
No Scale



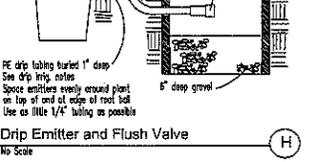
Manual Gate Valve
No Scale



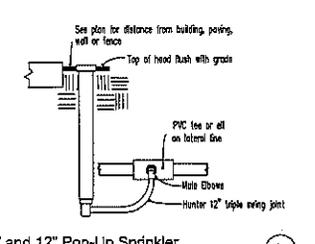
Trenches/Lines
No Scale



Wall Mount Controller
No Scale



Drip Emitter and Flush Valve
No Scale



6" and 12" Pop-Up Sprinkler
No Scale

Revisions
12/18/11
City comments

GREGORY LEWIS LANDSCAPE ARCHITECT
228 Parkway, Suite 100, CA 94065 (415) 252-4247



8 Townhomes
N. Fair Oaks and Taylor, Sunnyvale, CA APN
Owner: Dev Acharya

Date: 11/01/11
Scale: As Noted
Drawn: Greg
Job No: 11011
Sheet: 13 of 24

ATTACHMENT D
Page 14 of 24

Landscape Details

Attachment D
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L3



WATER-EFFICIENT LANDSCAPING CHECKLIST

This form is required for all landscaping projects requiring review and approval by the Planning Division. For more details on landscaping, irrigation and usable open space requirements, see SMC 19.37.

PROJECT INFORMATION

Site Address: 425 N. Fair Oaks and 599 E. Taylor, Sunnyvale, CA		<p>Landscaped area means a portion of a site planted with vegetation utilized for screening or ornamentation. Landscaped areas may include decorative rock or stone, provided that such materials are incidental and do not comprise more than thirty percent of the area. For purposes of computation of landscaped area as that term is used in this title, automobile parking areas, storage areas, vehicular ways and specifically permitted unenclosed uses shall not be considered as landscaping.</p> <p>Turf means a ground cover surface of mowed grass.</p> <p>Special landscaped area means an area of the landscaping dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.</p>
APN: 204-38-046 and 047	Zoning:	
Planning Project #:		
Total Landscaped Area (sq. ft.): 5567 (planting area)		
For Option 1	Turf Area (sq. ft.): 185	
	% Turf of Total Landscaped Area: less than 4%	
	% Native, low water or no water use plants of non-turf landscaped area: 90%	
For Option 2	Special Landscaped Area (including water features using recycled water): 0	

APPLICANT INFORMATION

****Note: The landscaping and irrigation plans shall be prepared by, and bear the signature of, a certified professional, unless the total landscaped area is less than 2,500 square feet.**

Name: Gregory Lewis - Landscape Architect	Check whichever applies: <input type="checkbox"/> Property Owner/Designee <input checked="" type="checkbox"/> Certified Professional: Gregory Lewis - Landscape Architect
Phone: (831) 425-4747	Email: lewislandscape@sbcglobal.net
	#2176 License or Certification # (if applicable)

COMPLIANCE CHECKLIST

REQUIREMENT	PROJECT COMPLIANCE (To be completed by applicant)	STAFF REVIEW
Water Efficiency Design Landscaping Design and plant selection is based on one of two options: <ul style="list-style-type: none"> Option 1: Turf/lawn is limited to 25% or less of the landscaped area. Of the non-turf area, at least 80% is planted with native, low water or no water use plants. Option 2: Landscaping design is based on water budget calculations. 	<input checked="" type="checkbox"/> Option 1 <input type="checkbox"/> Option 2. Completed Water Budget Calculation Worksheets included.	<input type="checkbox"/>
Plant Material Variety - Landscaping includes trees, shrubs, vines, flower, ground covers or a combination thereof.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Size - Proposed plants are sized and spaced to achieve immediate effect.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Trees One (1) tree per 1,000 sq. ft. of required landscaped area (per SMC 19.37.040) in addition to required parking lot shading trees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
Turf Turf is tall fescue or similar	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Turf is planted on slope < 10% if slope is adjacent to hardscape	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Hydrozones Plants with similar water needs are grouped together	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Areas that mix plants are captured in the water budget calculations	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Soil Management A min. 2 inches of mulch on all non-turf soil areas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Soil amendments, such as compost or fertilizer, shall be appropriately added according to soil conditions and selected plants	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>
Grading is designed to minimize soil erosion, runoff and water waste	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/>

COMPLIANCE CHECKLIST (continued)

