



REPORT TO MAYOR AND COUNCIL

City Council Hearing Date: October 16, 2012
File Number: 2012-7450

SUBJECT: **St. Anton Partners:** Application for the development of a multi-family structure with 97 dwelling units, associated parking and landscaping located at 1101 N. Fair Oaks Avenue in an M-S/ITR/R-3/PD Zoning District (APN: 110-14-176):

Ordinance **Introduction of an Ordinance** to change the Zoning designation from M-S/ITR/R-3/PD to R-4/PD;

Motion **Special Development Permit** to allow the development of 97 dwelling units; and

Motion **Mitigated Negative Declaration** for the Rezone and Special Development Permit.

REPORT IN BRIEF:

Existing Site Conditions Research and Development

Surrounding Land Uses

North Residential (Danbury Place I townhouses)
South Residential (Danbury Place II townhouses)
East Residential (El Dorado Mobile Home Park)
West Residential (Danbury Place I townhouses)

Issues Rezoning, Architecture and Neighborhood Compatibility

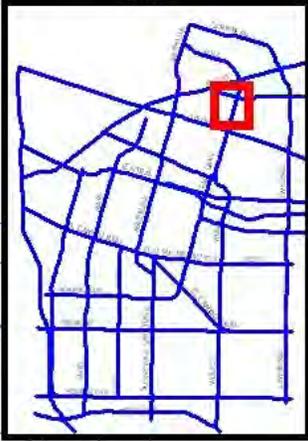
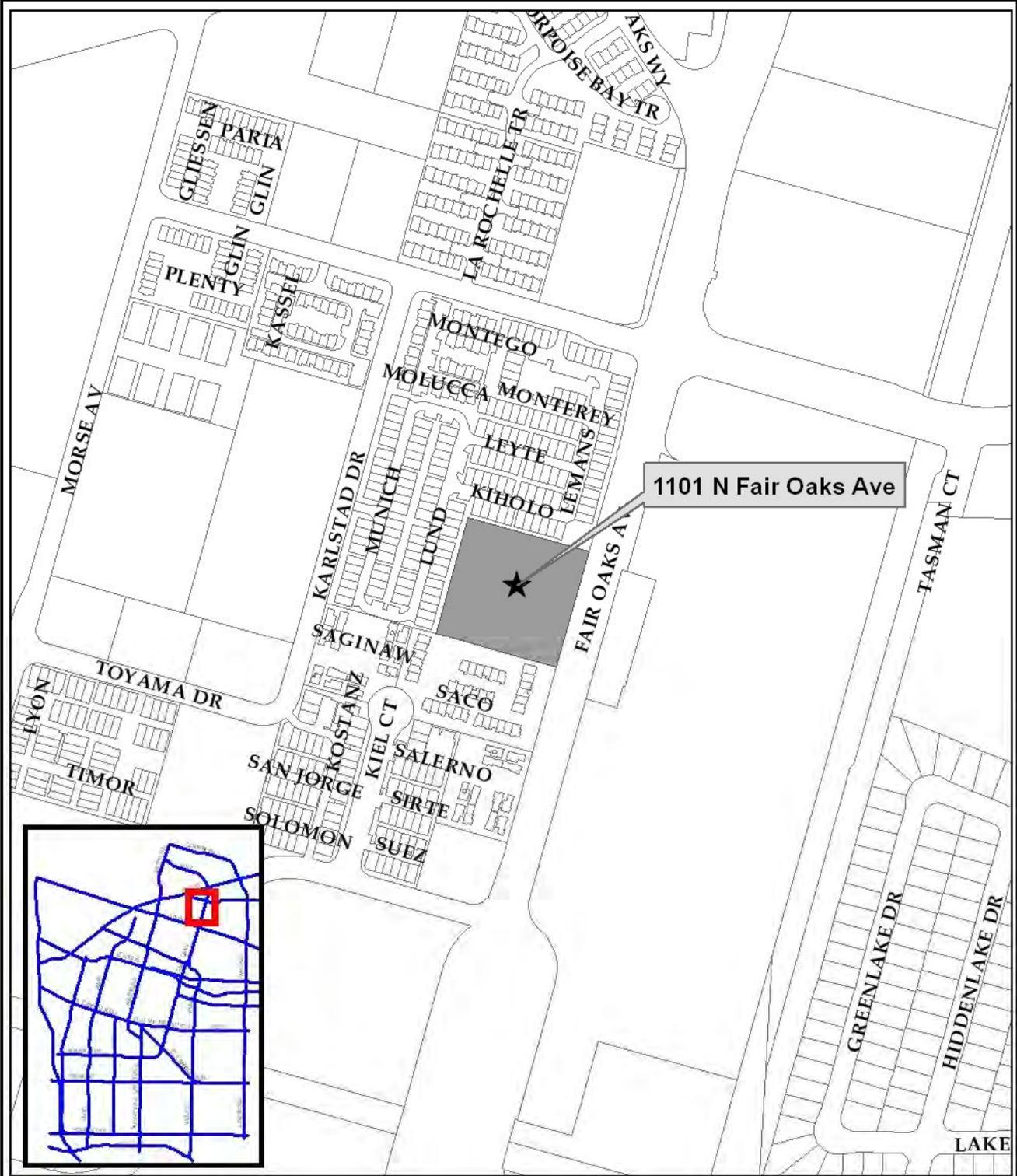
Environmental Status A (Mitigated) Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Planning Commission Recommendation Approval with conditions

Staff Recommendation

Staff Recommendation Approval in accordance with Planning Commission recommendation.

VICINITY MAP



2012-7450
1101 N. Fair Oaks Ave. (APN:110-14-176)
• SPECIAL DEVELOPMENT PERMIT
• REZONE

0 87.5 175 350 Feet



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial-to-Residential Mixed (Medium to High Density)	Same	Industrial-to-Residential Mixed (Medium to High Density)
Zoning District	M-S/ITR/R-3/PD	R-4/PD	M-S/ITR/R-3/PD Futures Site 7 *Proposed Rezone to R-4/PD
Lot Size (s.f.)	111,514 sf.	Same	8,000 sf. min. R-4
Gross Floor Area (s.f.)	40,680 sf.	91,131 sf.	No max.
Lot Coverage (%)	36.4%	36%	40% max.
Floor Area Ratio (FAR)	36.4%	81%	No max.
No. of Units	N/A	97	93 max. for R-4 (Plus up to 5% Green Building Density Bonus of 4 units for 110 BIG Points)
Density (units/acre)	N/A	38	36 max. for R-4
Meets 75% min?	N/A	Yes	72 min.
Bedrooms/Unit	N/A	8-Studios 46 1 Bedroom 43 2 Bedroom	---
Unit Sizes (s.f.)	N/A	Studios: 544 sf. 1 Bedroom: 719-799 sf. 2 Bedroom: 991-1,055	---
Lockable Storage/Unit	N/A	On each level	300 cu. ft. min.
No. of Buildings On-Site	N/A	1	---
Distance Between Buildings	N/A	N/A	26' min.
Building Height (ft.)	N/A	55'	55' max. R-4



	EXISTING	PROPOSED	REQUIRED/ PERMITTED
No. of Stories	N/A	4	4 max R-4
Setbacks			
Front -east (on N Fair Oaks Ave.)	N/A	20'	24.5' min R-4
Left Side -south	N/A	15'	18' min. R-4
Right Side - north	N/A	80'	27' min. R-4
Rear -west	N/A	20'	20' min. R-4
Landscaping			
Total Landscaping	N/A	36,375 s.f.	22,302 min. (20%) R-4
Landscaping/Unit	N/A	375 s.f./d.u. 36,375	375 s.f. min./d.u. (36,375 sf. total) R-4
Usable Open Space/Unit	N/A	388 s.f./d.u. 38,253 (Includes 80 s.f. private open spaces per unit)	380 s.f. min./d.u. (36,860 sf. total) R-4
Frontage Width (ft.)	N/A	20'	15' min.
Parking Lot Area Shading (%)	N/A	50%	50% min. in 15 years
Water Conserving Plants	N/A	80%	80% + limit turf, or water budget
Recreation Building (s.f.)	N/A	1,800	225 s.f. (Applies to greater than 50 units)
Parking			
Total Spaces		167 (113 Garage & 54 Guest)	167 min. (97 Garage/Assigned & 70 Unassigned & Guest)
Standard Spaces		163	42 min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Compact Spaces/ % of Total		0	10% max. (8) of uncovered/guest spaces
Accessible Spaces		4	Per ADA requirements
Covered Spaces		113	97 min.
Aisle Width (ft.)		26 ft.	24 ft. min. <i>(Fire code requires 26 feet.)</i>
Bicycle Parking		38 <i>(32 Class I & 6 Class II)</i>	38 <i>(32 Class I & 6 Class II)</i>
Stormwater			
Impervious Surface Area (s.f.)	33,489	27,106	No max.
Impervious Surface (%)	92.5%	69.5%	No max.
★ <i>Starred items indicate deviations from Sunnyvale Municipal Code requirements.</i>			

BACKGROUND:

The subject site is located within the Futures 7 study area (now part of the Tasman Crossings Neighborhood) which was designated to transition from Industrial to Residential (ITR) in the early 1990s as a means to address the jobs housing balance in the City. Approximately ten years later, the City Council reevaluated some of the industrial to residential areas to encourage redevelopment and to ensure adequate commercial serving uses to support these new neighborhoods. In early 2000, the Futures 7 (ITR 7) area was designated with a General Plan Land Use Designation of Industrial to Residential Medium to High (ITR-MIX) with a floating commercial square footage of up to 14,000 square feet to allow for a larger variety of densities and support uses. At the same time, redevelopment in the area began to occur and this site is the last remaining industrial use on this block of Fair Oaks in the ITR 7 area.

Previous Actions on the Site

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

File Number	Brief Description	Hearing/Decision	Date
20003-0404	MPP to allow changes of use to Gymnastic Facility	Staff /Approved	6/12/2003
2001-0116	General Plan Amendment	City Council/Approved	7/16/2002
7794	Futures Study/General Plan Amendment	City Council / Approved	7/27/1993

DISCUSSION:

Requested Permit(s)

The proposed project includes the demolition of the existing structure, grading and the construction of at-grade parking, a four story multi-family residential structure with 97 dwelling units and landscaping and other site improvements.

• **Rezone**

A Rezone is requested to change the current zoning from ITR/R-3/PD to R-4/PD to allow the construction of the proposed 97 residential dwelling units. In Sunnyvale, a General Plan Amendment is often required with a Rezone to change residential density. However, in this case the General Plan Land Use designation allows for both Medium (R-3) and High (R-4) residential densities; this is a result of Council Study Issues from 1993 and 2002. In this transition area, the base residential zoning was at R-3 (Medium Density Residential), with the ability to allow a higher density project in the future with a rezoning to R-4. Ultimately, the Council will determine if the proposed project, density and architecture are compatible with the surrounding area (see Findings in Attachment A).

• **Special Development Permit**

A Special Development Permit (SDP) is required for site and architectural review to allow the construction of the new multi-family building including 97 residential units located within the M-S/ITR/R-3/PD Zoning District as well as the proposed R-4/PD zoning district. An SDP also allows deviations from Zoning Code requirements and in this case the applicant is requesting two deviations from the front setback and required left side setback. Other than the two deviations, the project complies with all other zoning code requirements for the R-4 Zoning District (see data table and further discussion below). Findings for the proposed project have been included in Attachment A.

ANALYSIS:

Rezone

The proposed 97 units require a Rezone of the site to R-4 (High Density Residential) to allow up to 36 dwelling units per acre (or higher with various density bonuses). The site is currently zoned Industrial to Residential (ITR) Medium Density Residential (R-3) and includes the Planned Development (PD) combining district. The current zoning allows up to 24 units per acre. As noted above, the City Council adopted the General Plan Land Use designation of Industrial to Residential Medium to High (ITR-MIX). The General Plan also contains several policies related to housing and that specifically relate to the proposed project. These policies include the following:

- **Policy LT-1.9** Support flexible and appropriate alternative transportation modes and transportation system management measures that reduce reliance on the automobile and serve changing regional and City-wide land use and transportation needs.
- **Policy LT-1.10** Support land use planning that complements the regional transportation system.
- **Policy LT-3.1** Provide land use categories for and maintenance of a variety of residential densities to offer existing and future residents of all income levels, age groups and special needs sufficient opportunities and choices for locating in the community.
- **Policy LT-3.2** Encourage the development of ownership housing to maintain a majority of housing in the city for ownership choice.
- **Policy LT-3.4** Determine appropriate density for housing based on site planning opportunities and proximity to services.
- **Policy LT-4.2** Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.
- **Policy LT-4.6** Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial areas.

The intent of the General Plan Land Use designation of ITR-MIX is to allow some flexibility in density (residential and commercial) in the Futures Area. The proposed project supports and implements the policies above by locating a higher density residential project closer to light rail and it provides an alternative housing type (flats as opposed to multiple levels). To date 1,236 dwelling units have been approved in the Futures 7 area. Rental units in the area represent 22% (Tamarind Square Phase I & II). The addition of 97 rental units would increase the rental percentage to 28%. The intent of the General Plan policy is still met, providing a majority of units as home ownership. The

proposed development has been designed to fit into the neighborhood and it implements the transition to residential.

The base zoning for the ITR 7 area was left in place at an R-3 Density for sites south of Tasman and at R-4 and R-3 for Futures sites north of Tasman. One property south of Tasman has been rezoned to R-4 (Tamarind Square on Morse, and the industrial building at 1139 Karlsdadt). Figure 1 indicates the current zoning for the subject site and surrounding properties.

Figure 1 - Current Zoning

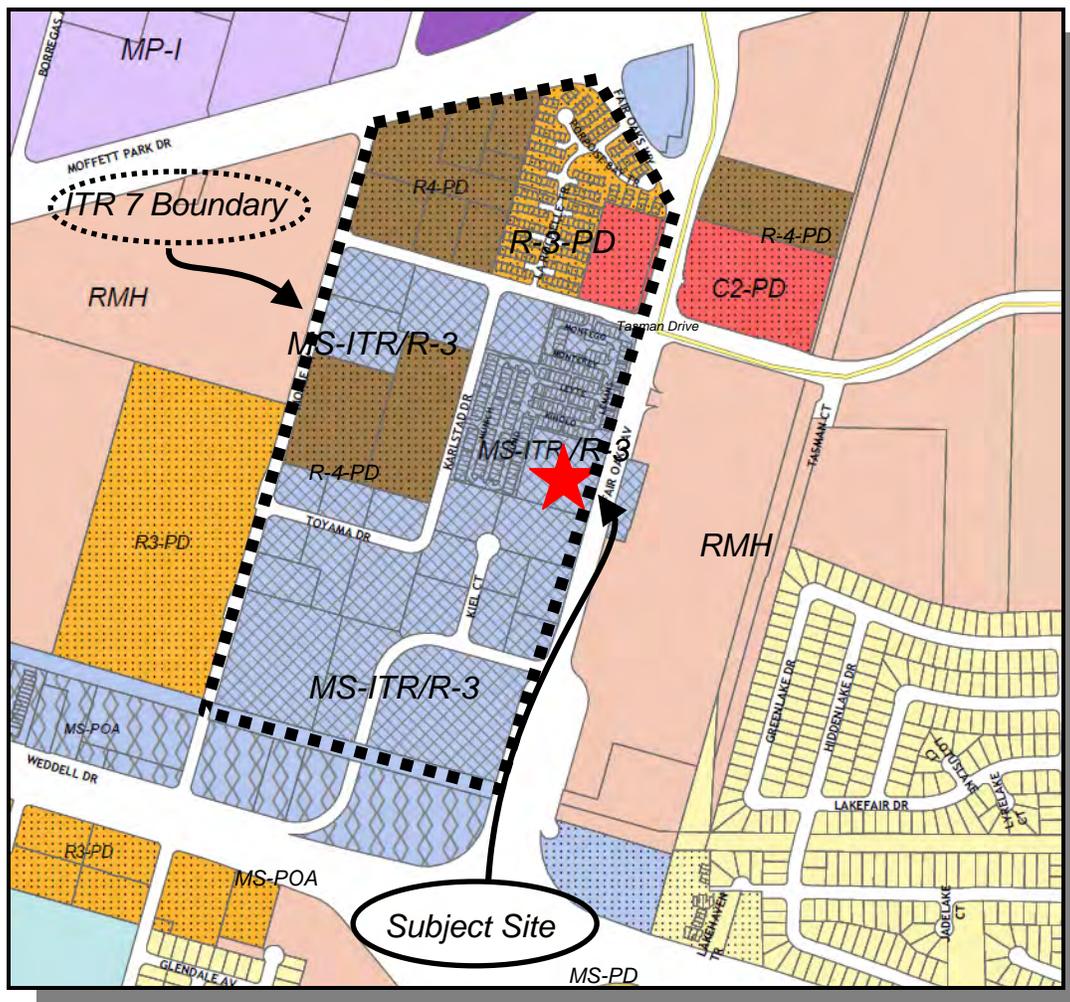


Figure 1 indicates that there are several parcels in the ITR 7 area that have the higher residential density of R-4. When incorporating a higher density project into a lower density area, it is important that the mass and scale of the residential structure(s) are compatible with the immediate area. The applicant has designed the project in a thoughtful manner that demonstrates that the R-4 density can be designed to ensure that design and massing of the structure are compatible with the scale of the existing developments to the north, south

and west of the site. For comparison purposes, the following table (Table 1) indicates the allowable density based on the current zoning, proposed zoning and Green Building Incentive. The proposed project does not include a State Density Bonus.

Zoning	Site Area	Dwelling Unit/s.f.	Zoning Total	Green Building Incentive (110 Points)		Total D/U With Green Building
R-3	111,514 s.f.	1,800 s.f.	62 Units	5%	3 D/U	65
R-4	111,514 s.f.	1,200 s.f.	93 Units	5%	4 D/U	97
R-5	111,514 s.f.	950 s.f.	117 Units	5%	5 D/U	123

The proposed Rezone results in an additional 31 dwelling units above what is allowed under R-3 Zoning. As noted above, the General Plan Land Use designation allows for a range of Medium and High residential densities. Higher density is further supported by the proximity to the VTA lightrail station and the area is located in a Priority Development Area, which is intended for increased residential density adjacent to light rail.

Architecture

The proposed project is a four story podium structure. The first floor will include partially sunken covered parking which will be lined with dwelling units on the front and back of the structure and a lobby on the right (north) side. The second level will contain dwelling units, club room and fitness center. The third and fourth level will contain the remaining dwelling units. The second floor and above have been designed in “U” shape to provide shelter for the podium courtyard, open space and pool. The proposed architecture is a modern interpretation of Craftsman style architecture, including stone base, larger roof overhangs, bay window projections, and layered gable forms. The proposed elements provide interest and shadow lines on the building façade. Staff notes that the proposed forms are larger than the forms found on the adjacent developments due to the building type. To address this issue, the applicant has used varied setbacks, architectural projections and quality materials. In addition, the structure is generally three stories with a fourth story element located at the center of the site to provide the greatest buffer from the adjacent three story townhomes (refer to Sheet A3.2 of the plans). The applicant has worked with staff and has substantially revised the design to its current form. Staff has noted two remaining design elements that need further refinement; they have been included in the Conditions of Approval (Attachment B) and include the following:

- Roof Form: The roof forms need to be broken up further to provide more interest, such as using a shed dormer over the balcony elements on all sides.
- Lobby Entry: The visibility of the lobby entry needs to be further enhanced, such as modifying landscaping and paving to draw the eye to the lobby entry.

The applicant is aware of these concerns and is working on changes. As conditioned, staff will review the proposed changes prior to issuance of a building permit for the structure.

Development Standards

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

- **Site Layout**

The proposed structure has been located on the site to provide the greatest buffer from the existing developments. Uncovered parking for residents and guests has been located on the north side of the site to provide a buffer for the homes to the north. The building is generally three stories in height to blend with the existing neighborhood. The project does include a four story portion which is located at the center of the site approximately 80 feet from the homes to the north and 40 feet from the homes to the west and 160 feet from the properties to the south.

The site is located within a flood plain area, which requires site grading adjustments. In this case the project applicant has proposed adding fill under the ground floor units to raise the finished floor above the base flood plain elevation. This approach requires approximately three feet of fill. The existing developments around the site have also added fill to raise the finished floor level for the dwelling units. The proposed plans include the additional fill to ensure that the proposed height reflects the actual final height.

- **Setbacks**

Front Setback

The project applicant is requesting a deviation for the front setback of 20 feet where 24½ feet is required for the floors above the second floor. The standard front setback for the R-4 district is 20 feet and those floors above the second floor area are required to provide an additional front setback of one-half the wall height of the floors above. In this case, the front of the

structure is three stories and the plate height is 9 feet for the third floor, resulting in an additional 4½ feet. The proposed three story portion that is 20 feet from the front property line is consistent with the three-story townhomes with a 20 foot front setback on either side of the site. The proposed fourth floor is located approximately 60 feet from the front setback. The proposed 20 foot front setback is in character with the existing townhomes on this block of Fair Oaks Avenue.

Left (South) Side

The project applicant is requesting a deviation for the left (south) side setback of 15 feet where 18 feet is required. The left (south) side setback of 18 feet is a result of the additional four story element located in the middle of the structure. The proposed 15-foot left (south) side setback is consistent with what would be required for a three-story structure. Staff is in support of the requested deviation since the proposed 15-foot setback meets the intent of the setback requirements in that the structure is only three stories along this side and the fourth floor is located over 160 feet from the south side of the property. In addition, uncovered parking spaces are located along the edge of the existing development to the south of the site. The proposed structure complies with the remaining setbacks.

- **Building Height and Number of Stories**

The proposed four-story structure would be approximately 55 feet in height as measured from the top of curb, which is consistent with the number of stories and building height allowed in the R-4 Zoning District. The adjacent R-3 homes were approved in 2005 with a deviation to allow the structures to be 48 feet in height where 35 feet are required. This height increase was due partially to the additional fill of four to five feet that was needed to raise the finished floor above the base flood level and to ensure the garages were technically a basement. The proposed structure is compatible with the building heights as measured from top of curb on North Fair Oaks.

- **Parking/Circulation**

The proposed project has been designed to provide covered and uncovered parking spaces per the code requirements. Based on the number and dwelling unit types, the project is required to provide one assigned space per units resulting in a requirement for 97 covered (garage) spaces. Also, 70 unassigned guest spaces are needed for a total of 167 parking spaces. The project is providing 113 garage spaces and 54 uncovered spaces which will be available to residents and guests. A Parking Management Plan will be required to be submitted, which will indicate how the applicant plans to manage the parking.

Pedestrian circulation has been provided around the site with common walkways and usable open space areas. Residents of the development will

have access to Seven Seas Park from a pedestrian path located to the south of the site between Danbury Place and Crossman Place. Residents can access the path from North Fair Oaks and it provides a connection to Kiel Court, Toyama Drive and Morse Avenue.

- **Landscaping and Tree Preservation**

The proposed project provides the required amount of landscaping as noted in the data table. The project will result in the removal of numerous unprotected trees on the site. A Tree Inventory and Evaluation was conducted on May 1, 2012, which surveyed 82 trees and found that only 1 tree is a “protected tree” per the City Zoning Code. This tree is expected to remain in place, unless infeasible. The applicant will work with the consulting arborist to ensure that construction of the sidewalk and grading does not damage the root system of the tree. If the tree cannot be saved due to the required sidewalk and stormwater management, the applicant shall pay the appropriate in-lieu fee. The landscape plan includes the addition of over 60 trees on the site and podium deck.

- **Usable Open Space**

The proposal meets the requirement for private usable open space with an average of approximately 380 square feet per unit. Open space is provided on the podium courtyard, including a pool, open deck area and spa (refer to Sheet L1.0 of the project plans). Enclosed open space is provided in the fitness and club rooms. Grade level open space amenities include a dog run on the south side and other passive open space areas. In addition, each unit is provided with a balcony for private open spaces.

- **Trash and Recycling Access**

Trash and recycling pick-up will be provided for the site in centralized bins with chutes for the second floor and above.

- **Stormwater Management**

A preliminary Stormwater Management Plan has been submitted as required, which shows proposed drainage patterns and conceptual treatment techniques to minimize surface runoff and pollution. Low Impact Development (LID) measures are proposed throughout the site and include bioretention and biofiltration areas which, to the extent feasible, retain water onsite and allow treated overflow in the stormdrain system. The project is proposing Alternative Compliance for stormwater due to the density and proximity to light rail. Alternative Compliance allows a portion of stormwater to be treated with mechanical methods (media filters located in water quality vaults). Sheet C.3 of the project plans indicates the different drainage zones and treatment measures. A more detailed Stormwater Management Plan will be submitted during the building permit phase per

Conditions of Approval and the plans will be reviewed and certified by a City approved Third Party reviewer.

- **Green Building Requirements**

The project is proposing to access the Green Building Incentive for a 5% density bonus. This requires that the project achieve at least 110 Build It Green Points for the project (effective for building permits submitted after October 1, 2012). The project as proposed is achieving approximately 140 points. The incentive allows up to 4 additional units based on the base density of 93 units for the site. Most of the green building points are incorporated into the design of the landscaping, building materials, energy performance and plumbing. As required, verification of the green building measures will be completed by the Building Safety Division during the building permit process (Attachment B, Recommended Conditions of Approval).

Environmental Review

An Environmental Impact Report (EIR) was previously prepared and certified in 1993 for the Futures Study Project in compliance with the California Environmental Quality Act (CEQA). The EIR and study evaluated 4 different citywide alternatives which looked at different residential densities and floor area ratios (for industrial areas). The EIR evaluated the potential impacts of each alternative and identified mitigation measures to reduce the potential impacts to a less than significant level. All impacts were reduced to a less than significant level with mitigations. For the subject area, the City Council approved a General Plan Land Use Designation of Medium Density Residential with a Zoning Designation of ITR/R-3/PD.

