



Council Meeting: June 19, 2012

SUBJECT: **2012-7070 – JP DiNapoli Companies Inc. / Sequoia M & M LLC:** Application on a 14.2-acre site located at **505 North Mathilda Avenue** in an M-S-55% & M-S-70% Zoning District (APN: 165-42-005 - 009).

Introduction of An Ordinance **Rezone** multiple properties from MS-55% FAR and MS-70% FAR to MS-100% FAR and to allow an increase in the maximum height to 100 feet in MS-100% FAR areas

Motion **Design Review** to allow a 612,072 square foot R&D campus consisting of two new six-story office buildings, one new four-story building and an existing three story office building with a new five-level parking structure resulting in a 99.4% FAR

REPORT IN BRIEF:

Existing Site Conditions Office Buildings and Hotel

Surrounding Land Uses

- North Industrial, R&D Office, Restaurant uses
- South Industrial, Gas Station & Auto Repair uses (across Maude Ave.)
- East Office, Hotel, Multi-Family Apartment uses
- West Industrial, R&D, and office uses

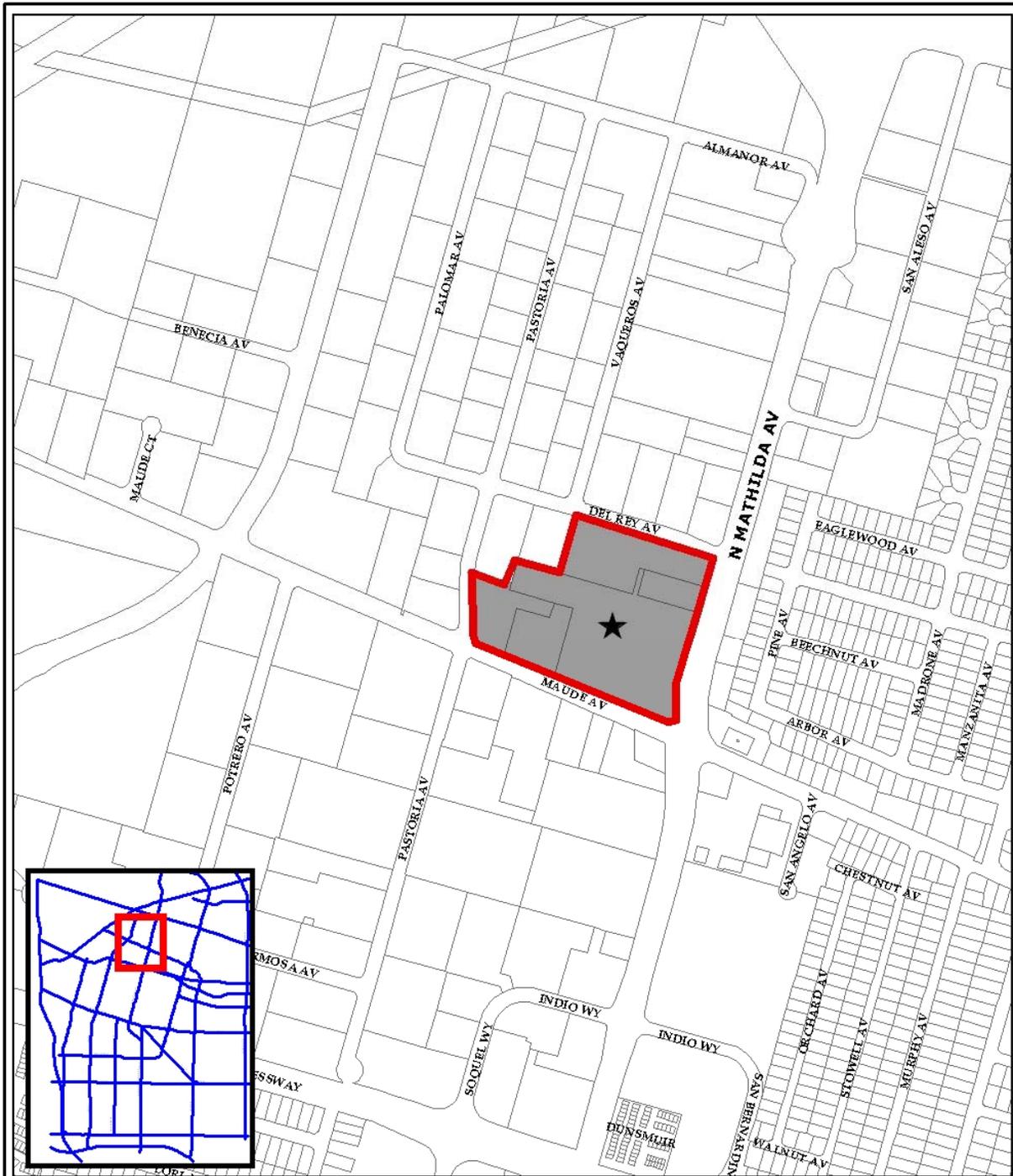
Issues Floor Area Ratio, Height

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

Planning Commission Recommendation Approve the Mitigated Negative Declaration; amend the zoning code for this site to M-S 100% FAR; amend the height limit for M-S 100% FAR to 100 feet; approve the Design Review (with conditions); and, direct staff to return with zoning text amendments for higher FAR sites to provide TDM programs, higher levels of green buildings and pay housing mitigation fees; to use square footage from the citywide Development Pool to support the increased FAR; and to add conditions to minimize light escape to nearby residential areas.

Staff Recommendation In accordance with Planning Commission recommendation.

VICINITY MAP



2012-7070
505 N. Mathilda Ave. (APN: 165-42-005 - 009)
• Design Review • Rezone



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Industry
Zoning District	M-S-55% F.A.R. & M-S-70% F.A.R.	M-S-100% F.A.R.	By Rezone
Lot Size (s.f.)	616,426	Same	22,500 min.
Gross Floor Area (s.f.)	264,125	612,072	616,426 through M-S-100% Rezone
Lot Coverage (%)	23%	37%	45% max.
★ Floor Area Ratio (FAR)	43%	99%	70% (proposed Rezone to allow 100%)
No. of Buildings	7	5 (4 office buildings + garage/amenity building)	N/A
Distance Between Buildings (ft.)	35'	100'	35' min.
★ Building Height (ft.)	18'	92' 6" (103' 2", including roof screen)	85' max. (w/ green building incentive) 110' to roof screen [proposed change to zoning code to allow 100 ft. max.]
No. of Stories	1 or 3 (blg to remain)	3, 4 and 6 (new office buildings) 5 (parking garage)	8 max.
Setbacks (Facing Property)			
N. Mathilda Avenue	25' – 95'	35' – 84'	35' min.
W. Maude Avenue	34' – 58'	25' – 74'	25' min.
Del Rey Avenue	67'	25' – 75'	25' min.
N. Pastoria Avenue	27' – 80'	25'	25' min.
Landscaping			
Total Landscaping (s.f.)	117,733	250,082	123,286 min.
% Based on Lot Area	19%	40.5%	20% min.
% Based on Parking Lot	45%	56.3%	20% min.
Frontage Width			15' min.
Parking Lot Area Shading (%)	40%	59%	50% min. in 15 years
Parking			
Total Spaces	890	2,018	249 min. 496 max.
Standard Spaces	690	411	124 min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Compact Spaces	200 (23%)	926 (46%)	50% max.
Accessible Spaces	22	35	31
Covered Spaces	0	1,613	No min./max.
Aisle Width (ft.)	Unknown	26'	26 min.
Bicycle Parking	0	110 (83 Class I, 27 Class II)	102 min. (75% Class I, 25% Class II)
Stormwater			
Impervious Surface Area (s.f.)	499,182	454,306	No max.
Impervious Surface (%)	80.9%	73.7%	No max.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

BACKGROUND

Description of Proposed Project

The proposed project will redevelop the site, encompassing five parcels, with two six-story R&D office buildings, one four-story R&D office building (totaling approximately 612,072 square feet) and a new 5-level parking structure that has a two-story amenities building attached. The project will retain a 73,245 s.f. three-story office building on Del Rey Avenue. To accomplish the proposed redevelopment the proposal also includes a Rezone of the existing parcels from M-S-55% FAR & M-S-70% FAR to M-S-100% FAR and a request to modify the height limit to 100 feet in the M-S 100% FAR areas.

Previous Actions on the Site

Previous planning applications for the site are summarized below:

File No.	Brief Description	Hearing/Decision	Date
7794	Futures Study (Industrial Re-Zoning)	City Council / Approved	10/5/1993
1998-1237	Miscellaneous Plan Permit and Design Review for a new 55% FAR three-story office building and site improvements (599 N. Mathilda Avenue/Del Rey Avenue)	Staff / Approved	5/10/1999

File No.	Brief Description	Hearing/Decision	Date
2001-0001 & 2001-0073	Design Review for a three-story office building and Rezone of two properties from M-S and M-S-70% FAR to M-S-55% FAR (510 N. Pastoria Avenue & 683 W. Maude Avenue)	City Council / Approved <i>(permit never exercised)</i>	2/8/2001

The Planning Commission reviewed the project on May 14, 2012, and recommended approval unanimously, 7-0, with modified conditions. More discussion of the public hearing is included in the Planning Commission Public Hearing section of this report (See Page 20).

Zoning History of the Site

Address	Zoning	Date Effective	Notes
505-599 N. Mathilda Avenue	MS – 70% FAR	1993	Futures Study
510 N. Pastoria Avenue	MS – 55% FAR	2001	35% FAR prior to 2001
683 S. Maude Avenue	MS – 55% FAR	2001	70% FAR prior to 2001 (Futures Study)

See Attachment H for a map of the zoning in the vicinity of the subject site.

EXISTING POLICY

The existing and proposed zoning is consistent with the General Plan land use designation of “Industrial” for the site.

General Plan Goals and Policies: The following are key goals and policies from the Land Use and Transportation Element of the General Plan which pertain to the proposed project:

Goal LT-6: Sustain a strong local economy that contributes fiscal support for desired City services and provides a mix of jobs and commercial opportunities.

Policy LT-6.2: Balance land use and transportation system carrying capacity necessary to support a vital and robust local economy.

Policy LT-6.4: Encourage sustainable industries that emphasize resource efficiency, environmental responsibility, and the prevention of pollution and waste.

Additional policies can be found in Attachment A, Recommended Findings.

Floor Area Ratio:

The Standard Floor Area Ratio (FAR) for M-S Zoned properties is 35% FAR. Due to previous zoning actions, the FAR permitted for the subject properties vary from 70% FAR for the three properties that border N. Mathilda Avenue to 55% FAR for the two along W. Maude Avenue. An increase in the allowable FAR can occur through three different zoning tools:

- A 10% FAR bonus can be granted if LEED certification at a Gold level is achieved. The application is reviewed by staff, without a public hearing.
- The standard FAR can be exceeded through the approval of a Use Permit by the City Council.
- The properties can be rezoned to raise the standard FAR level. A Rezoning request also requires City Council action. The applicable development permit would then be a Design Review, reviewed at a staff level if the zoning is already in place.

The applicant desires to develop the site with more than 80% FAR, therefore the first option is not viable for them. Staff has recommended that the applicant consider a Rezone application for this particular site due to its location along a major corridor and nearby higher industrial intensity zoning. Although a Peery Park Specific Plan has not been established, staff has identified the site as a candidate for increased FAR zoning.

Policies Related to Peery Park: The project site is located in the “Peery Park” industrial area, which is characterized by a large number of Class B and C buildings (see Attachment G for a detailed description of office class levels). While the Sunnyvale Municipal Code (SMC) does not require new office buildings to be of a particular class, several past and present City policies encourage renovation and redevelopment in Peery Park.

In 2003, staff developed a five-year *Community Development (CD) Strategy* to apply City resources strategically for community benefit. The goals of the CD Strategy were adopted by City Council and the document was updated in 2005. The CD Strategy identifies Peery Park as one of four industrial zone action areas, and encourages staff to explore incentives for redevelopment of Class C buildings in Peery Park to Class A structures. The CD Strategy notes that attraction of strong growth companies such as bio-technology to the area is an economic development goal.

In 2008, at the sunset of the five-year CD Strategy, the City Council directed staff to study preparation of a Specific Plan for Peery Park to incentivize reinvestment in the area by considering higher FARs, establishing a Development Reserve, and planning for public improvements. This study has been placed on hold due to budget constraints, but its selection by Council provides a further policy context for the project. Staff has continued to work with applicants on a case by case basis to determine possible impacts from redevelopment of sites within this designated study area.

Industrial Design Guidelines: The City's Industrial Design Guidelines (1993) provide recommendations for site planning, architecture, and design. These guidelines are referenced in the discussion and analysis below.

DISCUSSION AND ANALYSIS

Present Site Conditions

The project site is a 14.2 acre multi-parcel site at the northwest corner of N. Mathilda Avenue and W. Maude Avenue. The site is currently developed with:

- one three-story office building (to remain)
- three two-story office buildings
- one one-story office building,
- one two-story motel, and
- a single-story concrete tilt-up building and
- two surface parking lots.

The proposal would demolish each of these buildings except the three-story office building located at 599 N. Mathilda Avenue (facing Del Rey Avenue). Existing site access consists of two driveways each off N. Mathilda Avenue, Del Rey Avenue, and N. Pastoria Avenue. Minor modifications to the access points are discussed further in the report.

Project Context: The project site is located in the Peery Park area along one of the City's major transportation corridors (N. Mathilda Avenue). The Peery Park industrial neighborhood includes industrial and office projects developed at a variety of FARs in the 1970s and 1980s. Several nearby properties have recently been approved or have been redeveloped with higher FARs. A project nearby at the corner of Mary Avenue and Maude Avenue was recently approved through a Use Permit at 55% FAR. Another example is the HP site (formerly Palm) located at the opposite corner of Mary Avenue and Maude Avenue. Redeveloped in 1999, the three-building campus has an average FAR of 55% on two lots. A site at 525 Almanor Ave, which is zoned M-S-100%, was recently

redeveloped at approximately 66% FAR. Attachment H illustrates current development intensities in the project area.

Overview of Development Proposal

Use: The proposed project is for the redevelopment of a site consisting of five parcels with two new six-story office buildings (206,873 s.f. each) and one four-story office building (119,164 s.f.). An existing three-story R&D office building (73,425 s.f.) would remain. A 5,737 s.f. amenity building and five-level parking structure are also proposed to serve the uses on-site. The total floor area would be approximately 612,586 s.f. The new buildings would be considered Class A office buildings intended for R&D Corporate Office uses.

Floor Area Ratio: As a result of the new development, the site would reach approximately 99.4% FAR. To achieve the higher FAR, the sites are proposed to be rezoned to M-S-100% FAR. As discussed further in the report, the project has submitted a Traffic Impact Analysis and a Preliminary Transportation Demand Management Program (TDM) to reduce trips generated by the project. Although not required for the proposed FAR, if rezoned, the project targets LEED Gold with USGBC certification. The City's Green Building Program would require a project to meet the design intent of LEED Silver.

Proposed Zoning Amendments

Change under Consideration: The applicant has requested two amendments to the zoning code:

1. M-S 55% FAR and M-S 70% FAR to M-S 100% FAR.
2. Building Height limit from 75 feet to 100 feet

Staff has identified additional zoning code text amendments to address issues associated with the change to M-S 100% FAR that could affect other properties zoned M-S 100% FAR (see Attachment I for map of this area).

3. Housing Mitigation Fee
4. Transportation Demand Management

Discussion of Zoning: The site is zoned M-S and the zoning code text references the ability to develop up to 55% or 70% FAR on the different parcels. For simplicity staff refers to the zoning of the site as M-S 55% FAR and M-S 70% FAR. The request would establish increased density of the site by allowing additional floor area to 100% FAR. The General Plan land use designation is Industrial, and is shown as a Futures Intensification site to 70% FAR. Other than rezoning a property, sites in the industrial zoning districts may request higher FAR through a Use Permit (subject to City Council review).

The following table notes the difference between the Use Permit and Rezoning options for a higher FAR project:

Use Permit	Rezoning & Design Review
High FAR Use Permit requires City Council Approval	Rezone requires City Council approval Design Review is performed by staff
Use Permit expires after 2 years (plus a one-year extension) if not exercised	Zoning does not expire Design Review expires after 1 year
Additional square footage is deducted from the Citywide Development Pool	Currently, no Council policy on whether the Development Pool should be adjusted if there are zoning changes.
Housing Mitigation Fee is required for floor area above standard	Housing Mitigation Fee is not required for higher standard FAR sites
More conditions such as TDM programs and higher levels of Green Building can be applied to the project. Conditions decrease certainty in the development review process.	Policy expectation of higher intensity project is better communicated through zoning

At first consideration, the differences between a Use Permit and Rezoning may suggest that the Use Permit process offers more advantages to the City. The advantage of rezoning to allow up to 100% FAR is that it makes a stronger policy statement about what is the desired land use near the Mathilda/101 intersection. In the General Plan, this intersection is considered a gateway to the community and is an opportunity to provide clear support for bolder Class A office development. The issues identified above, including the differences between the processes are discussed in further detail below.

Development Pool: In 1998, the City Council adopted a policy that set up procedures and criteria for reviewing “high FAR” industrial projects. There are 26 criteria in the Use Permit Process that staff, Planning Commission and City Council use in determining the desirability of the higher FAR on a site. Part of the policy effort also created a citywide “development pool” of available floor area. This floor area helps assure consistency with planned growth in the General Plan. The pool is credited with square footage from sites without industrial uses such as utilities, hotels, retail, etc. It is debited each time a Use

Permit is approved. The current balance of the citywide development pool is 2,521,671 s.f. Staff recommends that the additional 194,577 s.f. allowed through rezoning be deducted from the development pool, leaving a balance of 2,327,094 s.f.

Housing Mitigation Fee: The Futures Study was completed in 1993 and a number of industrially zoned properties in Moffett Park and along N. Mathilda Avenue near Hwy US 101 were identified as Industrial intensification areas. The Council accepted that these properties would not need to pay Housing Mitigation Fees for the higher FARs as a way of encouraging this land use type. When the Moffett Park Specific Plan was adopted in 2003 the properties along Java Drive previously zoned for 50% FAR retained the exemption from housing mitigation fees, up to 50% FAR. The Housing Mitigation Fee requirement was codified in 2003; essentially all non-Futures sites must pay these fees for development area greater than 35% FAR.