REQUIREMENT		PROJECT COMPLIANCE (To be completed by applicant)	STAFF REVIEW
Water Features (ponds, fountains, etc.)	Uses recirculating water system and uses recycled water if available	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable	<input type="checkbox"/>
Irrigation System Design	All landscaped areas have a permanent irrigation system (required except for single-family and duplex)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
	Designed and will be maintained to prevent water waste (e.g. runoff, overspray, low head drainage) and meet or exceed an average landscaping irrigation efficiency of 70%	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
	Designed to meet the individual water needs of each hydrozone; Sprinkler heads and other emission devices are selected based on what is appropriate for the plant type within each hydrozone; Sprinkler heads have matched precipitation rates within each circuit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
	Low volume irrigation (e.g. bubbler or drip-type) is used for trees, shrubs, mulched areas, areas with slope >10%, areas less than 8 ft. wide in any direction, and areas within 2 ft. of any impermeable hardscape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
	Irrigation controllers utilizing either evapotranspiration or soil moisture sensor data and capable of dual or multiple programming are used. Sensors that override the call for water during unfavorable weather conditions or if the soil is still moist are incorporated into the system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>
	Irrigation controllers and backflow devices are screened from public view	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable	<input type="checkbox"/>

APPLICANT COMMENTS

CERTIFICATION

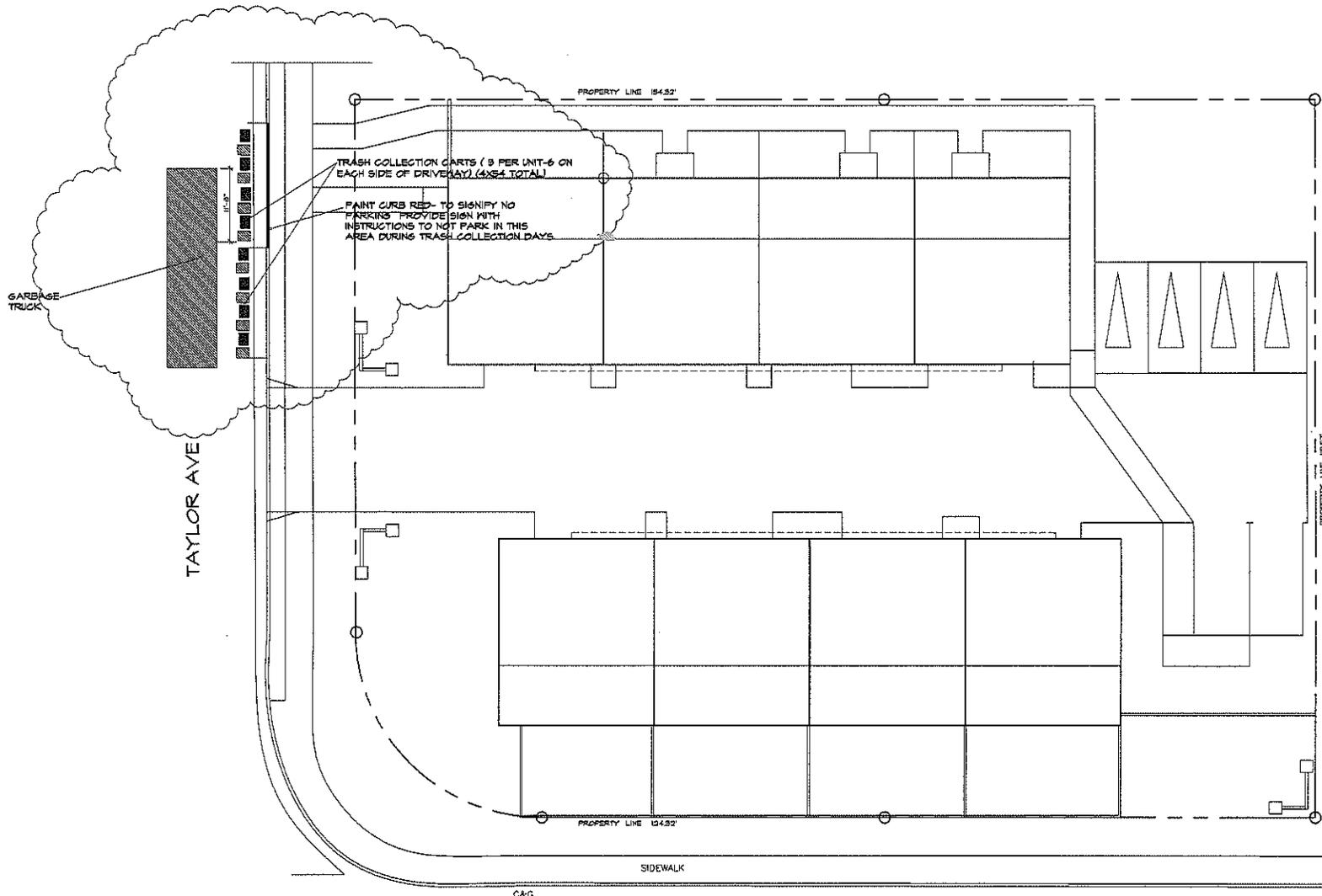
I am aware of available informational resources regarding native and water-wise plants, irrigation efficiency, and other aspects of water-efficient landscaping. I certify that the information provided on this checklist is correct, and that the landscaping project meets the specified requirements of Chapter 19.37 of the Sunnyvale Municipal Code.