In 2001, the City Council initiated a new study to reevaluate some of the residential areas and neighborhood serving commercial areas in the Futures Study Area. The study recommended the creation of a new General Plan Land Use Designation of Industrial to Residential Medium to High (ITR-MIX), which allowed Medium and High Density Residential. A Mitigated Negative Declaration (MND) was prepared which found that eastbound and westbound right turn lanes at the intersection of Lawrence and Tasman would be needed. The improvements associated with the Lawrence/Tasman intersection were included in the long-term traffic improvement plan for General Plan build out. Transportation Impact Fees paid by the developments provided funding for the improvements. The City Council approved the Mitigated Negative Declaration and the General Plan Land Use change to Industrial to Residential Medium to High for the ITR7 area in July 16, 2002.

As part of this project, an MND was prepared to evaluate the proposed Rezone and current CEQA thresholds (see Attachment C for details). A Greenhouse Gas and an Acoustical analysis were prepared for the proposed project. In

In addition a Phase I and Phase II Soil Analysis were also completed. The MND and studies for the proposed project did not reveal any new significant impacts. Applicable and remaining mitigation measures from the previous environmental documents have been incorporated into the MND. The Conditions of Approval include the applicable mitigations and will act as the Mitigation Monitoring and Reporting Program.

FISCAL IMPACT

No fiscal impacts other than normal fees (such as TIF, Park In-lieu, sewer and water connections) and taxes are expected.

PUBLIC CONTACT

The applicant conducted an Open House on August 2, 2012. Approximately seven residents attended the open house. The applicant provided color renderings, copies of reduced plans and answered questions. The applicant has also been diligently conducting additional outreach with the adjacent residents and Home Owners Associations. Two letters of support from the Danbury Place and Morse Park Home Owners Associations have been submitted (see Attachment E). Staff received two letters in opposition after the Draft RTC had been prepared (see Attachment G). A discussion has been included in the Planning Commission Hearing section below.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 576 notices mailed to the property owners and tenants within 300 ft. of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Planning Commission Study Session

The project was presented to the Planning Commission on July 23, 2010 for comment. Overall the Planning Commission was pleased with the proposed design. The Planning Commission provided the following comments:

- The project should have pedestrian connections to the future Morse Park.
- Compatibility of the structure with the adjacent townhomes is important.
- Requested clarification in the staff report regarding the requested Rezone.

- Requested clarification of the floor area ratio and unit type in comparison to the surrounding developments.
- Massing of the structure appears to be sensitive to the adjacent developments.

Community Outreach Meeting

The applicant held a community outreach meeting on August 2, 2012. The applicant and representatives conducted the meeting in an “Open House” format in the existing building located on the site. Approximately seven community members attended the meeting. Site Plans, color renderings and reduced plans were provided for the public. Staff and the applicant answered any questions from the residents.

Planning Commission Hearing

The Planning Commission reviewed the proposed project on September 24, 2012 (see Attachment H). Staff provided an overview of the proposed project and addressed the two letters of opposition as follows:

In response to Mr. Martin Landzaat comments staff noted that generally apartment dwellings result in a lower student generation rate than townhouse developments. Staff also noted that the 2002 Land Use changes for the ITR 7 area to ITR MIX were projected to generate over 2,800 housing units in the area and that the projected growth was conveyed to the local school districts for their planning efforts. In addition, the consultant that prepares Fremont Union High School District’s annual reports coordinates with the City of Sunnyvale regarding land use growth. Due to market demand, existing sites in the ITR7 area have been developed at a lower density than anticipated and based on the remaining land available, the total number of units projected for the area is approximately 1,900 housing units. This is well below what was anticipated in 2002. Staff clarified that the State limits mitigation of school impacts to the payment of mitigation fees. School district fees are required to be paid at building permit issuance and required for all projects meeting the district’s criteria. The proposed project will be required to pay all required school district fees prior to building permit issuance. Staff finds that mitigation will be provided in accordance with State law.

In response to Ms. Hannalore Dietrich, staff stated that the City’s Below Market Rate requirements for rental projects do not apply due to a recent court decision. The project applicant had initially studied the feasibility of achieving a higher density project through the State Density Bonus and additional Housing Mitigation Fees. After further study the applicant determined that a market rate project would be their preferred option and revised the project to what you see today. Staff clarified that the proposed project is within the allowable density range of the General Plan land use designation; rezone requests Residential High Density (R-4) were anticipated with the General Plan Land Use

Designation of ITR MIX. The parking proposed for the project complies with the parking required by the City.

The Planning Commission listened to the applicant's presentation and requested the following clarifications:

- The requested deviations are a result of the four story element located at the center of the site and that the perimeter of the structure has been designed with three stories to match the massing of the adjacent properties.
- The subject site is located in close proximity to the VTA Light Rail Station at Fair Oaks and Tasman.
- The intent of the General Plan Land Use Designation of ITR MIX is to allow property owners to propose a higher density which will be considered by the City, based on the merits of the project.
- The existing wall surrounding the property was constructed as a requirement of the adjacent residential developments since the subject site was still nonresidential. The Planning Commission encouraged the applicant to discuss the feasibility of removing portions to allow for improved pedestrian access in the area.

The Planning Commission commended the applicant regarding the amount of community outreach and the Commissioners were impressed that a representative of Danbury Place Home Owners Association spoke in favor of the project. The Planning Commission found that they could make the findings for approval and moved to recommend that the City Council adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density/Planned Development (R-4/PD) and approve the Special Development Permit with attached conditions with a 5-0 vote.

CONCLUSION

Staff was able to make the required Findings based on the justifications for the Permit located in Attachment A and subject to the Recommended Conditions of Approval in Attachment B.

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density/Planned Development (R-4/PD) and approve the Special Development Permit with attached conditions.
2. Adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density/Planned Development (R-4/PD) and approve the Special Development Permit with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Rezone and Special Development Permit.

4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

City Council approve Alternative 1 to Adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density/Planned Development (R-4/PD) and approve the Special Development Permit with attached conditions.

Prepared by:

Hanson Hom, Director, Community Development

Reviewed by: Trudi Ryan, Planning Officer

Prepared by: Shaunn Mendrin, Senior 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. Letters of Support
- F. Ordinance: Rezone for 1101 N. Fair Oaks Avenue from M-S/ITR/R-3/PD to R-4/PD.
- G. Letters in Opposition
- H. Planning Commission Minutes, September 24, 2012

RECOMMENDED FINDINGS

Rezone

Finding:

1. The amendment, as proposed, changed or modified is deemed to be in the public interest. (*Finding Met*)

The proposed 97 units require a Rezone of the site to R-4 (High Density Residential) to allow up to 36 dwelling units per acre (or higher with various density bonuses). The site is currently zoned Industrial to Residential (ITR) Medium Density Residential (R-3) and includes the Planned Development (PD) combining district. The current zoning allows up to 24 units per acre. The City Council adopted the General Plan Land Use designation of Industrial to Residential Medium to High (ITR-MIX). The General Plan also contains several policies related to housing and that specifically relate to the proposed project. These policies include the following:

- **Policy LT-1.9** Support flexible and appropriate alternative transportation modes and transportation system management measures that reduce reliance on the automobile and serve changing regional and City-wide land use and transportation needs.
- **Policy LT-1.10** Support land use planning that complements the regional transportation system.
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- **Policy LT-4.2** Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.
- **Policy LT-4.6** Safeguard industry's ability to operate effectively, by limiting the establishment of incompatible uses in industrial areas.

The intent of the General Plan Land Use designation of ITR-MIX is to allow some flexibility in density (residential and commercial) in this Futures Area. The proposed project is in the public interest as it supports and implements the policies above by locating a higher density residential project closer to light rail and it provides an alternative housing type (flats as opposed to multiple levels). To date 1,236 dwelling units have been approved in the Futures 7 area. Rental units in the area represent 22% (Tamrid Square Phase I & II). The addition of 97 rental units would increase the rental percentage to 28%. The intent of the General Plan policy is still met, providing a majority of units as home ownership. The proposed development has been designed to fit into the neighborhood and it implements the transition to residential.

Special Development Permit

General Plan Goals and Policies:

Housing and Community Revitalization Sub-element

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

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

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

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

Land Use and Transportation Element

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

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

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

Community Design Sub-element

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

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

The proposed project meets the goals and policies of the General Plan as listed above by creating 97 residential units that promote housing goals for the community. The project also meets the policy for a minimum 75% of the allowable density for the zoning district. The proposed project will provide an addition of 97 dwelling units to the City's housing stock.

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

The proposed project maximizes the allowable density and proposes an alternative dwelling unit type for the immediate area. The project only requires a front and left side setback deviations, although the proposed design meets the intent of the setback requirements. The conversion of the use to residential is consistent with the current General Plan land use designation and Zoning. The site layout adequately buffers the proposed development from adjacent uses through siting of parking areas and massing of the structure. The project has been designed to complement the existing developments by use of massing and architectural patterns and matching building heights even at a higher density.

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
OCTOBER 16, 2012**

Planning Application 2012-7450
1101 N. Fair Oaks Avenue

**Rezone to R4/PD and Special Development Permit for the development of
97 residential rental units and Green Building Incentive.**

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

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

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

- GC-3. TITLE 25:
Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]
- GC-4. ON-SITE AMENITIES:
Swimming pools, pool equipment structures, play equipment, and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors. [COA] [PLANNING]
- GC-5. BELOW MARKET RATE PROGRAM:
Any future subdivision resulting in the individual sales of the residential units will require the submittal of a Tentative Map application subject to review by the City and compliance with the City's Below Market Rate Housing Program and SMC 19.66. [SDR] [PLANNING]
- GC-6. RECREATION FACILITIES:
If development of the project is phased, the common recreation facilities shall be installed in connection with the first phase of the development and included on the building permit plans for the first phase. [COA] [PLANNING]
- GC-7. TEMPORARY TRAILERS:
Temporary sales/rental trailer(s) on the site shall be subject to separate review and approval by the Director of Community Development. Plans for temporary trailers (excluding construction trailers) shall include the following:
- a) Trailers shall be placed on the premises not sooner than 15 days following the date of final project approval by the City and shall be removed no later than 30 days after the final unit is sold;
 - b) Trailer entrances shall be oriented toward the nearest building;
 - c) Area lighting shall be provided in the vicinity of temporary trailers. [COA] [PLANNING]
- GC-8. ENCROACHMENT PERMIT:
Obtain an encroachment permit from the Department of Public Works for all off-site improvements. [SDR] [PUBLIC WORKS]

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

PS-2. REVIEW OF FINAL DESIGN:

Final architectural design, site design, exterior building materials, and color schemes are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-3. REQUIRED REVISIONS TO THE PLANS:

The project plans shall be revised to address the following items and shall be subject to review and approval by the Community Development Director.

- a) Roof Form: The roof forms need to be broken up further to provide more interest, such as using a shed dormer over the balcony elements on all sides.
- b) Lobby Entry: The visibility of the lobby entry needs to be further enhanced, such as modifying landscaping and paving to draw the eye to the lobby entry. [COA] [PLANNING]

PS-4. ENVIRONMENTAL MITIGATION MEASURES:

Prior to submittal of building permit plans, provide documentation of compliance with all relevant environmental mitigation and avoidance measures contained in these Conditions of Approval [COA] [PLANNING] **Mitigation Measure**

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:

The plans submitted for building permits 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 detailed 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. 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-5. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed “Stormwater Management Plan Data Form”, and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]

BP-6. GREEN BUILDING:

The building permit plans shall demonstrate the project is designed to achieve a minimum of 110 points on BuildItGreen’s GreenPoint Rated Checklist or the applicable Residential Green Building Points required at time of building permit submittal. Nonresidential structures or rooms should be consistent with appropriate LEED equivalent, subject to consultation with the Building Division. The GreenPoint Rated Checklist shall be included on plans. [SDR] [PLANNING/BUILDING]

BP-7. 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. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City

requirements and guidelines for multi-family projects. [COA]
[PLANNING]

BP-8. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The required solid waste and recycling enclosures shall:

- a) Match the design, materials and color of the main building;
- b) Be of masonry construction;
- c) Be screened from view;
- d) All gates, lids and doors shall be closed at all times;
- e) Shall not conflict with delivery/receiving areas;
- f) Shall be consistent with the approved Waste and Recycling Management Plan;
- g) Waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA][PUBLIC WORKS/PLANNING]

BP-9. 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-10. ROOF EQUIPMENT:

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roofs or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof (note shall be added on the elevations). [COA] [PLANNING]

BP-11. FEES AND BONDS:

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

- a) PARK IN-LIEU FEE – Pay a Park In-lieu fee estimated at \$16,230.45 per unit (3.0 acres per thousand), for a total of \$1,574,354.23 prior to issuance of the building permit. (SMC 19.74) [SDR] [PLANNING]
- b) SENSE OF PLACE FEE – Pay Sense of Place fees for neighborhood pedestrian and streetscape improvements associated with industrial-to-residential transition. Sense of Place fees are estimated at \$1,071 per dwelling unit and shall be paid prior to issuance of a building permit. The final fee amount shall be

calculated based on fee schedules in place at the time of payment.
[COA] [PLANNING]

- c) TIF – A Transportation Impact Fee of approximately \$60,941.13 will be required to be paid prior to building permit issuance. The final fee shall be calculated at building permit submittal based on the current City Fee Schedule.[SDR] [PLANNING]

BP-12. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted for review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features and/or rooftop mechanical screens. [COA] [PLANNING]

BP-13. LANDSCAPE PLAN:

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

- a) All areas not required for parking, driveways, or structures shall be landscaped.
- b) Provide trees at minimum 30-foot intervals along all property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Deciduous trees shall be provided along southern and western building exposures where possible for passive solar heating purposes.
- d) For new tree selection, preference shall be given to California native species, and sizes selected shall be as large as appropriate for the proposed locations. At least ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size. Any “protected trees” (as defined in SMC 19.94) approved for removal shall be replaced with a specimen tree of at least 36-inch box size.
- e) Tree Preservation: The Landscape Plan shall include the preservation of the existing Cedar tree located in the front setback. If retention is infeasible, then the applicant shall submit arborist letter indicating why the tree cannot be saved

and this is subject to review and approval by the Director of Community Development.

- f) Provide a 15-foot wide landscaped buffer along the property's street frontages, except that the width may be reduced in limited locations as per the deviations granted and indicated on the approved project plans.
- g) Ground cover included in the landscape plans shall be planted so as to ensure full coverage eighteen months after installation.
- h) Decorative paving shall be provided as required by the Director of Community Development to distinguish entry driveways, pedestrian paths, pedestrian crossings, and common areas.
- i) The plans shall indicate compliance with the parking lot shading requirements.
- j) Design of all proposed fencing and walls shall be included in the landscape plans and shall comply with 19.37.080.
- k) Patio and landscape walls shall not be higher than three feet.
[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 permits. [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. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An updated 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). The inventory shall include trees proposed for removal as well as trees to remain.
- b) All existing trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) The Director of Community Development has discretion over the final list of trees to be removed.
- d) 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.

- e) Provide a plan showing overlay of Civil plans including utility lines with existing trees and provide measures to protect tree root systems as needed during utility installation.
- f) The measures specified in the tree protection plan shall be installed prior to issuance of any building or grading permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-16. CITY STREET TREES:

The Applicant shall install required street trees of a species determined by the Public Works Department. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Director of Community Development and the City Arborist. New street trees shall be 24-inch box size or 15 gallon size or larger and spaced as per City Standards. [SDR] [PLANNING/PUBLIC WORKS]

BP-17. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/PUBLIC WORKS]

BP-18. STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:

Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]

BP-19. STORMWATER MEASURES IN USABLE OPEN SPACES:

The preliminary Stormwater Management Plan includes bioretention basins which are located in usable open space areas. The design of bioretention basins including size, depth, layout, design of inlets/drains, and type of vegetation shall be developed to avoid impairing the usability of the areas for recreation. [COA] [PLANNING]

BP-20. 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) Stormdrain 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) Covered trash enclosures and/or receptacles.
- d) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to on-site vegetated areas is not a feasible option.
 - ii) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-21. EXTERIOR LIGHTING PLAN (ON-SITE):

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

- a) Sodium vapor, LED, or illumination with an equivalent energy savings. Lighting which provides true color representation is preferred.
- b) Pole heights to be uniform and compatible with the area. Light standards shall be of pedestrian scale and shall not exceed 8 feet in height on the periphery of the project.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Lights shall have shields to prevent glare onto adjacent residential properties.
- f) Lighting plans shall be developed to provide coverage of all parking areas, driveways, and building entrances for safety and security purposes. [COA] [PLANNING]

BP-22. 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-23. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

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

- a) All uncovered spaces shall be reserved as guest and unassigned residential parking spaces and shall remain unassigned.
- b) A clear definition of “guest” as proposed by the property manager/homeowner’s association.
- c) The property manager/homeowner’s association shall specify that at least 25% and up to 75% of unassigned spaces be reserved for guest use only.
- d) Clearly indicate that the property manager/homeowner’s association shall not rent or sell unassigned spaces, except that a nominal fee may be charged for parking management.
- e) Residents shall use their assigned parking spaces prior to using unassigned parking spaces.
- f) Prohibit residents from parking RV’s, trailers, or boats on the property.
- g) Notify potential residents of the number of parking spaces provided for each unit on-site as per the approved plans. [COA] [PLANNING]

BP-24. BICYCLE SPACES:

Provide a minimum of 38 Class I and 6 Class II bicycle parking spaces or as approved by the Director of Community Development. Bicycle parking shall be dispersed throughout the site and shown on the plans submitted for building permits. Select high-quality decorative designs for bicycle racks. [COA] [PLANNING]

BP-25. RECREATION BUILDING HOT WATER:

Recreation building water heaters shall be tankless heaters. [COA] [PLANNING]

BP-26. WATER METERS:

Separate metering shall be provided for domestic and irrigation water systems. [SDR] [PLANNING]

BP-27. UNDERGROUND UTILITIES:

All proposed utilities shall be undergrounded. [SDR]
[PLANNING/PUBLIC WORKS]

BP-28. FIRE PROTECTION:

Plans shall demonstrate compliance with the fire protection requirements in place at the time of building permit submittal as provided in Sunnyvale Municipal Code chapters 16.52, 16.53 and 16.54; California Fire Code; and Title 19 California Code of Regulations. The following details shall be included:

- a) The water supply for fire protection and firefighting shall be approved by the Department of Public Safety (508 CFC).
- b) A fully automatic fire sprinkler system is required. The fire sprinkler system shall be in accordance with NFPA 13, and CFC (16.52.270 SMC & Section 903 CFC).
- c) A fire alarm system is required for buildings meeting the requirements under Section 907.2.9 CFC.
- d) Install approved smoke detectors in accordance with the Sunnyvale Municipal Code (SMC 16.52.280).
- e) Fire hydrants are required every 300 feet. On-site fire hydrants are required along the fire access road. Building permit plans shall provide locations of existing City fire hydrants and any proposed on-site hydrants (508 CFC).
- f) Provide the required number of approved fire extinguishers (minimum size of 2A10BC) (CCR Title 19: 568).
- g) Fire access roads are required per the Sunnyvale Municipal Code and the published requirements for Fire Department Vehicle Access. Building permit plans shall demonstrate compliance with the approved Alternate Means agreement for fire access roads.
- h) Trash enclosures within 5 feet of building exterior walls or overhangs require fire sprinkler protection (304.3.3 CFC, 16.52.270 SMC). [SDR] [PUBLIC SAFETY-FIRE PREVENTION]

BP-29. FIRE PROTECTION PLAN:

Provide a written construction Fire Protection Plan (Section 1408 CFC) (Refer to Unidocs.org, Fire Prevention documents). [COA] [PUBLIC SAFETY-FIRE PREVENTION]

BP-30. AIR CONDITIONING SYSTEMS:

Since all windows and doors are required to be shut to achieve a dbA of 45 or less, ventilation or air-conditioning systems must be

incorporated to provide a habitable environment for all habitable space. The building permit plans shall include air condition systems.

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. [COA] [PLANNING] **Mitigation Measure**

BP-31. CONSTRUCTION EQUIPMENT:

Construction equipment should use noise shielding and muffling devices. All internal combustion engines used- on the sites should be equipped with adequate muffling devices. All equipment should be in good mechanical condition, to minimize noise created by faulty or poorly maintained engine, drive-train and other components. Stationary construction, equipment, such as air compressors and power generators, would be located as far as possible away from sensitive receptors in the site vicinities.

Future contractors should schedule construction activities in shifts to avoid high noise levels caused by simultaneously operating several pieces of noise-generating equipment. Construction work would be scheduled in accordance with City regulations.

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

HOW: All building permit plans shall indicate this requirement. [COA] [PLANNING] **Mitigation Measure**

BP-32. NOISE:

Based on the type of construction and the exterior noise levels, sound-rated windows are required to achieve the interior noise standard of DNL 45 dB. Specifics of the sound rating of windows by location have been provided in the noise consultant's report. Sound rated windows of high quality would be required for all units facing noise sources as indicated in the report.

The applicant shall submit a letter from an acoustical engineer stating the building permit plans are in conformance with the report.

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. [COA] [PLANNING] **Mitigation Measure**

BP-37. 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 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.
[COA] [PLANNING]

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

EP-1: DEVELOPMENT FEES:

Developer shall pay incremental sewer connection fee of \$116,672.88 and incremental water connection fee of \$27,614.08 prior to building permit issuance or encroachment permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

EP-2: SIDEWALK DEDICATION:

Developer shall provide a four (4') offer of dedication to the City of Sunnyvale to extend the existing sidewalk width in accordance to Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan prior to building occupancy. City will formally adopt/accept offer of dedication via recorded instrument upon completion of public improvements. [COA] [PUBLIC WORKS]

EP-3: CURB, GUTTER, AND SIDEWALK:

Remove and replace entire curb, gutter, and sidewalk along the project frontages on North Fair Oaks Avenue. Install new and/or replace existing driveway(s) to current City standard detail 6C-2. Unused driveway approaches shall be replaced with standard curb, gutters and sidewalk. A continuous root barrier shall be installed as part of the new sidewalk if adjacent to a City trees per City standard details and specifications and spaced 35 to 40 feet (consistent with the Tasman Fair Oaks Area Pedestrian and Bicycle Circulation Plan). No trees are to be planted within 10' of laterals when the City

maintains sanitary sewer mains and laterals up to the property line.
[COA] [PUBLIC WORKS]

EP-4: STREET LIGHTS:

Remove existing marbelite streetlight and install new pedestrian scale decorative streetlights to match existing streetlights to the south. Install new streetlights every 80' in accordance to City's Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan. [COA] [PUBLIC WORKS]

EP-5: DRY UTILITIES:

All dry utility plans (PG&E, telephone, cable TV, fiber optic, etc.) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public utility easements. Separate encroachment permits shall be required for all dry utility construction.

EP-6: UTILITY ABANDONMENT/RELOCATION:

All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City. Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the park strip area, caused by the development. [COA] [PUBLIC WORKS]

EP-7: INSTALL NEW METERS:

Install new radio-read domestic master water meter with approved backflow prevention device. [COA] [PUBLIC WORKS]

EP-8: FIRE HYDRANTS:

Install new and/or upgrade existing double check detector assembly (DCDA) for fire sprinkler service. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

EP-9: UTILITY PROVIDERS:

Contact the utility companies for their review/approval requirements and/or procedures for site development and existing easement vacation/removal. [COA] [PUBLIC WORKS]

EP-10: FINAL PLANS:

Final approved public improvement plans shall be prepared on 24"x36", 4 mil mylars. [COA] [PUBLIC WORKS]

EP-11: RECORD DRAWINGS:

Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to permit sign-off. [COA] [PUBLIC WORKS]

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

DC-1. FIRE ACCESS:

Prior to any combustible construction or materials on-site, provide fire access drives and operational on-site fire protection systems if applicable (Chapter 14 CFC). [SDR] [PUBLIC SAFETY-FIRE PREVENTION]

DC-2. 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-3. TREE PROTECTION:

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

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

PF-1. LANDSCAPING AND IRRIGATION:

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

PF-2. PARKING LOT STRIPING:

All parking lot striping, guest spaces, and compact spaces shall be striped as per the approved building permit plans and Public Works standards prior to occupancy. [COA] [PLANNING/ENGINEERING]

PF-3. NOISE:

The applicant shall provide a letter of compliance from the Noise consultant indicating that the structures have achieved the required noise requirements. [COA] [PLANNING]

PF-4. PARKING MANAGEMENT PLAN:

The applicant shall submit a final Parking Management Plan to the Planning Division prior to final inspection. [COA] [PLANNING]

PF-5. PUBLIC STREET REPAIR:

Any changes to or deficiencies in the adjacent public streets as a result of project construction are to be rectified at the expense of the developer. [COA] [PUBLIC WORKS]

PF-6. COMPLETION OF PUBLIC IMPROVEMENTS:

Complete all required public improvements including but not limited to sidewalks, roadway improvements, streetlights, and signals prior to occupancy. [COA] [PUBLIC WORKS]

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 enclosures. [COA] [PLANNING]

AT-2. SOLID WASTE RECYCLING MANAGEMENT:

Waste and recycling services for residential uses shall be maintained under a master account held by the applicant, owner or landlord. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [PUBLIC WORKS]

- AT-3. EXTERIOR EQUIPMENT:
Exterior equipment shall be maintained within approved enclosure areas. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]
- AT-4. 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 -5. STORMWATER MEASURES IN USABLE OPEN SPACES:
Any bioretention basins which are located within usable open space areas shall be maintained to ensure the stormwater treatment measures do not impair usability of the area. [COA] [PLANNING]
- AT-5. PARKING MANAGEMENT:
On-site parking management shall conform to the approved parking management plan. [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 assigned, guest, and compact spaces. This shall be specified on the building permit plans and completed prior to occupancy.
 - b) Maintain all parking lot striping and marking.
 - c) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and guests. [COA] [PLANNING]
- AT-7. UNENCLOSED STORAGE PROHIBITED:
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-8. VEHICLE SALES, LEASING, AND RENTAL PROHIBITED:
The sales, leasing, or rental of vehicles or trailers are prohibited on the subject property. [COA] [PLANNING]
- AT-9. OFF-STREET PARKING:
Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]

- AT-10. RECREATIONAL VEHICLE STORAGE PROHIBITED:
Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels, and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]
- AT-11. BMP MAINTENANCE:
The project applicant, owner, landlord, or homeowners association 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-12. BMP RIGHT OF ENTRY:
The project applicant, owner, landlord, or homeowners association 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 stormwater treatment best management practices contained in the approved Stormwater Management Plan. [SDR] [PLANNING]
- AT-13. FIRE DEPARTMENT ACCESS:
A Knox system (key switch) shall be provided and maintained for all locked gates in accordance with Fire Prevention requirements. [COA] [PUBLIC SAFETY-FIRE PREVENTION]

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

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



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



Document No.: 579
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CRO Order Number:
Fee Total: 0.00

CEQA DOCUMENT DECLARATION

REGINA ALCOMENDRAS, County Clerk – Recorder
by **Laura Luna, Deputy Clerk – Recorder,** *W*

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Sunnyvale
2. PROJECT TITLE: Application for a Special Development Permit and Rezone
3. APPLICANT NAME: St. Anton Partners PHONE: 408-730-7429
4. APPLICANT ADDRESS: 1101 N. Fair Oaks Avenue, Sunnyvale, CA 94085
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 21 DAYS.
7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

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

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

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

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

- | | | | |
|--|--|--------|------------------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

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

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

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

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

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



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

File Number: 2012-7450
No. 12-11

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

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

PROJECT TITLE:

Application for a **Special Development Permit** and **Rezone** filed by **St. Anton Partners**.