If a Use Permit were processed for the site to allow 100% FAR (vs. the 55% and 70% the current zoning enables), the Housing Mitigation Fee would be about \$1,767,000. One solution is to modify the zoning code to require payment of Housing Mitigation Fees for Futures sites above a specified level (e.g. 70% FAR). Imposing the requirement on only this site raises questions about fairness in zoning. The code could be modified to apply to other Futures sites as well, however those property owners have not been notified of this potential change. Staff recommends that Council direct staff to return with a zoning code amendment that would apply to all Futures sites, including this site for FAR above 70%.

Transportation Demand Management (TDM): Through a Use Permit or the Green Building incentive, a TDM program is imposed or required, respectively. For the Futures sites on N. Mathilda Avenue there is no mandatory TDM; it is wholly up to the tenant on whether they wish to have a TDM program. The applicant for this site has agreed to provide a TDM program; however, as this is voluntary, there is not a good mechanism under the higher zoning FAR (i.e. 100% FAR) to assure its implementation. Staff recommends, similar to the Housing Mitigation Fee, that Council direct staff to return with zoning code amendments to require a TDM program for the Futures sites developed with more than 70% FAR. Staff further recommends a TDM goal of 20% total and 25% peak hour trip reductions with efforts to further reduce trip generation upon two years of full occupancy. (*See also, page 17 for discussion of applicant's proposed TDM program*)

Green Building Requirements: The current Green Building requirement for a new building greater than 5,000 s.f. is LEED Silver (Checklist). Developments taking advantage of the Green Building incentive of 10% FAR are required to have LEED Gold (certified through USGBC). In other words, the Futures sites

on N. Mathilda Avenue are required to meet LEED Silver (Checklist) unless they request a 10% FAR incentive which would require LEED Gold (Certified). The Green Building program could be modified to have a more aggressive requirement, such as LEED Gold (Design Intent), for all buildings above a specified threshold (i.e. FAR or square footage). Staff recommends returning with an adjustment to the Green Building Standards for high FAR developments. Preliminarily staff recommends LEED Gold (Design Intent) for projects over 70% FAR. The project would still need LEED Gold (Certified) for any density bonus above the maximum FAR. *(See also, page 17 for discussion of applicant's proposed Green Building level)*

Building Height Limit: The maximum height allowed for the M-S zoning district, including the Futures intensification areas, is 75 feet. An additional 25 feet is allowed (up to 100 feet) for architectural projections and screening for mechanical equipment. If designed at the LEED Gold level (w/ USGBC certification) the Green Building incentives allow for the maximum height to be exceeded by an additional 10 feet (85 feet to the roof and up to 110 feet for certain projections). The proposed building reaches approximately 92 feet, six inches, as measured from top of curb; therefore, the maximum height of 85 feet is exceeded; however, the 110 feet allowed for architectural projections is not. The building peaks at approximately 103 feet.

The proposal includes a request to modify the maximum allowable height (S.M.C. 19.32.020) for the M-S 100% FAR zoning district to 100 feet (with additional height permitted for architectural projections, as currently permitted). No modification is proposed to the allowable number of stories (eight). In order to achieve the increased development intensity up to 100% FAR, it is considered extremely difficult to meet the 75 feet limit for an industrial office building over 4-5 stories. Staff notes that Code requirements for the Moffett Park Specific Plan, through access to Development Reserve, provide for a maximum total height of 130 feet (including rooftop projections and screening). The current height limit of the subject site makes it more difficult to achieve a 100% FAR. The height limit has not been an issue to date as there have not been any proposals above 66% FAR in the Futures sites. If approved, the proposed modification to the height limit would allow for future applications on similarly zoned sites to propose greater building height. Staff expects to re-examine specific development standards for the Peery Park Specific Plan areas when the study is undertaken. Although not formally adopted at this time, staff notes that the proposed building height meets recommendations of the Santa Clara County's administrative draft of the Compatible Land Use Plan (CLUP) for Moffett Federal Airfield.

The request to modify the height limit for Futures intensification sites was included in the project description and noticing of the project. The City Council

could consider taking action on a change to the height limit as part of the decision on this application.

Design Review

Site Layout: The two six-story office buildings would be positioned along N. Mathilda Avenue with primary entrances at the corners facing an interior landscaped plaza. The four-story building is proposed near the corner of W. Maude Avenue and N. Pastoria Avenue. The primary entrance would also face the interior of the site and a separate landscaped plaza adjacent to the proposed parking structure. The five-level parking structure would be located at the center of the site. An amenity building is positioned at the western end of the parking structure facing the central plaza area between the six-story buildings.

The vehicular access of the site would be modified by eliminating the driveways off of N. Mathilda Avenue. Each of the driveways off of W. Maude Avenue, Del Rey Avenue and N. Pastoria Avenue would be reconfigured at the existing locations.

The plaza between the buildings has been designed to encourage pedestrian access from N. Mathilda Avenue. Other prominent site layout features include a water feature at the corner of W. Maude Avenue and N. Mathilda Avenue and a terraced planter adjacent to the amenity building. Curved walls that may include future signage are positioned at the N. Mathilda Avenue street corners. Possible locations for public art are to be considered within the central plaza. The proposal includes significant landscape improvements and public sidewalk enhancements along the N. Mathilda Avenue and W. Maude Avenue frontages which are discussed further in the “Landscaping” section of the report.

(See Attachment D for site plans.) The following Guidelines were considered in analysis of the site design:

Industrial Design Guidelines (Site Design)	Comments
<i>A1. New development shall enhance the character of its surrounding area through quality architecture, and landscaping and appropriate site arrangement.</i>	The proposed plan enhances the site and surroundings through high-quality architecture and site design. The siting of the buildings allows for creative use of landscaping within centralized plaza areas and along the street. The location of the parking structure away from the street also allows for less surface parking and increased landscaping coverage.

Industrial Design Guidelines (Site Design)	Comments
<i>A2. New development in an area with an established character shall be compatible with its surrounding development in intensity, design, setback, building form, scale, material, and color and landscaping unless there are specific planning goals to change the character of an area.</i>	The proposed project is consistent with the developing character of sites similarly zoned to the north along N. Mathilda Avenue. The project continues the recent trend of Class A redevelopment within the Peery Park industrial neighborhood.
<i>B1. Site components such as structures, parking, driveways, and out-door functions shall be arranged and located to emphasize the aesthetically pleasant components of the site such as existing mature trees and views, or superior architectural features, and disguise its less attractive scenes such as service facilities, outside storage and equipment areas, and trash enclosures through placement and design of structure and landscaping.</i>	The proposal emphasizes a grand architectural presence along one of the City's primary transportation corridors. The proposed plaza between the two new buildings on N. Mathilda Avenue encourages public access. The parking structure has been strategically placed at the center of the site to reduce its visibility. Pedestrian pathways have been designed to improve the overall connectivity and create an attractive campus environment.

Architecture: The existing office buildings and motel were constructed during the 1970s and 1980s with the exception of the three-story building that is planned to remain, which was constructed in 1999. The existing buildings are Class B or C industrial design which is typically found in Peery Park. The proposed Class A buildings are high-quality architectural design and constructed of a combination of glass and steel with aluminum and GFRC paneling. The buildings are uniquely designed with curvilinear form along the street frontages. The overall height of the four-story buildings reaches a peak of approximately 103'2" (as measured from top of curb) including roof screening. The four story buildings reach a peak of 73' 2" to the top, including screening. The parking structures peak at 53' including the elevator tower. Solar panels which shade parking spaces on the roof extend the overall height up to approximately 60'.

Staff has worked with the applicant to add interest at the corners of the buildings at the pedestrian level as well as along the length of the building at the top to break up the mass. Each building utilizes a similar form while mirroring each other on-site. The modern design utilizes angled glass pop outs at portions of the building's façade and corners. Aluminum canopies at the corners have been provided at a pedestrian scale while integrating with the rest of the building.

The parking structure, which is setback considerably from the street, matches the office building with color and the use of aluminum panels and steel framing. Brushed stainless steel panels break up the mass along with concrete reveals. Solar panels on the roof also break up the expanse of the structure on the roof. The two-story amenity building positioned at the east side of the parking structure faces the central pedestrian plaza; it has a similar modern design as the office building. Aluminum paneling is designed above and around dual-pane tinted vision glass within the first level. A roof terrace is planned to be located on top of the amenity building (See Attachment D for architectural plans). The following Guidelines were considered in the analysis of the project architecture:

Industrial Design Guidelines (Building Design)	Comments
<i>B1. New buildings shall maintain diversity and individuality in style while improving aesthetic character of their surrounding area</i>	The proposed architectural style is distinctive and of high quality. The design will enhance the aesthetic character of the area which includes several newer Class A buildings. The proposal is consistent with nearby sites while using new forms and colors for variety.
<i>B2. Roof equipment shall be fully screened by parapets, roof screens or equipment wells.</i>	The proposed design includes a roof screen that is integrated into the form of the building and is composed of a combination of aluminum and GFRC panes on steel framing.
<i>B5. Main entrances of the buildings shall be well defined</i>	The main entrances of buildings which face the interior plaza and parking areas are well defined through the use of aluminum storefront canopies and glass features. Additional treatment to the landscaping and paved walkways also helps further define the building entrances.
<i>B6. New buildings shall have at least one major focal point and minor focal point. Focal points should be achieved through horizontal and vertical lines, change in material, change in color, changing the form and shape of a portion of the building, etc. Combining the main entrance and the focal points is encouraged.</i>	The curvilinear form of the building shape and treatment to the corners provide various focal points to the overall design. The horizontal and vertical form of the buildings is also broken up with the use of different materials and treatment.

Industrial Design Guidelines (Building Design)	Comments
<i>E1. A comprehensive material and color scheme shall be developed for each site.</i>	The proposed office building will be constructed of different forms of glass with steel framing along with aluminum panels. GFRC panels are also used at the corners and extend horizontally through portions of the building design. The proposed parking garage will be constructed mostly of precast concrete with similar accented aluminum and steel paneling as the rest of the buildings on-site.
<i>E3. Large expanses of high reflective surface and mirror glass exterior walls shall be avoided to prevent heat and glare impacts on the adjacent public streets and properties.</i>	The proposed office buildings will utilize tinted and spandrel glass along exterior facades. Mirror glass is not proposed. The project site is not adjacent to residential uses.

Landscaping: The proposed project will introduce a considerable amount of landscaping to the site over current conditions. Although the overall floor area of the site is increased, the amount of surface parking area is not significantly increased due the proposed parking structure located in the middle of the site. The structure allows for increased landscaping to be designed along the street frontages of the site which helps buffer the visibility of parking areas. Additionally, the landscaping has been designed to accommodate plazas between the buildings and increased area for pedestrian connectivity throughout the site. The applicant’s most recent design has improved the pedestrian realm along W. Maude Avenue and N. Mathilda Avenue by incorporating VTA guidelines for public sidewalks. The sidewalks will be widened and an integrated tree planting plan is also planned for this area. An eight-foot sidewalk is planned along N. Mathilda with a five foot planter strip that includes trees between the street and the sidewalk. Additionally, a double row of trees is planned along the private property side. Along W. Maude Avenue, a five-foot sidewalk and five-foot park strip are planned between the street and sidewalk. Trees will be planted continuously adjacent to the sidewalk on both sides. See Site Plan in Attachment D for more detail.

The project provides approximately 40% of the lot area as landscaping in compliance with current SMC requirements. The high percentage of landscaping will be located throughout the site and will include a variety of plant materials. There are 413 existing trees on-site, 160 of which are defined as protected by the SMC based on size. A total of 21 of those trees which are mostly located at the perimeter of the site, will be retained. The applicant is also proposing to plant approximately 425 new trees within significantly

upgraded landscaping. Staff recommends Condition of Approval BP-13e (Attachment B) requiring that any protected tree removed be replaced by a 36-inch box size tree. The proposal indicates compliance to the requirement for trees to provide a minimum 50% shading of parking and drive aisles within 15 years of planting. To ensure this requirement is met, staff has included Condition of Approval BP-13a. The following Guideline was considered in analysis of the project landscaping:

Industrial Design Guidelines (Landscaping)	Comments
<i>A2. All areas not in use by structures, driveways, and parking spaces shall be properly landscaped.</i>	The project will significantly upgrade the current site landscaping while preserving existing mature trees where possible. All areas not utilized by structures, parking, and driveways will be landscaped with live plant materials, walkways, and patios.

Parking: Industrial and Corporation Office uses require a minimum of one parking space per 500 square feet of floor area and a maximum of one space per 250 square feet. The proposed project is consistent with this standard by providing approximately 1 parking space per 303 square feet of floor area. A total of 405 surface parking spaces are provided in addition to the 1,613 spaces within the five-level parking structure (2,018 spaces total). As stated previously, site access is provided through multiple driveways along W. Maude Avenue, Del Rey Avenue, and N. Pastoria Avenue. No vehicular access is provided along N. Mathilda Avenue for the new development. Staff recommends that access be removed from N. Mathilda Avenue to improve traffic flow along N. Mathilda Avenue. The proposed new driveways will be located similarly to the existing site driveways with minor reconfiguration.

Circulation: A Traffic Impact Analysis (TIA) was required for this project due to the net increase in trip generation expected for the higher FAR proposed for the site. A more detailed discussion of trip generation and traffic analysis is provided in the Initial Study document (Attachment C, page 18). In addition, the applicant has submitted a Preliminary Transportation Demand Management (TDM) Program to further reduce vehicle trips.

Specific measures related to traffic mitigation include: roadway improvements along N. Mathilda Avenue to allow a lengthened right turn pocket; and, an extension to the left turn pocket along N. Pastoria Avenue. Furthermore, future dedication for a bike lane along W. Maude Avenue between N. Mathilda Avenue and N. Pastoria Avenue is required. Per VTA recommendations, bus stop duckout improvements are required. The Mitigation Measures have been incorporated as Conditions of Approval (Attachment B).

TDM Program: The applicant has submitted a draft TDM Program prepared by Hexagon Transportation Consultants (Attachment F). The preliminary plan indicates a 20% reduction in daily vehicle and 25% reduction in peak hour trips. The TDM Plan would partially offset the proposed increase in density from the current maximum allowable floor area ratio (FAR) to the proposed FAR. The program proposes TDM measures including site design, a carpool/vanpool program, alternative work schedules, clean air vehicle parking, subsidized bicycle expenses, shower and clothes lockers, and ride matching assistance. A transportation coordinator will be provided initially who will be responsible for implementing the TDM program. Ultimately, the future tenant will be encouraged to provide a coordinator. The TDM Program will be managed by the building tenant(s) who are not known at this time.

Based on the reductions required for other higher-intensity projects, staff recommends requiring the final TDM Program achieve a minimum 20% reduction in total daily vehicle trips and a minimum 25% reduction in daily peak hour vehicle trips. Staff is also recommending a formal review and evaluation of the TDM program within two years after full occupancy in an effort to achieve up to 25% total and 30% peak hour reductions based on performance of site and/or changes to the transit environment. An annual report to the City would be required to monitor compliance. Staff also recommends a penalty clause for non-compliance be included in the program similar to other approved TDM Programs. Penalties would vary with the level of compliance, and would be calculated based on the estimated cost per employee of implementing a successful TDM Program. Finally, staff recommends the requirement to implement and manage a TDM Program be included in tenants' lease agreements. A final TDM Program must be submitted for review and approval by staff prior to issuance of building permits (See Attachment B, Conditions of Approval BP-20 and AT-9). Other sites zoned M-S 100% are not required to have TDM programs; as previously stated on page 10, staff recommends that Council direct staff to return with zoning code amendments to require a TDM program for the Futures sites developed with more than 70% FAR.

Green Building: The minimum green building standard required by the SMC for new non-residential construction over 5,000 square feet is to design for LEED Silver level. Since the applicant is requesting additional height above the maximum level, the applicant has indicated LEED Gold with USGBC certification will be pursued for the project. Since the proposal includes a rezoning request to raise the standard FAR level to 100%, no additional incentives are available for the project for higher levels of LEED design. The preliminary checklist indicates that the project will exceed the minimum level for LEED Gold, which is 60 points, by targeting 71 points. Staff has included Condition of Approval BP-21 which requires green building measures to be

implemented. The applicant is also required to include in leases the need for all tenants to obtain LEED Gold certification for tenant improvements.

Compliance with Development Standards

As conditioned, the proposed development meets SMC standards for the M-S zoning district for setbacks, lot coverage, landscaping, parking, and solid waste. As discussed above the project does not meet the current FAR and height limits without the change in zoning. The project complies with the Industrial Design Guidelines as discussed in the above sections.

Expected Impact on the Surroundings

The proposed project will include demolition of existing industrial and motel buildings. Short-term construction-related impacts will include increased noise and dust (see construction plan in Attachment C, page 4). These impacts are not expected to be significant as their proposed duration is short and there are no nearby sensitive uses such as residential. Long-term project impacts include increased building mass and height. As recommended by the Transportation Impact Analysis, staff has included mitigation measures to reduce impacts related to increased traffic to the site. The site plan and high-quality building design will improve the site and overall streetscape while minimizing negative impacts. The project is compatible in design to development in the surrounding Peery Park industrial area and may attract further interest for redevelopment opportunity.

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City guidelines (see Attachment C). An Initial Study determined that construction of the proposed project has the potential to result in significant effects on traffic, biological resources (possible disturbance of nesting birds) and cultural resources (possible discovery during excavation). Implementing mitigation measures during the construction phase will reduce these impacts to a less-than-significant level. Primary mitigation measures address traffic, which was previously discussed.

FISCAL IMPACT

The proposed project is anticipated to have a positive fiscal impact on the City. Redevelopment of the site as proposed will increase the assessed value of the property and is estimated to result in the City receiving an additional \$58,240 in property taxes annually. In addition, the proposed office building is designed to attract high-quality tenants such as corporate headquarters of technology

companies. These tenants will have a positive economic impact by providing jobs and enhancing the image of the City. Total employees at this site are estimated to be 1,800 (vs. 800 potential employees with existing buildings). The businesses and the employees affect retail sales tax revenue by patronizing Sunnyvale businesses. There will be loss of Transient Occupancy Tax (TOT) averaging approximately \$10,000 per month over the past year and a half, due to removal of the motel. The office buildings are currently vacant; therefore, no loss of revenue will occur due to displaced tenants.