Greg Lewis

12/16/11

APPLICANT SIGNATURE

DATE



N. FAIR OAKS AVE

LEGEND

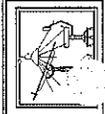
-  26X36 GARBAGE CART
-  51X66 GARBAGE CART

GARBAGE PICK-UP PLAN



ATTACHMENT D
 Page 20 of 24

COVER SHEET



RICHARD HARD
 DRAFTING AND PLANNING, INC.
 2150 HANSEN WAY, SAN JOSE, CA 95148
 (408) 532-1755 rhard@rdp.com
 HARD DRAFTING PLANNING . COM

SANJEEV ACHARYA
 305 ELAN VILLAGE LANE
 SAN JOSE, CA

DATE	3-31-12
BY	RH
PROJECT	ACHARYA FAIR OAKS
SCALE	1.0
SHEET NO.	1 OF 24

Attachment D



LOCATION MAP

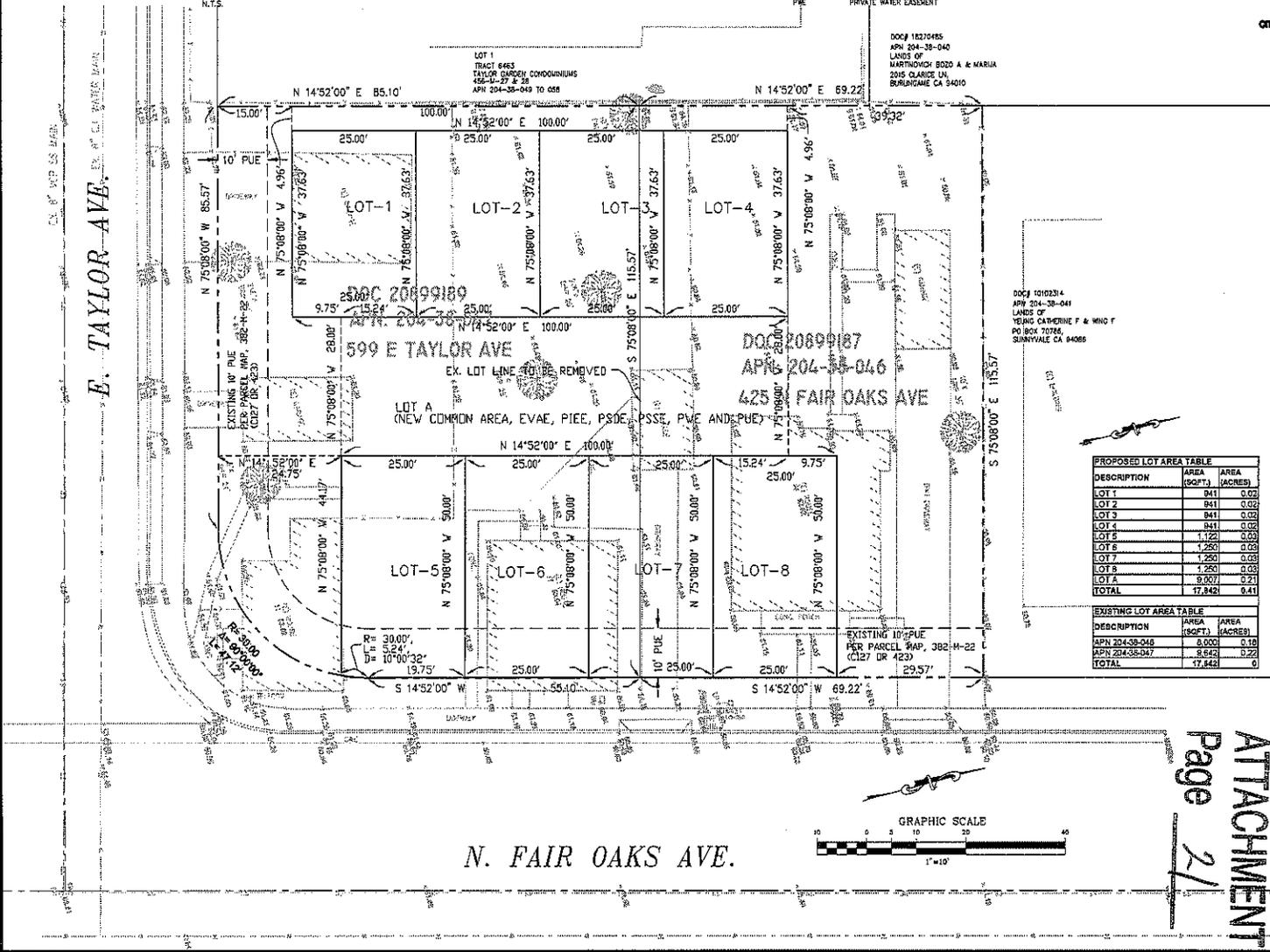
LEGEND AND ABBREVIATIONS

- STREET CENTER LINE
- - - - - DUSTING/BORDER LINE
- PROPOSED LOT LINE
- EASEMENT LINE
- EXISTING LOT LINES
- - - - - TIE LINES
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PIECE PRIVATE INGRESS/EGRESS EASEMENT
- PSDE PRIVATE STORM DRAINAGE EASEMENT
- PSSE PRIVATE SANITARY SEWER EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWE PRIVATE WATER EASEMENT