PROJECT DESCRIPTION AND LOCATION (APN):

File #: 2012-7450
Location: 1101 N. Fair Oaks Ave. (APN:110-14-176)

- SPECIAL DEVELOPMENT PERMIT for 97 new residential units and green building density bonus.
- REZONE from M-S/ITR/R-3 (Industrial and Service/Industrial to Residential/Medium Density Residential) Zoning District to R-4 (High Density Residential).

Applicant/Owner: St. Anton Partners / Fair Oaks LLC
Environmental Review: Mitigated Negative Declaration
Staff Contact: Shaun Mendrin, 408-730-7429, smendrin@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 **Tuesday, October 16, 2012**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, September 24, 2012 at 8:00 p.m. and **Tuesday, October 16, 2012** at 7:00 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 August 31, 2012

Signed: 
Gerri Caruso, Principal Planner

Project Title	Anton Sunnyvale: Application (#2012-7450) for a Rezone to R4 and Special Development Permit to allow the construction of 97 residential rental dwelling units through the Green Building Incentive.
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Shaunn Mendrin, Senior Planner
Phone Number	408-730-7429
Project Location	1101 N. Fair Oaks Avenue, between Tasman Drive and E Weddell Drive
Applicant's Name	St. Anton Partners
Project Address	1101 N Fair Oaks Avenue
Zoning	MS/ITRR3
General Plan	Industrial to Residential Medium and High
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT: The project consists of the demolition of the existing industrial building, site clearing and grading and the construction of a 4 story residential building requiring the following two permit types:

1. Rezone of the property from ITRR3 to R4 to allow up to 36 units per acre; and
2. Special Development Permit application to allow the demolition of the existing industrial building, site grading and construction of 97 residential rental dwelling units.

DETAILED PROJECT DESCRIPTION:

On-site Development: The site is currently developed with 1 industrial building and surface parking and landscaping. The proposed project would result in the demolition of the existing building, parking and landscaped areas and the regrading of the site for the construction of a four story structure with 97 residential units, fitness center, club room, parking, and landscaping.

Construction Activities and Schedule: Construction is anticipated to begin in spring 2013 and will take approximately fourteen months to complete construction.

Surrounding Uses and Setting: The subject site is located within the Tasman Fair Oaks area (Futures 7), which includes a range of R3 and R4 densities. The site is located at 1101 N. Fair Oaks Avenue between Tasman Drive and East Weddell Drive. The Futures 7 area is bounded by Morse Avenue and Fair Oak Avenue and the Hetch Hetchy Right of Way and 237. Residential

townhouse developments are located to the north, west and south of the site. A self-storage facility is located to the east of the site.

Off-site Improvements: The project will be required to remove the existing sidewalk and driveway aprons and install new sidewalks, curb gutter, driveway aprons, street lights and planter wells with street trees.

Previous Environmental Review: The subject site was evaluated in 1993 (Futures Study FEIR) to allow various sites in the ITR 7 area to convert to from industrial to residential uses. The study evaluated 4 different citywide alternatives which looked at different residential densities and floor area ratios (for industrial areas). The FEIR evaluated the potential impacts of each alternative and identified mitigation measures to reduce the potential impacts to a less than significant level. The City Council approved a General Plan Land Use Designation of Medium Density Residential with a Zoning Designation of ITR/R-3/PD.

In 2001, The City Council initiated a new study to reevaluate some of the residential areas and neighborhood serving commercial densities in the Futures Study Area. The study recommended the creation of a new General Plan Land Use Designation of Industrial to Residential Mixed, which allowed Medium and High Density Residential. A Mitigated Negative Declaration was prepared which found that eastbound and westbound right turn lanes at the intersection of Lawrence and Tasman would be needed. The improvements associated with the Lawrence/Tasman intersection were included in the long-term traffic improvement plan for General Plan build out. Transportation Impact Fees paid by the developments provided funding for the improvements. The City Council approved the Mitigated Negative Declaration and General Plan Land Use Change to Industrial to Residential Mixed for the ITR7 area in July 16, 2002.

The remaining applicable Mitigations identified in the FEIR and the 2002 MND have been folded in into the conditions of approval for the project and/or identified in this MND.

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: Shaunn Mendrin, AICP

Date: 8/29/12

Title: Senior Planner

City of Sunnyvale

Signature:



Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan generalplan.InSunnyvale.com
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Community Character and Land Use Chapters of the Sunnyvale General Plan
3. Aesthetics -Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan
4. Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, General Plan Map www.sunnyvaleplanning.com
5. Population and Housing -Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element, Land Use and Transportation Chapter of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
6. Population and Housing -Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Sub-Element www.sunnyvaleplanning.com
7. Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com
8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
10. For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field Air Installations Compatible Use Zones (AICUZ), Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Air Installations Compatible Use Zones (AICUZ) Study Map
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.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"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Character Chapter of the Sunnyvale General Plan, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project description. Project archeological study and cultural resource survey.

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. .
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines AB 32
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines AB 32
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

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

2. Aesthetics (Less than Significant) - The proposed project will result in the transition of the site from an industrial use to a residential use. The proposed project is subject to the City-Wide Design Guidelines and the design of the residential structure and site layout will be in general conformance with the adopted design guidelines. The proposed project has been designed to complement the new existing development to the north and south of the site. The proposed project compliments the existing height and the use of interesting architectural elements and quality materials further enhances the architecture of the building. The City’s implementation of the City-Wide Design Guidelines and staff’s review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not degrade the visual character or quality of the site and its surroundings. As a result, the impacts will be less than significant.

8. Land Use Planning (Less than Significant) – The proposed project includes a rezone of the site from ITR/R3 (Medium) to R4 (High) residential density. The current General Plan Land Use Designation is Industrial to Residential Mixed (Medium to High). This General Plan designation allows both Medium (R3) and High (R4) residential densities in the ITR 7 area. Therefore, the proposed R4 density is consistent with the current General Plan Land Use Designation. In addition, potential impacts were identified in the 1993 FEIR and 2002 MND and they have all been completed. The proposed R4 density is located within a larger block which has a lower zoning density of R3. Several parcels located to the north and west have been developed with residential projects with a R4 density. The density of the proposed project would not be out of character in the ITR 7 area.

14. Noise (Less than Significant with Mitigation) - The project may introduce short-term temporary sources of noise to the project area during construction. Through the City’s implementation of the Municipal Code’s construction regulations and the Bay Area Air Quality regulations, this impact will be lessened to a less than significant level during construction.

The new residential units will be located within close proximity to existing major roadway and light rail which may result in higher levels of existing noise. The applicant submitted a noise study prepared by Bollard Acoustical Consultant (dated June 27, 2012) analyzing the existing exterior noise levels at the site, both short term and long term, over a period of 48-hours, between 14th and 15th of June 2015. The study is available for review at the City of Sunnyvale’s Community Development Department, Monday through Friday between 8:00

a.m. and 5:00 p.m. The study found that the projected interior and exterior noise levels for the proposed project would be within the City adopted thresholds.

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 Futures Study FEIR and current 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) – The 1993 Futures Study FEIR found that the potential for any wildlife was quite low due to the urban nature of the area and manicured landscape. The site has remained manicured and redevelopment around the site has occurred since the adoption on the 1993 Futures FEIR. The proposed project includes site work and the potential removal of a large tree. 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 owls and 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 Miscellaneous Plan Permit prior to its final approval. The conditions will become valid when the Miscellaneous Plan 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

20. Biological Resources (Less than Significant) – The proposed project will result in the removal of numerous unprotected trees on the site. A Tree Inventory and Evaluation was conducted on May 1, 2012, which surveyed 82 trees and found that only 1 tree is “protected tree” per the City Zoning Code. Tree removal is reviewed through the Special Development Permit process and replacement trees are required to be planted as part of the approval. This tree is expected to remain in place, unless infeasible. The applicant will work with the consulting arborist to ensure that construction of the sidewalk and grading does not damage the root system of the tree. If the tree cannot be saved due to the required sidewalk and stormwater management, the applicant shall pay the appropriate in-lieu fee. The proposed project will provide the required amount of landscaped area and shading per the Zoning Code. Therefore, this is a less than significant impact.

23. Historic and Cultural Remains (Less than Significant with Mitigation) – The proposed project includes grading and land disturbance for improvements associated with the tentative map. The 1993 Futures Study FEIR indicated that there were no recorded archeological sites for the subject site due to location and lack of proximity to natural streambeds. Therefore, this is a less than significant impact.

26 - 28. Air Quality (Less than Significant) – A Greenhouse Gas Study was prepared by Dudek (dated June 27, 2012) which found that the proposed project would generate GHG emissions through the construction and operation of new residential land uses. Emissions generated during construction of the proposed project would be temporary and would not represent a long term source of GHG emissions. Estimated unmitigated project-generated operational GHG emissions from electricity usage, motor vehicles, water consumption, wastewater treatment, and solid waste generation, would be approximately 835 metric tons CO₂E per year, or 3.0 MT CO₂E per year per resident, which is below the threshold of 4.6 MT CO₂E per year per service population applied in this assessment. The project would reduce the amount of GHG emitted through design and development strategies. With the availability of light rail and provision of bicycle parking facilities, it is anticipated that some project residents would opt to use alternative forms of transportation modes other than personal vehicles, which is the greatest source of project generated GHG emissions. Currently, there is no adopted GHG reduction plan, policy, or regulation that would apply to the proposed project; therefore, no conflict would occur. Impacts associated with project-generated GHG emissions would be less than significant and the project’s contribution to global climate change would be less than cumulatively considerable.

30. Air Quality (Less than Significant with Mitigation) – The proposed project will result in construction related dust and debris as a result of demolition, grading and construction. This is only for a temporary basis. The site is surrounded by existing residential development. Typically, the following reasonable controls can be implemented to ensure construction related impacts are less than significant:

WHAT: 1) The developer shall implement the following:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b) All haul trucks transporting soil, sand, or other loose materials off-site shall be covered.
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 mph.

- e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- h) Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.

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

WHO: The property owner will be solely responsible for obtaining permits and providing the required information.

HOW: These mitigation measures will be incorporated into Conditions of Approval and shall be reproduced on the building permit plans.

33. Seismic Safety (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. The proposed project will be evaluated by an engineer to ensure structural integrity and compliance with the Uniform Building Code requirements. The proposed project will be designed according the engineers recommendations and the project will be reviewed by the City for conformance with the Uniform Building Code. This will ensure that the seismic safety issues will be reduced to a less than significant level.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Transportation					
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, and AASHTO: A Policy on Geometric Design of Highways and Streets.
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Congestion Management Program and Technical Guidelines (for conducting TIA and LOS thresholds).
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?					Sunnyvale General Plan including the Land Use and Transportation Element.
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	City and CA Standard Plans & Standard Specifications.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual, and Sunnyvale Neighborhood Traffic Calming Program.

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.

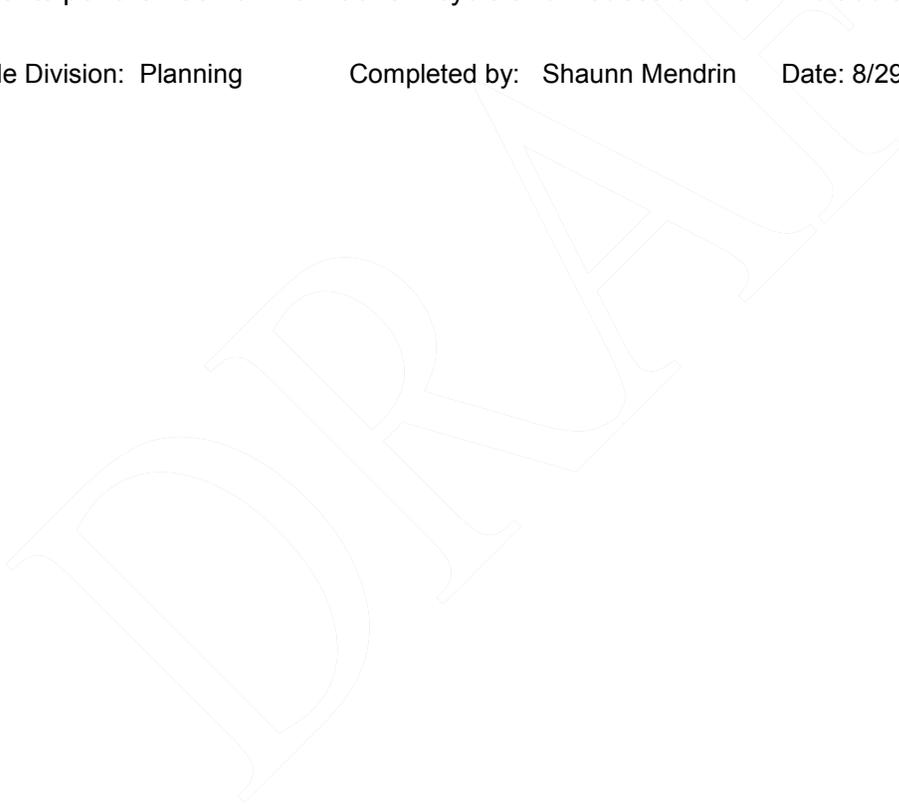
Further Discussion if “Less than Significant” with or without mitigation:

The proposed project is consistent with the density indicated within the Futures Study FEIR and the MND for the General Plan Land Use changes from 2002. The proposed 97 dwelling unit would not generate more than 100 peak hour trips to the site. Therefore additional traffic analysis is not required. Impact Mitigations identified in the FEIR for Sites 7 and 8 have been implemented. The project approval is conditioned to install sidewalk improvements per the Tasman Fair Oaks Bicycle and Pedestrian Plan. No additional mitigation is required.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12



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

Further Discussion: The California Building Code contains a series of building code requirements to address safety issues regarding seismic shaking, flooding, and soil types. In addition, Title 16.62 of the Sunnyvale Municipal Code requires a series of measures for provisions to reduce flood-related hazards to buildings. These standards are suggested by the Federal Emergency Management Agency and required by code by the City of Sunnyvale. These standards must be met for a building permit to be issued.

43.- 44. Hydrology and Water Quality (Less than Significant) – The subject site is located within a flood zone area. The National Flood Insurance Program (NFIP), which is a division of the Federal Emergency Management Agency (FEMA) produces the Flood Insurance Rate Maps (FIRM) which determines the flood

zone for all properties within Sunnyvale. The current grade for the site is approximately 1½ to 2½ feet below the base flood elevation. The plans have been designed to accommodate a minor amount of fill to raise the elevation of the habitable areas above the base flood line. The proposed grade parking, under the structure, will be located at or slightly below the base flood elevation, which is acceptable.

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 reduced to a less than significant level.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12

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Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Engineering					
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Environmental Management Chapter of the Sunnyvale General Plan
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Project Description • Environmental Management Chapter of the Sunnyvale General Plan
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Project Description • Environmental Management Chapter of the Sunnyvale General Plan
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Project Description • Environmental Management Chapter of the Sunnyvale General Plan
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Project Description • Environmental Management Chapter of the Sunnyvale General Plan
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Environmental Management Chapter of the Sunnyvale General Plan
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • Project description • Environmental Management Chapter of the Sunnyvale General Plan
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • 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"/>	<ul style="list-style-type: none"> • Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org • City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects
60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter of the Sunnyvale General Plan
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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ratios, response times or other performance objectives for any of the public services?					
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Further Discussion if “Less than Significant” with or without mitigation: None.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12



Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety					
62. Public Services Police and Fire protection - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

Further Discussion if “Less than Significant” with or without mitigation: None.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12



Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map Project description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if “Less than Significant” with or without mitigation: None.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
---------------------------	---------------------------------------	---------------------------------------	------------------------------	------------------	--

Community Services					
69. Public Services Parks? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
70. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
71. Recreation - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if “Less than Significant” with or without mitigation: None.

Responsible Division: Planning

Completed by: Shaunn Mendrin

Date: 8/29/12

ENVIRONMENTAL SOURCES

City of Sunnyvale General Plan:

Sunnyvale General Plan Consolidated in (2011)

generalplan.InSunnyvale.com

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

City of Sunnyvale Municipal Code:

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

Specific Plans:

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

Environmental Impact Reports:

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

Maps:

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

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

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

ENVIRONMENTAL SOURCES

Lists / Inventories:

- Sunnyvale Cultural Resources Inventory List
- Heritage Landmark Designation List
- Santa Clara County Heritage Resource Inventory
- Hazardous Waste & Substances Sites List (State of California)
- List of Known Contaminants in Sunnyvale
- USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.html
- The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Guidelines and Best Management Practices

- Storm Water Quality Best Management Practices Guidelines Manual 2007
- Sunnyvale Citywide Design Guidelines
- Sunnyvale Industrial Guidelines
- Sunnyvale Single-Family Design Techniques
- Sunnyvale Eichler Guidelines
- Blueprint for a Clean Bay
- Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams
- The United States Secretary of the Interior's Guidelines for Rehabilitation
- Criteria of the National Register of Historic Places
- Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012)

Transportation:

- California Department of Transportation Highway Design Manual
- California Department of Transportation Traffic Manual
- California Department of Transportation Standard Plans & Standard Specifications

- Highway Capacity Manual
- Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- Institute of Transportation Engineers - Traffic Engineering Handbook
- Institute of Transportation Engineers - Manual of Traffic Engineering Studies
- Institute of Transportation Engineers - Transportation Planning Handbook
- Institute of Transportation Engineers - Manual of Traffic Signal Design
- Institute of Transportation Engineers - Transportation and Land Development
- U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- California Vehicle Code
- Santa Clara County Congestion Management Program and Technical Guidelines
- Santa Clara County Transportation Agency Short Range Transit Plan
- Santa Clara County Transportation Plan
- Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- Statewide Integrated Traffic Records System
- Sunnyvale Zoning Ordinance – including Titles 10 & 13
- City of Sunnyvale General Plan – land Use and Transportation Element
- City of Sunnyvale Bicycle Plan
- City of Sunnyvale Neighborhood Traffic Calming Program
- Valley Transportation Authority Bicycle Technical Guidelines
- Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use
- Santa Clara County Sub-Regional Deficiency Plan
- City of Sunnyvale Deficiency Plan
- AASHTO: A Policy on Geometric Design of Highways and Streets

ENVIRONMENTAL SOURCES

Initial Study Checklist
Project Name: Anton Sunnyvale – 1101 N. Fair Oaks Ave.
File # 2012-7450
Page 25 of 25

Public Works:

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

Miscellaneous Agency Plans:

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

Building Safety:

- California Building Code,
- California Energy Code
- California Plumbing Code,
- California Mechanical Code,
- California Electrical Code
- California Fire Code
- Title 16.52 Sunnyvale Municipal Code
- Title 16.53 Sunnyvale Municipal Code
- Title 16.54 Sunnyvale Municipal Code

- Title 19 California Code of Regulations
- National Fire Protection Association (NFPA) standards

Additional Project References:

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

Other



Sheet Index

Architectural

T1.0	Title Sheet
A1.0	Site Plan and Project Data
A1.1	Site Context Photos
A1.2	Open Space and Landscape Exhibit
A1.3	Shadow Studies
A1.4	Trash Plan / Exhibit
A2.0	Level 1 & 2 Building Plans
A2.1	Level 3 & 4 Building Plans
A2.2	Roof Plan
A3.0	Building Elevations
A3.1	Building Elevations
A3.2	Fair Oaks Streetscene
A4.0	Architectural Renderings
A4.1	Architectural Renderings

A4.2	Architectural Renderings
A4.3	Architectural Renderings
A4.4	Architectural Renderings
A4.5	Architectural Renderings
A5.0	Architectural Details
A5.1	Architectural Details
A5.2	Architectural Details
A5.3	Architectural Details
A5.4	Architectural Details
A6.0	Amenity Plans
A7.0	Unit Plans
A7.1	Unit Plans
A7.2	Unit Plans
A8.0	Site Sections

AB.1 Building Sections

Landscape

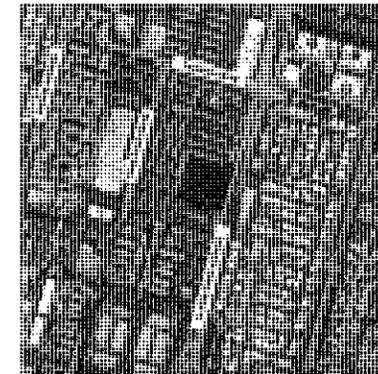
LI.0	Preliminary Landscape Plan - Ground Level
LI.1	Preliminary Landscape Plan - Courtyard
LI.2	Contextual Landscape Imagery

Civil

C1	Preliminary Grading and Drainage Plan
C2	Preliminary Utility Plan
C3	Preliminary Stormwater Quality Control Plan

Photometric

PI.0	Photometric Plan
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Vicinity Map (n.t.s.)