Transportation Impact Fee: Projects resulting in net new peak hour automobile trips are subject to a transportation impact fee (TIF). The TIF is estimated to be \$1,488,267.99 and must be paid prior to issuance of a building permit. The amount is subject to the fee schedule in place at the time of payment.

Housing Mitigation Fee: Industrial projects that exceed zoning thresholds are required to mitigate the demand for affordable housing created by the higher intensity development through payment of a Housing Mitigation Fee (SMC 19.22.035). Since the project would not be exceeding the standard FAR for the site, if rezoned, a Housing Mitigation fee is not required; however, staff is recommending a change to the housing mitigation requirements for M-S 100% FAR zoned properties. Housing Mitigation Fees would be applied to the square footage exceeding 70% FAR. The required fee for this development is estimated at \$1,587,524.50 (see Condition of Approval BP-11a, Attachment B).

PUBLIC CONTACT

Planning Commission Study Session: The Planning Commission held a Study Session on the proposed project on March 26, 2012. Planning Commissioners expressed general support for the increased development intensity and architectural design.

Several commissioners commented regarding the overall pedestrian connectivity of the site. They also noted concerns regarding the gap between the four-story building and the six-story building along W. Maude Avenue. The applicant has modified and enhanced the pedestrian circulation on-site through landscaping and private walkway improvements. Furthermore, the applicant has utilized VTA guidelines related to improved pedestrian realm design along regional streets. The sidewalks for N. Mathilda Avenue and W. Maude Avenue have been widened and landscaping has been better integrated from previous site layouts.

Additional comments relating to the traffic circulation to the site were noted. Specifically, the commissioners had questions regarding the traffic flow from U.S. Highway 101 and State Route 237 to the project site as well as to Del Rey Avenue. A comment from the public noted that left turn in and out circulation to the site seems currently delayed. More details are provided in the TIA regarding expected traffic levels in the area.

Planning Commission Public Hearing: A Planning Commission public hearing was held for this proposal on May 14, 2012. The project was recommended for approval unanimously, 7-0, with a modified recommendation and Conditions of Approval. The recommendation has been modified to include language regarding the deduction of industrial FAR in the Citywide Development Pool. Condition of Approval BP-24 has been modified to require that lighting on the upper floors of the buildings be on timers or turned out at night when the buildings are not in use to reduce possible impacts to residential neighbors. Interior lighting shall also be designed to reduce spill-over during evening hours. Additional discussion at the public hearing related to the pedestrian and landscaping improvements that have been made since the Study Session as well as the height of the building and comparison to projects in Moffett Park. Commissioners also had questions regarding possible traffic impacts as well as the planned Transportation Demand Management Program. (A copy of the Planning Commission Minutes can be found in Attachment K.)

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 • 36 notices mailed to the property owners and tenants within 300 ft. of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Web site • 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 Web site

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings for the Use Permit with the recommended conditions. 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. Recommend the City Council
 - a. Adopt the Mitigated Negative Declaration
 - b. Introduce an Ordinance to amend the zoning code for 505-599 N. Mathilda Avenue, 683 W. Maude Avenue, and 510 N. Pastoria Avenue from M-S-55% and M-S-70% to M-S-100%,
 - c. Modify S.M.C. 19.32.020 related to height for the M-S-100% FAR zoning district to a maximum 100 feet.
 - d. Approve the Design Review with the attached conditions (including Planning Commission modifications).
 - e. Direct staff to return with zoning code modifications for the Futures intensification sites developed at more than 70% FAR. The amendments should address requirements for:
 - i. Housing Mitigation Fees
 - ii. Transportation Demand Management Requirements
 - f. Direct staff to return with Green Building program modifications for the Futures intensification sites developed at more than 70% FAR.
 - g. Deduct 194,577 s.f. from the Citywide Development Pool, based on the difference in floor area allowed under the current zoning and the proposed project.
2. Alternative 1 with modifications.
3. Recommend the City Council adopt the Mitigated Negative Declaration and:
 - a. Do not adopt an Ordinance to modify the zoning code for 505-599 N. Mathilda Avenue, 683 W. Maude Avenue, 510 N. Pastoria Avenue from M-S-55% and M-S-70% to M-S-100%%,
 - b. Do not modify S.M.C. 19.32.020 related to height for the M-S-100% FAR zoning district
 - c. Deny the Design Review and provide direction on whether a Use Permit application to exceed the 55% FAR and 70% FAR is appropriate for the site.
4. Recommend the City Council not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1: Staff recommends that the site be rezoned to allow up to 100% FAR to support the City's objectives of encouraging more Class A office development. The location is ideal for more distinctive land use and architecture as it is near the intersection of U.S. Hwy 101 and N. Mathilda Avenue, which is considered a Gateway in the Community Character chapter of the General Plan (Figure 4-1). Staff further recommends that the height limit for the Futures 100% FAR areas be increased to 100 feet to support the development of these intensities. The higher height will allow for more open space to be designed on the properties as they can build up versus out to achieve the desired building square footage. Staff also recommends approval of the Design Review with the attached conditions.

Staff further recommends that the Council direct staff to return with zoning code modifications for the Futures intensification sites developed at more than 70% FAR. The amendments should address requirements for Housing Mitigation Fees and Transportation Demand Management requirements with the goal of making them mandatory for the higher levels of development.

Further, the recommendation includes directing staff to return with a modification to the Green Building program for the Futures intensification sites developed at more than 70% FAR.

The zoning code and green building modifications will help to standardize the requirements between Moffett Park and the Futures area near the Mathilda/101 gateway.

Staff also recommends that industrial floor area in the Citywide Development Pool be reduced by 194,577 square feet, based on the difference of floor area allowed by the current zoning and the proposed project.

In addition to the zoning code amendments on height and FAR for the subject application, staff is recommending reformatting the zoning code section on building height, lot coverages, and floor area ratio. The changes are intended to enhance the clarity of the regulations (See Attachment I) and are part of the “Retooling the Zoning Code” effort.

Reviewed by:

Hanson Hom, Director, Community Development Department

Reviewed by: Trudi Ryan, Planning Officer

Prepared by: Ryan M. Kuchenig, Associate Planner

Approved by:

Gary M. Luebbers

City Manager

Attachments

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans
- E. Project Description from the Applicant
- F. Draft Transportation Demand Management Program
- G. Description of Office Class Levels
- H. Zoning Map for the Project Vicinity
- I. Draft Zoning Ordinance
- J. Project Renderings
- K. Minutes of the Planning Commission Hearing Dated May 14, 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 policies for the Peery Park Industrial area. Although the study has not been completed, Staff has identified locations within Peery Park industrial area that are candidates for increased development intensity. Subsequent environmental review has determined that the subject site can accommodate the increased development intensity and traffic with mitigation measures and certain public improvements.

Design Review

The City Council may approve any design review upon such conditions, in addition to those expressly provided in other applicable provisions of this code, as it finds desirable in the public interest, upon finding that the project's design and architecture will conform with the requirements of the "Citywide Design Guidelines" and/or "Industrial Design Guidelines."

As discussed in the body of the report, the proposed project meets the requirements of the requirements of the Industrial Design Guidelines."

General Plan Goals and Policies

Land Use and Transportation

Policy LT-1.7 *Contribute to efforts to minimize region-wide average trip length and single-occupant vehicle trips*

Action Statement LT-1.7a *Locate higher intensity land uses and developments so that they have easy access to transit services.*

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

Policy LT -4.8 *- Cluster high intensity industrial uses in areas with easy access to transportation corridors.*

Action Statement LT-4.8a - *Require high quality site, landscaping and building design for higher intensity industrial development.*

Action Statement LT-5.5d - *Maximize the provision of bicycle and pedestrian facilities.*

Action Statement LT-5.6b - *Promote public and private transportation demand management.*

Goal LT-6 - *Supportive Economic Development Environment - An economic development environment that is supportive of a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal and land use constraints.*

Policy LT - 6.2 - *Promote business opportunities and business retention in Sunnyvale.*

Action Strategy LT-6.3a - *Support land use policies to achieve a healthy relationship between the creation of new jobs and housing.*

Action Strategy LT-7.1b - *Ensure that rezoning industrial and commercial areas or specific sites will not significantly hurt the City's economic base.*

Policy LT-7.5 - *Encourage the attraction and retention of businesses that provide a range of job opportunities.*

Community Character

Goal CC-1 Distinguished City Image - *Promote Sunnyvale's image by maintaining, enhancing and creating physical features, including functional and decorative art, which distinguish Sunnyvale from surrounding communities and by preserving historic buildings, special districts and residential neighborhoods which make the City unique.*

Policy CC-1.1 - *Identify the boundaries of the City with attractive and distinctive features.*

Goal CC-3 Well Designed Sites and Buildings — Private Development: *Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.*

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.

Housing

Policy HE-1.4 - *Continue to require office and industrial development to mitigate the demand for affordable housing.*

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JUNE 19, 2012

Planning Application 2012-7070 505 North Mathilda Avenue

Design Review to allow a 612,072 square foot R&D campus consisting of two new six-story office buildings, one four-story buildings and an existing three story office building with a new five-level parking structure resulting in a 99.4% FAR &

Rezone multiple properties from MS-55% FAR and MS-70% FAR to MS-100% FAR and to allow an increase in the maximum height to 100 feet in MS-100% FAR areas.

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:

<p>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</p>

GC-1. CONFORMANCE TO APPROVED PLANNING APPLICATION: All building permit drawings and subsequent construction and operation shall substantially conform to 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. PUBLIC IMPROVEMENTS: The developer is required to install all public improvements, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signage, etc. as required by the Director of Public Works. All public improvements shall be designed and constructed in accordance with current City standard details and specifications, and approved by the Department of Public Works. [COA] [PUBLIC WORKS]
- GC-4. PUBLIC WORKS FEES: The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to any permit issuance. This includes, but is not limited to, an incremental sewer connection fee estimated at \$428,834.57 and an incremental water connection fee estimated at \$82,062.85 based upon available project data and fiscal year 2011-12 rate and is subject to change. [COA] [PUBLIC WORKS]
- GC-5. DEFICIENT PUBLIC IMPROVEMENTS: Any and all existing deficient public improvements which are not in accordance to the latest City standards shall be upgraded to current City standards as required by the Director of Public Works, such as the existing underground double check detector assembly, the backflow preventer and its enclosures, and as identified on the off-site improvement plans. [COA] [PUBLIC WORKS]
- GC-6. CURB RAMPS: Remove and replace all existing curb ramps in accordance to the latest City standard details and specifications along all project frontages. [COA] [PUBLIC WORKS]
- GC-7. ENCROACHMENT PERMIT: Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest CA Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed by the Department of Public Works.[SDR] [PUBLIC WORKS]
- GC-8. IMPROVEMENT AGREEMENT: The developer shall execute an improvement agreement and provide improvement securities for all

proposed public improvements prior to any permit issuance. [COA]
[PUBLIC WORKS]

- GC-9. USES: The building is approved for use by industrial, corporate office, and research and development office uses. Medical offices and medical clinics are not permitted by this Design Review due to insufficient parking and changes to the traffic analysis that would be needed. Medical office and clinic uses require separate review and approval by the Director of Community Development. [COA]
[PLANNING]
- GC-10. TENTATIVE PARCEL MAP AND PARCEL MAP: This project is subject to a separate tentative parcel map application with additional conditions of approval to address new buildings located on existing property lines and dedications/easements required by other project conditions stated herein. The submittal, approval and recordation of the parcel map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. The recordation of a parcel map must occur prior to any building permit issuance. Any improvements that are in conflict with the tentative map application filed later are subject to modifications as needed. Any other instruments in lieu of a parcel map (such as a lot line adjustment or lot merger) shall be approved by the City and in accordance with applicable provisions of the Sunnyvale Municipal Code. [COA] [PLANNING/PUBLIC WORKS]
- GC-11. *GREEN BUILDING REQUIREMENTS:*
- a) ***New Office Buildings:*** *The new buildings shall be constructed to meeting LEED Gold level and shall be submitted to USGBC for formal certification. All tenants will be required to obtain LEED Gold level and shall submit to USGBC for formal certification of the tenant improvements.*
 - b) ***Existing Building:*** *The existing building shall be certified LEED Gold (existing building program). The process for existing building certification shall commence no later than the start of the next lease; best efforts are required to achieve LEED Gold EB prior to that date. All new leases in the existing building shall obtain LEED Gold certification for tenant improvements. [COA] [PLANNING]*
(This condition was added by staff after the Planning Commission recommendation on 5-14-12)

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

- 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]

PS-2. PARKING AND CIRCULATION PLAN: Submit a revised parking and circulation plan subject to review and approval by the Director of Community Development prior to submittal of a building permit. The parking and circulation plan shall include all striping and signage required to direct on-site vehicles. It is recommended that on-site striping and signage be in accordance with the latest CA MUTCD [COA] [PLANNING]

PS-3. UNDERGROUND UTILITIES: The applicant shall demonstrate that all project utilities including transformers can be placed underground in compliance with SMC requirements. Any modifications shall be submitted to the Director of Community Development for review through a Miscellaneous Plan Permit prior to submittal of building permit plans. [COA] [PLANNING]

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

BP-1 CONDITIONS OF APPROVAL: Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL: A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. NOTICE OF CONDITIONS OF APPROVAL: A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report

- from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]
- BP-4. STORMWATER MANAGEMENT PLAN: Submit four 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-5. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION: Third party certification of the Storm Water Management Plan is required per the following document: “City of Sunnyvale – Storm Water Quality BMP Guidance Manual for New and Redevelopment Projects - Step 2B: Initiate Third Party Certification of Design Criteria”. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]
- BP-6. 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-7. RECYCLING AND SOLID WASTE ENCLOSURE: The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:
- a) Match the design, materials and color of the parking garage building into which the enclosure will be integrated.
 - b) Be of masonry construction.
 - c) Provide screening of the enclosure interior through solid/opaque enclosure doors. [COA] [PLANNING]
- BP-8. RECYCLING AND SOLID WASTE CONTAINER: All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]
- BP-9. 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. [COA] [PLANNING]
- BP-10. ROOF EQUIPMENT: Roof vents, pipes, flues, and equipment shall be combined and/or collected together behind parapets out of public

- view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
- BP-11. FEES AND BONDS: The following fees and bonds shall be paid in full prior to issuance of building permit:
- a) HOUSING MITIGATION FEE - If the City Council does not approve the requested rezone or if the zoning code is modified prior to issuance of building permits, a Housing Mitigation Fee of \$9.08 per square foot of floor area exceeding 70% FAR limitation is required. The required fee for this development would be estimated at \$1,587,524.50 fee, prior to issuance of a building Permit. (SMC 19.22). [SDR] [PLANNING]
 - b) TRAFFIC IMPACT FEE - Pay Traffic Impact fee for the net new peak hour trips resulting from the proposed project estimated at \$1,488,267.99 that will be calculated prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
 - c) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the office buildings, amenity building, and parking structure will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [SDR] [PLANNING]
- BP-12. ART IN PRIVATE DEVELOPMENT:
- a) Publicly visible artworks shall be provided. The artwork shall be integrated into the building architecture or landscape and be designed specifically for this site to ensure a strong association with the site and context.
 - b) An Art in Private Development application shall be submitted to the Director of Community Development, subject to review and approval by the Arts Commission, prior to issuance of a building permit. The Director of Community Development may accept a bond in lieu of an application for Art in Private Development; however, an application must be filed prior to occupancy of any new building.[COA] [PLANNING]
- BP-13. LANDSCAPE PLAN: Parking lot shading data shall be included in the landscaping plans. Parking lot landscaping shall comply with the requirement for 50% shading of parking areas and drive aisles within 15 years of planting.

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide trees at minimum 30-foot intervals along the side and rear property lines, except where mature trees are located immediately adjoining on neighboring properties.
- c) Deciduous trees shall be provided along southern and western exposures where possible for passive solar heating and cooling purposes.
- d) At least ten percent (10%) of trees planted shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- e) 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.
- f) Ground covers shall be planted so as to ensure full coverage eighteen months after installation.
- g) Landscaping plans shall demonstrate compliance with the water efficient landscaping requirements in SMC 19.37.
- h) Landscaping plans and stormwater management plans shall be developed in conjunction with each other to prevent conflicts.
- i) Decorative paving as shown on the approved site plans shall be retained as an integral landscaping feature of the final building permit plans.
- j) Backflow devices and other appurtenances shall include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located above ground. Screening shall consist of black metal mesh with rounded top covers (e.g. – “mailbox style”) and may also incorporate landscaping as additional screening. [COA] [PLANNING]

BP-14. 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-15. TREE PROTECTION PLAN: Prior to issuance of a demolition permit, a grading permit or a building permit, whichever occurs first, obtain approval of a Tree Protection Plan from the Director of Community Development. The Tree Protection Plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).

- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
 - c) 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.
 - d) Overlay civil plans including utility lines to ensure existing tree root systems are not damaged during utility work.
 - e) The tree protection plan shall be installed prior to issuance of any building, grading, or demolition permits, subject to 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-16. FENCES AND WALLS: Design, height, and location of any proposed fencing or walls shall be subject to review and approval by the Director of Community Development. [COA] [PLANNING]
- BP-17. 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-18. STORMWATER 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-19. 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.

- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
 - d) Covered trash, food waste, and compactor enclosures.
 - e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Water feature and fountain discharges, if discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]
- BP-20. TRANSPORTATION DEMAND MANAGEMENT: A final Transportation Demand Management (TDM) Program shall be submitted for review and approval by the Director of Community Development Prior to issuance of a building permit. The final TDM program shall incorporate the following:
- a) The program goals require an initial requirement for a minimum of a 20% reduction in total daily vehicle trips and a minimum of a 25% reduction in daily peak hour vehicle trips. The TDM program must include a good faith effort to achieve a minimum 25% reduction in total daily vehicle trips and 30% reduction in daily peak hour trips. The initial TDM program must also include an advocacy program to transit providers and business groups to provide services supporting reduced vehicle trips at this site.
 - b) A formal review and evaluation of the TDM by the Director of Community Development is required two years after full occupancy. The program goals may be increased up to 25% total and 30% peak hour reductions based on performance of site and/or changes to the transit environment.
 - c) A penalty clause shall be included for non-compliance with the TDM measures. Penalties shall vary with the level of compliance and shall be calculated based on the estimated cost per employee of implementing a successful TDM Program.