VESTING TENTATIVE MAP
NINE (9) LOT SUBDIVISION
EIGHT (8) NEW SINGLE FAMILY AND A COMMON LOT DEVELOPMENT
 CONSISTING OF ONE (1) SHEET
 425 N. FAIR OAKS AVE. AND 599 E. TAYLOR AVE.,
 SUNNYSVALE, CALIFORNIA 94085
 APN: 204-38-046 AND 047



LYING ENTIRELY WITHIN THE
CITY OF SUNNYSVALE, COUNTY OF SANTA CLARA, CALIFORNIA
 JANUARY 2012
SMP ENGINEERS
 1534 CAROB LANE
 LOS ALTOS, CA 94024



GENERAL NOTES & STATEMENTS

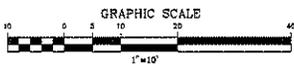
1. OWNERS:
 APN: 204-38-046
 425 N FAIR OAKS AVE, SUNNYSVALE, CA 94085
 AGUSTIN MANUEL B TRUST
 1009 AMADOR AVE, SUNNYSVALE CA 94085
 APN: 204-38-047
 599 E TAYLOR AVE, SUNNYSVALE, CA 94085
 AGUSTIN MANUEL B TRUST
 1009 AMADOR AVE, SUNNYSVALE CA 94085
2. APPLICANT: SAME AS ABOVE.
3. EXISTING ZONING: R2; 3,600 SQ FT/LOT MIN.
4. EXISTING APN 204-38-046 AND 047
5. EXISTING USE: RESIDENTIAL
6. PROPOSED USE: RESIDENTIAL
7. EXISTING WELLS: UNKNOWN
8. FLOOD ZONE: X.
9. STREETS: ALL PROPOSED STREET MODIFICATIONS WILL BE TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS
10. EXISTING USE OF ADJACENT PROPERTIES: RESIDENTIAL
11. WATER: CITY OF SUNNYSVALE
12. FIRE PROTECTION: CITY OF SUNNYSVALE
13. STORM/SANITARY SEWER: SUNNYSVALE SANITARY DISTRICT
14. POWER AND GAS: PACIFIC GAS AND ELECTRIC
15. TELEPHONE/CABLE: AT&T/COMCAST
16. STREET TREES: STREET TREE(S) TO BE PLANTED PER CITY OF SUNNYSVALE DIRECTION.
17. ALL EXISTING STRUCTURES ARE TO BE REMOVED PRIOR TO RECORD OF TRACT MAP.

DESCRIPTION	AREA (SQFT)	AREA (ACRES)
LOT 1	841	0.02
LOT 2	841	0.02
LOT 3	841	0.02
LOT 4	841	0.02
LOT 5	1,250	0.03
LOT 6	1,250	0.03
LOT 7	1,250	0.03
LOT 8	1,250	0.03
LOT 9	2,007	0.21
TOTAL	17,842	0.41

DESCRIPTION	AREA (SQFT)	AREA (ACRES)
APN 204-38-046	8,000	0.18
APN 204-38-047	9,842	0.22
TOTAL	17,842	0

BASIS OF ELEVATIONS:
 - REFERENCED CITY OF SUNNYSVALE BM# 45, EL: 56.82' BRASS DISC IN TOP OF CURB NEXT TO CATCH BASIN THE NORTHWEST CORNER RETURN, INTERSECTION OF FAIR OAKS AVE. AND ARQUES AVE. ALSO BEING THE NORTH END OF WEST HEADWALL AT THE N. SUNNYSVALE OVERPASS CROSSING CENTRAL EXPRESSWAY.

BASIS OF BEARINGS:
 - THE BEARING N 14°52'00" E OF CENTERLINE OF FAIR OAKS AVE., AS SHOWN ON THAT CERTAIN PARCEL MAP, RECORDED IN BOOK 668 OF MAPS AT PAGES 43 AND 44, SANTA CLARA COUNTY RECORDS, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP



ATTACHMENT D
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OWNER/APPLICANT
 COPYRIGHT © 2008
 SMP ENGINEERS
 CIVIL ENGINEERS

NINE (9) LOT SUBDIVISION
 EIGHT (8) NEW SINGLE FAMILY HOMES AND A COMMON LOT
 425 N. FAIR OAKS AVE. AND 599 E. TAYLOR AVE.,
 SUNNYSVALE, CALIFORNIA 94085
 VESTING TENTATIVE MAP

Date: 1/26/2012
 Scale: 1"=10'
 Prepared by: VJC
 Checked by: S.R.
 Job #: 211102
 Sheet: 1 OF 1
 TM-1

Attachment D 20 of 24



SMITH & MURPHY
CIVIL ENGINEERS

1534 GARDE LANE
LOS ANGELES, CA 90024
TEL: (213) 841-8025
FAX: (213) 841-8755

OWNER/APPLICANT:

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SMITH & MURPHY
CIVIL ENGINEERS