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TITLE SHEET

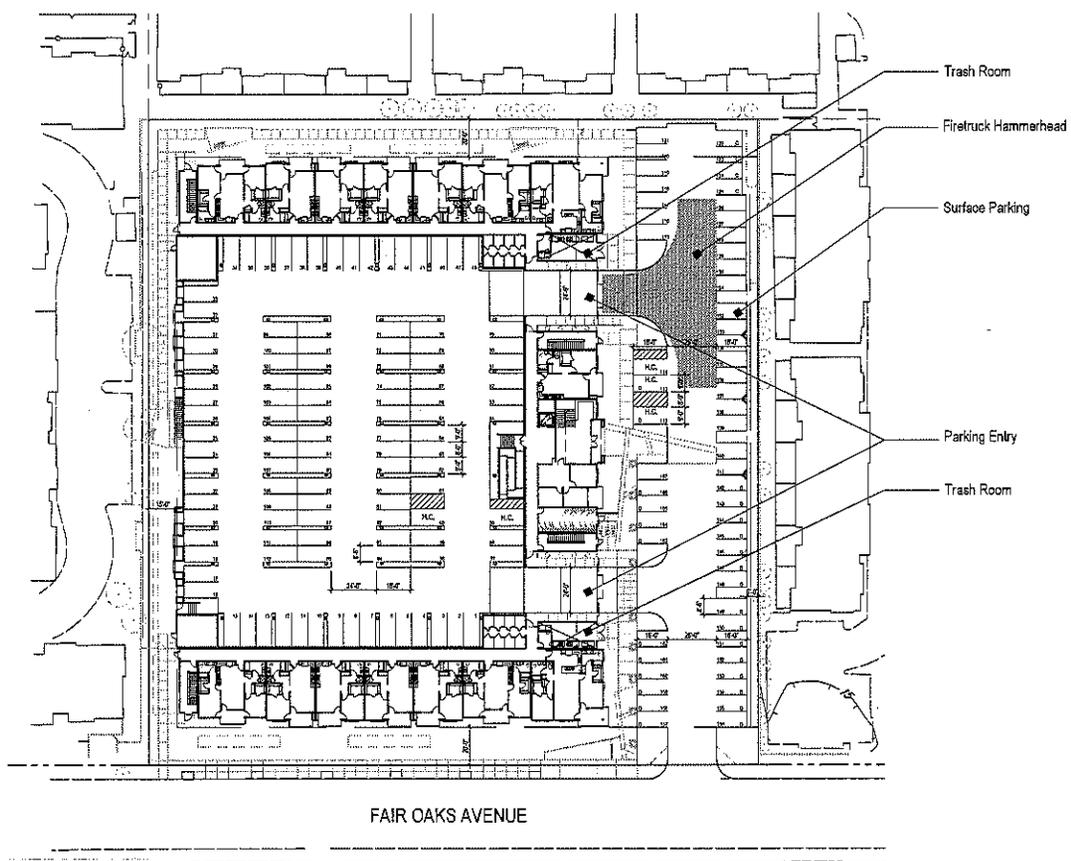
SUNNYVALE, CALIFORNIA
10/11/11

08.01.2012

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T1.0



Open Site Area	2.68 AC				
Dwelling Units	97 DU				
Density	36 DU/AC				

Plan Summary	Ud			Total Net S.F.	Avg. Net S.F.
Studio	0	544	8	8.2%	
P1A	1	890	0	0.0%	
P1B	1	719	44	45.4%	
P1C	1	799	2	2.1%	
P2A	2	991	12	12.4%	
P2B	2	1055	21	21.8%	
P2C	2	1246	10	10.3%	
Total		97	100.0%	84,113	867.1

Type	No. Units	Mix		
Studio Total	8	8.2%		
1 bedroom Total	46	47.4%		
2 bedroom Total	43	44.3%		
Total	97	100.0%		

Parking Summary	No. Units	Spaces Required	Spaces Unit
Parking required			
Studio	8	12	1.5
1 bed	46	63	1.4
2 bed	43	86	2.0
Total	97	161	1.72
Parking provided		Spaces Provided	Spaces Unit
On Site Spaces		55	
Garage Spaces		117	
Total parking spaces		167	1.72

Accessible Parking Required	Visitor Spaces Required	Resident Spaces Required	Spaces Provided
2% of Res. 3% of Guest	27 x .25 = 6.75	143 x .02 = 2.86	8 N.C. Spaces

Open Space Summary	No. Units	O.S. Required	O.S./Unit
Private Open Space required			
Total Units	97	2,700	28
Common Open Space required	No. Units	O.S. Required	O.S./Unit
Total Units	97	29,100	300
Total		31,800	328
Private Open Space Provided	No. Units	O.S. Provided	O.S./Unit
Total Units	97	8,419	87
Common Open Space Provided	No. Units	O.S. Provided	O.S./Unit
Total Units	97	23,381	241
Total		31,800	328

Landscape Area Summary	No. Units	L.A. Required	L.A./Unit
Landscape Area Required			
Total Units	97	38,375	395
Landscape Area Provided	No. Units	L.A. Provided	L.A./Unit
Total Units	97	38,375	395

Building Summary	Building Gross S.F.	Garage Gross S.F.	Total Gross S.F.
First Floor	22,838	49,306	72,144
Second Floor	46,911		46,911
Third Floor	46,303		46,303
Fourth Floor	15,499		15,499
Total	131,551	49,306	177,857

Storage Summary	Storage Units Provided	Storage Units Required	Storage C.F. Unit	Total Provided C.F.
First Floor	16	300	300	4,800
2nd - 4th Floor	25 ea.	300	300	25,200
Total	100	97		30,000

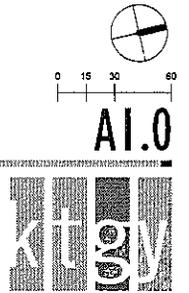
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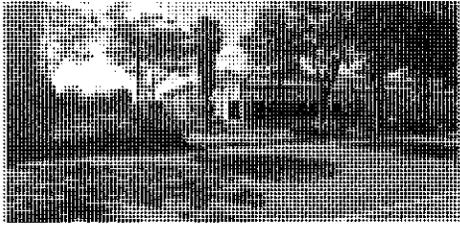
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SITE PLAN

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07/ # 2013-0169 08.02.2012

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1 - VIEW ACROSS FAIR OAKS AVE.



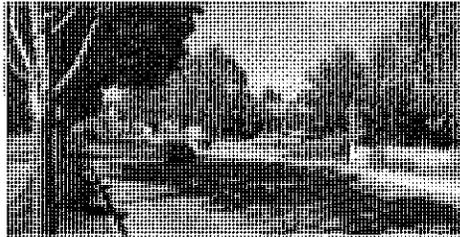
2 - VIEW ACROSS FAIR OAKS AVE.



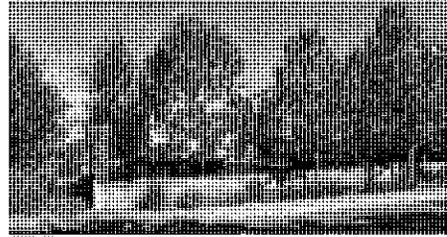
3 - VIEW ACROSS FAIR OAKS AVE. SHOWING ADJACENT BUILDING.



4 - VIEW ACROSS FAIR OAKS AVE. SHOWING ADJACENT BUILDING.



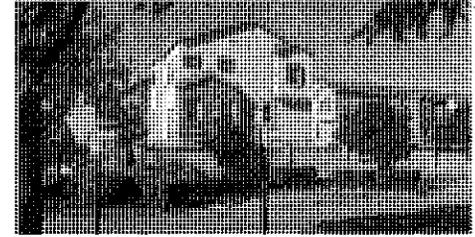
5 - VIEW ACROSS FAIR OAKS AVE. SHOWING ADJACENT BUILDING.



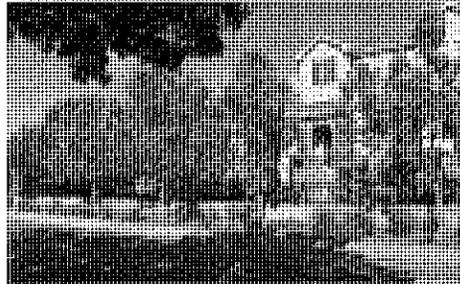
6 - VIEW ACROSS FAIR OAKS AVE. SHOWING ADJACENT BUILDING.



11 - VIEW ACROSS FAIR OAKS AVE. SHOWING ADJACENT BUILDING.



12 - VIEW OF ADJACENT BUILDING SOUTH OF SITE



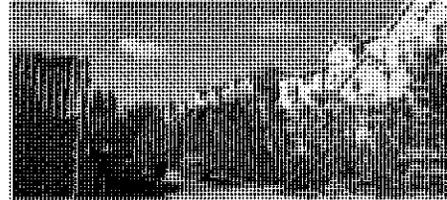
5 - VIEW OF ADJACENT BUILDING NORTH OF SITE.



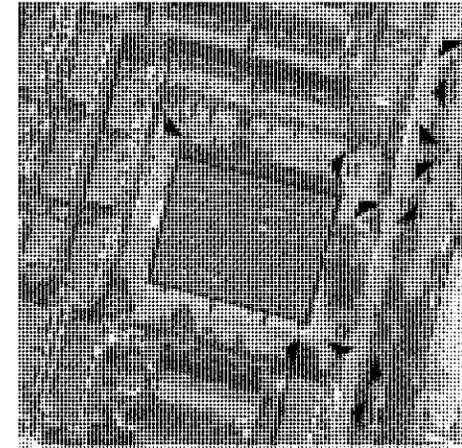
6 - VIEW OF ADJACENT BUILDING EAST OF SITE.



7 - VIEW OF ADJACENT BUILDING NORTH OF SITE



8 - VIEW OF ADJACENT BUILDING EAST OF SITE



PROJECT MAP

ATTACHMENT D
Page 3 of 37

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SITE CONTEXT PHOTOS

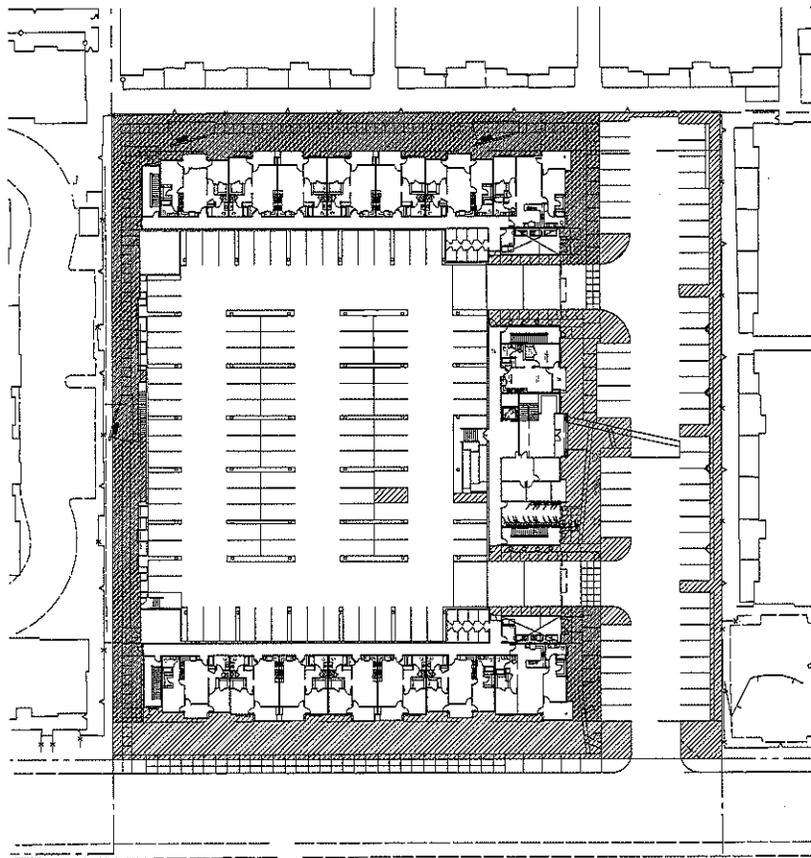
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MAP # 2012-01W

08.02.2012

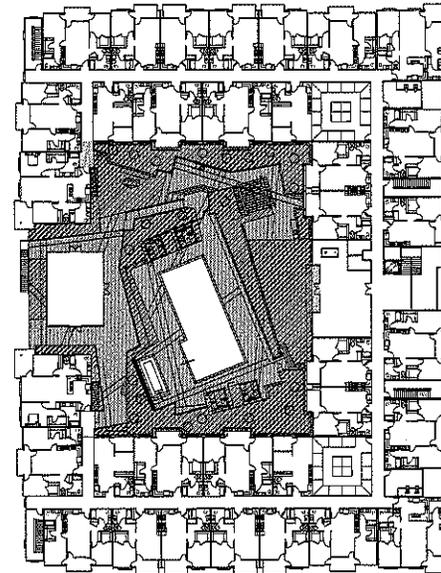
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AI.1



FIRST FLOOR
 Common Open Space: 12,540 sf
(Note: Does not include Private Open Space)
 Landscape Area: 26,891 sf



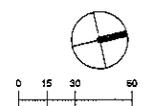
SECOND FLOOR
 Common Open Space: 17,294 sf
(Note: Does not include Private Open Space)
 Landscape Area: 9,740 sf

LEGEND

-  Open Space
-  Landscape Area
-  Both Open Space & Landscape Area

note: Private Open Space - 6061 / unit

ATTACHMENT D
 Page 4 of 37



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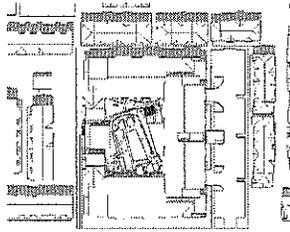
OPEN SPACE & LANDSCAPE EXHIBIT

SUNNYVALE, CALIFORNIA
 KTY # 2012-0180 08.02.2012

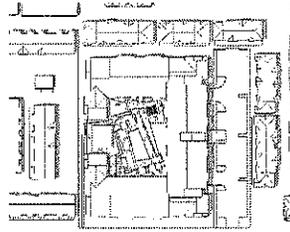
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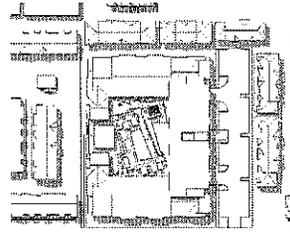
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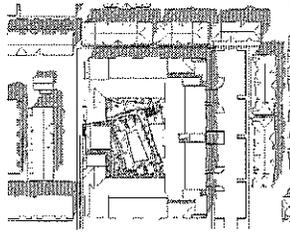
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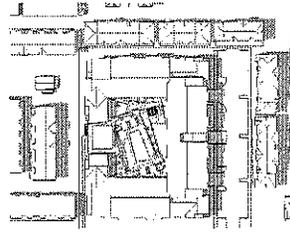
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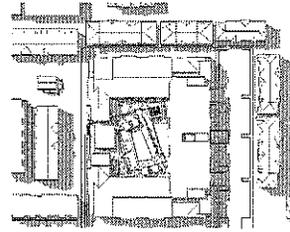
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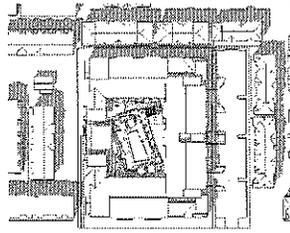
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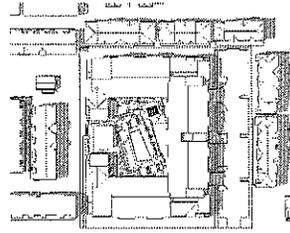
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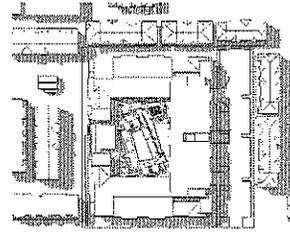
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DEC - 10:00 AM



DEC - 12:00 PM



DEC - 2:00 PM

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SHADOW STUDY

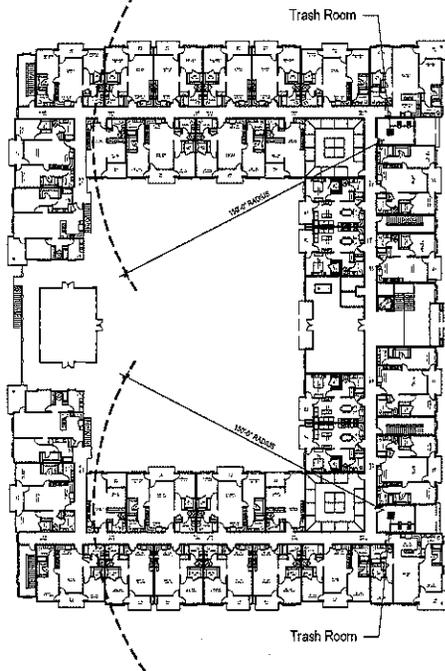
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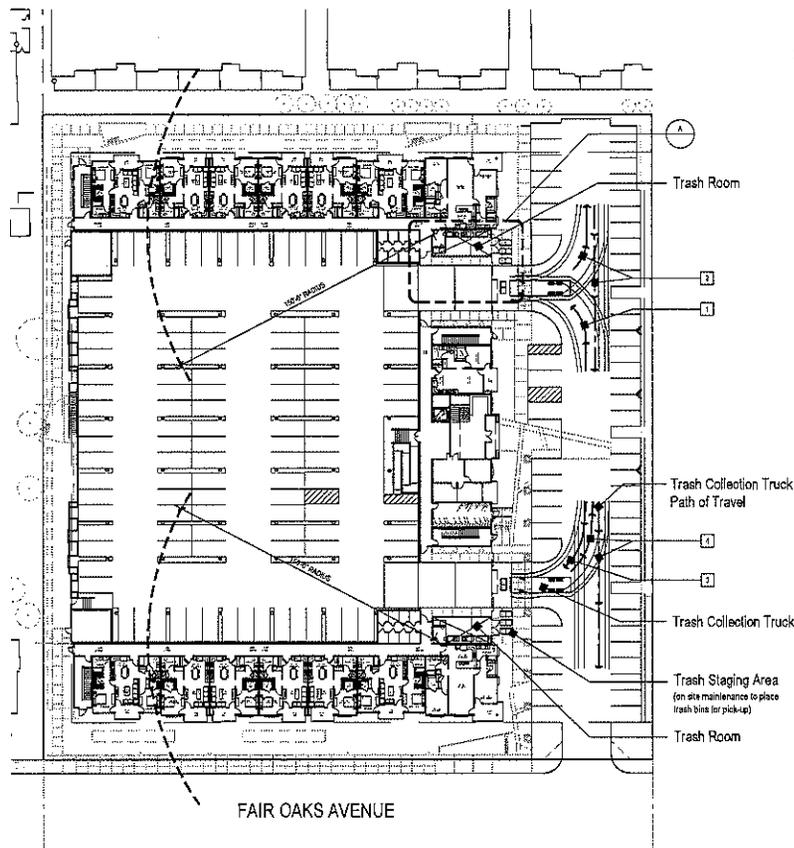
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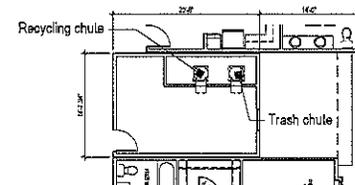
TYPICAL UPPER LEVELS



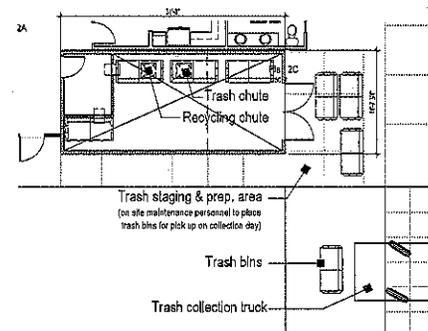
GROUND LEVEL

Note: Turning Radii per Department of Public Works'HEIL' Turning Diagram (825409)

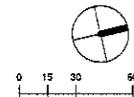
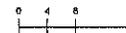
- Trash Collection Truck - Route of Travel
- 1 Truck to pull in forward to serve 1st trash enclosure.
 - 2 After serving trash enclosure, truck to back out and proceed to 2nd trash enclosure.
 - 3 Truck to pull in forward to service 2nd trash enclosure.
 - 4 Truck to back out and pull forward to Fair Oaks Ave.



ENLARGED TRASH ROOM FLOOR PLAN
 TYPICAL UPPER LEVELS



A ENLARGED TRASH ROOM FLOOR PLAN
 GROUND LEVEL



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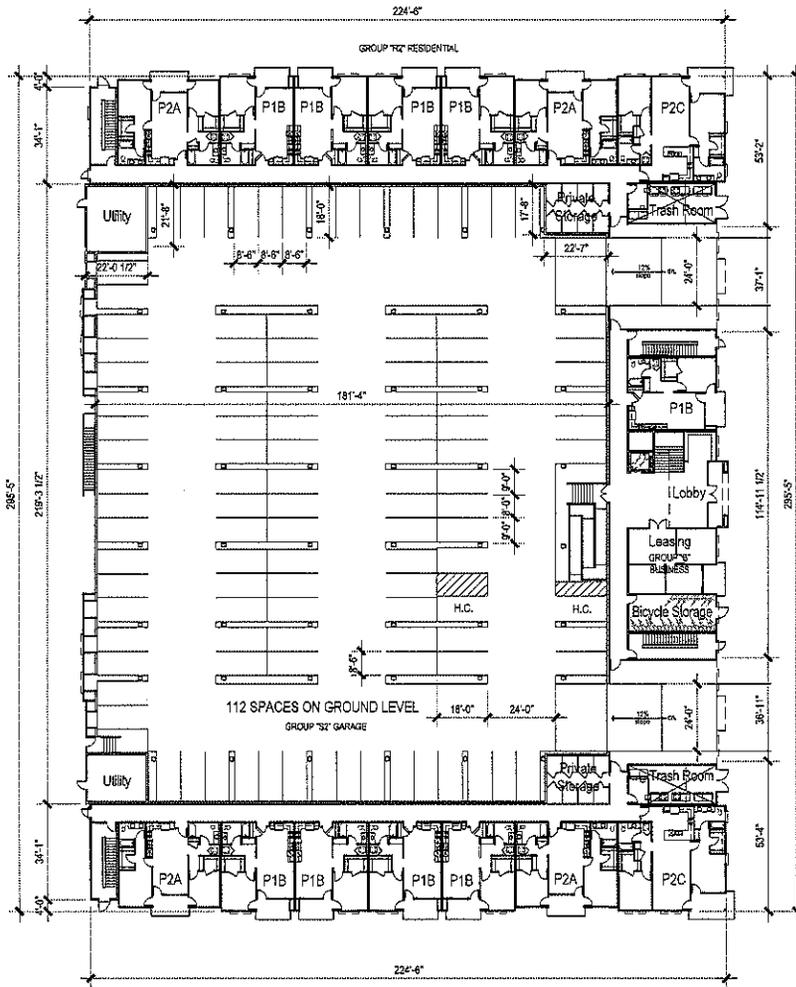
TRASH PLAN / EXHIBIT

SUNNYVALE, CALIFORNIA
 KTOV # 2003-0180 08.02.2012

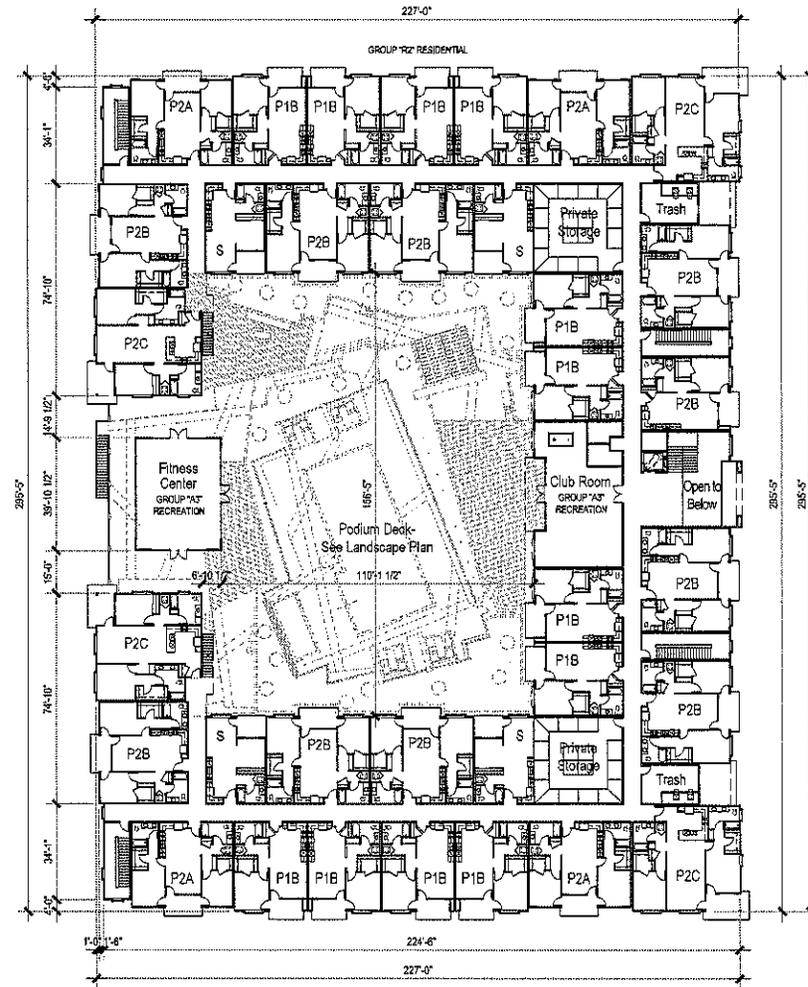
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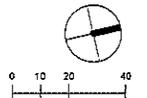
A1.4



FIRST FLOOR
Groups A-3, B, R-2, & S-2 Mixed Occupancy



SECOND FLOOR
Groups A-3 & R-2 Mixed Occupancy



A2.0

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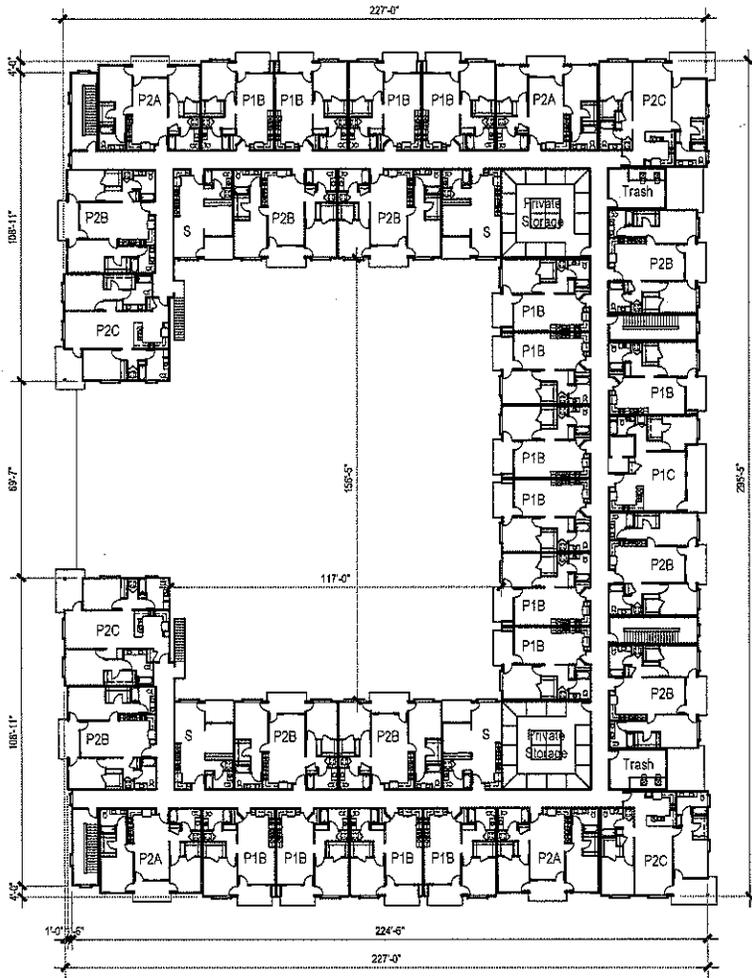
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BUILDING PLANS