- d) All lease agreements with future tenants of the site shall note that the tenant is responsible for implementing and managing the TDM Program. [COA] [PLANNING]
- BP-21. GREEN BUILDING: Final plans shall incorporate a completed LEED green building checklist demonstrating the project design achieves a LEED Gold level verified by a qualified LEED consultant. [COA] [PLANNING]
- BP-22. CITY STREET TREES: The landscape plan shall including existing and proposed City 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-23. PHOTOMETRIC PLAN: Prior to issuance of a building permit submit a contour photometric plan for review and approval by the Director of Community Development. [COA] [PLANNING]
- BP-24. LIGHTING PLAN: Prior to issuance of a building permit, submit a detailed lighting plan for review and approval by the Director of Community Development. The plan shall include light fixture design, materials, and colors as well as information on photocell control, shielding, vandal-resistant covers, lighting type, and energy efficiency. ***(The following measures are recommended per the Planning Commission recommendation on 5-14-12):***
- a) *All lights in the upper floors of the office buildings (Levels 3 and higher) shall be on automatic timers so that lights turn off after workers leave each day.*
- b) *To the extent feasible, interior lighting design shall minimize spill-over of light to residential areas during evening hours. One possible feature is mechanized window coverings on timers. Alternative design measures can be implemented. Specifications are subject to review and approval of the Director of Community Development.*
- BP-25. COMPACT SPACES: Specify compact parking spaces on the building permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]
- BP-26. BICYCLE SPACES: Provide a minimum of 77 Class I bicycle parking spaces and a minimum of 26 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) or as approved by the Director of Community Development. [COA] [PLANNING]

- BP-27. **BICYCLE SUPPORT FACILITIES:** Indoor shower and locker facilities shall be provided for men and women consistent with the initial TDM plan and shall be subject to review and approval by the Director of Community Development prior to issuance of a building permit. [COA] [PLANNING]
- BP-28. **CARPOOL PARKING:** The plans submitted for building permits shall incorporate preferential parking spaces reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle. [COA] [PLANNING]
- BP-29. **MITIGATION MEASURE – BIOLOGICAL RESOURCES:** Final construction drawings shall incorporate all mitigation measures related to biological resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below. **MITIGATION MEASURE**

WHAT:

In conformance with Federal and State regulations regarding protection of raptors, the following CDFG protocols shall be completed prior to any development on the site to ensure that development does not disturb nesting raptors:

1. *Avoidance.* Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.
2. *Preconstruction/Pre-disturbance Surveys.* If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be conducted no more than seven days prior to the initiation of demolition/construction activities. During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation.

3. *Inhibit Nesting.* If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

WHEN:

These mitigation measures shall be converted into conditions of approval for the Design Review prior to its final approval. The conditions will become valid when the Design Review is approved. Conditions will be applicable during the construction of the project.

WHO:

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

HOW:

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

[COA] [PLANNING]

BP-30. MITIGATION MEASURE – CULTURAL RESOURCES: Final construction drawings shall incorporate all mitigation measures related to cultural resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below.

MITIGATION MEASURE

WHAT:

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

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

the procedures described below. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

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

- Deeding the site into a permanent conservation easement.

3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities. A data recovery plan and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the California Historical Resource Regional Information Center [CEQA Guidelines section 15126.4(b)]. In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a project area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

WHEN:

These mitigation measures shall be converted into conditions of approval for the Design Review prior to its final approval. The conditions will become valid when the Design Review is approved. Conditions will be applicable during the construction of the project.

WHO:

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

HOW:

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

[COA] [PLANNING]

- BP-31. MITIGATION MEASURE – AIR QUALITY: Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under “Mitigation Measures” in the approved environmental document and as noted below. **MITIGATION MEASURE**

WHAT:

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

1. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences shall be kept damp at all times.
2. Cover all hauling trucks or maintain at least two feet of freeboard.
3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
6. Replant vegetation in disturbed areas as quickly as possible.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
8. Limit traffic speeds on the construction sites to 15 mph.
9. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
10. During site demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations (refer to Section 2.9, Hazards and Hazardous Materials).
11. A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will

ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.

12. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.
13. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite.
14. Properly tune and maintain equipment for low emissions.

WHEN

These mitigation measures shall be converted into conditions of approval for the Design Review (DR) prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

WHO

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

HOW

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

- BP-32. MITIGATION MEASURE – TRAFFIC: Final construction drawings shall incorporate all mitigation measures related to cultural resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below. **MITIGATION MEASURE**

Traffic Impact Fee (TIF):

WHAT

TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts of the proposed development. These TIFs will be used by the City as part of the ongoing study and upgrade of

the City's transportation systems including the Mathilda Avenue 101/237 intersection to offset the contribution of project-generated traffic on local roadways.

WHEN

These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. Conditions shall be applicable at time of building permit issuance.

WHO

The property owner/developer shall be solely responsible for payment of the TIF.

HOW

The conditions of approval shall require these mitigation measures to be paid by the applicant or project proponent.

Turn Pockets:

WHAT

- 1) Implement a full width (min. 12 ft.) right turn lane on south bound Mathilda Ave. onto Maude Ave. for approximately 300 feet in length, excluding required taper length. Provide complete off-site improvement plans for City's review and approval. This project is required to provide adequate right-of-way along the west side of Mathilda Avenue, as needed and as identified on the off-site improvement plans. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 2) The existing southbound left turn pocket on Pastoria Avenue at Maude Avenue shall be restriped with extended length to 150 feet plus a 60-foot taper. Provide a signing and striping plan for City's review and approval as part of the off-site improvement plans and restripe accordingly.

WHEN

These mitigation measures shall be converted into conditions of approval for the DR prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

WHO

The developer will be solely responsible for implementation and maintenance of these conditions.

HOW

The conditions of approval will require these mitigation measures to be incorporated into the off-site improvement plans with details and implemented as part of the project's construction.

Pedestrian, Bicycles and Transit:

WHAT

- 1) A minimum of 77 Class I and 26 Class II bicycle parking spaces shall be provided for this project. Bike parking spaces shall be shown on the on-site plans and be approved by the City prior to building permit issuance. The bike parking spaces should be placed in accessible, secure, and well-lit locations near the building entrances.
- 2) To comply with the City's Bicycle Plan, provide a signing and striping plan for Maude Avenue (curb to curb) from Mathilda Avenue to Pastoria Avenue to demonstrate additional 5 feet bike lanes on both sides of Maude Avenue. The plan shall be submitted as part of the off-site improvement plans for City's review and approval. This project is required to provide adequate right-of-way along the north side of Maude Avenue, as needed and as identified on the signing and striping plan. This project is also required to implement the ultimate street curb location on the north side of Maude Avenue, including the northwest curb return at Mathilda Avenue and Maude Avenue. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 3) To comply with the City's Bicycle Plan, provide a signing and striping plan for the west side of Mathilda Avenue (west of the center median) from Del Rey Avenue to Maude Avenue to demonstrate additional 5 feet bike lanes on west side of Mathilda Avenue. The plan shall be submitted as part of the off-site improvement plans and subject to City's review and approval. This project is required to provide adequate right-of-way along the west side of Mathilda Avenue between Del Rey Avenue and Maude Avenue, as needed and as identified on the signing and striping plan. This project is also required to implement the ultimate street curb location for the west side of Mathilda Avenue from Del Rey Avenue to Maude Avenue. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 4) Install a bus stop duckout in accordance with the current VTA design standards for the existing bus stop located on Mathilda Ave. just south of del Rey Ave. Install a minimum 10 feet by 55 feet Portland Cement Concrete (PCC) bus pad, a bus shelter, and a minimum 8 feet by 40 feet sidewalk adjacent to the bus stop.; Trees and landscape items should be placed at the back-of-walk or outside of the bus stop area.

WHO The developer shall implement these mitigations during the construction of the project.

HOW

The conditions of approval will require these mitigation measures to be incorporated into the off-site improvement plans and implemented as part of the project's construction.

HOW

The conditions shall be incorporated into the construction plans. The fees shall be paid to the City and the City shall implement the mitigation through City sponsored projects and programs.

Construction Impacts:

WHAT

The parking structure shall be constructed prior to or concurrently with new office buildings to avoid parking concerns.

All construction related materials, parking and equipment shall be stored on site unless approved in advance by the City's Engineering Division through an encroachment permit, and the public streets shall be kept free of construction debris.

WHEN

These mitigation measures shall be converted into conditions of approval for the DR prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

WHO

The developer shall be required to construct the improvements.

HOW

This mitigation measure shall be incorporated into the construction plans.

- BP-33. MITIGATION MEASURE – HAZARDOUS MATERIALS: Final construction drawings shall incorporate all mitigation measures related to hazardous materials as set forth under "Mitigation Measures" in the approved environmental document and as noted below. **MITIGATION MEASURE**

Site Management Plan

WHAT

The SMP should include the following:

- 1) Site control procedures to control the flow of personnel, vehicles and materials in and out of the Site.

- 2) Measures to minimize dust generation, storm water runoff and tracking of soil off-Site as well as to reduce the potential for the creation of preferential pathways (vertical or horizontal) for chemicals of potential concern detected in ground water beneath the Site.
- 3) Geotechnical recommendations to excavate and re-compact loose fill that may have been placed into the UST excavation. If pockets of suspected contaminated soil are encountered in these areas, protocols should be provided to segregate “clean” soil from soil suspected to be contaminated.
- 4) If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternatives should be described.
- 5) Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- 6) Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during Site development activities.
- 7) Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- 8) Procedures to evaluate and document the quality of any soil imported to the Site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- 9) Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors.
- 10) Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- 11) Appropriate measures will be implemented to reduce soil vapor and ground water migration through trench backfill and utility conduits.
- 12) Protocols to pre-characterize/profile soil planned to be excavated during construction activities to evaluate cost effective disposal facilities and to obtain their acceptance of this material prior to grading activities.

Asbestos Containing Building Materials (ACBMs)

Due to the age of the on-Site structures, building materials may contain asbestos. ACBM is less likely to be present in the newer buildings.

- 1) If demolition, renovation, or re-roofing of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially

friable ACBMs prior to building demolition or renovation that may disturb the ACBM.

Lead-Based Paint

The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the 510 North Pastoria Avenue and 683-685 West Maude Avenue buildings, lead-based paint may be present. If demolition is planned, the removal of lead-based paint isn't required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it should be removed prior to demolition.

- 1) Applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others.
- 2) Any debris or soil containing lead must be disposed appropriately.

Ground Water Monitoring Wells

Several ground water monitoring wells were observed at the Site that appeared to be those associated with off-Site spill incidents. These wells will either need to be appropriately abandoned or protected during redevelopment activities. The relocation of some wells may be required. This work should be coordinated with the parties responsible for the up-gradient spill incidents and the appropriate overseeing regulatory agencies.

- 1) Confirmation shall be obtained that all wells associated with the former on-Site Shell station LUST case have been appropriately destroyed under permit from the Water District.

WHEN

This mitigation shall be converted into conditions of approval for this Design Review (DR) prior to its final approval by the City's City Council. The conditions will become valid when the DR 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.

- BP-34. UNDERGROUND UTILITIES: All utilities shall be placed underground, including boundary lines and transformers, in compliance with SMC requirements. The applicant shall provide a copy of an agreement with affected utility companies for undergrounding of any existing

- overhead utilities which are on-site or within adjoining rights-of-way prior to issuance of a building permit. [SDR] [PLANNING]
- BP-35. UTILITY CONDUITS: Install conduits along the project frontage for cable television, electrical and telephone lines in accordance with standards required by utility companies. Submit a conduit plan prior to issuance of a building permit. [COA] [PLANNING]
- BP-36. FIRE PROTECTION WATER SUPPLY: The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety prior to issuance of building permits. A fire hydrant will be required within 50 feet of the FDC on the same side of the street. [SDR] [DPS/FIRE PREVENTION]
- BP-37. FIRE SPRINKLERS: A fully automatic fire sprinkler system, fire alarm system, standpipes, and smoke control system are required. Trash enclosures located within 5 feet of building exterior walls or overhangs require fire sprinkler protection. [SDR] [DPS/FIRE PREVENTION]
- BP-38. FIRE EXTINGUISHERS: Provide the required number of approved fire extinguishers. [SDR] [DPS/FIRE PREVENTION]
- BP-39. FIRE HYDRANTS: Replace all fire hydrants on the project site and along the project frontages which are 30 years or older. [COA] [DPS/FIRE PREVENTION/PUBLIC WORKS ENGINEERING]
- BP-40. FIRE ACCESS ROADS: Provide fire access roads as required by Fire Prevention Services. On-site fire hydrants may be required along fire access roads and/or in parking lots. [SDR] [DPS/FIRE PREVENTION]
- BP-41. KNOX BOX: A Knox (key) box will be required for site and building access in accordance with Fire Prevention guidelines. [COA] [DPS/FIRE PREVENTION]
- BP-42. RADIO RETRANSMISSION: Radio retransmission equipment may be required for emergency responder radio coverage. [COA] [DPS/FIRE PREVENTION]
- BP-43. CONSTRUCTION FIRE ACCESS: Prior to any combustible materials on-site, provide fire access drives and operational on-site fire protection systems. [SDR] [DPS/FIRE PREVENTION]
- BP-44. FIRE PROTECTION PLAN: Provide a written Fire Protection Construction Plan for review and approval by Fire Prevention Services prior to issuance of building permits. [SDR] [DPS/FIRE PREVENTION]

BP-45. ELECTRONIC PLANS: Provide an electronic version of building permit plans to Fire Protection Services to assist with Fire Department “Pre-Fire Survey” maps. [SDR] [DPS/FIRE PREVENTION]

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

EP-1. OFF-SITE LANDSCAPE PLANS: Submit separate landscape plans that show existing and proposed City street trees, ground covers, irrigation system and other appurtenances or review and approval by the Public Works Department prior to issuance of the encroachment permit or map recordation, whichever occurs first. [COA] [PUBLIC WORKS]

EP-2. STREET TREES: No street trees are to be planted within 10’ of any sanitary sewer laterals. Street trees shall be a minimum 24” box size and species Recommended street tree species along the project frontage are as follows: Del Rey Avenue: Heritage Birch (Betula Nigra). Mathilda Avenue: Magnolia or Southern Live Oak (Quercus Virginiana). Maude Avenue: Chinese Pistache or if within park strip area, Heritage Birch (Betula Nigra). [PUBLIC WORKS]

EP-3. MATURE EXISTING STREET TREES: All existing street trees in healthy condition shall remain to the extent possible and shall be protected during construction. No utility trench shall be allowed within a 15’ radius of an existing mature street tree. Boring, air spade or other excavation method as approved by the City Arborist. [PUBLIC WORKS]

EP-4. PUBLIC FIRE HYDRANTS: Replace all fire hydrants along the project frontages with Clow 75. Public fire hydrants shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc. for a minimum of four feet. [COA] [DPS/FIRE PREVENTION/PUBLIC WORKS]

EP-5. PUBLIC SIDEWALKS: Install new public sidewalks along Pastoria Avenue and Maude where there are no existing sidewalks and where sidewalk location needs to be modified to accommodate a future bicycle lane and minimum five foot landscape strip between the curb and the sidewalk. Install root barriers according to the latest City standards. No decorative paving shall be installed in the public right-of-way. [COA] [PUBLIC WORKS]

EP-6. PUBLIC SIDEWALK EASEMENTS: Dedicate public sidewalk easements for all existing sidewalk and new sidewalk located on private property with separate instrument. [PUBLIC WORKS]

- EP-7. RED CURB ZONE: Install “No Parking Anytime” signage along Del Rey Avenue where red curb exists. [COA] [PUBLIC WORKS]
- EP-8. FIRE SERVICE LINE/DOUBLE CHECK DETECTOR ASSEMBLY: Provide on-site looped fire service lines with two separate double check detector assemblies (DCDA) with separate fire service meter(s) to current City standard 21B and two separate service taps. Reuse of existing fire service and/or appurtenances is subject to City review and approval. [COA] [PUBLIC WORKS]
- EP-9. BACKFLOW PREVENTORS: For domestic and irrigation water service lines, install new and/or upgrade existing backflow prevention devices in accordance with the City current standards and specifications. [COA] [PUBLIC WORKS ENGINEERING]
- EP-10. SEWER CLEANOUT: Install new sanitary sewer cleanouts at the property lines for all existing and proposed sanitary sewer laterals. [COA] [PUBLIC WORKS]
- EP-11. WATER METERS: Each building shall have its own independent and separate public radio-read water meter placed in the public right-of-way. Upgrade all existing water meters to radio-read disk-type. A separate irrigation water service tap and meter is recommended. [COA] [PUBLIC WORKS]
- EP-12. ABANDONED DRIVEWAY APPROACHES: All unused driveway approaches shall be replaced with curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]
- EP-13. UTILITY METER/VAULT AT DRIVEWAY APPROACH: No existing or new utility meters or vaults shall be located within the new driveway approach areas. [COA] [PUBLIC WORKS]
- EP-14. UTILITY LINES: The applicant is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. [COA] [PUBLIC WORKS]
- EP-15. IMPROVEMENT PLANS: Final approved public improvement plans shall be prepared on 24”X36”, 4 mil mylars. [PUBLIC WORKS]
- EP-16. SIGNING AND STRIPING PLANS: Submit a signing and striping plan in accordance to the latest CA MUTCD version. Any changed and/or

- damaged pavement markings shall be replaced with thermoplastic pavement markings. [PUBLIC WORKS]
- EP-17. PUBLIC STREETLIGHTS: For public streetlights fronting the project site (seven total), remove and replace all existing High-Pressure Sodium (HPS) bulbs with new Light-Emitting Diode (LED) bulbs. [PUBLIC WORKS]
- EP-18. SANITARY SEWER ANALYSIS: Submit a sanitary sewer analysis providing a summary of the overall project impact to the City's existing sanitary sewer system. This includes, but is not limited to, any incremental percentage increases that will result from the new project in comparison to the existing sewer demand. Mitigated improvements may be required depending upon the results of the analysis. [PUBLIC WORKS]