CONCEPTUAL GRADING AND DRAINAGE PLANS
NINE (9) LOT SUBDIVISION
425 N. FAIR OAKS AVE. AND 599 E. TAYLOR AVE.,
SUNNYVALE, CALIFORNIA 94085
GRADING AND DRAINAGE PLAN

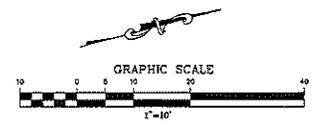
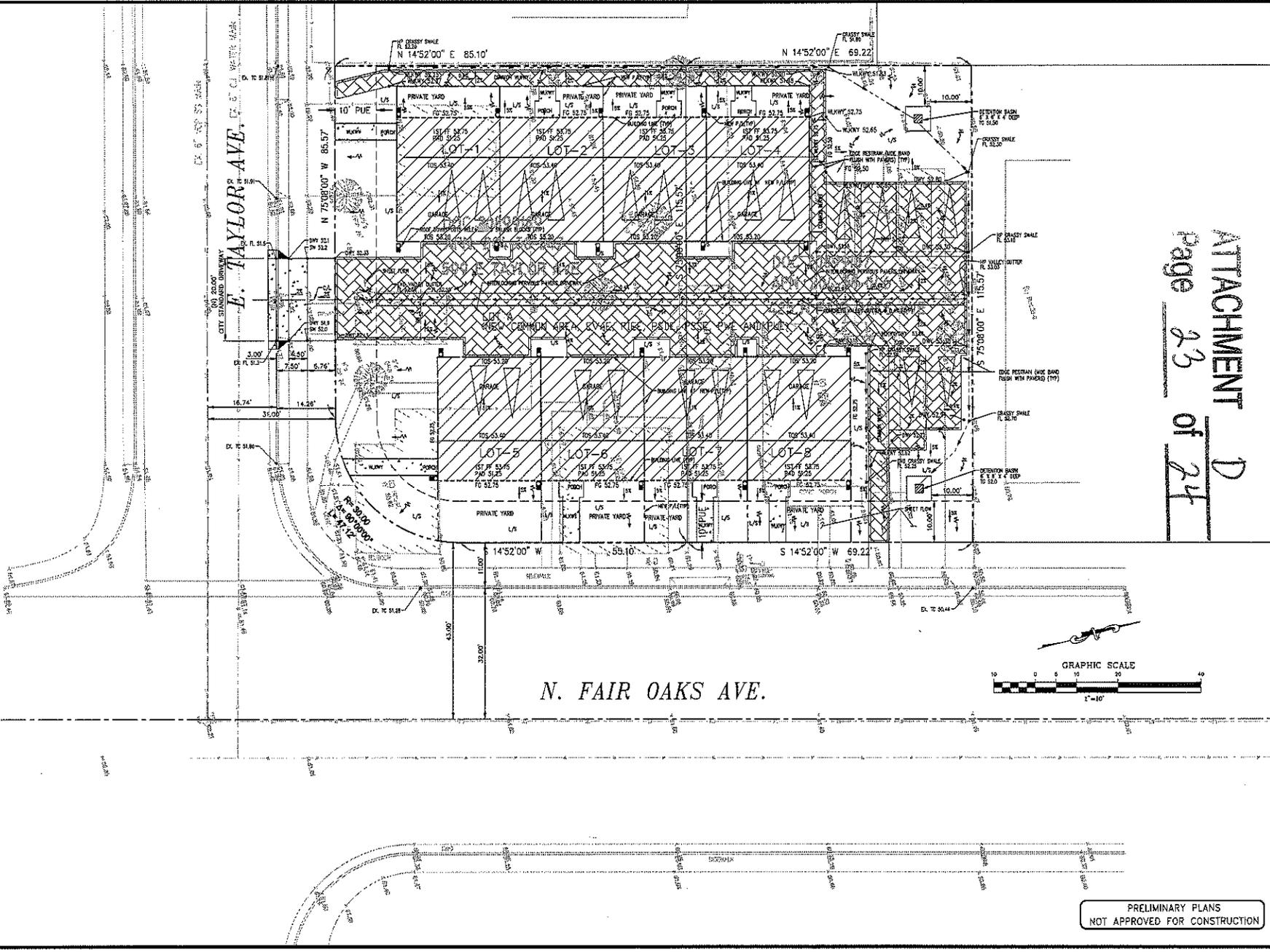
Revisions:

Date: 1/26/2012
Scale: 1"=10'
Prepared by: Y.C.
Checked by: S.R.
Job #: 211102

Sheet: 2 OF 4
C-2

Attachment D
22 of 24

ATTACHMENT D
Page 23 of 24



PRELIMINARY PLANS
NOT APPROVED FOR CONSTRUCTION



ENGINEERS
CIVIL ENGINEERS

1534 CAROL LANE
LOS ALTOSES, CA 94024
TEL: (650) 941-8035
FAX: (650) 941-5755

OWNER/APPLICANT:

COPYRIGHT © 2008
SMP ENGINEERS
CIVIL ENGINEERS

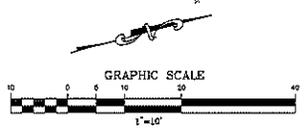
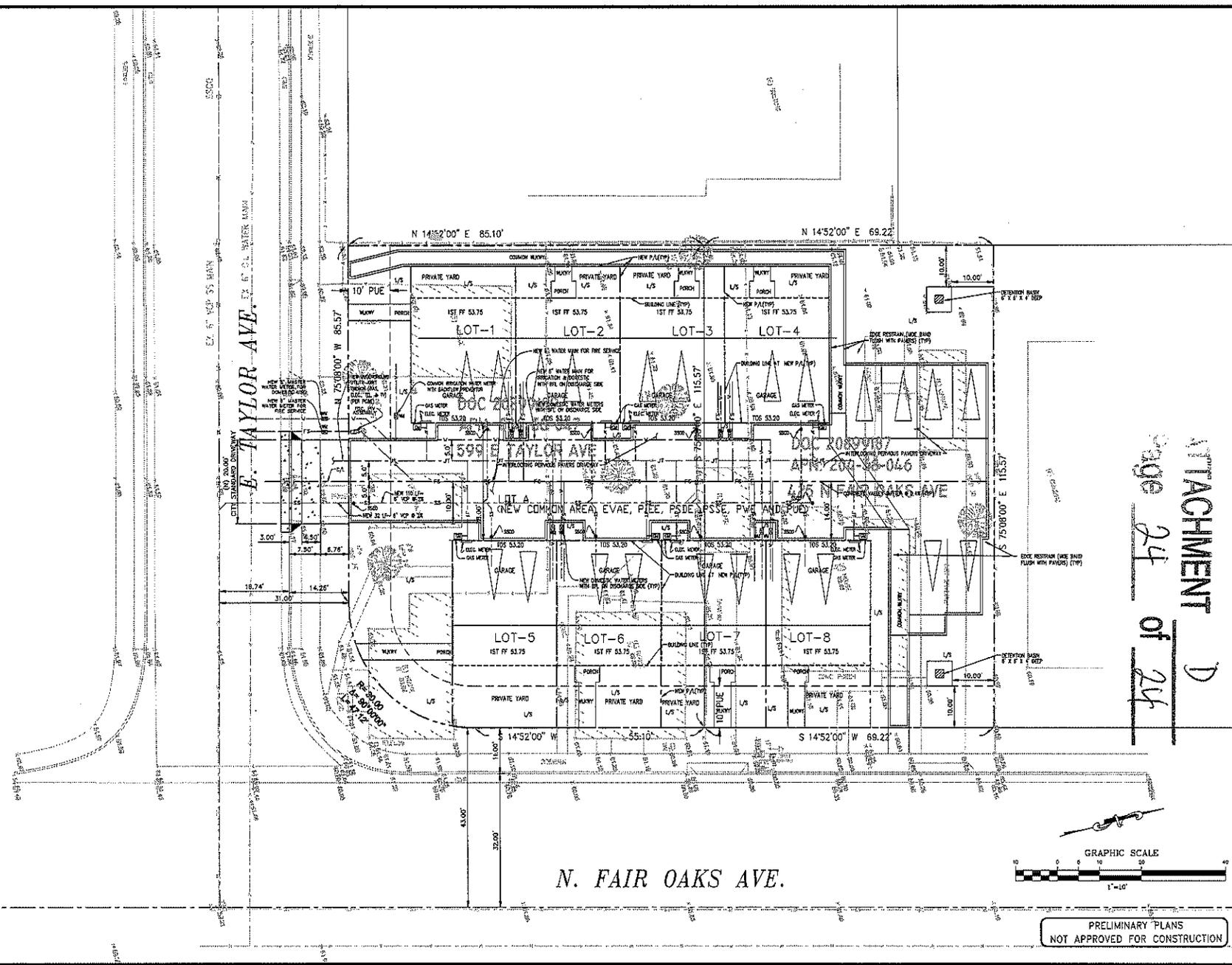
ATTACHMENT D
page 24 of 24
CONCEPTUAL GRADING AND DRAINAGE PLANS
NINE (9) LOT SUBDIVISION
425 N. FAIR OAKS AVE. AND 599 E. TAYLOR AVE.,
SUNNYVALE, CALIFORNIA 94085
UTILITY PLAN

Revised:

Date: 1/26/2012
Scale: 1"=10'
Prepared by:
V.C.
Checked by:
S.R.
Job #: 211102

Sheet: 3 OF 4
C-3

Attachment D
23 of 24



PRELIMINARY PLANS
NOT APPROVED FOR CONSTRUCTION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTIES LOCATED AT 411-425 NORTH FAIR OAKS AVENUE AND 599 EAST TAYLOR AVENUE FROM R-3 (MEDIUM DENSITY RESIDENTIAL) TO R-3/PD (MEDIUM DENSITY RESIDENTIAL /PLANNED DEVELOPMENT) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended in order to include certain properties located at 411-425 North Fair Oaks Avenue and 599 East Taylor Avenue within the R-3/PD (Medium Density Residential/Planned Development) Zoning District, which properties are presently zoned R-3 (Medium Density Residential) Zoning District. The location of the properties is set forth on the scale drawing attached as Exhibit A.