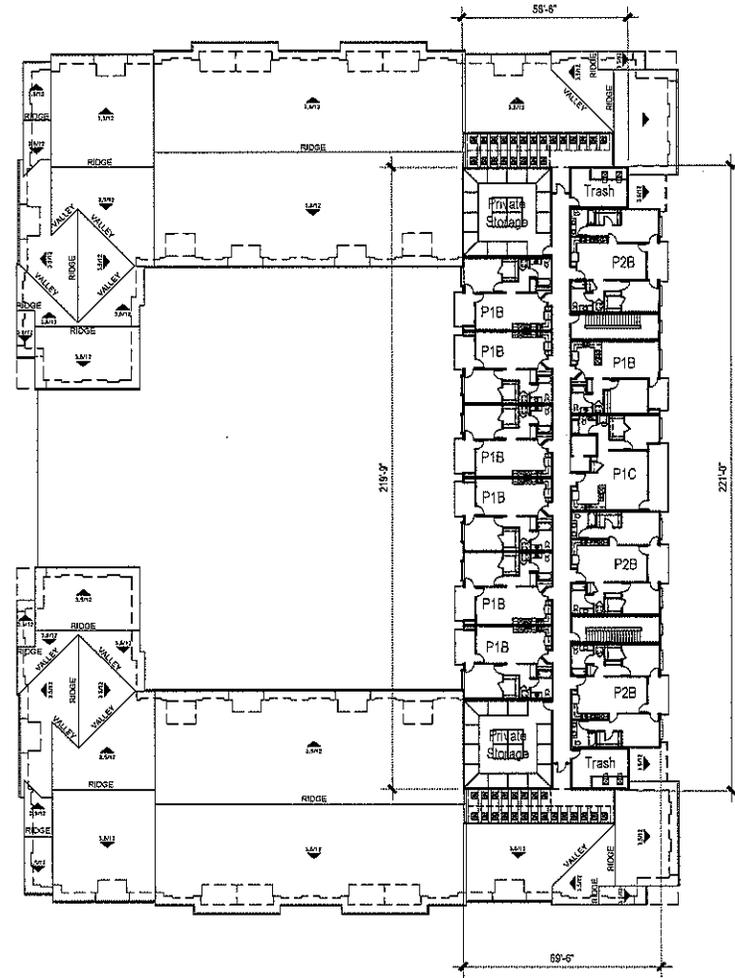
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REV # 2012-0100 08.02.2012

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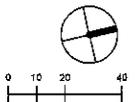




THIRD FLOOR
GROUPS R-2 OCCUPANCY



FOURTH FLOOR
GROUPS R-2 OCCUPANCY



A2.1

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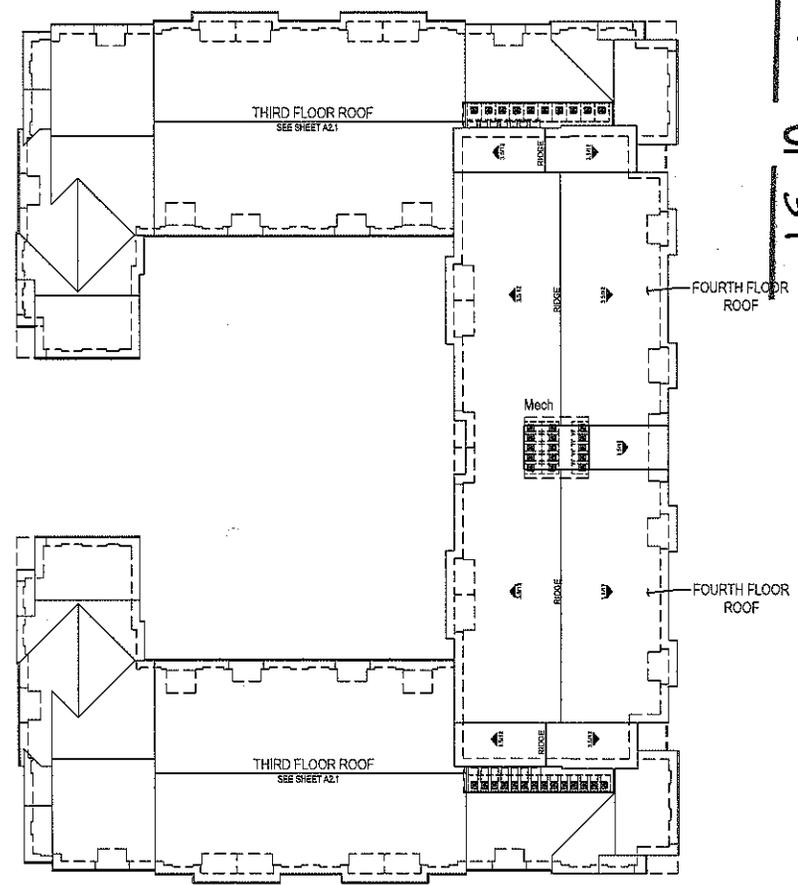
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BUILDING PLANS

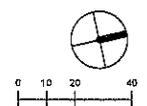
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ROOF PLAN



A2.2

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ROOF PLAN

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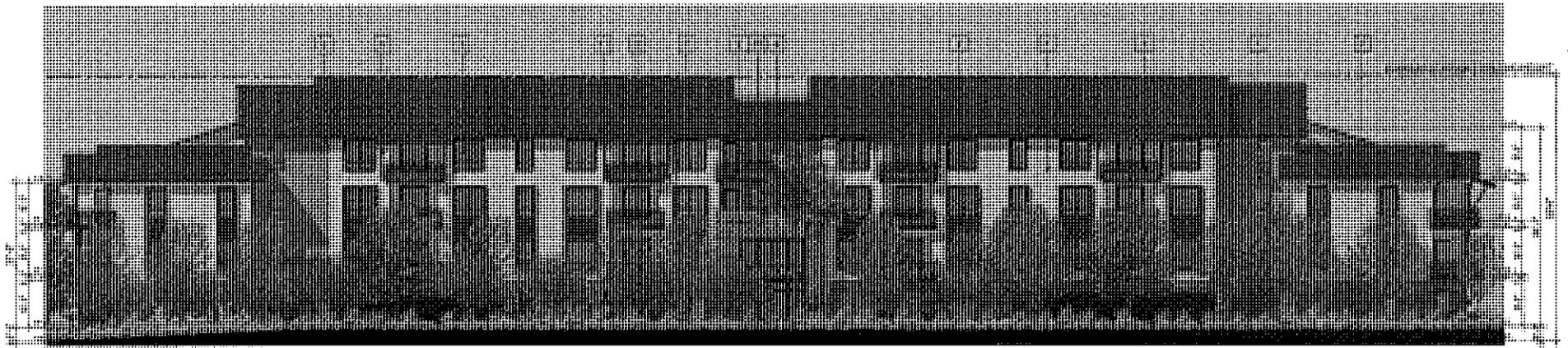
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Front (Fair Oaks)

MATERIAL KEYNOTES	
1	STUCCO
2	WOOD-LIKE TRIM
3	VINYL WINDOW
4	PROJECT SIGNAGE
5	METAL RAILING
6	WOOD KICKER
7	CONCRETE ROOF TILE
8	STONE CLADDING
9	METAL PANELS
10	STOREFRONT
11	LIGHT FIXTURE



Right (North)

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 Page 10 of 37

BUILDING ELEVATIONS

SUNNYVALE, CALIFORNIA
 KTG # 2012-0160

08.02.2012

0 5 10 20

A3.0

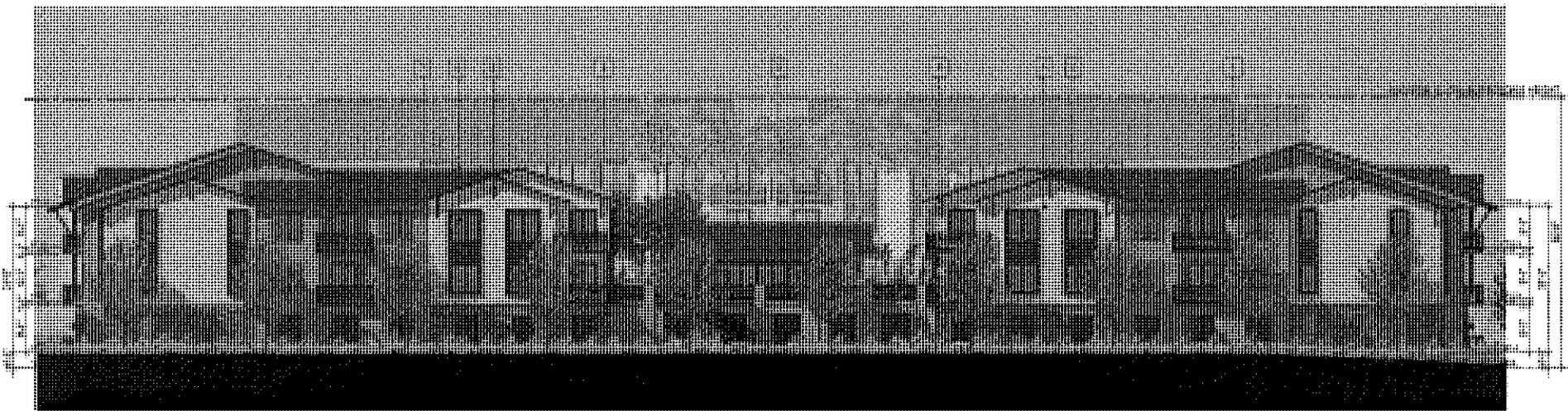
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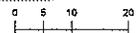


Back (West)

MATERIAL KEYNOTES	
1	STUCCO
2	WOOD TRIM
3	VINYL WINDOW
4	PROJECT SIGNAGE
5	METAL RAILING
6	WOOD KICKER
7	CONCRETE ROOF TILE
8	STONE CLADDING
9	METAL PANELS
10	STOREFRONT
11	LIGHT FIXTURE



Left (South)



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 Page 11 of 37

BUILDING ELEVATIONS

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A3.1



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FAIR OAKS STREETSCENE

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FAIR OAKS STREETSCENE

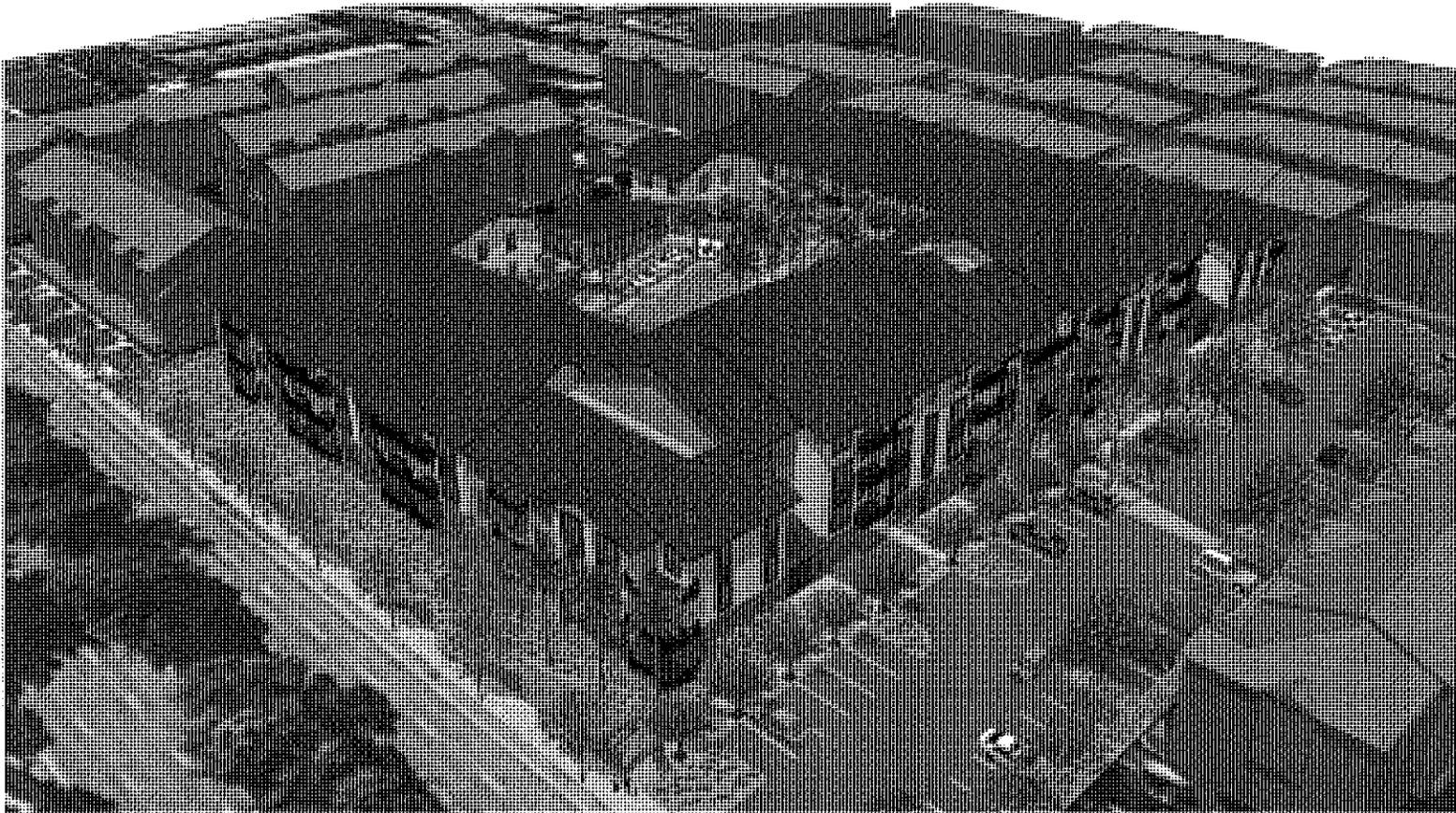
SUNNYVALE, CALIFORNIA

KTGY # 2017-0186

04.26.2017

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Sunnyvale, California 95081
72

KTGY (C)
Architect
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Irvine, CA
949.855.1111
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Bird's Eye Looking Southwest

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RENDERINGS

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A4.0



View From Park Drive

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Page 15 of 37

RENDERINGS

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A4.1



View of North Facade

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Page 16 of 37

RENDERINGS

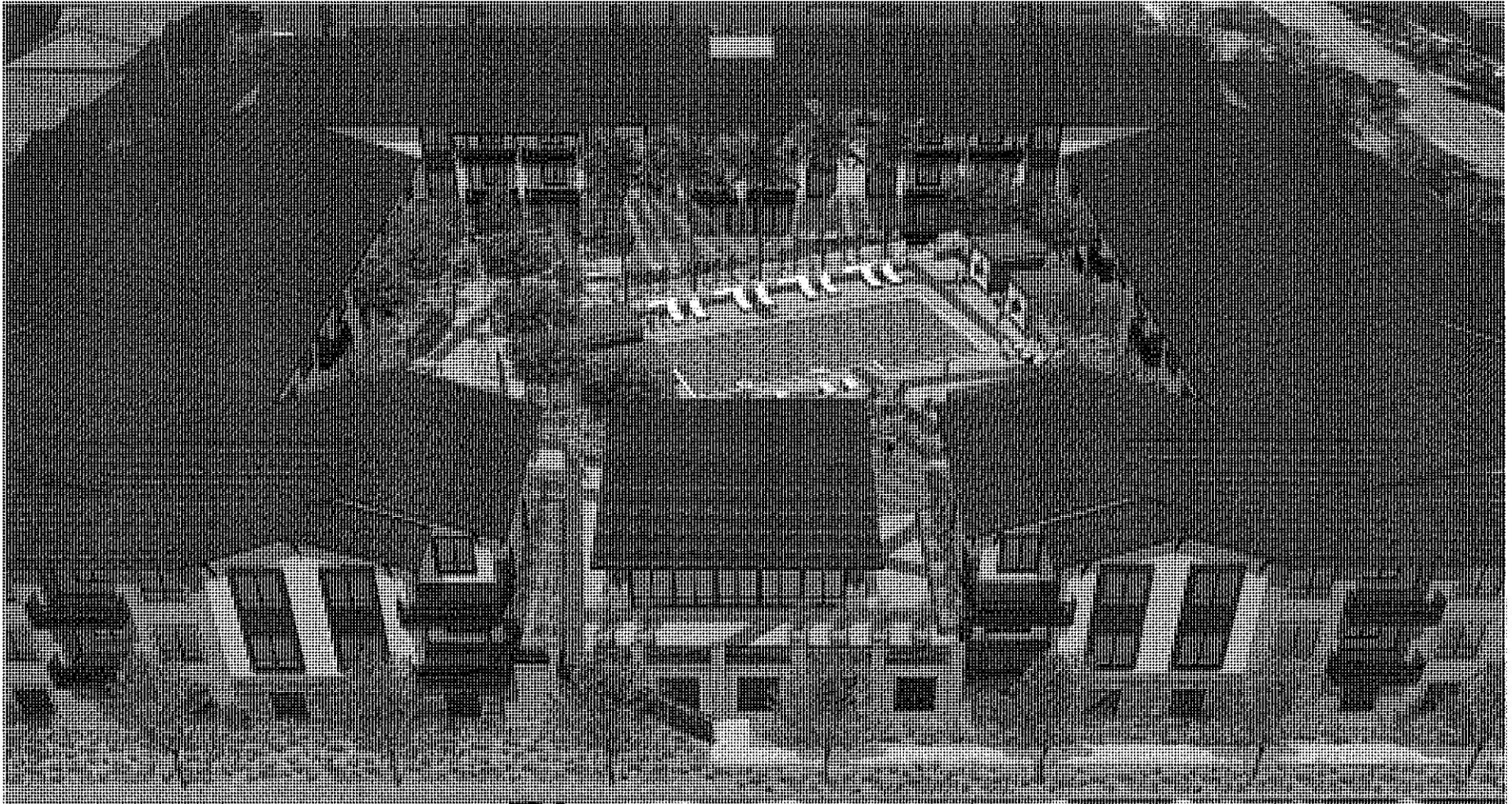
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A4.2

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From the Eye of Postcard Court

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Page 17 of 37

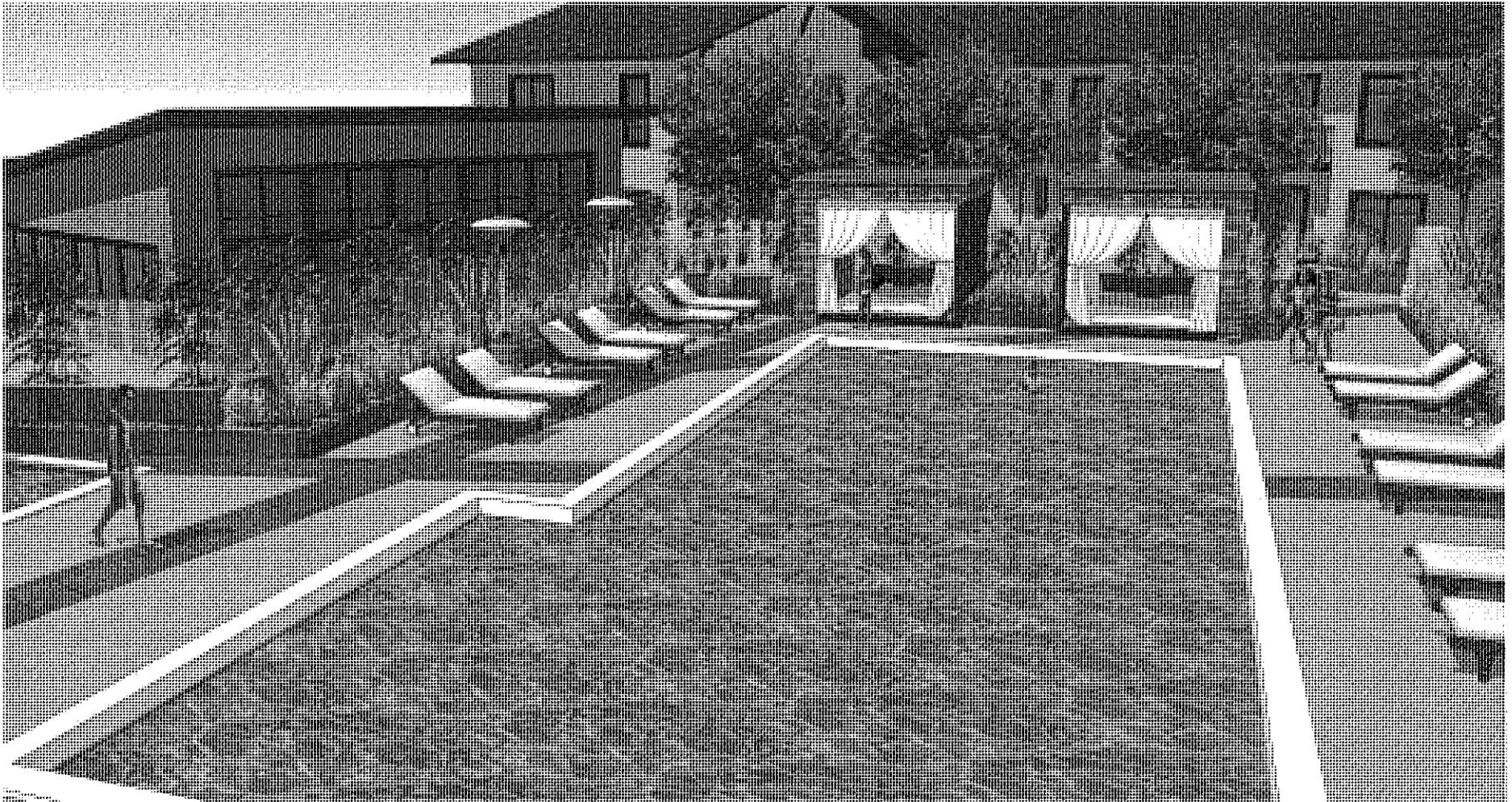
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A4.3



Pool Area and Fitness Room

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Page 18 of 37

RENDERINGS

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A4.4



Pedestrian Lobby

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Page 19 of 37

RENDERINGS

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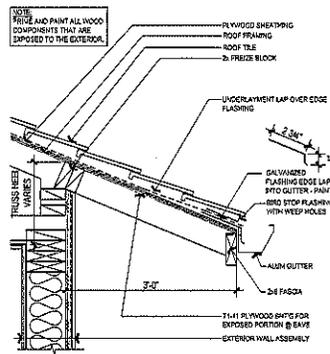
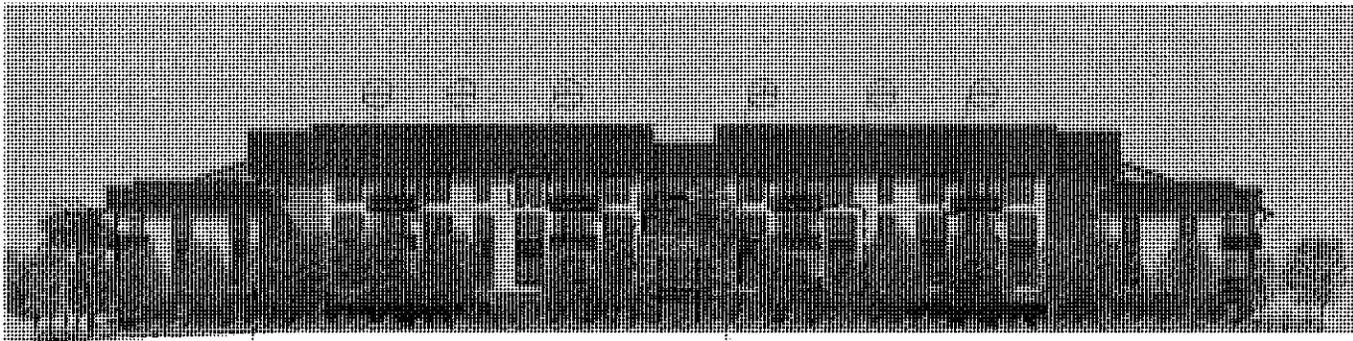
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08.02.2012

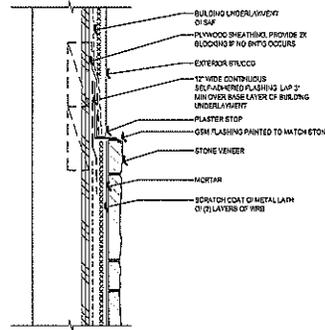
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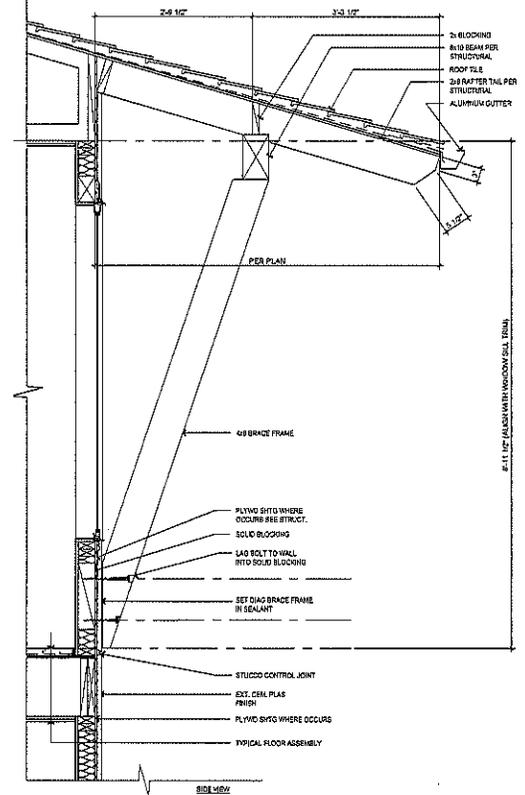
A4.5