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

- PF-1. LANDSCAPING AND IRRIGATION: All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. COMPACT SPACES: All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]
- PF-3. PARKING LOT STRIPING: All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)
- PF-4. 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 may be installed prior to occupancy of the building. [COA] [PLANNING]
- PF-5. MITIGATION MEASURES: Documentation indicating that all environmental mitigation measures have been satisfied shall be provided to the Director of Community Development prior to release of occupancy or utilities. Refer to the Mitigated Negative Declaration and Conditions of Approval BP-27 through BP-31 for detailed measures. [COA] [PLANNING]

- PF-6. GREEN BUILDING: As soon as possible after construction of the project, the developer shall submit the project for LEED certification at a Gold level. The City shall be provided with documentation of the submittal and the final determination on certification. [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. RECYCLING AND SOLID WASTE: All exterior recycling and solid waste shall be confined to approved receptacles and trash enclosures. The trash enclosure design shall be in accordance with City's latest guidelines available from Public Works Department. Submit a detailed trash enclosure plan which includes, but is not limited to, the following: complete enclosure dimensions, stress pad location and details, curb radii to verify adequate maneuverability of garbage vehicles, and proposed garbage truck route. Provide fire sprinklers for trash enclosures within five feet of buildings. [COA] [PLANNING/PUBLIC WORKS]
- AT-2. LOUDSPEAKERS PROHIBITED: Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]
- AT-3. EXTERIOR EQUIPMENT: All exterior materials, equipment and/or supplies of any kind shall be maintained within an approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]
- AT-4. UNENCLOSED STORAGE (PROHIBITED): Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]

- AT-5. 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-6. PARKING LOT MAINTENANCE: The parking lot shall be maintained in accordance with the approved plans and as follows:
- a) Clearly mark all employee, compact, carpool, and other designated spaces. This shall be specified on the building permit plans and completed prior to occupancy.
 - b) Maintain all parking lot striping and marking in good condition.
 - c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 - d) Require signs to direct vehicles to additional parking spaces on-site, as needed. [COA] [PLANNING]
- AT-7. 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-8. 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]
- AT-9. TRANSPORTATION DEMAND MANAGEMENT: An annual monitoring report shall be submitted to the Director of Community Development in January of each year. The report shall demonstrate compliance with the approved TDM Program including measures implemented and data on trip reductions achieved. The yearly monitoring activities shall include traffic counts at all driveway entries/exists on non-holiday days in October/November of each year. If the TDM goals are not met in a given year, the property owners and/or tenant shall submit to the Director of Community Development proposed program modifications intended to achieve the required goals in future years. [COA] [PLANNING]



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

File#: 546 5/30/2012

ATTACHMENT C
 Page 1 of 36

File Number:
 No. 12-05

**NOTICE OF INTENT TO ADOPT
 NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

PROJECT TITLE:

Application for Design Review and Rezone filed by JP DiNapoli Companies Inc.

PROJECT DESCRIPTION AND LOCATION (APN):

FILE #: 2012-7070
Location: 505 N. Mathilda Ave. (APN: 165-42-005 - 009)
Proposed Project:

- Design Review to allow the redevelopment of a 14.2 acre site with an approximately 616,426 square foot R&D campus consisting of two six-story buildings, one four-story building, and a five-story parking garage.
- Rezone for multiple properties from MS-55% and MS-70% to MS-100% Floor Area Ratio and to allow the increase of maximum height to 100 feet in the M-S-100% FAR Areas.

Applicant / Owner: JP DiNapoli Companies Inc. / Sequoia M & M LLC
Environmental Review: Mitigated Negative Declaration
Staff Contact: Ryan Kuchenig, 408-730-7431, rkuchenig@ci.sunnyvale.ca.us

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 **June 19, 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:

Tuesday, June 19, 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 April 13, 2012

Signed: 
Trudi Ryan, Planning Officer

Project Title	2012-7070 – Design Review to allow the redevelopment of a 612,072 square foot R&D campus on an approximately 14.2 acre site consisting of two six-story buildings, one four-story building, and a five-story parking garage. Rezone for multiple properties from MS-55% FAR & MS-70% FAR 50 to M-S-100% Floor Area Ratio and to allow an increase in the maximum height to 100 feet in MS-100% FAR areas.
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Associate Planner
Phone Number	408-730-7431
Project Location	505-599 N. Mathilda Ave., 683 W. Maude Ave, 510 N. Pastoria Ave.
Applicant's Name	JP DiNapoli Companies, Inc.
Project Address	505-599 N. Mathilda Ave., 683 W. Maude Ave, 510 N. Pastoria Ave.
Zoning	MS (Industrial and Service) - 70% F.A.R. & MS (Industrial and Service) - 55% F.A.R.
General Plan	Industrial
Other Public Agencies whose approval is required	None

PROJECT AND INITIAL STUDY OVERVIEW

Brief description of the Project: The proposed project includes demolition of the existing 166,700 square foot office buildings and hotel and the redevelopment of the 14.15 acre site with 612,072 square feet of research and development office space which includes two new 6-story, one 4-story, and an existing 3-story office building. The project also includes a 5-level parking structure. To enable 100% F.A.R., the proposal includes the rezone of the existing MS-55% F.A.R. and MS-70% F.A.R. zoned sites to MS-100% F.A.R and to allow an increased height up to 100 feet. The redevelopment is reviewed through a Design Review permit.

DETAILED PROJECT DESCRIPTION:

On-site Development: The proposed project involves demolition of six of the seven existing office buildings, grading and site preparation, and construction of two six-story and one four-story steel framed office buildings. A new five-level parking structure will be located towards the center of the development. Existing mature trees located on the interior of the site will be removed during demolition. Certain mature perimeter trees will be retained and protected during construction to the extent feasible.

Off-site Improvements: The existing driveways and curb cuts along N. Mathilda Avenue will be removed, and existing curb, gutter, and sidewalk will be repaired or replaced as needed along each of the project frontages. Existing driveways along Maude Avenue, Pastoria Avenue and Del Rey Avenue will be modified to meet code. No other off-site improvements are proposed.

Construction Activities and Schedule: Demolition is proposed to begin as soon as possible after vacancy. The proposed construction schedule spans a total of 19 months for demolition, site preparation, and construction. Time estimates for specific construction phases are as follows:

- Demolition – 30 days
- Site Preparation – 14 days
- Grading – 31 days
- Building Construction – 300 days
- Paving – 12 days
- Architectural Coating – 24 days

Construction of the project will not involve pile driving or other extremely high noise-generating activities, with the exception of jack hammering which will occur only during constructions hours of the demolition phase.

Surrounding Uses and Setting: The project area encompasses five parcels that total approximately 14.15 acres. The primary address is 505 N. Matilda Ave; however, the project area also includes addresses along W. Maude Avenue and Del Rey Avenue. The site is bounded by N. Mathilda Ave. to the east, W. Maude Ave. to the south, Del Rey Ave. to the north and N. Pastoria Ave. to the west. The immediate neighborhood is composed of a mix of industrial, office, retail and restaurant uses. There are several sites north of the site along N. Mathilda Ave. which are zoned MS-70% as well as property zoned MS-100% further north. There are residential uses located east of the site behind a row of commercially zoned properties along N. Mathilda Ave.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or 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 Preparer: Ryan Kuchenig

Date: April 16, 2012

Title: Associate Planner

City of Sunnyvale

Signature: 

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
3. Aesthetics -Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description
4. Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Land Use and Transportation Element of the General Plan, General Plan Map www.sunnyvaleplanning.com Project Description
5. Population and Housing -Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element, Land Use and Transportation Element and General Plan Map www.sunnyvaleplanning.com Project Description
6. Population and Housing -Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element www.sunnyvaleplanning.com Project Description
7. Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com Project Description
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 checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Land Use and Transportation Element, Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://gcode.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 http://gcode.us/codes/sunnyvale/view.php?topic=19&frames=off

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
					w.php?topic=19-4-19_46&frames=off
10. Hazards and Hazardous Materials - For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. Hazards and Hazardous Materials - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. Hazards and Hazardous Materials - For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-element, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://gcode.us/codes/sunnyvale/vie w.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com
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"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
U.S Wildlife Service?					
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description. Planned grading will disturb the site and may affect sub-surface resources if they exist.
24. Public Services - Would the project result in substantial adverse physical	<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:

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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?					Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description
25. Air Quality - Conflict with or obstruct implementation of the <u>BAAQMD</u> air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Environ Report, January 31, 2012
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Project Description Environ Report, January 31, 2012
27. Air Quality - Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality - Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality - Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone 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 Project Description
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description Environ Report, January 13 2012
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
of a known fault?					
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
33. Seismic Safety-Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety-Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

4. Population and Housing (Less than Significant with Mitigation): The 612,586 s.f. of R&D office floor area for the site would be consistent with the proposed zoning M-S-100% FAR for the site. Although a higher standard FAR is established through rezoning, the project would have an impact to the City's Jobs/Housing balance. The new office square footage would create opportunities for new jobs and would cause a slight increase to the balance. The project is required to pay Housing Mitigation fees (\$9.08/sf.) for the new square footage proposed over the current maximum FAR levels for the site. Based on a preliminary calculation, the current fee for the site would be \$1,766,755.53. The Housing Mitigation fees are intended to mitigate potential new jobs by providing housing funds for the creation of new housing units. Therefore, the project would not induce substantial population growth and will mitigate potential job growth, therefore will not be inconsistent with the Sunnyvale General Plan.

The following mitigation measure shall apply to the projects:

- WHAT: The project would be required to pay Housing Mitigation fees (\$9.08/sf.) for the new square footage proposed over the current maximum F.A.R. for the site.
- WHEN: These mitigation measures shall be converted into conditions of approval for the project prior to its final approval by the City Council. The conditions will become valid when the permit is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to pay the mitigation fees and the City shall implement the mitigation through City sponsored housing creation programs.
- HOW: The fees shall be paid to the City and the City shall implement the mitigation through City sponsored housing creation programs.

#8 Land Use Planning (Less than Significant): The proposal includes rezone application for the subject properties from M-S-55% FAR and M-S-70% FAR to MS-100% FAR. The modification to the zoning would allow for increased floor area for the development area to be proposed for the site through a separate Design Review application. The proposed zoning is consistent with the policies General Plan designation for the entire site. Further impacts related to traffic and construction impacts are discussed in this study.

#10 & #12. Hazards and Hazardous Materials (Less than Significant with Mitigation): The project site is within one mile of an airport land use plan because of the site's proximity to Moffett Federal Air Field. The

proposed project could have air traffic safety impacts if the height of the buildings resulted in interference with air traffic. The Federal Aviation Administration (FAA) is responsible for determining whether the project would result in a safety hazard for air traffic. The regulations address potential light, glare, and air emissions that could distract aircraft operators. Based on the draft Airport Land Use Plan for Moffett Field, the proposed project would not interfere with air traffic result in any significant safety hazards for people residing or working in the project area. The draft airport land use plan is scheduled for review by the Santa Clara County Airport Land Use Commission on June 27, 2012. The following mitigation measures shall apply to the project.

WHAT

If the project is approved after adoption of the Airport Land Use Plan and conflicts with any adopted standards, the project is required to attain necessary clearance by the FAA prior to building permit issuance.

WHEN

These mitigation measures shall be converted into conditions of approval for the project prior to its final approval by the City Council. The conditions will become valid when the permit is approved. Conditions will be applicable during the construction of the project.

WHO

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

HOW

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

#14 & #15. Noise (Less than Significant) - The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction. The project will not require pile driving.

#17. Biological Resources (Less than Significant with Mitigation): The overall projects include the removal of several large trees and site grading. The site is currently developed and in active use, therefore the site is unlikely to have been occupied by burrowing owls (*Athene cunicularia*) which are present in some areas of Sunnyvale. Nesting raptors have not been specifically observed on the site, but there is a potential for raptors to establish nests in tall mature trees such as those on the project site. Although the discovery of nesting raptors on the site is not anticipated, the following mitigation measure has been included in the project to reduce the potential impact to a less than significant level.

WHAT: In conformance with Federal and State regulations regarding protection of raptors, the following CDFG protocols shall be completed prior to any development on the site to ensure that development does not disturb nesting raptors:

1. *Avoidance.* Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.

2. *Preconstruction/Pre-disturbance Surveys.* If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be conducted no more than seven days prior to the initiation of demolition/construction activities. During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is

found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation.

3. *Inhibit Nesting.* If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

WHEN: These mitigation measures shall be converted into conditions of approval for the Use Permit prior to its final approval. The conditions will become valid when the Use Permit is approved. Conditions will be applicable during the construction of the project.

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

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

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

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

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

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

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

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

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

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

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

25. and 26. Air Quality (Less than Significant with Mitigation): The Bay Area Air Quality Management District (BAAQMD) 2011 CEQA Guidelines thresholds of significance provide that a development project would have a significant cumulative impact unless: 1) the project can be shown to be in compliance with a qualified Climate Action Plan, 2) project emissions of CO₂ equivalent greenhouse gases (CO₂ e) are less than 1,100 metric tons per year, or 3) project emissions of CO₂ equivalent greenhouse gases are less than 4.6 metric tons per year per service population (residents plus employees). The City of Sunnyvale does not have a Climate Action Plan at the time of the writing of this Initial Study.

The applicant provided an Air Quality and Greenhouse Gas Analysis for the redevelopment of the five parcels included in the proposal. The study was completed by Environ on January 31, 2012 and is available for review at the City of Sunnyvale's One-Stop Counter. The report concludes that the project will result in both one-time (construction related) and annual (operational-related) emissions. Environ's analysis indicates that the project does not exceed the thresholds of significance according to the current BAAQMD CEQA guidelines.

The Project's operational impacts and construction related impacts do not exceed any of the thresholds of significance for GHGs or CAP emissions. Additionally, the proposed Project would not be expected to contribute to a violation of carbon monoxide (CO) air quality standards. With respect to Project construction impacts on off-site sensitive receptors, the Project is below the significance thresholds (as shown in Table 3) with the Project condition that mitigation measures are applied to the construction equipment (as detailed in Attachment A, Table A3). The cumulative impact of Project construction and operation on off-site sensitive receptors when combined with contributions from roadway and stationary sources results in lifetime cancer

risk, chronic hazard index (HI), and cumulative PM_{2.5} concentrations that are below the BAAQMD cumulative significance thresholds of 100, 10, and 0.8 microgram per cubic meter ($\mu\text{g}/\text{m}^3$), respectively.

The following mitigation measures shall apply to the project:

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

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

WHEN: These mitigation measures shall be converted into conditions of approval for the Design Review (DR) prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

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

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

#33 & 34. Seismic Safety (Less than Significant): Per the Santa Clara County Geologic Hazard Zones maps, the project site is located in a liquefaction hazard zone. The Uniform Building Code contains a series of requirements to address safety issues regarding soil types. These standards must be met for a building permit to be issued. Through the City's implementation of the Uniform Building Code requirements for areas with potential for seismic activity, potential impacts related to liquefaction hazards will be less than significant and require no additional mitigation.

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: April 16, 2012

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, Traffic Study by Hexagon Transportation Consultants, Inc., dated May 14, 2012.
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). Traffic Study by Hexagon Transportation Consultants, Inc., dated May 14, 2012.
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan including the Land Use and Transportation Element.
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City and CA Standard Plans & Standard Specifications. Traffic Study by Hexagon Transportation Consultants, Inc., dated May 14, 2012.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies and associated capital projects.
42. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Transit Operations Performance Report, VTA Short Range Transit Plan, and Valley Transportation Plan for 2035.

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

35., 38. and 39. Transportation (Less than Significant with Mitigation) – A Traffic Impact Analysis (TIA) has been prepared by Hexagon Transportation Consultants, Inc. May 14, 2012. This study is attached to this Initial Study and is available for review at the City of Sunnyvale's One-Stop Counter.

The Hexagon Transportation Consultants Inc. report presents the results of the TIA and concludes there are no new significant impacts resulting from the projects, which cannot be mitigated to be less than significant. Although the project would not result in any significant traffic impacts, the project would be required to construct a number of improvements and to pay an impact mitigation fee. The anticipated Traffic Impact Fee (TIF) is approximately \$671,465.32. The TIFs will be used by the City as part of the ongoing study and upgrade of the City's transportation systems to offset the contribution of project-generated traffic on local roadways. The project would result in a less than significant traffic impact.

The following is the executive summary from the TIA:

According to ITE trip generation rates, the project would generate 565 trips during the AM peak hour and 516 trips during the PM peak hour. In accordance with Sunnyvale standards, the project would include a comprehensive transportation demand management (TDM) plan to reduce peak hour trips. VTA allows up to a 5% trip reduction for the project TDM plan that includes financial incentives, which will be included in the TDM plan for this project. The specific TDM plan trip reduction goal will be higher than 5%, but the traffic study conservatively uses the 5% reduction allowed by the CMP guidelines.

For the existing plus project scenario, trips that are generated by existing occupied uses can be subtracted from the gross project trip generation estimates. A trip generation survey was conducted by Hexagon on November 29, 2011 to determine trips generated by the existing use on the project site. After the TDM reduction and existing use credit are applied, the proposed project would generate 471 net trips during the AM peak hour and 386 net trips during the PM peak hour comparing to the existing conditions. The trip distribution pattern for the proposed project was estimated based on existing travel patterns on the surrounding roadway system, the locations of complementary land uses, and previous traffic impact reports in the study area.

Background and cumulative conditions include full occupancy of the existing buildings on the site. The trips generated by the fully occupied existing buildings were estimated by applying ITE trip generation rates and were credited back under project conditions. After the TDM reduction and fully occupied existing building credits are applied, the proposed project is estimated to generate 307 net trips during the AM peak hour and 268 net trips during the PM peak hour.

1) INTERSECTION LEVEL OF SERVICE IMPACTS

The results of the level of service calculations show that, measured against City of Sunnyvale and CMP standards, all of the study intersections would continue to operate at acceptable levels of service under existing plus project conditions.