SECTION 2. CEQA-NEGATIVE DECLARATION. The City Council hereby determines that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City, and finds that adoption of the ordinance will have no significant negative impact on the area's resources, cumulative or otherwise.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2012, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

City Clerk

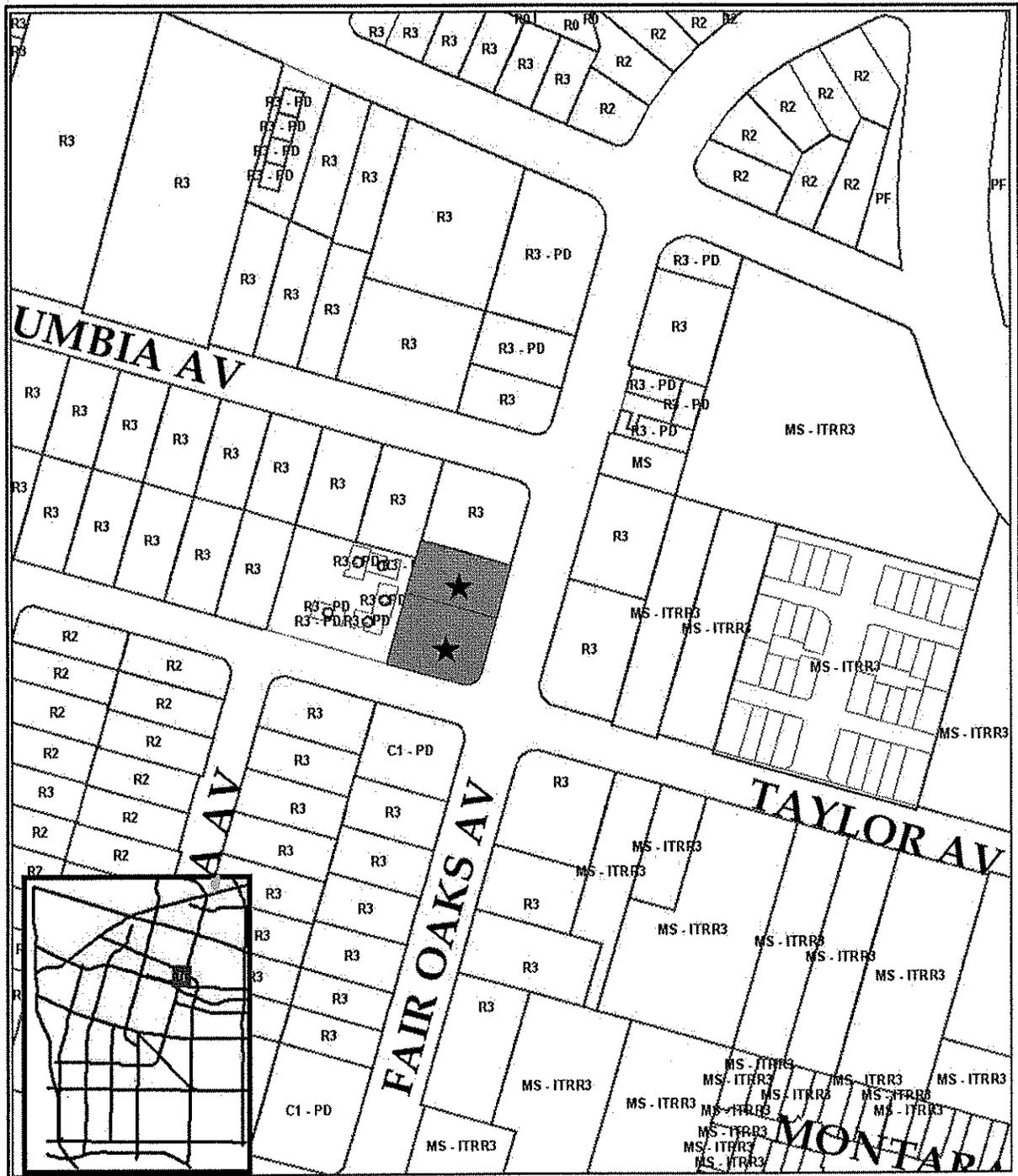
Mayor

Date of Attestation: _____

SEAL

APPROVED AS TO FORM AND LEGALITY:

David A. Kahn, City Attorney



★ 411-425 North Fair Oaks
Rezoned from R-3 to R-3/PD

0 37.5 75 150 Feet



4. **File #:** 2011-7829
Location: 411, 425 North Fair Oaks Avenue and 599 East Taylor Avenue (APN: 204-38-046 and 204-38-047)
Proposed Project: Application on a 0.4 acre site. Rezone from R-3 (Medium Density Residential) to R-3/PD, Special Development Permit to construct eight townhome units and a Vesting Tentative Map to create eight townhouse lots and one common lot.
Applicant/Owner: Silicon Valley Builders, LLC
Environmental Review: Mitigated Negative Declaration
Staff Contact: Diana O'Dell, (408) 730-7257
dodell@ci.sunnyvale.ca.us
Notes: *This item is scheduled to be considered by City Council at the 4/24/12 Council meeting.*

Diana O'Dell, Senior Planner, presented the staff report.