1 TYPICAL EAVE WITH KEEL



2 STONE / STUCCO TRANSITION



3 WOOD KICKER AT EAVE

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ATTACHMENT D
 Page 20 of 31

ARCHITECTURAL DETAILS

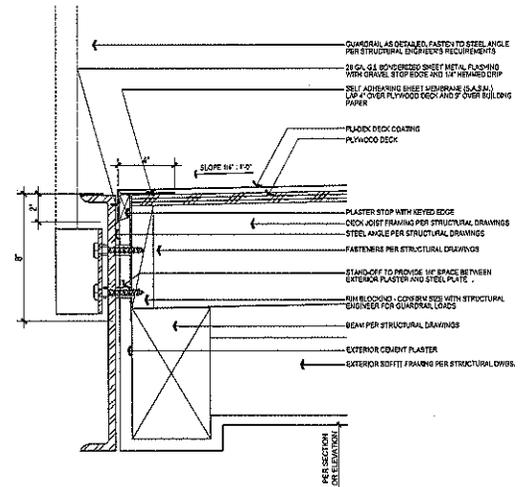
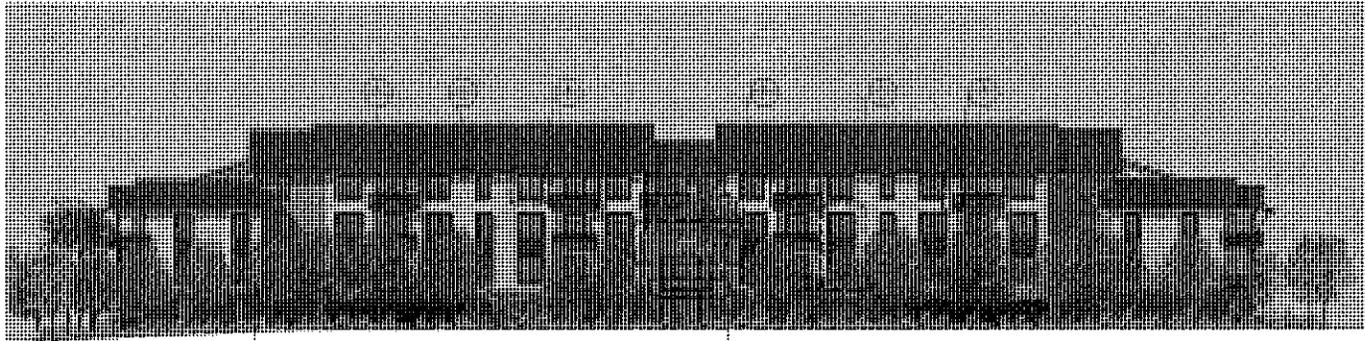
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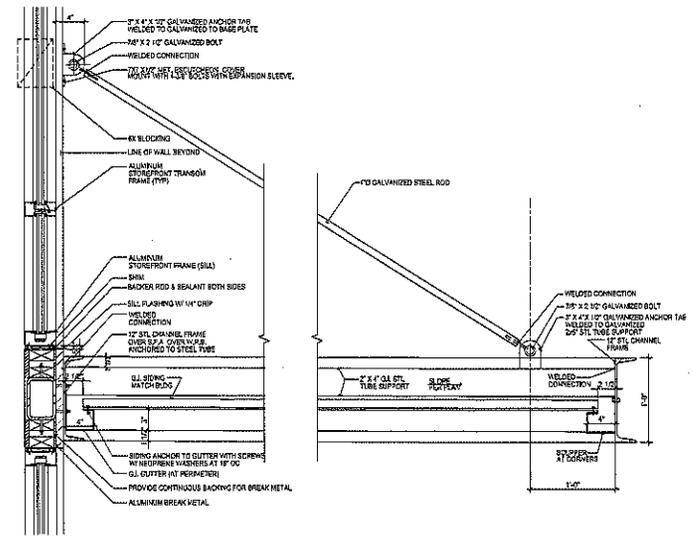
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A5.0



4 TYPICAL METAL BALCONY RAILING



5 METAL CANOPY AT PROJECT ENTRY

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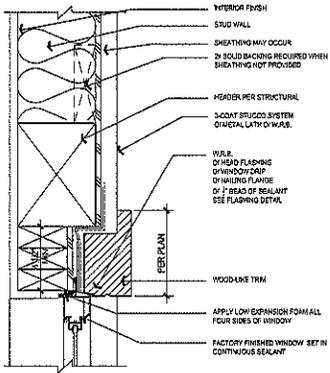
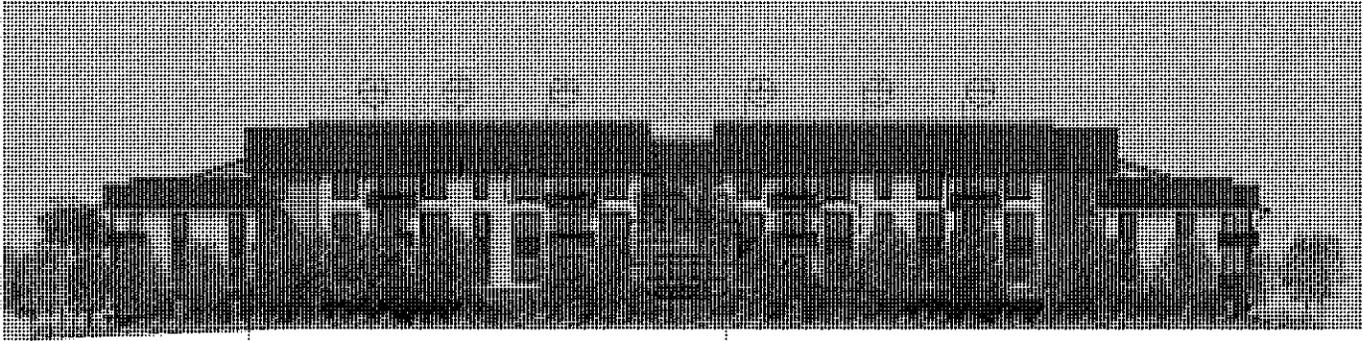
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ARCHITECTURAL DETAILS

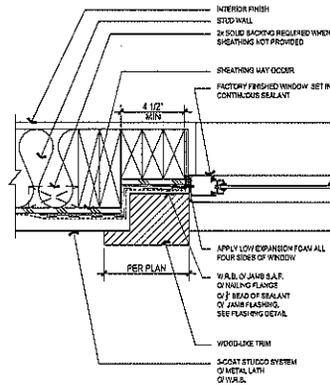
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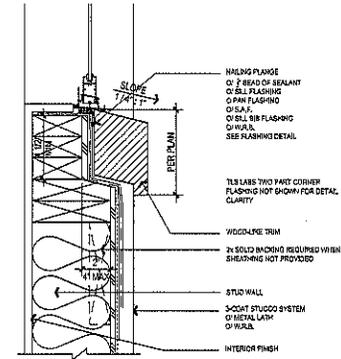




6 2" RECESSED WINDOW HEAD



6 2" RECESSED WINDOW JAMB



6 2" RECESSED WINDOW SILL

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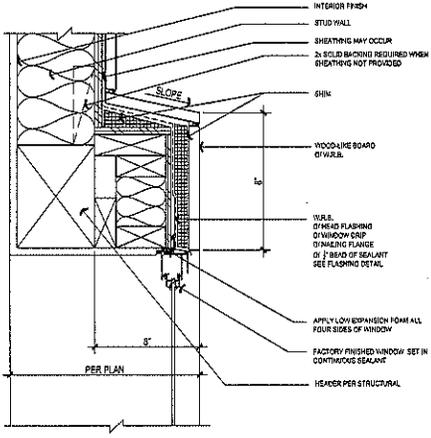
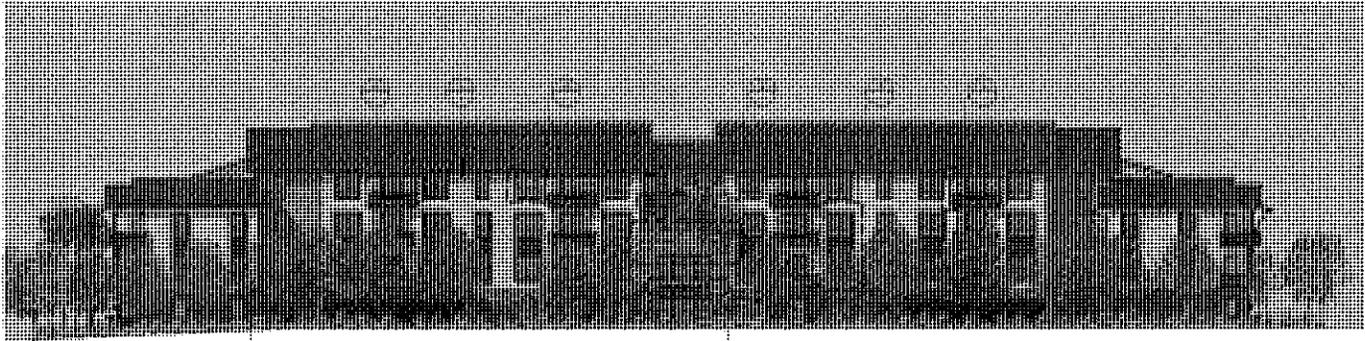
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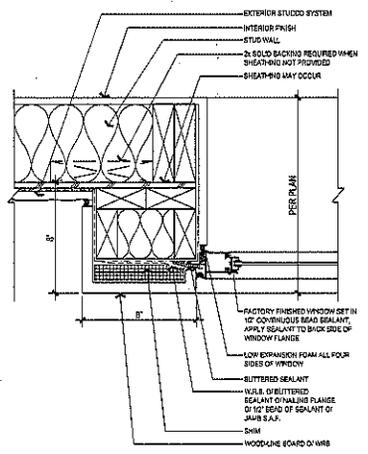
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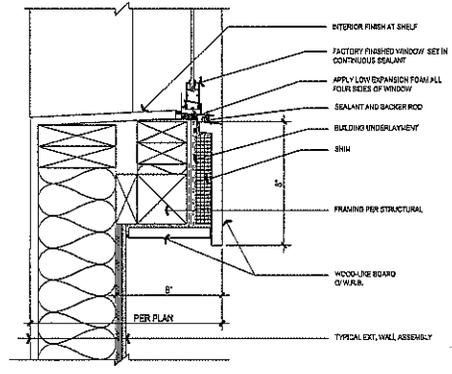




7 WINDOW AT EXT. PROJECTION - HEAD



7 WINDOW AT EXT. PROJECTION - JAMB



7 WINDOW AT EXT. PROJECTION - SILL

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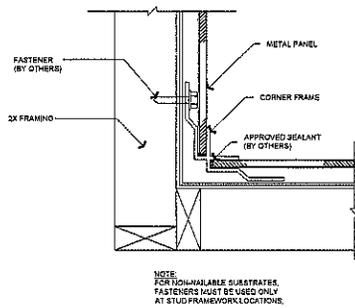
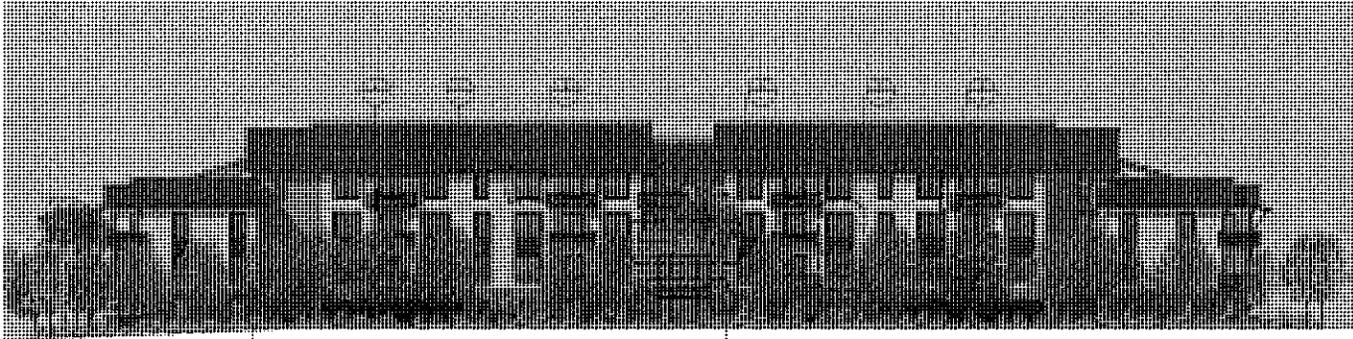
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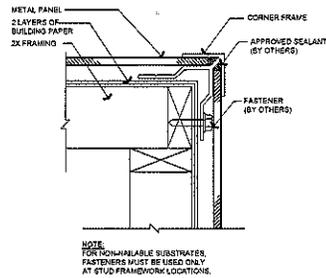
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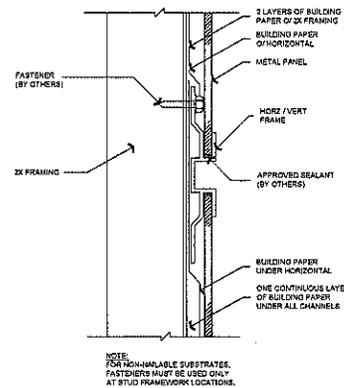




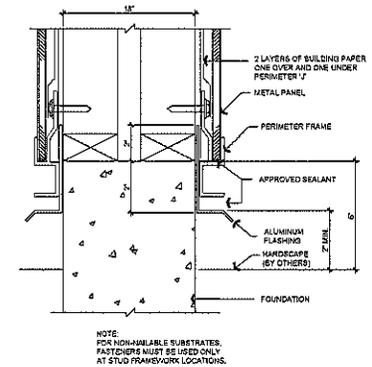
8 METAL PANEL SYSTEM - INSIDE CORNER



8 METAL PANEL SYSTEM - OUTSIDE CORNER



8 METAL PANEL SYSTEM - HORIZ./VERT.



8 METAL PANEL SYSTEM - BASE/FOUNDATION

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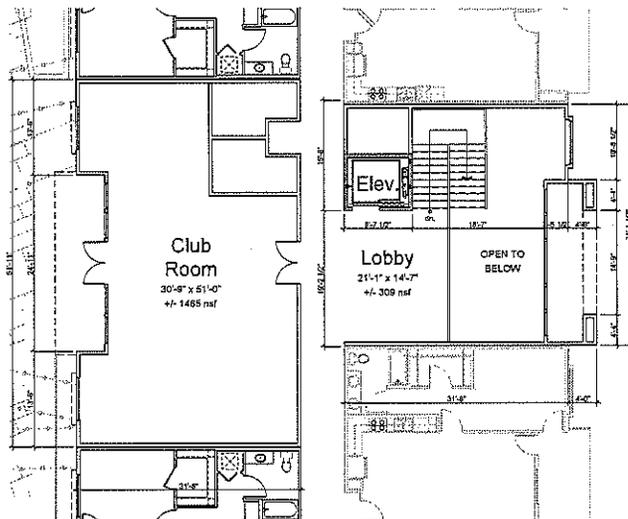
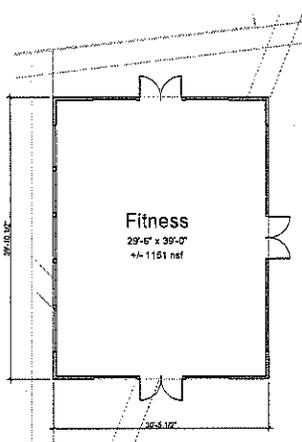
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09.02.2012

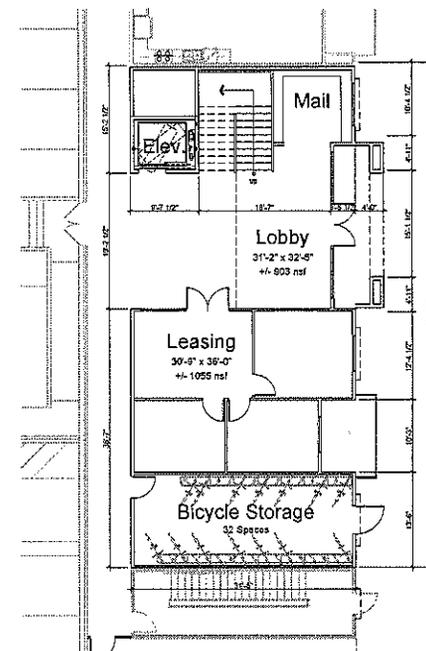
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PODIUM LEVEL



GROUND LEVEL

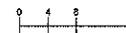
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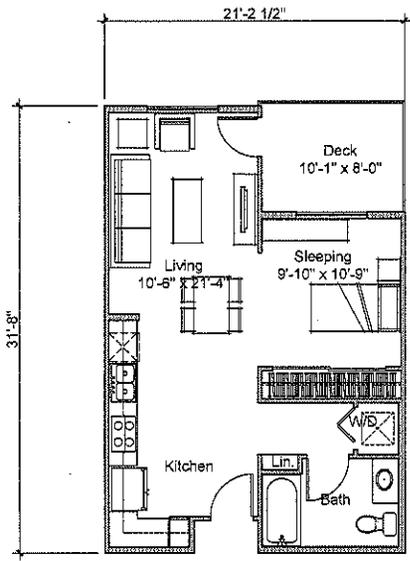
AMENITY PLANS

SUNNYVALE, CALIFORNIA
 KTG # 2012-0190 09.02.2012

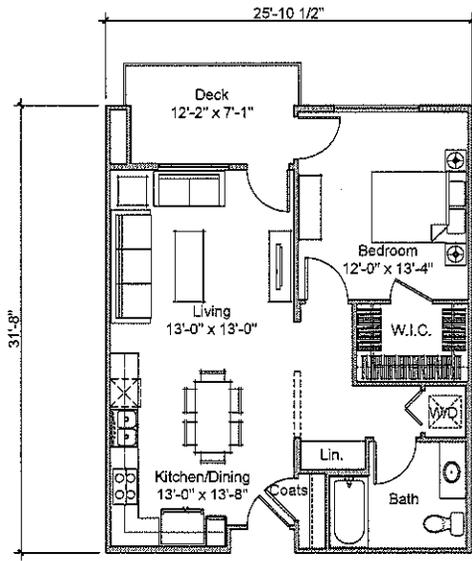
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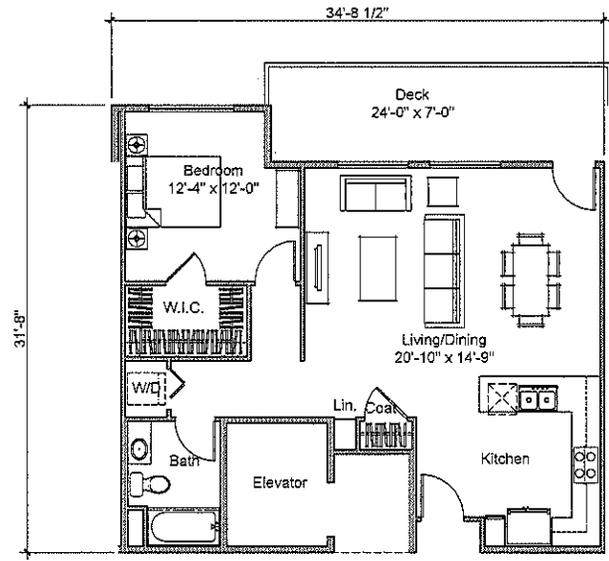
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STUDIO
 +/- 544 sf
 Balcony 81 sf



UNIT PIB
 1BD/1BA
 +/- 719 sf
 Balcony 85 sf



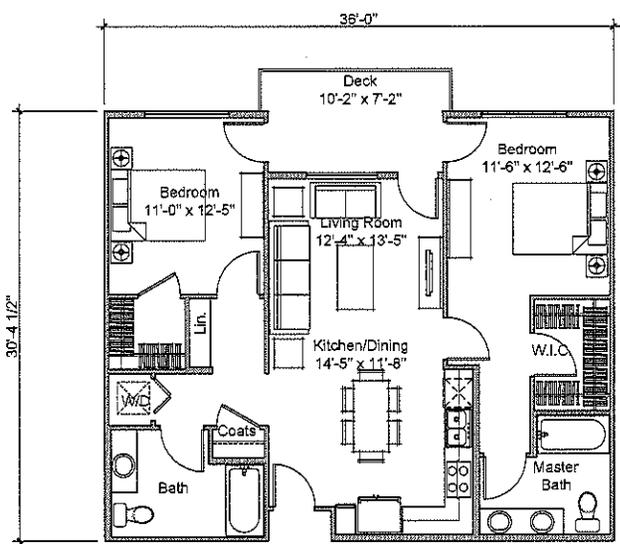
UNIT PIC
 1BD/1BA
 +/- 799 sf
 Balcony 167 sf

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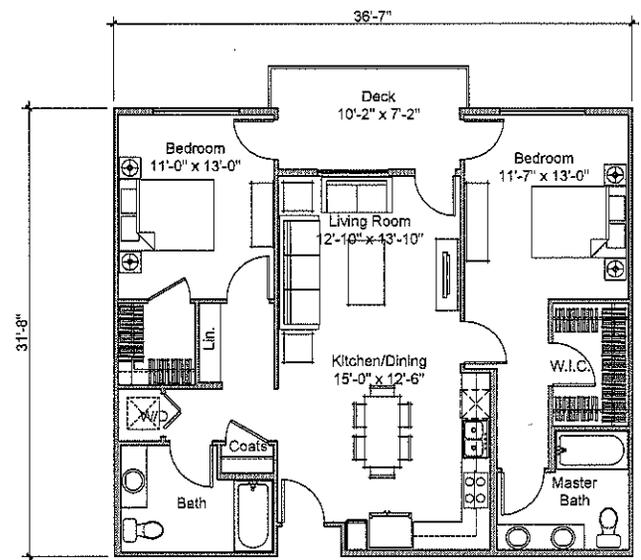
UNIT PLANS
 SUNNYVALE, CALIFORNIA
 WOP # 2012-0190 08.02.2012

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UNIT P2A
 2BD/2BA
 +/- 991 sf
 Balcony 80 sf



UNIT P2B
 2BD/2BA
 +/- 1055 sf
 Balcony 81 sf

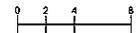
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UNIT PLANS

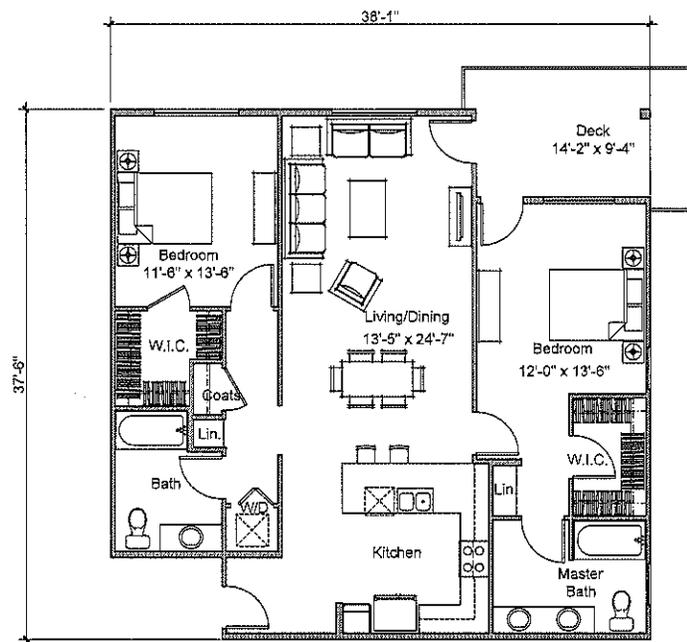
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A7.1





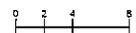
UNIT P2C
 2BD/2BA
 +/- 1248 sf
 Balcony 137 sf

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UNIT PLANS

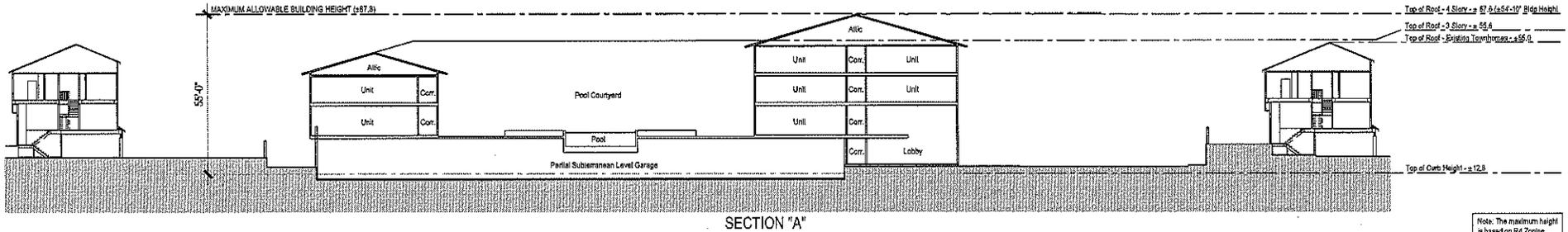
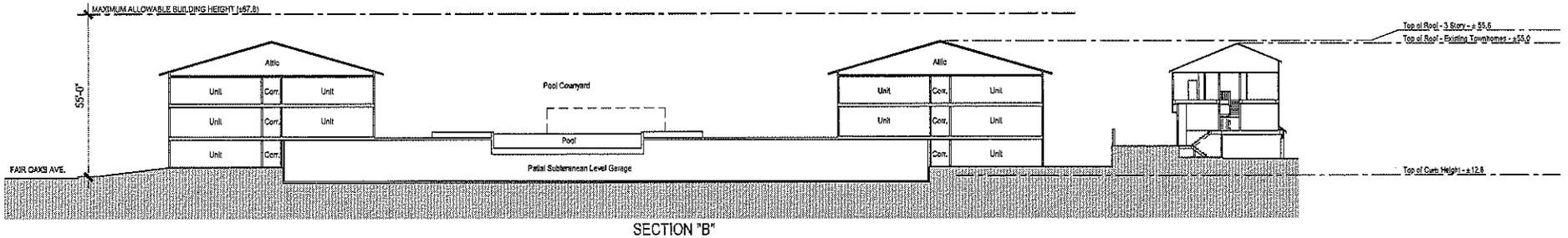
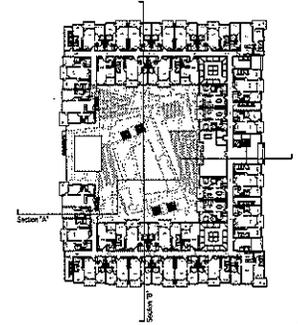
SUNNYVALE, CALIFORNIA
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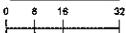
A7.2

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Note: The maximum height is based on R4 Zoning.