Under background no project and background plus project conditions, the intersection of Mathilda Avenue/Moffett Park Drive would operate at LOS F during both the AM and PM peak hours. The proposed project would not increase the critical delay or the critical V/C and therefore would not constitute an impact according to the CMP and City of Sunnyvale standards. The remaining signalized study intersections would operate at acceptable levels of service during the AM and PM peak hours under background plus project conditions.

Under cumulative conditions, two signalized intersections at Mathilda Avenue/Moffett Park Drive and Mathilda Avenue/SR 237 westbound ramps would operate at LOS F under both no project and with project scenarios during the AM and PM peak hours. The project would not cause a significant impact to either intersection under cumulative conditions. The findings of LOS F at these two intersections are consistent with the analysis of buildout of the City of Sunnyvale General Plan. The remaining 15 signalized study intersections would operate at acceptable levels (LOS B – LOS E) of service during the AM and PM peak hours under cumulative plus project conditions. In all cases, the LOS would remain the same. The City and VTA have initiated design and environmental study of the intersections of Mathilda Avenue at 101 and 237 to improve efficiency and traffic flow on Mathilda Avenue. The project is anticipated to improve LOS at this intersection and has been identified to provide immediate relief for north-south traffic flow on Mathilda Ave. and Mary Ave. A mitigation measure previously identified in both the *Moffett Park Specific Plan* and the *Citywide Deficiency Plan* is the Mary Avenue Extension. Currently, the extension's construction timeline is uncertain; therefore, the Mary Avenue extension is only assumed under the long-term cumulative analysis and it not assumed under Existing, Existing plus Project, Background, or Background + Project scenarios.

Near the project site, Route 54 will continue to operate as a Local Bus route.

2) FREEWAY SEGMENT EVALUATION

The project's impacts at nearby freeway segments were evaluated in accordance with CMP guidelines. Based on this analysis, the project would not add sufficient traffic to freeway segments to cause a significant impact. Therefore, no mitigation is required.

3) TURN POCKET ANALYSIS

At the intersection of Mathilda and Maude Avenue, the level of service calculations show that the queue length for the southbound right-turn movement would exceed the 75-foot length of the existing southbound right-turn lane.

Recommendation: The curb line on Mathilda Avenue along the project frontage includes various tapers and angles. The curb line could be straightened to provide a lengthened right-turn pocket to the northern existing driveway taper. By straightening the curb line, a right turn lane approximately 300 feet in length could be provided. This would allow the right turns to operate with less delay and shorter queues.

Left turn storage would be adequate except for the intersection of Pastoria Avenue/Maude Avenue. At this location, the estimated maximum vehicle queue for the southbound left-turn movement would exceed the existing vehicle storage capacity under existing and all project conditions during the PM peak hour. The total amount of westbound left-turn vehicle storage on Pastoria Avenue north of Maude Avenue is approximately 60 feet, which provides enough storage for about 2 vehicles. Based on existing traffic volumes, it is estimated that the 95th percentile queue for the southbound left-turn movement is 4 vehicles during the PM peak hour. Under background with project and cumulative with project conditions, the 95th percentile queue for the southbound left-turn movement is 6 vehicles during the PM peak hour.

Recommendation: The left turn pocket could be extended by restriping Pastoria Avenue, which is 44 feet wide. The street width is sufficient for one travel lane in each direction plus the left turn lane. The left turn lane should be extended to a length of 150 feet plus a 60-foot taper.

4) UNSIGNALIZED INTERSECTION ANALYSIS

The study includes two unsignalized intersections: Pastoria Avenue/Del Rey Avenue and Mathilda Avenue/Del Rey Avenue. Both intersections would operate at LOS A for all the scenarios. After review of the level of service calculations, the minor street delays are generally acceptable. The northbound left turn movement would operate at LOS F during the PM peak hour, and the southbound left (U turns) would operate at LOS E. Both of these movements have very low traffic volume (less than 40 vehicles per hour). For this reason, a traffic signal would not be recommended at this intersection.

5) PEDESTRIANS, BICYCLES AND TRANSIT

The project's impact to pedestrian, bicycle and transit facilities was evaluated. Based on this analysis, the project would not create any adverse impact to any of these facilities.

Bicycle lockers (Class I spaces) with a capacity for 99 bikes will be provided on the ground floor of the proposed parking garage. In addition, the site will include a total of 26 bike racks (Class II spaces) placed at convenient and well lit locations near building entrances. The proposed bicycle parking exceeds VTA's minimum bike parking standards. Based on the City's Bicycle Plan, the project will dedicate up to 5 feet of right-of-way along its frontage on Maude Avenue and Mathilda Avenue for the future provision of bike lanes. The project will also construct the curb line on the west side of Mathilda Avenue to accommodate addition of the bike lane and apply changes to the curb line on the north side of Maude Avenue as needed to provide the bike lane.

Recommendation: The existing bus stop for Route 54 at Mathilda Avenue and Del Rey Avenue will be a convenient connection to the Sunnyvale Transit Center and Caltrain Station for the proposed development. VTA recommends the following bus stop improvements: the bus stop should have a duckout or minimum 22 inch wide curb lane; there should be a minimum 10 feet by 55 feet Portland Cement Concrete (PCC) bus pad and a minimum 8 feet by 40 feet sidewalk adjacent to the bus stop; a bus shelter should be provided; trees and landscape items should be placed back-of-walk or outside of the bus stop area.

6) SITE ACCESS, CIRCULATION AND PARKING

Site access and on-site circulation were evaluated using commonly accepted transportation planning principles. This review was based on the project site plan dated November 21, 2011. Project parking was found to be in compliance with City of Sunnyvale standards. Site specific recommendations include:

- Because this site plan is conceptual, this study does not provide a complete analysis of site access and circulation. Prior to final design, the site plan should be reviewed by the City Division of Transportation and Traffic. Modifications to the project design may occur during the project permitting process.
- The driveway widths, radii and throat depth should be measured to confirm that they comply with City of Sunnyvale standards and are adequate to handle truck traffic. In order to ensure there would be sufficient sight distance at the project driveways, any landscaping, parking, and signage should be located in such a way to ensure an unobstructed view for drivers exiting the site.
- The drive aisle widths and garage ramp design are not shown on the conceptual plan. Prior to final design, the drive aisle widths should be reviewed for compliance with City standards. In addition, an analysis of the adequacy of onsite circulation for trucks should be conducted. Loading areas should be provided for each building.

- The final construction phasing plan has not yet been completed. The project applicant plans to work with the City and the contractor to minimize the impact of the construction process. In order to minimize the impact in the existing parking areas at the adjoining site, the applicant plans for construction to be phased. The project applicant should submit a plan for parking phasing and construction staging onsite prior to commencement of construction.

Recommendation: Building entrances should be oriented toward Mathilda Avenue and pedestrian connections to the sidewalk should be provided

7) CONSTRUCTION IMPACTS

The project will have minimal construction impacts due to traffic and use of parking lots for construction related activity. The site will need to ensure garages are constructed prior to or concurrently with new office buildings to avoid parking concerns.

According to the project applicant, project construction would take approximately 21 to 24 months. The construction hours would be limited to the hours permitted under the City's ordinance. The construction phase of the project would result in approximately 100 to 200 construction staff onsite. The construction phase also would include approximately 20 to 30 daily truck trips. Overall, the trip generation from the project when completed and occupied would be far more vehicle trips than during the construction phase. Thus, any mitigation proposed under project conditions would be adequate to accommodate the construction phase.

All truck movements to and from the site during construction would be limited to City designated truck routes. Both Mathilda Avenue and Maude Avenue are appropriate streets for truck use. The uses surrounding the project site are primarily industrial. There are no residential or retail uses nearby. Heavy vehicle traffic is common near industrial uses and is generally considered acceptable. Based on a review of the street network, there are no movements that would require specific truck prohibitions during construction.

The final construction phasing plan has not yet been completed. The project applicant plans to work with the City and the contractor to minimize the impact of the construction process.

Recommendation: The project applicant should submit a plan for parking phasing and construction staging onsite prior to commencement of construction.

Mitigation Measures:

1) Transportation Impact Fee (TIF):

WHAT: TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts of the proposed development. These TIFs will be used by the City as part of the ongoing study and upgrade of the City's transportation systems including the Mathilda Avenue 101/237 intersection to offset the contribution of project-generated traffic on local roadways.

WHEN: These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. Conditions shall be applicable at time of building permit issuance.

WHO: The property owner/developer shall be solely responsible for payment of the TIF and the City shall be responsible for the implementation/construction of these mitigation measures.

HOW: The conditions of approval shall require these mitigation measures to be paid by the applicant or project proponent.

Based on the Hexagon Transportation Consultants, Inc. TIA, the following mitigation measures shall apply to the projects in addition to the Transportation Impact Fee listed above:

2) Turn Pocket:

- WHAT: 1) The curb line on Mathilda Avenue shall be straightened to provide a lengthened right-turn pocket to the northern existing driveway taper. By straightening the curb line, a right turn lane approximately 300 feet in length will be provided.
2) The left turn pocket shall be extended by restriping Pastoria Avenue, which is 44 feet wide. The left turn lane should be extended to a length of 150 feet plus a 60-foot taper.
- WHEN: These mitigation measures shall be converted into conditions of approval for the DR prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to provide funding for the improvements and the City shall implement the mitigation through the City's Capital Improvement Program.
- HOW: The conditions shall be incorporated into the construction plans.

3) Pedestrian, Bicycles and Transit:

- WHAT: 1) Bike parking spaces shall be shown on the approved plans and should be placed in accessible, secure, and well-lit locations near the building entrances.
2) Considering the City's Bicycle Plan to recommend the provision of bike lanes on Maude Avenue between Mathilda Avenue and Pastoria Avenue, a 5 feet of right-of-way along Maude Avenue frontage shall be provided to allow the City's future provision of the bike lanes.
3) The bus stop shall have a duckout or minimum 22 inch wide curb lane; there should be a minimum 10 inch by 55 inch Portland Cement Concrete (PCC) bus pad and a minimum 8 inch by 40 inch sidewalk adjacent to the bust stop; trees and landscape items should be placed back-of-walk or outside of the bus stop area.
- WHEN: These mitigation measures shall be converted into conditions of approval for the DR prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to provide funding for the improvements and the City shall implement the mitigation through the City's Capital Improvement Program.
- HOW: The conditions shall be incorporated into the construction plans. The fees shall be paid to the City and the City shall implement the mitigation through City sponsored projects and programs.

4) Construction Impacts:

- WHAT: The parking structure shall be constructed prior to or concurrently with new office buildings to avoid parking concerns.
- WHEN: These mitigation measures shall be converted into conditions of approval for the DR prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to construct the improvements.
- HOW: This mitigation measure shall be incorporated into the construction plans.

41. Transportation (Less than Significant) - The proposed project will include sidewalks to provide pedestrian circulation around the entire site. Bicycle parking is required by the SMC and conditioned as part of the project approval consistent with VTA standards.

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
44. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Project Description
47. Geology and Soils -Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Seismic Safety Sub-Element, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

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

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

47. Geology and Soils (Less than Significant): The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for areas with potential for seismic activity, this aspect of the project will be less than significant.

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: April 16, 2012

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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
with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems: Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

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

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

51. and 58. Utilities and Service Systems (Less than Significant): The project will require the construction of new stormwater management systems on private property. The stormwater treatment devices consist of vegetated swales on private property to treat the impervious surfaces from the buildings and new pavement areas. The stormwater management measures will be privately constructed and maintained by the project developer. The project will not require an expansion of the City's existing treatment or stormwater system since the stormwater is being treated on-site or filtered into the ground via retention. The project but it will not cause a degradation or significant impact to the City.

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: April 16, 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
62. Public Services Police and Fire protection - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Law Enforcement Sub-Element Sunnyvale Fire Services Sub-Element Safety and Seismic Safety Sub-Element www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

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

Responsible Division: Planning

Completed by: Ryan Kuchenic

Date: April 16, 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
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale
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 exiting or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if “Less than Significant” with or without mitigation:

67. Hazards and Hazardous Materials (Less than Significant with Mitigation): A Phase 1 (completed by Cornerstone Earth Group in December, 2011) was conducted for the site. Based on the chemical use of the Site and the reported hazardous materials releases in the vicinity, a Site Management Plan (SMP) should be developed to establish management practices for handling contaminated soil or other materials, if encountered during Site development activities.

Site Management Plan

WHAT: The SMP should include the following:

- 1) Site control procedures to control the flow of personnel, vehicles and materials in and out of the Site.

- 2) Measures to minimize dust generation, storm water runoff and tracking of soil off-Site as well as to reduce the potential for the creation of preferential pathways (vertical or horizontal) for chemicals of potential concern detected in ground water beneath the Site.
- 3) Geotechnical recommendations to excavate and re-compact loose fill that may have been placed into the UST excavation. If pockets of suspected contaminated soil are encountered in these areas, protocols should be provided to segregate "clean" soil from soil suspected to be contaminated.
- 4) If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternatives should be described.
- 5) Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- 6) Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during Site development activities.
- 7) Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- 8) Procedures to evaluate and document the quality of any soil imported to the Site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- 9) Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors.
- 10) Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- 11) Appropriate measures will be implemented to reduce soil vapor and ground water migration through trench backfill and utility conduits.
- 12) Protocols to pre-characterize/profile soil planned to be excavated during construction activities to evaluate cost effective disposal facilities and to obtain their acceptance of this material prior to grading activities.

Asbestos Containing Building Materials (ACBMs)

Due to the age of the on-Site structures, building materials may contain asbestos. ACBM is less likely to be present in the newer buildings.

- 1) If demolition, renovation, or re-roofing of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable ACBMs prior to building demolition or renovation that may disturb the ACBM.

Lead-Based Paint

The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the 510 North Pastoria Avenue and 683-685 West Maude Avenue buildings, lead-based paint may be present. If demolition is planned, the removal of lead-based paint isn't required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it should be removed prior to demolition.

- 1) Applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others.
- 2) Any debris or soil containing lead must be disposed appropriately.

Ground water Monitoring Wells

Several ground water monitoring wells were observed at the Site that appeared to be those associated with off-Site spill incidents. These wells will either need to be appropriately abandoned or protected during redevelopment activities. The relocation of some wells may be required. This work should be coordinated with the parties responsible for the up-gradient spill incidents and the appropriate overseeing regulatory agencies.

- 1) Confirmation shall be obtained that all wells associated with the former on-Site Shell station LUST case have been appropriately destroyed under permit from the Water District.

WHEN: This mitigation shall be converted into conditions of approval for this Design Review (DR) prior to its final approval by the City's Planning Commission. The conditions will become valid when the DR 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: Ryan Kuchenig

Date: April 16, 2012

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
69. Public Services Parks - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
70. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description
71. Recreation - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Open Space & Recreation Sub-Element www.sunnyvaleplanning.com Project Description

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

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: April 16, 2012

City of Sunnyvale General Plan:

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

City of Sunnyvale Municipal Code:

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

- Q. Chapter 19.81 Streamside Development Review
- R. Chapter 19.96 Heritage Preservation
- S. Title 20 Hazardous Materials

Specific Plans:

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

Environmental Impact Reports:

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

Maps:

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

Lists / Inventories:

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

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

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

Transportation:

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

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

Public Works:

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

ENVIRONMENTAL CHECKLIST REFERENCE LIST

Initial Study Checklist
Project Name: 505 N. Mathilda Drive
File # 2012-7070
Page 34 of 34

File#: 546 5/30/2012

Miscellaneous Agency Plans:

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

Building Safety:

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

Guidelines and Best Management Practices

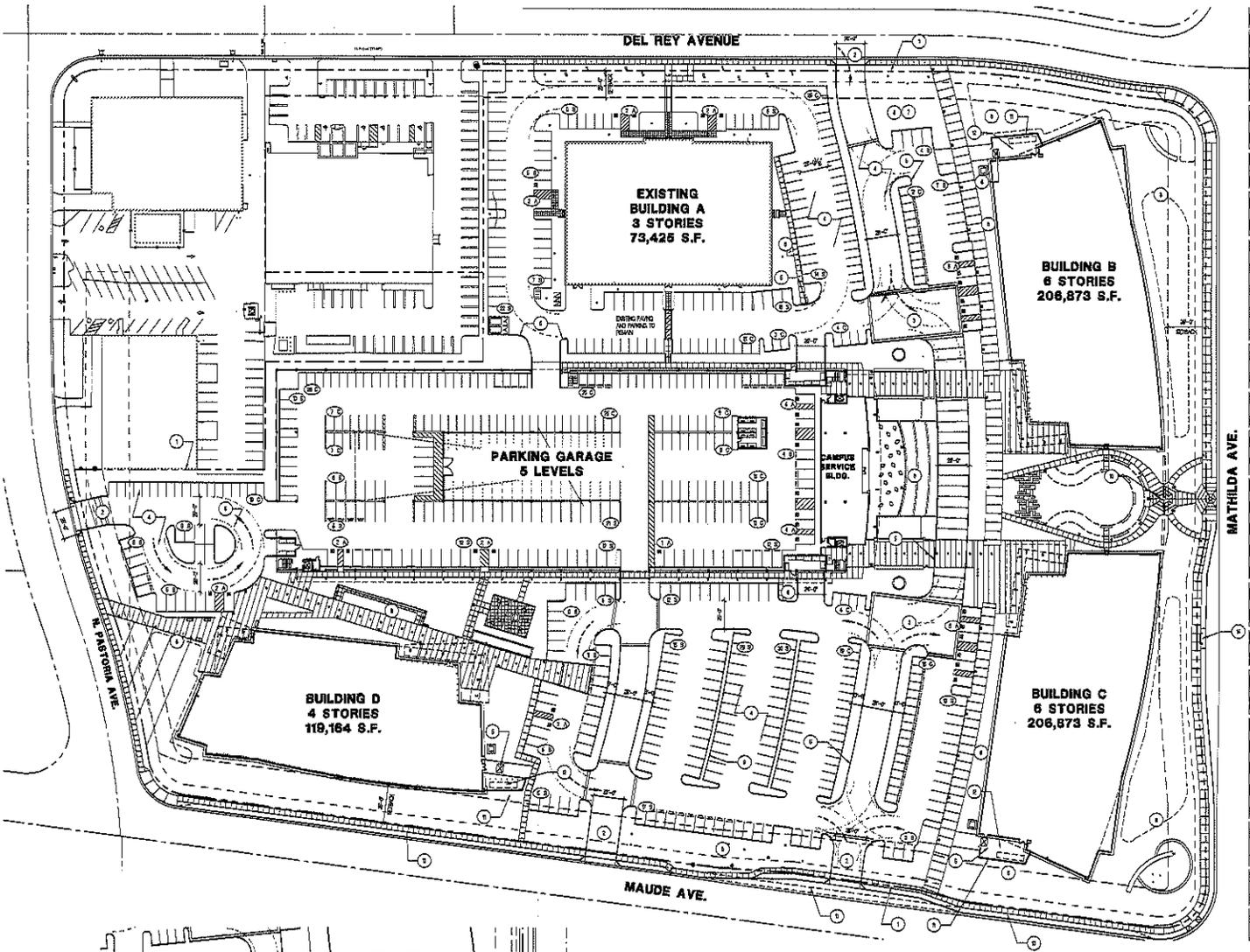
- A. Storm Water Quality Best Management Practices Guidelines Manual 2007
- B. Sunnyvale Citywide Design Guidelines
- C. Sunnyvale Industrial Guidelines
- D. Sunnyvale Single-Family Design Techniques
- E. Sunnyvale Eichler Guidelines
- F. Blueprint for a Clean Bay
- G. SCVWD Guidelines and Standards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