Comm. Sulser discussed with staff useable open space with staff explaining that in R-3 zoned areas there is no requirement for private useable open space.

Chair Hendricks opened the public hearing.

Sanjeev Acharya, applicant and owner of Silicon Valley Builders, said a neighborhood outreach meeting was held and the neighbors were supportive of a nice project being built in the neighborhood. He said the neighbors were more concerned about lighting in the nearby areas. **Richard Haro**, designer, discussed the details of the project including fencing for sound protection from North Fair Oaks, and the changes in the colors for the project. He discussed other changes to the plan since the study session including relief on the outside of the buildings and tree plans.

Chair Hendricks discussed with Mr. Haro changes in the trash cart plan. Chair Hendricks asked if the trash cart area would be a permanent, "no parking" area, or "no parking on trash pickup days" only area. **Trudi Ryan**, Planning Officer, said the Department of Public Works would determine what the final markings would be for the trash cart area. Chair Hendricks asked if the applicant would be opposed to "no parking at any time" for this area. Mr. Haro said the applicant would not be opposed, as the area is only about two parking spaces in size.

Mr. Haro asked for flexibility to work with staff on the removal of several trees on the property. He said there are a couple of fruit trees and a Yucca tree that they would like to remove. Mr. Acharya said the landscaping plan includes many trees.

Chair Hendricks asked staff about the request. Ms. O'Dell said she believes the applicant is requesting flexibility to remove an English Walnut and a Chinese Pistache trees which are maintained on the current landscape plan. She said she believes the Yucca has already been approved for removal.

Chair Hendricks closed the public hearing.

Comm. Sulser moved for Alternative 1 to recommend to City Council to adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 411, 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue from R-3 to R-3/PD and approve the Special Development Permit and Vesting Tentative Map with modified conditions: adding that staff have the flexibility to work with the applicant on the landscaping, making the best effort to maintain the English Walnut and Chinese Pistache trees; and staff have the flexibility to work with the applicant on whether it is better to stripe the trash cart area as a "no parking" area or to allow parking at certain times. Vice Chair Larsson seconded the motion.

Comm. Sulser said he thinks this is an attractive project and a better design since the study session. He said the applicant asked for two deviations: the front setback which is a minor deviation; and a deviation for useable open space per unit which he would not usually grant. He said however, the way this project has open space sections in front of the units on Fair Oaks, that he can make findings to approve the project.

Vice Chair Larsson said he could make findings and agrees that useable open space meets the intent of the requirement. Vice Chair Larsson asked the maker of the motion if the motion includes flexibility on the removal of certain trees. Comm. Sulser said he was not leaning in that direction.

Chair Hendricks offered a Friendly Amendment that staff be allowed the flexibility: to work with the applicant on the landscaping making the best effort to maintain the English Walnut and Chinese Pistache trees; and to work with the applicant on whether it is better to stripe the trash carts area for no parking or to allow parking at certain times. Comm. Sulser asked Chair Hendricks what he thought the advantage of a "no parking" area would be. Chair Hendricks explained that he thought it would be better for traffic circulation, and felt that if parking were allowed sometimes that the trash carts would end up being placed in places other than the trash carts area. **He said the Friendly Amendment would allow the Public Works staff the flexibility to decide whether or not to stripe this area for no parking. The Friendly Amendment was acceptable to the maker and seconder of motion.** Ms. Ryan suggested that the wording include "make the best effort to maintain the English Walnut and the Chinese Pistache."

Comm. Kolchak said he would be supporting the motion and thinks it is a great project.

Vice Chair Larsson thanked the applicant for the changes in the paint colors and the relief on the walls.

Chair Hendricks said he could make the findings. He said he agrees the deviations are relatively minor and within the Planning Commission's latitude. He said he appreciates the applicant listening to the Planning Commission's comments in the study session. He said open space was discussed at an earlier study session and there is a park close to this site. He said he thinks the applicant has done a good job to put a lot into a small space.

ACTION: Comm. Sulser made a motion on 2011-7829 to recommend to City Council to adopt the Mitigated Negative Declaration and introduce an Ordinance to Rezone 411, 425 N. Fair Oaks Avenue and 599 E. Taylor Avenue from R-3 to R-3/PD and approve the Special Development Permit and Vesting Tentative Map with modified conditions: adding that staff have the flexibility to work with the applicant on the landscaping making the best effort to maintain the English Walnut and Chinese Pistache trees; and staff have the flexibility to determine whether it is better to stripe the trash cart area as a “no parking” area or to allow parking at certain times. Vice Chair Larsson seconded. Motion carried 4-0, with Comm. Chang, Comm. Dohadwala and Comm. Travis absent.

APPEAL OPTIONS: This recommendation will be provided to City Council and is scheduled to be considered at the Council meeting on April 24, 2012.