A8.0

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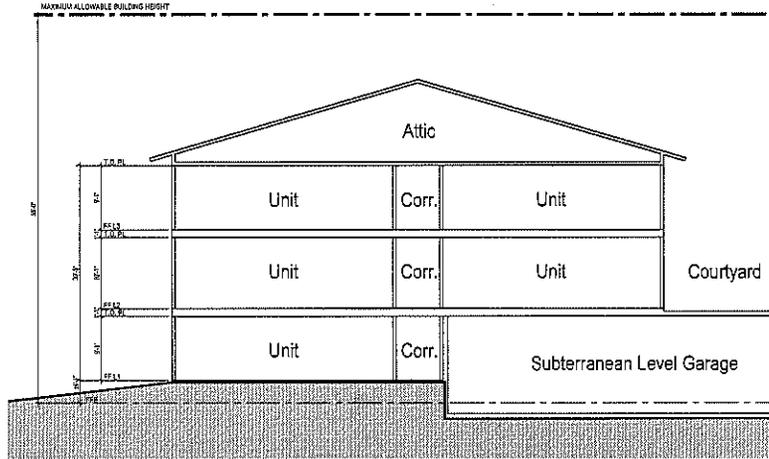
SITE SECTIONS

SUNNYVALE, CALIFORNIA

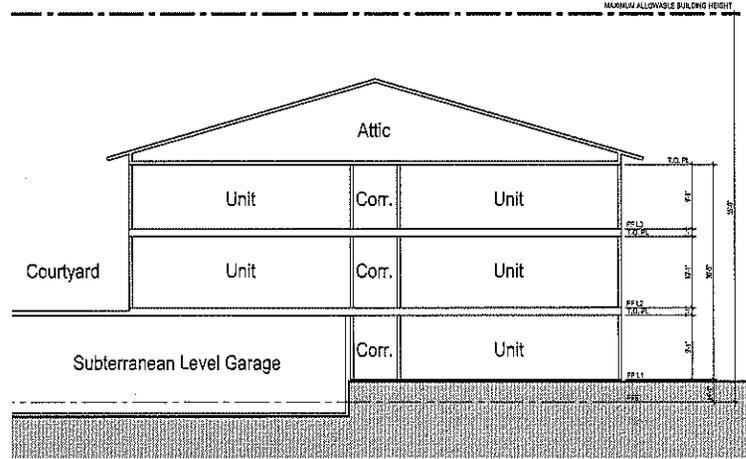
17/01 # 2012-0109 08.01.2012

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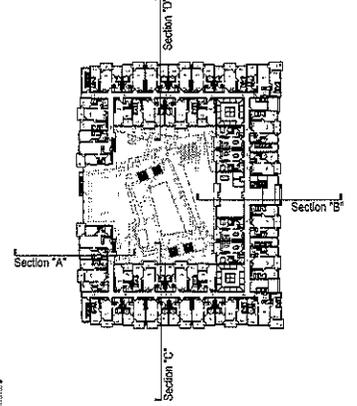




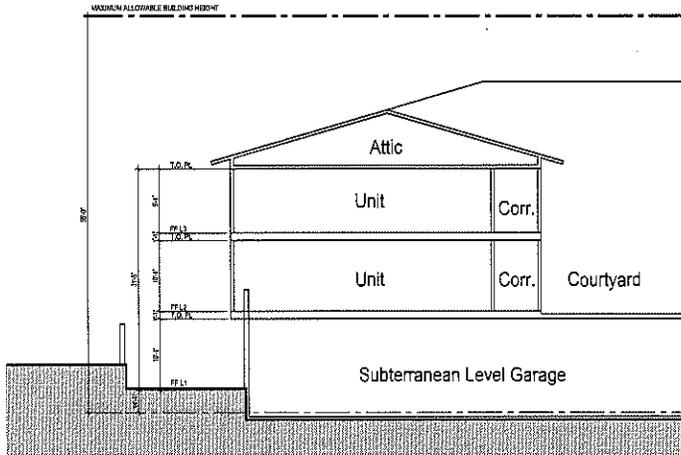
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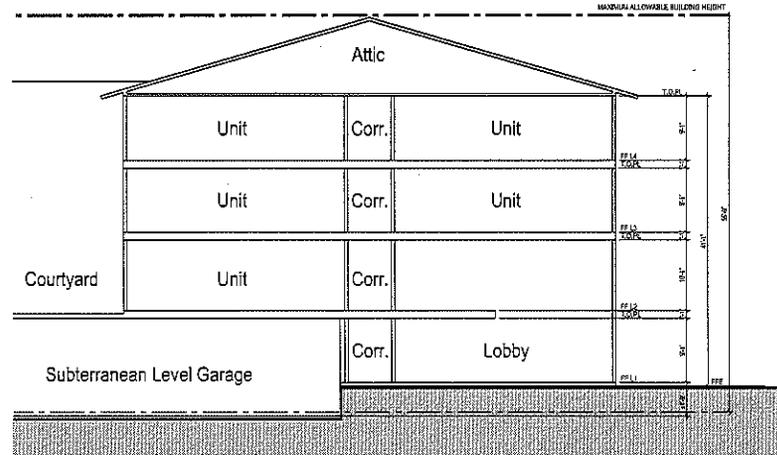
SECTION "D"



ATTACHMENT D
 Page 30 of 37



SECTION "A"



SECTION "B"

ANTON SUNNYVALE

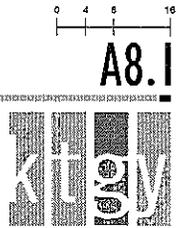
St. Anton
PARTNERS

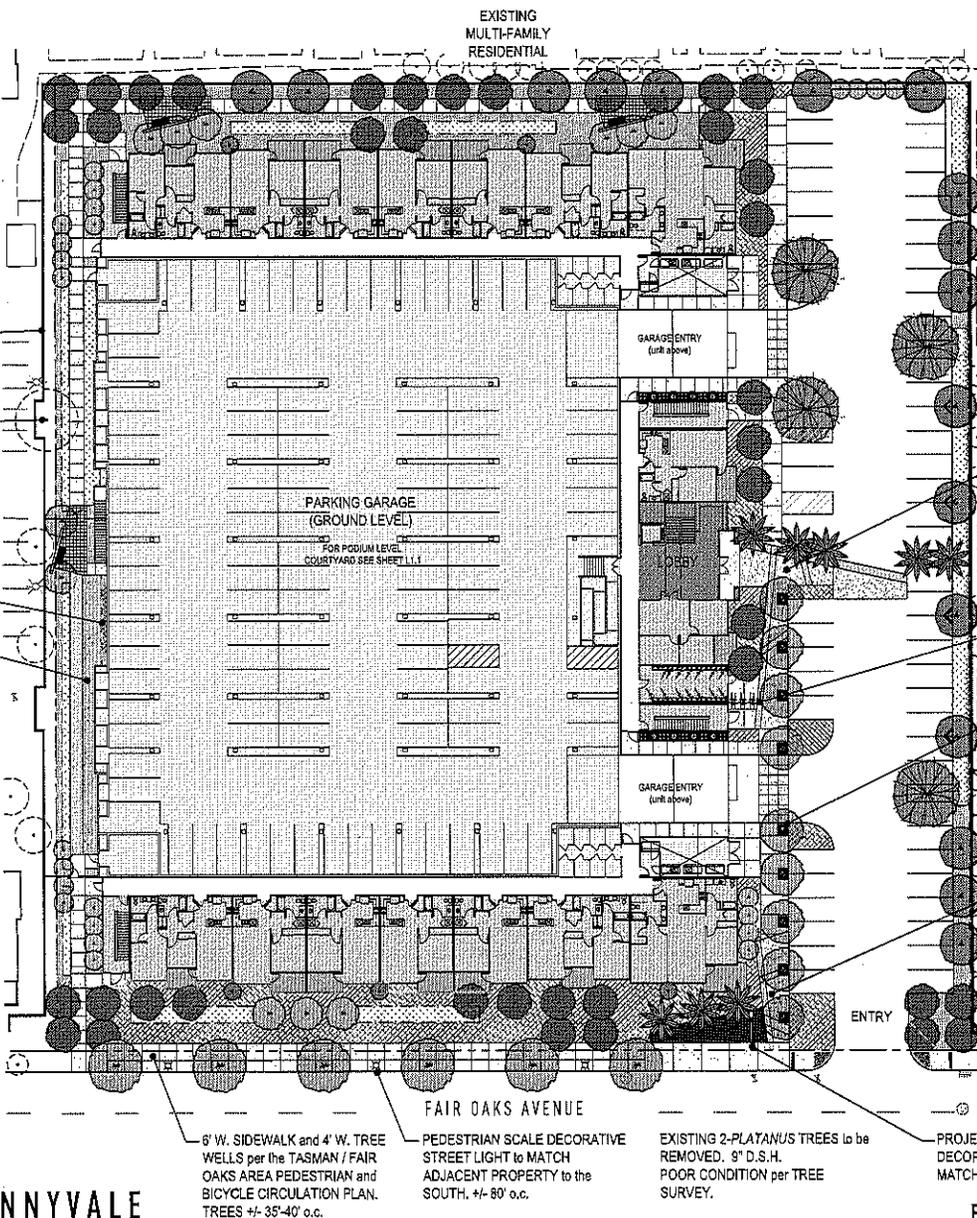
St. Anton Partners
 1801 I Street, Suite 200
 Sacramento, California 95811
 916.400.2072

BUILDING SECTIONS

SUNNYVALE, CALIFORNIA
 0707 # 2013-0180 CR.02.012

KTGY Group, Inc.
 Architecture+Planning
 17922 Fitch
 Irvine, CA 92614
 949.851.2133
 ktgy.com





FIRE PREVENTION NOTES:

1. PLAN WILL COMPLY WITH THE REQUIREMENTS CONTAINED IN THE SUNNYVALE MUNICIPAL CODE, CALIFORNIA FIRE CODE, TITLE 19 CALIFORNIA CODE OF REGULATIONS and SUNNYVALE FIRE PREVENTION REQUIREMENTS.
2. KNOX BOXES AT GATES ARE REQUIRED IN ACCORDANCE WITH SUNNYVALE FIRE PREVENTION GUIDELINES.

PRELIMINARY PLANT PALETTE - HYDROZONE 'A' SHADE EXPOSURE

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	WATER USE	BOTANICAL NAME / COMMON NAME	WATER USE
TREES:					
●	ADONIS BELLIDA AUSTRALIAN WILLOW - STANDARD	36" BOX	LOW	SHRUBS:	
●	BRACHYOTEN POPULINUS BOTTLE TREE	24" BOX	LOW	●	LARGE SHRUBS (8 GAL. MIN. SIZE @ 3" O.C.)
●	TRISTANIA CONFERTA BRESNAN BOX - LOW BRANCH	36" BOX	MED	●	MEDIUM SHRUBS (5 GAL. MIN. SIZE @ 3" O.C.)
●	TABERNAEM PRICK TRUMPET TREE (16" X 4" TREE GRATES)	36" BOX	MED	●	SMALL SHRUBS (1 GAL. MIN. SIZE @ 2" O.C.)
●	MADHOLA GRANDIFLORA LITTLE GEM MADHOLA - STD.	36" BOX	MED	●	POTTERY
●	PRUNUS CAROLINANA BRIGHT & TIGHT CAROLINA CHERRY - COLUMN	24" BOX	MED	●	LARGE POTTERY (15 GAL. MIN. SIZE)

* CITY WATERING TREES TO BE PLANTED WITHIN 10' OF LATERALS WHEN THE CITY MAINTAINS SANITARY SEWER MAIN AND LATERALS UP TO THE PROPERTY LINE.

PRELIMINARY PLANT PALETTE - HYDROZONE 'B' SUN EXPOSURE

SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	WATER USE	BOTANICAL NAME / COMMON NAME	WATER USE
TREES/PALMS:					
●	ADONIS BELLIDA AUSTRALIAN WILLOW - STD	36" BOX	MED	SHRUBS:	
●	RHIZA LANGSA AFRICAN BUIK - STANDARD	24" BOX	LOW	●	LARGE SHRUBS (8 GAL. MIN. SIZE @ 3" O.C.)
●	ROELBUTERA BIPINNATA CHINESE PLANE TREE - STANDARD	24" BOX	MED	●	MEDIUM SHRUBS (5 GAL. MIN. SIZE @ 3" O.C.)
●	TRISTANIA CONFERTA BRESNAN BOX - LOW BRANCH	36" BOX	MED	●	SMALL SHRUBS (1 GAL. MIN. SIZE @ 2" O.C.)
●	LADERBROEMIA & FAULPES YUSSAGARA COPEE WITTE - MULTI	24" BOX	MED	●	POTTERY
●	PARKBROEMIA & DESERT MUSEUM HILL VERDE - MULTI	36" BOX	VERY LOW	●	LARGE POTTERY (15 GALLON MINIMUM SIZE)
●	TOLEA GUERPOGGA 'SMALL HILL' SHAW HILL FRUITLESS OLIVE - MULTI	36" BOX	LOW	●	OTHER SHRUBS
●	RHOENIX DACTYLOPERA DATE PALM - MATCHING HEIGHTS	20" B.T.H.	LOW	●	ACCENT POTTERY (15 GALLON MINIMUM SIZE)
●	YAUSTRICONTA YAUSTRIC FAXI PALM (SHINE)	MATCHING 18" B.T.H.	LOW	PLANT PALETTE NOTES:	

1. PROPOSED PLANTS ARE REPRESENTATIVE CLIMATE ADAPTED
 2. ALL QUANTITIES OF PLANTS ARE LOW WATER USE
 3. ALL PLANTS ARE COMPATIBLE TO LOCAL CLIMATE AND SOIL TYPE
 4. SOURCE OF WATER USED IS WOODS
 5. MATCHING TO BE PERFORMED BY TREE SURVEY. PLANTS ARE INTENDED TO REPRESENT A TYPICAL SAMPLE OF THE PROPOSED PLANTS BUT DOES NOT INDICATE THE EXACT SPECIES. TREE HILL IS DEVELOPER OF THE STRIPED LEAF.

EXISTING MULTI-FAMILY RESIDENTIAL

ACCENT PAVING and PALMS EXTENDING INTO DRIVE AISLE at LOBBY

BICYCLE RACK (3 STANDS for 6 BICYCLES)

FLOWERING TREE ALLÉE to LOBBY. TREES IN 4'x4' IRON TREE GRATES

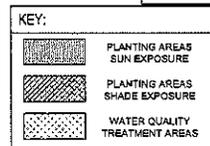
PROPERTY LINE

ACCENT PAVING at STREET PLAZA

ENTRY

EXISTING 2-PLATANUS TREES to be REMOVED. 9" D.S.H. POOR CONDITION per TREE SURVEY.

PROJECT MONUMENT SIGN on DECORATIVE COBBLE and MATCHING PALMS



PLANTING CONCEPT STATEMENT:

PLANT MATERIALS IS SELECTED FOR THEIR WATER CONSERVATION QUALITIES, LOW MAINTENANCE and ADAPTED TO THE LOCAL CLIMATE.

THE PRELIMINARY LANDSCAPE PLANS INDICATE TWO HYDROZONES BASED ON EXPOSURES: SUN AND SHADE. FURTHER DETAILED PLANTING PLANS WILL BE REFINED and EXPANDED BASED ON NUANCES IN THE BUILDING DESIGN AND EXPOSURES.

THE PLANTING SCHEME EMPHASIZES FORM, LEAF TEXTURE and FOLIAGE COLOR. TEMPORARY ARRANGEMENT OF LARGE BROAD MASSINGS, PLANT SPECIES WITH UNIQUE CHARACTERISTICS USED SINGULARLY WILL CREATE FOCAL POINTS and POINTS OF INTEREST.

WATER EFFICIENT LANDSCAPING - SUNNYVALE M.C. 19.37

The Irrigation system shall meet the requirements of the City of Sunnyvale Municipal Code 19.37 water efficient landscape ordinance. All Irrigation shall be per the City of Sunnyvale Water Efficiency Requirements Landscape and other applicable City Landscape Guidelines.

IRRIGATION WATER CONSERVATION FEATURES

THE FOLLOWING MEASURES WILL BE INCORPORATED INTO THE PROJECT TO CONSERVE WATER:

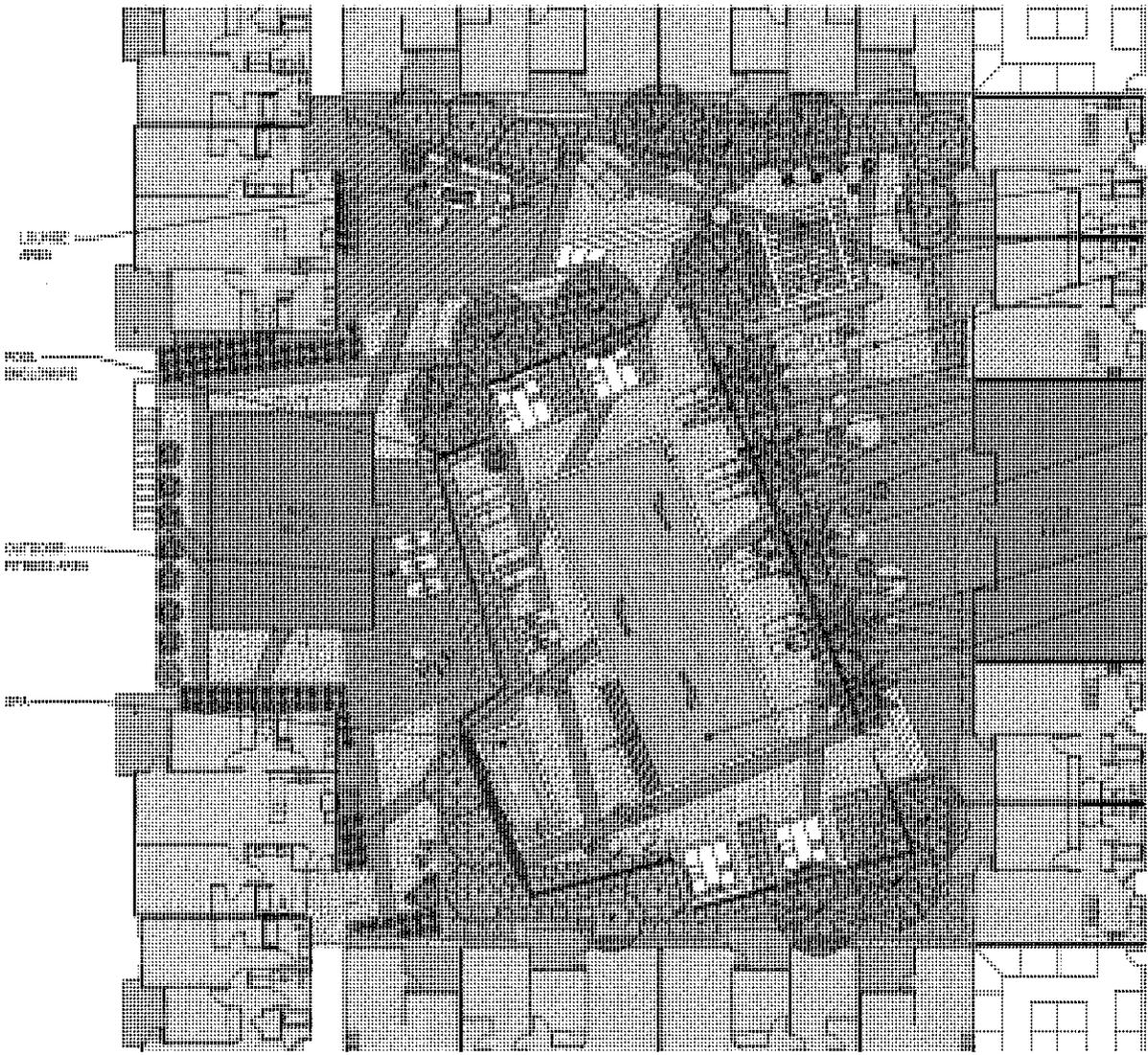
1. Installation of automatic 'smart' irrigation controller with rain-sensor and weather track.
2. The use of low precipitation/low angle irrigation spray heads.
3. The use of low water consuming plants.
4. Soil amendment to achieve good soil moisture retention.
5. Mulching to reduce evapotranspiration from the root zone.

NOTE: INSTALL RADIO-READ WATER METER and BACKFLOW PREVENTOR for IRRIGATION SERVICE per CITY REQUIREMENTS.

TREE SURVEY

TREE SURVEY PERFORMED BY A CERTIFIED ARBORIST WITH ARBOR ENTITIES (818) 718-1335 ON MAY 30, 2012.

NO TREES ON SITE TO BE PROTECTED-IN-PLACE.



PRELIMINARY PLANT PALETTE - HYDROZONE 'A' SHADE EXPOSURE						
SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	WATER USE	BOTANICAL NAME	COMMON NAME	WATER USE
TREES						
⊙	BRADYCHITON POPULNEUS BOTTLE TREE	24" BOX	LOW	SHRUBS		
⊙	MAGNOLIA GRANDIFLORA LITTLE OEM	36" BOX	MED	LARGE SHRUBS (5 GAL. MIN. SIZE #1 6-8)	ULMUS PARVIFLORUS WAX LEAF YEW	LOW MED
⊙	MAGNOLIA - LOW BRANCHING	36" BOX	MED	SMALL SHRUBS (2 GAL. MIN. SIZE #1 2-4)	PHLOX DOROTHY MAGNOLIA	MED MED
⊙	TRISTANIA CONFERTA BRISBANE BOX - LOW BRANCH	36" BOX	MED	MEDIUM SHRUBS (3 GAL. MIN. SIZE #1 3-6)	SHRUBS MAGNOLIA MAGNOLIA	MED LOW MED
⊙	MAYTENUS SPANIA GREEN SHOWER MAYTEN TREES	36" BOX	MED	SMALL SHRUBS (1 GAL. MIN. SIZE #1 2-4)	SHRUBS MAGNOLIA MAGNOLIA	LOW MED MED
⊙	STRELITZIA NICOLAI SWAY BIRD OF PARADISE	24" BOX	MED	POTTERY		
				LARGE POTTERY (15 GAL. MIN. SIZE)	MAGNOLIA - FIB. TRISTANIA CONFERTA MAYTEN TREES	MED LOW MED

PRELIMINARY PLANT PALETTE - HYDROZONE 'B' SUN EXPOSURE						
SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	WATER USE	BOTANICAL NAME	COMMON NAME	WATER USE
TREES/PALMS						
⊙	ARALIS + MARINA HYBRID STAGBERRY TREE - STD	36" BOX	MED	SHRUBS		
⊙	LAGERSTROEMIA + PALMIE TUSCARORA CREPE MYRTLE - MULTI	24" BOX	MED	LARGE SHRUBS (5 GAL. MIN. SIZE #1 5-6)	SHRUBS MAGNOLIA MAGNOLIA	LOW MED MED
⊙	RIHUS LINDA LIPSONA BIRCH - STANDARD	24" BOX	LOW	MEDIUM SHRUBS (3 GAL. MIN. SIZE #1 2-4)	SHRUBS MAGNOLIA MAGNOLIA	LOW MED MED
⊙	TRISTANIA CONFERTA BRISBANE BOX - LOW BRANCH	36" BOX	MED	SMALL SHRUBS (1 GAL. MIN. SIZE #1 2-4)	SHRUBS MAGNOLIA MAGNOLIA	MED LOW MED
⊙	KOELREUTERIA BIRGINATA CHINESE PLUM TREE - STANDARD	24" BOX	MED	POTTERY		
⊙	PANDANUS + "DESERT SANDWICH" PALM VERDE - MULTI	36" BOX	VERY LOW	LARGE POTTERY (15 GALLON MINIMUM SIZE)	SHRUBS MAGNOLIA MAGNOLIA	MED LOW MED
⊙	OLEA EUROPAEA "SWAN HILL" BROWN HILL FRUITLESS OLIVE - MULTI	36" BOX	LOW	ACCENT POTTERY (15 GALLON MINIMUM SIZE)	SHRUBS MAGNOLIA MAGNOLIA	MED LOW MED
⊙	PHOENIX DACTYLIFERA "MEDJOL" DATE PALM - MATCHING HEIGHTS	20" B.T.H.	LOW	PLANT PALETTE NOTES:		
⊙	TRACHYCARPUS FORTUNES WINDMILL PALM - BONDED	MIN. 5" MAX. 12"	MED	1. PREVIOUS PLANT PALETTE AND IDENTIFICATION ADAPTED TO THIS PLAN.		
⊙	WASHINGTONIA HYBRID PAM PALM (BONDED)	MIN. 18" MAX. 24"	LOW	2. A VARIETY OF PLANTS ARE LOW WATER USE.		