Additional Project References:

- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated 3/22/12
- D. Field Inspection
- E. Project Site Plan dated 3/22/11
- F. Project construction schedule
- G. Project Draft Storm Water Management Plan
- H. Project Tree Inventory by Ray Morneau January 2012
- I. Project Tree Preservation Plan
- J. Project Green Building Checklist
- K. Project LEED Checklist

Other:

- A. Traffic Impact Analysis by Hexagon Transportation Consultants, Inc., dated April, 10 2012.
- B. Air Quality and Green House Gas report by Environ, dated January 31, 2012.
- C. Phase 1 Study performed by Cornerstone Earth Group in December, 2011



PROJECT DATA

ARCHITECT: ARC TEC ARCHITECTURAL TECHNOLOGIES
 ADDRESS: 505 N. MATHILDA AVE. SUNNYVALE, CA 94085
 PROJECT NO.: 2022-001
 DATE: 01/2022

BUILDING	FLOOR	AREA (S.F.)
BUILDING A (EXISTING)	1	24,000
	2	24,000
	3	25,425
BUILDING A TOTAL		
BUILDING B	1	34,479
	2	34,479
	3	37,915
BUILDING B TOTAL		
BUILDING C	1	34,479
	2	34,479
	3	37,915
BUILDING C TOTAL		
BUILDING D	1	29,713
	2	29,713
	3	32,738
BUILDING D TOTAL		
CAMPUS SERVICE BLDG.		
TOTAL BUILDING AREA		
PER 100' FRONT		

PARKING ANALYSIS

TOTAL PARKING REQUIRED FOR BASELINE PROGRAM: 620 SPACES

PARKING TYPE	STANDARD	COMPACT	ACCESSIBLE	TOTAL
STANDARD	30	10	0	40
COMPACT	10	10	0	20
ACCESSIBLE	0	0	10	10
TOTAL	40	20	10	70

TOTAL PARKING PROVIDED: 460 SPACES

DEFICIT: 160 SPACES

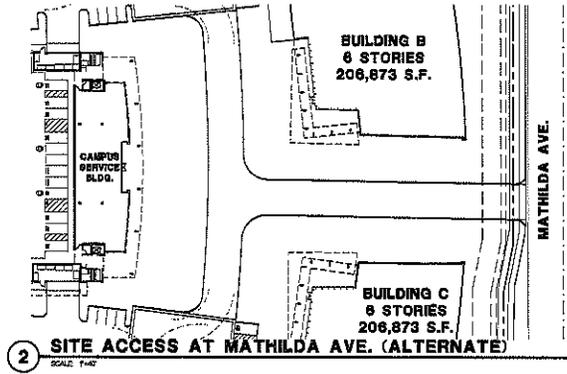
USE TYPE	MIN.	MAX.	COMPLIANT
ALL USES	0'-0"	0'-0"	-
OFFICE	0'-0"	0'-0"	-
RESEARCH	0'-0"	0'-0"	-
LABORATORY	0'-0"	0'-0"	-
CONFERENCE	0'-0"	0'-0"	-

LEVEL	STANDARD	COMPACT	ACCESSIBLE	TOTAL
1-5	0	0	0	0
6-10	0	0	0	0
11-15	0	0	0	0
16-20	0	0	0	0
21-25	0	0	0	0
26-30	0	0	0	0
31-35	0	0	0	0
36-40	0	0	0	0
41-45	0	0	0	0
46-50	0	0	0	0
TOTAL	0	0	0	0

* 10% PERCENT OF TOTAL
 * THESE ARE MINIMUMS BASED ON PROVIDED TRUCK AND VAN
 NO CITY REQUIREMENT FOR BICYCLE OR HOV PARKING
 UNLESS SPECIFIC CODE COMPLETION USE OR BUILDING WITH 15+ HOV OR MORE
 SPACES SHALL PROVIDE A MINIMUM OF ONE BICYCLE SPACE PER 100' OF BUILDING FRONTAGE

KEY NOTES

- 1. PRIORITY USE
- 2. TROWEL FINISH
- 3. DEBRIS REMOVAL
- 4. ASPHALT FINISH
- 5. 4" HIGH CONCRETE CURB
- 6. CONCRETE CURB
- 7. RESIDENT AREA
- 8. LANDSCAPING REFER TO LANDSCAPE DRAWINGS
- 9. PLASTER
- 10. AIR WALL
- 11. BROWN WALL
- 12. REMOTE AREA / GENERATOR ENCLOSURE
- 13. REFER TO THE BICYCLE LAKE PROVISIONS IN THE CITY OF SAN JOSE
- 14. 8'x8' BICYCLE ENCLOSURE



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



ARC TEC
ARCHITECTURAL TECHNOLOGIES
WWW.ARCTEC.COM

ARCHITECT: ARC TEC ARCHITECTURAL TECHNOLOGIES
 ADDRESS: 505 N. MATHILDA AVE. SUNNYVALE, CA 94085
 PROJECT NO.: 2022-001
 DATE: 01/2022

PROJECT: THE MATHILDA RESEARCH & DEVELOPMENT CAMPUS
 505 N. MATHILDA AVE. SUNNYVALE, CA 94085

New Site Development At:
THE MATHILDA RESEARCH & DEVELOPMENT CAMPUS
 505 N. Mathilda Avenue
 Sunnyvale, CA 94085

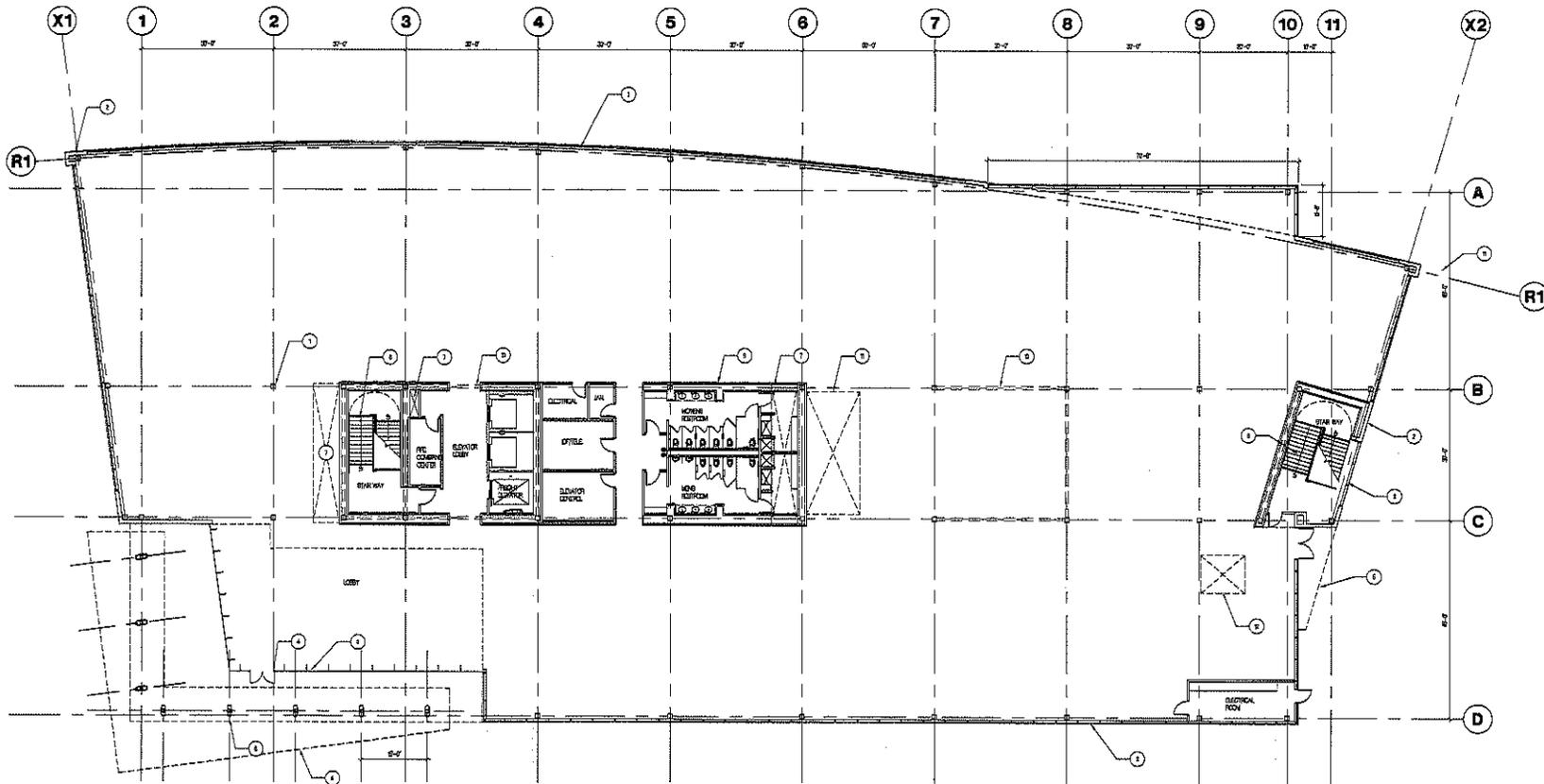


DATE: 01/2022
 DESCRIPTION: PLANNING REPORT FOR THE MATHILDA RESEARCH & DEVELOPMENT CAMPUS

ATTACHMENT
 Page 1 of 2



A1.01
 PROJECT NO. 11283



BUILDING C - GROUND LEVEL FLOOR PLAN
BUILDING B SIMILAR/REVERSED

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

KEY NOTES

- NOT ALL NOTED AND NOT
- 1 STRUCTURAL STEEL COLUMN
- 2 EXTERIOR WALL NEED TO EXISTENT ELEVATION FOR MORE INFORMATION
- 3 EXTERIOR GLAZING SYSTEM
- 4 WOOD FINISH
- 5 EXTERIOR CONCRETE DOWN DASH
- 6 CONCRETE FLOOR, FLOOR FINISH WITH GARAGE
- 7 MECHANICAL ROOF
- 8 OLD STRUCTURAL COLUMN
- 9 EXTERIOR METAL STUD FINISH WALL
- 10 STRUCTURAL BRACE FRAMED DOWN DASH
- 11 OPTIONAL STAIR DOWN CASE AT THE LOCATION SHOWN SHOULD BE CONSIDERED FOR THIS SPACE OR TO BE CONSIDERED FOR FUTURE IN CONSIDERATION FOR POSSIBLE FUTURE DOWNWARD CONCRETE WITH TYPICAL CASE
- 12 STRUCTURAL LAYOUT OF BEAMS AND COLUMNS SHALL BE READ THAT A POSSIBLE FUTURE ELEVATOR MAY BE INSTALLED AND OUT IN TO THE FLOOR AREA

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New Site Development At
THE MATHILDA RESEARCH & DEVELOPMENT CAMPUS
 505 N. Mathilda Avenue
 Sunnyvale, CA 94085



DATE	DESCRIPTION
01/21/20	PLANNING DEPARTMENT SUBMITTAL
02/25/20	PLANNING DEPARTMENT APPROVAL
03/23/20	PLANNING DEPARTMENT APPROVAL
04/22/20	PLANNING DEPARTMENT APPROVAL



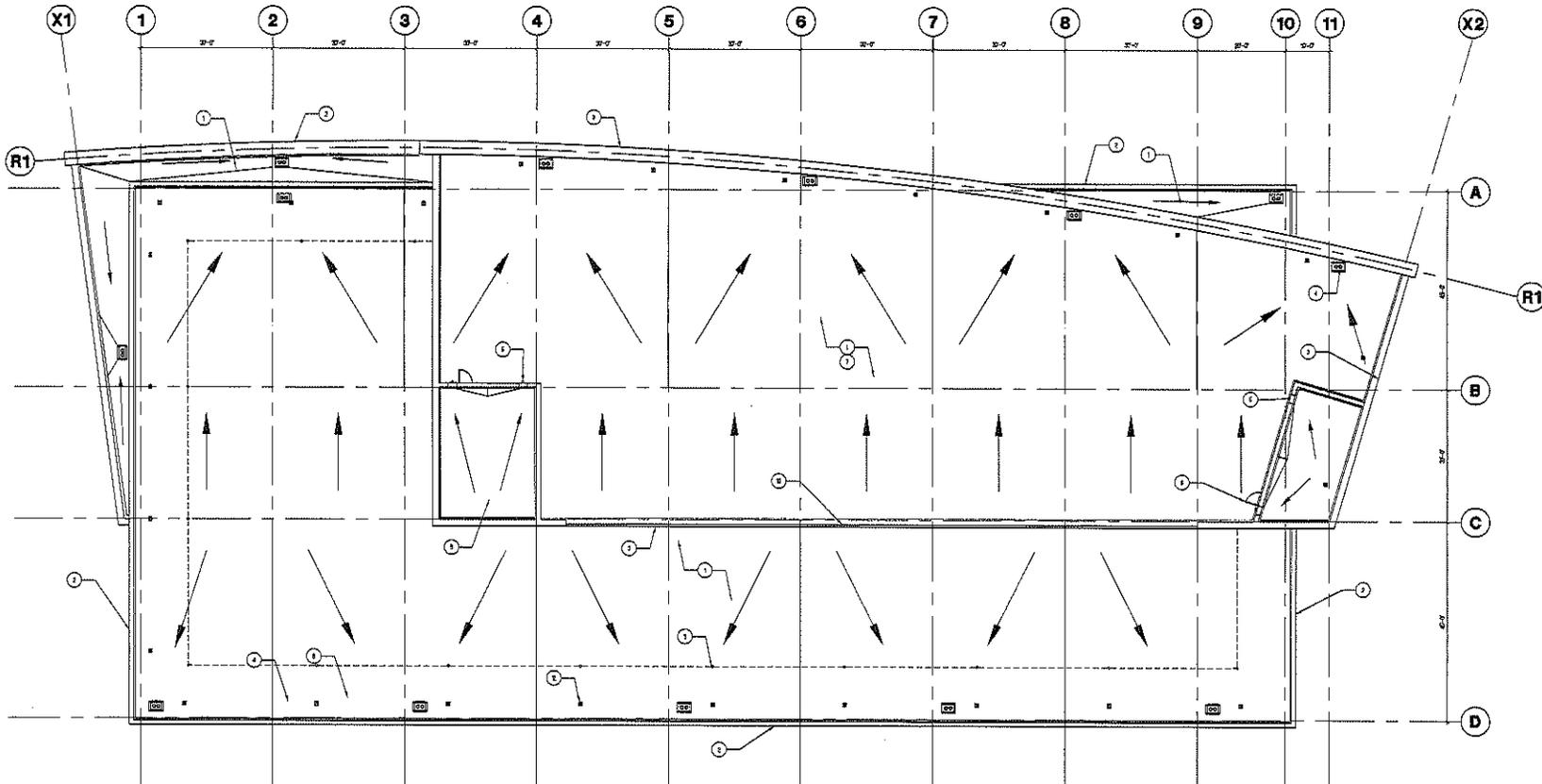
BUILDING C
 GROUND LEVEL FLOOR PLAN
 (BUILDING B SIMILAR)

A2.11C

PROJECT NO. 112852

ATTACHMENT D

Page 5 of 22



BUILDING C - ROOF PLAN
BUILDING B SIMILAR/REVERSED

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

KEY NOTES

- 1 EXPOSED ROOF
- 2 PERPET WALL
- 3 ALUMINUM COMPOSITE PANEL HANGING PANEL
- 4 TYP / OVERLAY DRN
- 5 SCUPED & CORNSUPED AT PARAPET
- 6 ROOF CHASE
- 7 RED WOOD CLADDED W/VC
- 8 ROOF ACCESS FROM STAIR
- 9 ELEVATOR PENETRATOR
- 10 ROOF PENET WALL WITH BRIDGE
- 11 ROOFTOP RAIL W/VEG SYSTEM W/ 6 MM GULLETTYPE BRIDGE SP-10 GUL. PENETRATOR
- 12 FLOOR DRAIN SYSTEM ON HANGING PANEL
- 13 ROOF DRAIN SURVEIL. CHECK LOCATION WITH ARCHITECT CONTRACTOR AND CORRELATE WITH ELEVATION.

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 P. 408.464.0214 F. 408.464.1311
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 & DEVELOPMENT CAMPUS**
 505 N. Mathilda Avenue
 Sunnyvale, CA 94085



DATE	DESCRIPTION
11/11/11	PLANNING DEPARTMENT BLUENPRINT
11/11/11	PLANNING DEPARTMENT BLUENPRINT
11/11/11	PLANNING DEPARTMENT BLUENPRINT



BUILDING C
 ROOF PLAN
 (BUILDING B SIMILAR)
A2.17C
 PROJECT NO: 11253

ATTACHMENT
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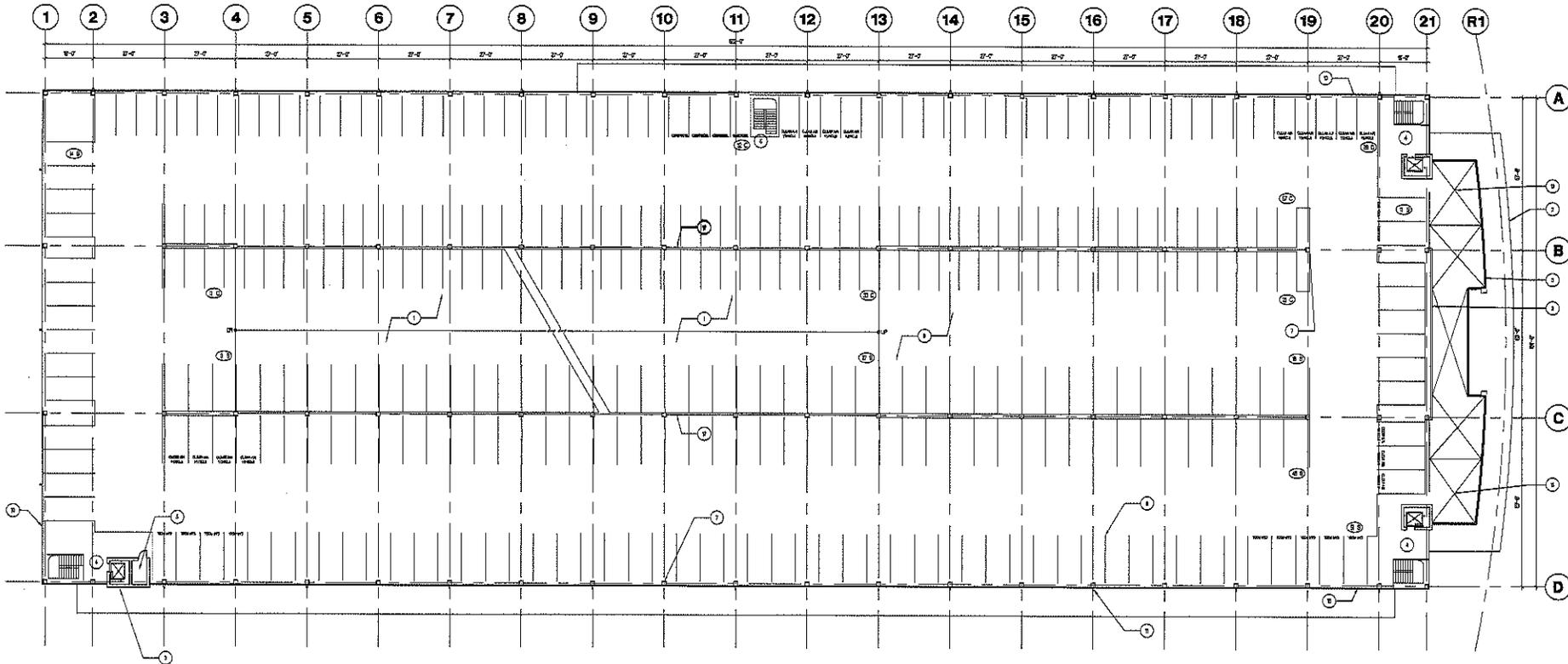
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For Information only



1 GARAGE - THIRD LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

KEY NOTES

- 1 CONCRETE FLOOR
- 2 CONCRETE FLOOR, POOR TO EXTERIOR ELEVATION
- 3 ALUMINUM PANELS OVER METAL STUD FRAMING (SEE TO EXTERIOR ELEVATION FOR MORE INFORMATION)
- 4 EXTERIOR CORNER AND FINISH CONCRETE FLOOR (SEE FINISH WITH STEEL FLOOR GUARDRAIL & HANDRAIL)
- 5 STORAGE ROOM
- 6 OVER CAST CONCRETE FLOOR (SEE FINISH WITH STEEL FLOOR GUARDRAIL & HANDRAIL)
- 7 CONCRETE CLADDING PANELS
- 8 INTERIOR FINISH
- 9 CONCRETE FINISH
- 10 CONCRETE SHEET
- 11 FIN AT CONCRETE FINISH, TOP TO ELEVATION AND DETAIL SHEET
- 12 STEEL CABLE FRAMING AT CONCRETE FINISH ATTACH TO COLLARS AND PROVIDE REINFORCING STEEL PER AS REQUIRED
- 13 PROVIDE AREA DRAINS AND SLOPE DECK FOR POSITIVE DRAINAGE PROVIDE OVERLAY REQUIREMENTS AT LOW WALL

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Sunnyvale, CA 94085



ATTACHMENT
Page 15 of 225

DATE	DESCRIPTION
01.24.12	PLANNING DEPARTMENT REPORT
02.23.12	PLANNING DEPARTMENT REPORT
03.23.12	PLANNING DEPARTMENT REPORT
04.23.12	PLANNING DEPARTMENT REPORT



GARAGE
THIRD LEVEL FLOOR PLAN
A2.13G

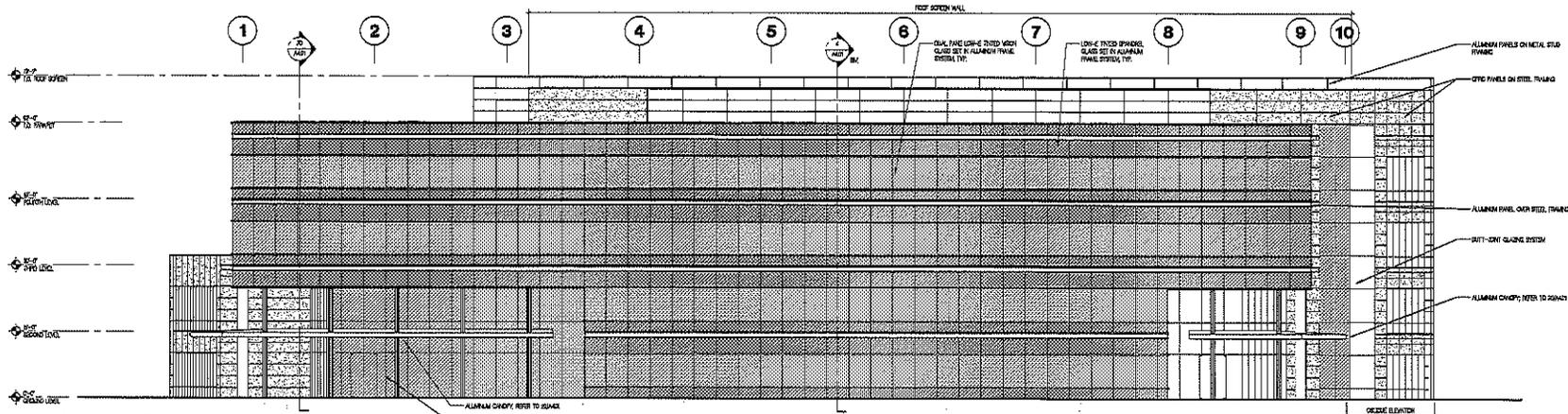
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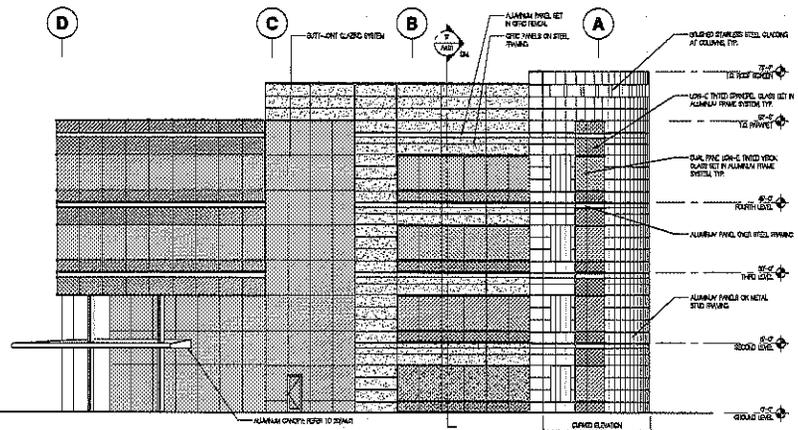
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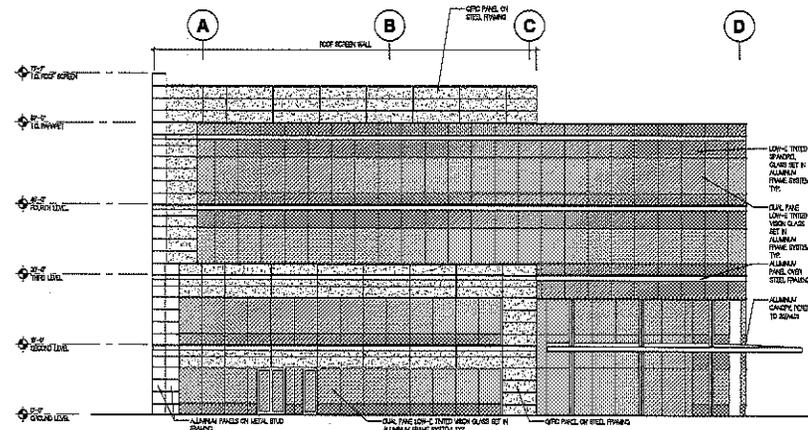
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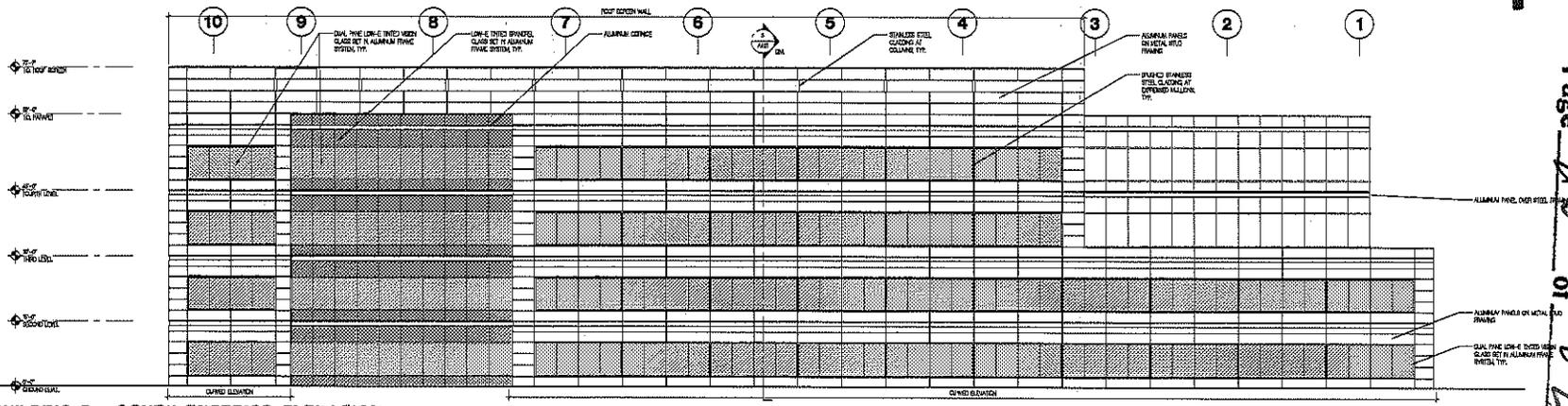
1 BUILDING D - NORTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



2 BUILDING D - WEST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



3 BUILDING D - EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



4 BUILDING D - SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

A New Site Development At:
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& DEVELOPMENT CAMPUS**
505 N. Mathilda Avenue
Sunnyvale, CA 94085



DATE: 11/20/2015
DESCRIPTION:
01/21/12 PLUMBING CONTRACT FOR FINAL
02/12/12 EXTERIOR ELEVATIONS FOR THE
03/12/12 PLUMBING CONTRACT FOR THE FINAL
04/12/12 PLUMBING CONTRACT FOR THE FINAL



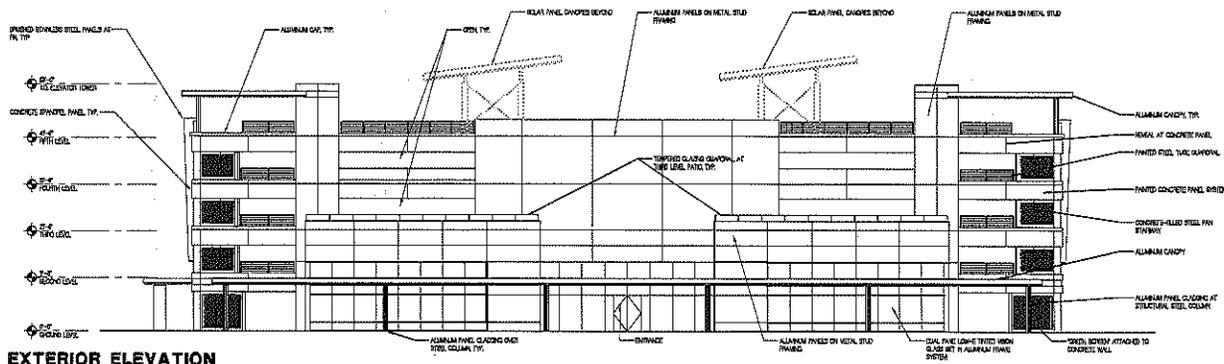
EXTERIOR ELEVATIONS
BUILDING D
A3.03
PROJECT NO. 112892

ATTACHMENT
Page 20 of 22

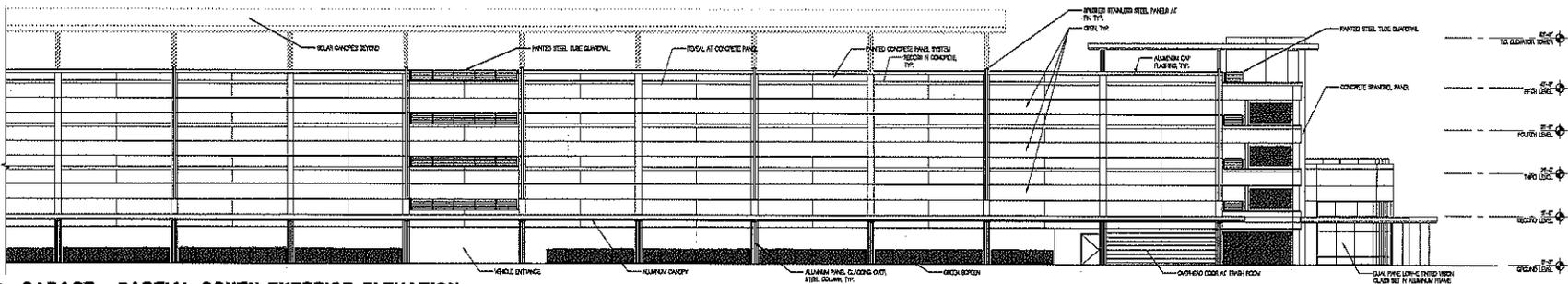


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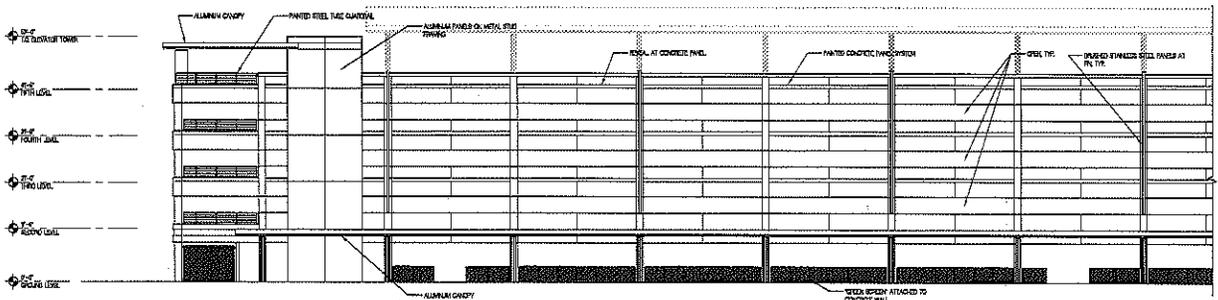
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IN ARCHITECTURE



1 GARAGE - EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



2 GARAGE - PARTIAL SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



3 GARAGE - PARTIAL SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

A New Site Development At:
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DATE	DESCRIPTION
04.10.07	PLANNING DEPARTMENT REGULATORY
05.15.07	PLANNING DEPARTMENT REGULATORY
06.27.07	PLANNING DEPARTMENT REGULATORY
08.13.07	PLANNING DEPARTMENT REGULATORY



EXTERIOR ELEVATIONS
GARAGE

A3.04

PROJECT NO. 112822

ATTACHMENT D
Page 21 of 22

Detailed Project Description - 505 Mathilda Avenue, Sunnyvale, CA

The project involves the consolidation of 5 parcels (APN # 165-42-005, 006, 007, 008 & 009) located at the north-west corner of N. Mathilda and W. Maude Avenues. The total site is approximately 14.151 acres. Six of seven existing buildings will be demolished and three new multi-story office/R&D buildings and one new multi-level parking garage constructed in their place. The total square footage of the proposed development is 612,072 SF, which includes the remaining 3-story, 73,425 square foot, office/R&D building on Del Rey Avenue. The new buildings proposed include two 6-story buildings sited on N. Mathilda between W. Maude and Del Rey Avenues and one 4-story building near the corner of W. Maude and N. Pastoria Avenues. The parking garage, which also includes a Campus Service Center, is internal to the site and serves all three new structures as well as the remaining building.

Project amenities include:

- Corporate headquarters/investment grade design and finishes
- Noteworthy, sustainable landscaping
- LEED Gold Certification
- Solar power to the buildings to reduce traditional energy use.
- Bicycle parking for 110 bicycles to encourage the use of public transportation
- Pedestrian spaces both internal to the site and along the public thoroughfares and interconnections between the two.
- Public art space designated within public pedestrian spaces to enhance the experience.
- Centralized Campus Service Building to house an on-site cafeteria and/or fitness center for future employees
- Thoughtful separation of pedestrian and vehicular circulation