ATTACHMENT D
 Page 32 of 37

PLANTER KEY:

30" H. RAISED PLANTERS with TREES in 48" H. COR-TEN "POTS"

POOL PERMIT:

APPROVAL FROM THE SANTA CLARA COUNTY ENVIRONMENTAL HEALTH DEPT. IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE POOL AREA.

FIRE PREVENTION NOTES:

1. PLAN WILL COMPLY with the REQUIREMENTS CONTAINED in the SUNNYVALE MUNICIPAL CODE, CALIFORNIA FIRE CODE, TITLE 19 CALIFORNIA CODE OF REGULATIONS and SUNNYVALE FIRE PREVENTION REQUIREMENTS.
2. KNOX BOXES at GATES ARE REQUIRED in ACCORDANCE with SUNNYVALE FIRE PREVENTION GUIDELINES.

ANTON SUNNYVALE

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 916.400.2072

PRELIMINARY LANDSCAPE PLAN - COURTYARD L1.1

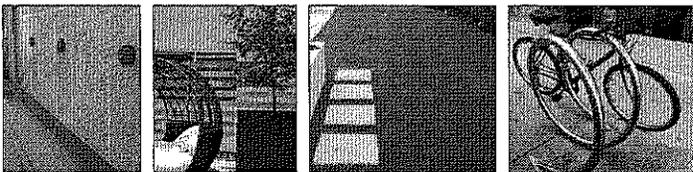
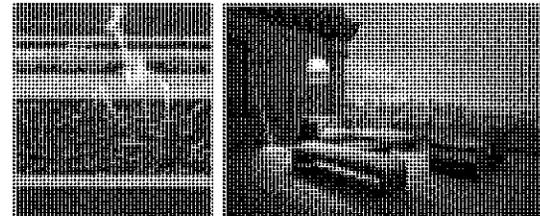
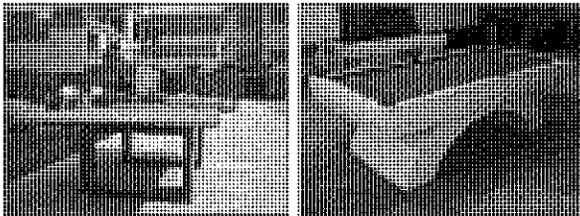
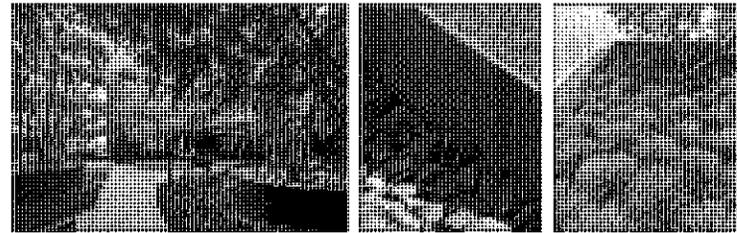
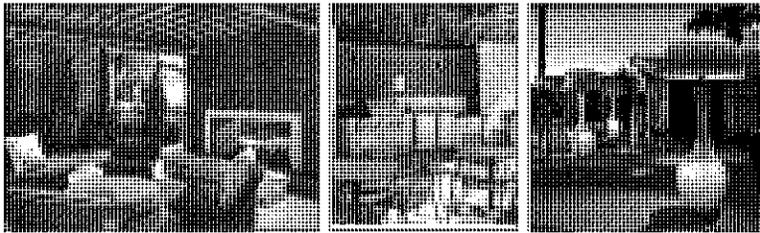
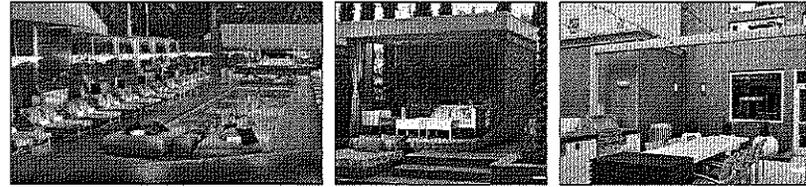
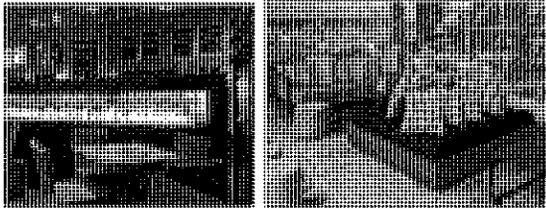
SUNNYVALE, CALIFORNIA

revised: JULY 17, 2012



MJS Design Group
 Cernery Latta
 507 20th Street
 Newport Beach, CA 92663
 (949) 875-9964





ATTACHMENT D
 Page 33 of 37

ANTON SUNNYVALE

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 916.400.2072

SUNNYVALE, CALIFORNIA

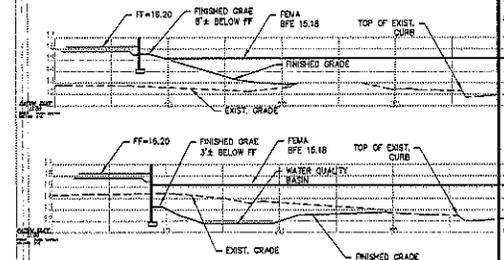
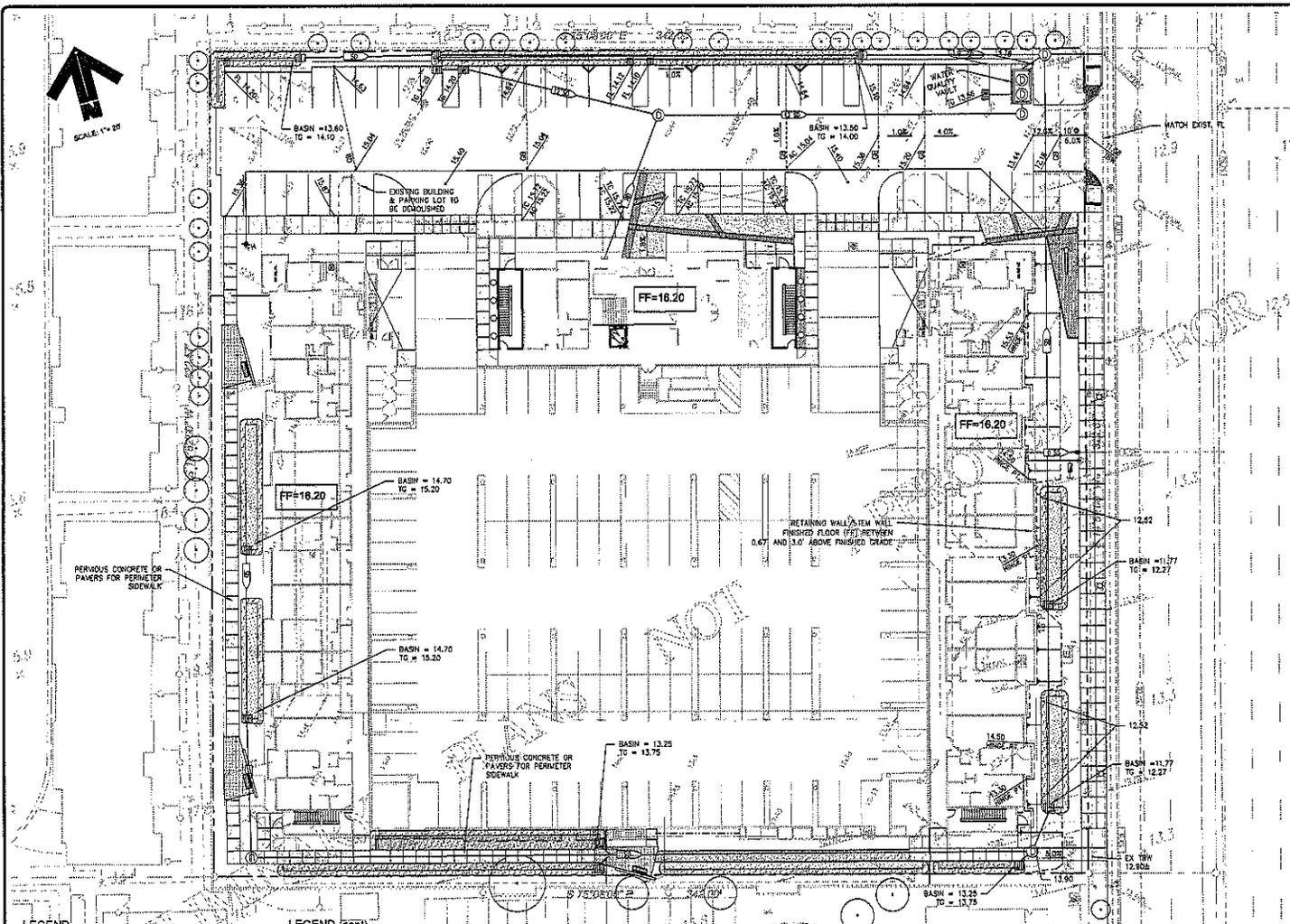
revised: JUNE 27, 2012

CONTEXTUAL LANDSCAPE IMAGERY L1.2

MJS Design Group
 Canby Lofts
 507 30th Street
 Newport Beach, CA 92663
 (949) 875-6964



NOT FOR CONSTRUCTION



LEGEND

EXISTING	PROPOSED	DESCRIPTION	EXISTING	PROPOSED	DESCRIPTION
01	01	DRAIN MANHOLE	---	---	SLOPE DIRECTION & %
02	02	DRAIN INLET	---	---	OVERLAND RELEASE PATH
---	---	DRAIN LINE AND SIZE	---	---	CONTOUR LINE
---	---	CURB CUT & ROCK SLOPE PROTECTION	---	---	PROPERTY LINE
---	---	SIDEWALK UNDERDRAIN & ROCK SLOPE PROTECTION	---	---	WATER QUALITY BASIN

LEGEND (cont)

FEMA PROJECT IS WITHIN FEMA FLOODPLAIN. FEMA WATER SURFACE ELEVATION IS 15' BASED UPON 1988 DATUM. THE ADJUSTMENT TO THE 1988 DATUM IS 2.62'. THEREFORE THE FEMA WATER SURFACE ELEVATION IS 12.38' BASED UPON THE 1928 DATUM.

PROJECT WILL RAISE THE PAD ELEVATION TO KEEP THE FINISHED FLOOR ABOVE THE BASE FLOOD ELEVATION AND OBTAIN A LOW-F

DESIGNED BY AK	DATE	APPROVED BY AK	DATE
DESIGNED BY AK	DATE	APPROVED BY AK	DATE
DESIGNED BY AK	DATE	APPROVED BY AK	DATE
DATE	NO.	BY	DATE

BENCHMARK: CITY OF SUNNYVALE
 BENCHMARK 42
 ELEV. 16.875 FEET
 DATUM: NAVD 1928

DESCRIPTION:
 A BRASS DISC IN TOP OF CURB NEXT TO A CATCH BASIN AT THE NW CORNER OF LOT AT THE INTERSECTION OF FAIR OAKS AVE. & E. WEDDELL AVE.

TIA
 ENGINEERING & PLANNING
 1031 BUREN ROAD, SUITE 100
 ROSELVILLE, CA 95661 916.786.0885



DESIGNED UNDER THE SUPERVISION OF:
 PATRICK J. LONGTIN
 P.E. CS2256
 DATE

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES
 HORIZ. SCALE: 1" = 20'
 VERT. SCALE: 1" = 10'
 (ELEVATIONS IN FEET)
 5" MAJOR
 1" MINOR

ANTON SUNNYVALE APARTMENTS
 PRELIMINARY GRADING PLANS
 GRADING PLAN
 SHEET C.1 of

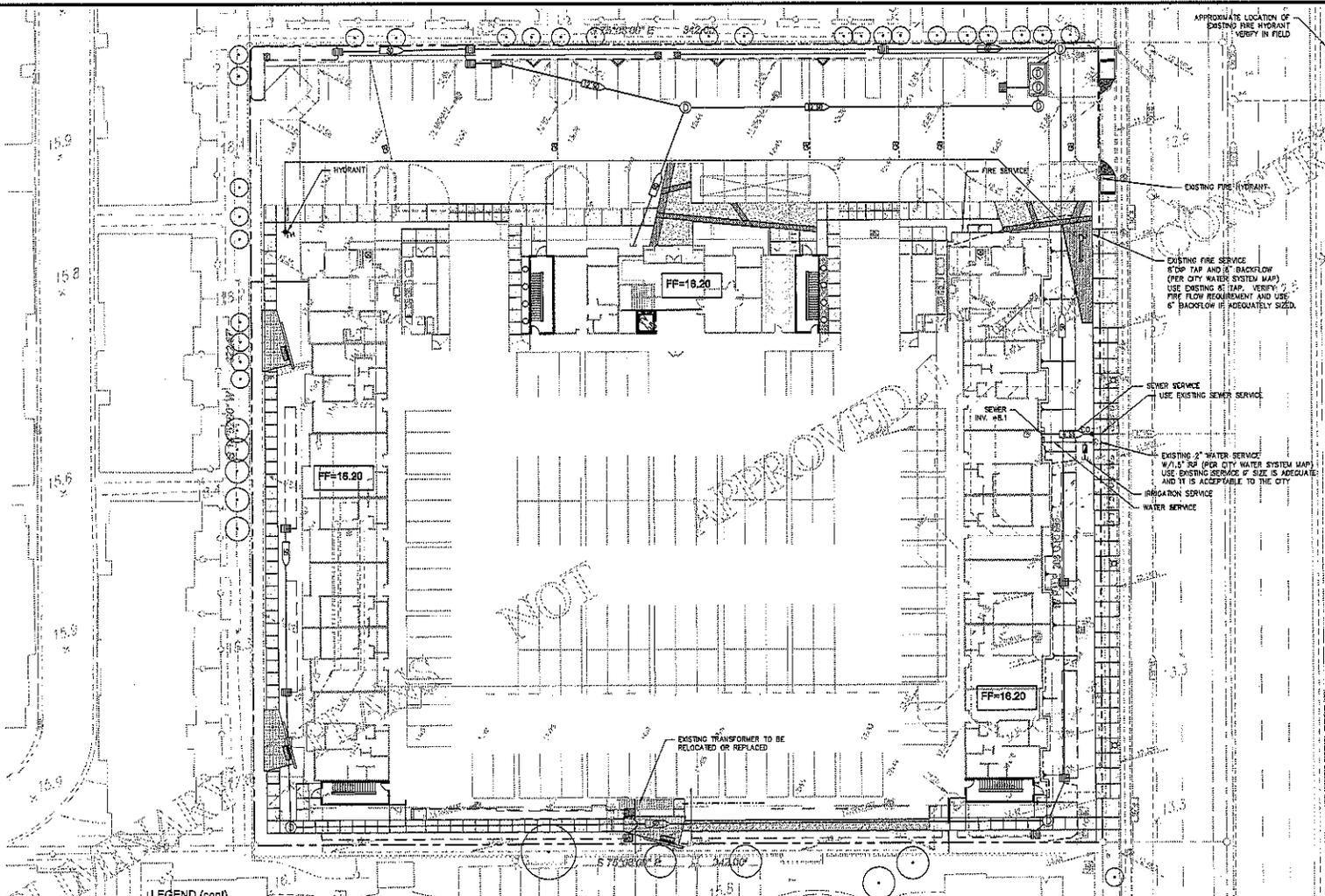
CITY OF SUNNYVALE CALIFORNIA

RECORD DRAWING: ALL REVISIONS SHOWN ON THESE PLANS HAVE BEEN PREPARED BY OR UNDER THE SUPERVISION OF THE UNDERSIGNED ENGINEER. ANY CHANGES TO THESE PLANS MUST BE MADE IN WRITING AND APPROVED BY THE ENGINEER. THE CITY OF SUNNYVALE WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THESE PLANS MADE BY ANY OTHER PARTY. DATE: ENGINEER'S INITIALS:

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TIA-001-12-10-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-122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SCALE: 1"=20'



APPROXIMATE LOCATION OF EXISTING FIRE HYDRANT - VERIFY IN FIELD

EXISTING FIRE HYDRANT

EXISTING FIRE SERVICE 8" DP TAP AND 6" BACKFLOW (PER CITY WATER SYSTEM MAP) USE EXISTING AT TAP - VERIFY PIPE FLOW REQUIREMENT AND USE 6" BACKFLOW IF ADEQUATELY SIZED.

SEWER SERVICE USE EXISTING SEWER SERVICE

EXISTING 2" WATER SERVICE W/1/2" RP (PER CITY WATER SYSTEM MAP) USE EXISTING SERVICE IF SIZE IS ADEQUATE AND IT IS ACCEPTABLE TO THE CITY

IRRIGATION SERVICE

WATER SERVICE

APPROVED

NOT

EXISTING TRANSFORMER TO BE RELOCATED OR REPLACED

LEGEND

EXISTING	PROPOSED	DESCRIPTION
		DRAIN MANHOLE
		DRAIN INLET
		DRAIN LINE AND SIZE
		CURB CUT & ROCK SLOPE PROTECTION
		SIDEWALK UNDERDRAIN & ROCK SLOPE PROTECTION

LEGEND (cont)

EXISTING	PROPOSED	DESCRIPTION
		SLOPE DIRECTION & %
		OVERLAID RELEASE PATH
		CONTOUR LINE
		PROPERTY LINE
		WATER QUALITY BASIN

EXISTING UNDERGROUND WATER SEWER & STORMDRAIN LOCATIONS AND SIZES PER CITY UTILITY MAPS. -NOT VERIFIED-

NO.	BY	DATE	APPD.	DATE	REVISIONS

BENCHMARK: CITY OF SUNNYVALE ELEV. 18.875 FEET
BENCHMARK 42 DATUM: NAVD 1928

DESCRIPTION: A BRASS DISC IN TOP OF CURB NEXT TO A CATCH BASIN AT THE NW CORNER RETURN AT THE INTERSECTION OF FAIR OAKS AVE. & E. WEDDELL AVE.

TLA
ENGINEERING & PLANNING
1331 EDWEN A ROAD, SUITE 100
ROCKY HILL, CA 95068 916.760.0885



DESIGNED UNDER THE SUPERVISION OF:
PATRICK J. LONGTIN
RCE, C82616
DATE: _____

FOR REDUCED PLANS ORIGINAL SCALE IS 1/4"=1'-0"
HORIZ. SCALE: 1" = 20'
VERT. SCALE: _____
ELECTRICITY: 1"=10'
MECHANICAL: 1"=10'

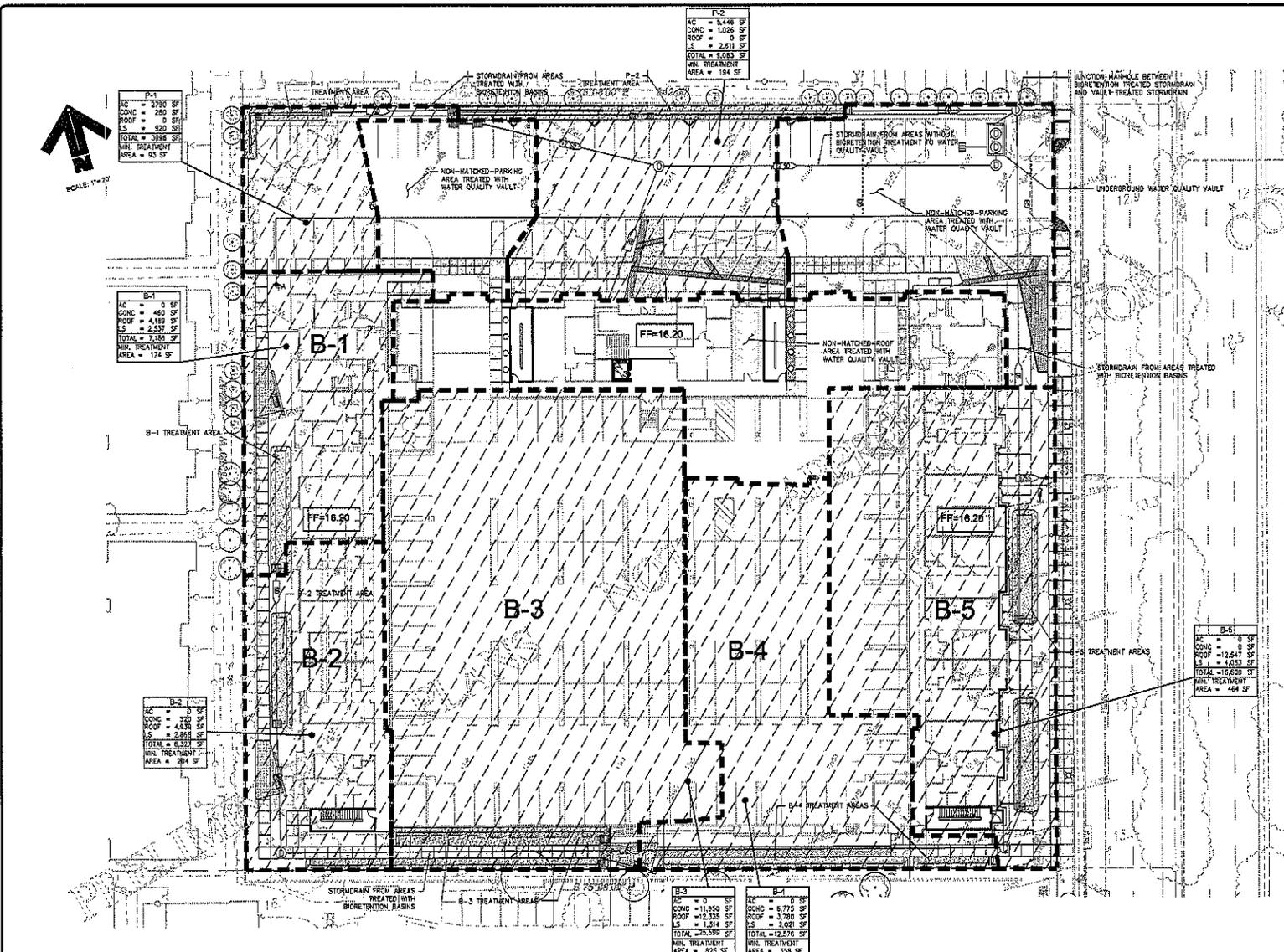
ANTON SUNNYVALE APARTMENTS
CITY OF SUNNYVALE CALIFORNIA

PRELIMINARY GRADING PLANS
PRELIMINARY UTILITY PLAN

SHEET C.2 of

RECORD DRAWING: ALL APPROVALS SHOWN ON THESE PLANS HAS BEEN PREPARED BY OR UNDER THE DIRECTION OF THE REGISTERED ENGINEER. APPROVALS MADE IN THE FIELD DURING CONSTRUCTION ARE INDICATED HEREIN WITH THE PROJECT NUMBER & DATED IN ACCORDANCE WITH SECTION 91.001 OF THE CIVIL ENGINEERING CONTRACT, OR THE CITY OF SUNNYVALE. DATE: _____ ENGINEER'S INITIALS: _____

ATTACHMENT D
Page 35 of 37



LEGEND

- [Hatched Box] AREA TREATED WITH BIORETENTION
- [Stippled Box] WATER QUALITY BIORETENTION BASIN TREATMENT AREA
- [Solid Line] SLOPE, 3:1 OR FLATTER

FEMA PROJECT IS WITHIN FEMA FLOODPLAIN. FEMA WATER SURFACE ELEVATION IS 15' BASED UPON 1988 DATUM. THE ADJUSTMENT TO THE 1929 DATUM IS 2.82. THEREFORE THE FEMA WATER SURFACE ELEVATION IS 15.18 BASED UPON THE 1929 DATUM.

AREA SUMMARY

BIORETENTION TREATMENT	
AC PAVING	6,238 SF
CONCRETE	25,011 SF
ROOF	37,700 SF
LANDSCAPE	16,330 SF
SUB-TOTAL	85,279 SF (1726.00 SFT)

VAULT TREATMENT	
AC PAVING	10,054 SF
CONCRETE	2,078 SF
ROOF	15,944 SF
LANDSCAPE	2,885 SF
SUB-TOTAL	31,961 SF (1225.00 SFT)

B-1

AC	= 2,396 SF
CONC	= 280 SF
ROOF	= 0 SF
LS	= 330 SF
TOTAL	= 3,006 SF
MIN. TREATMENT AREA	= 93 SF

B-1

AC	= 5 SF
CONC	= 480 SF
ROOF	= 4,189 SF
LS	= 2,537 SF
TOTAL	= 7,186 SF
MIN. TREATMENT AREA	= 174 SF

B-2

AC	= 0 SF
CONC	= 4,526 SF
ROOF	= 2,866 SF
LS	= 0 SF
TOTAL	= 7,392 SF
MIN. TREATMENT AREA	= 204 SF

P-2

AC	= 3,448 SF
CONC	= 1,026 SF
ROOF	= 0 SF
LS	= 2,611 SF
TOTAL	= 7,085 SF
MIN. TREATMENT AREA	= 194 SF

B-3

AC	= 0 SF
CONC	= 11,550 SF
ROOF	= 12,356 SF
LS	= 1,514 SF
TOTAL	= 25,399 SF
MIN. TREATMENT AREA	= 822 SF

B-4

AC	= 0 SF
CONC	= 6,775 SF
ROOF	= 3,760 SF
LS	= 2,001 SF
TOTAL	= 12,536 SF
MIN. TREATMENT AREA	= 358 SF

B-5

AC	= 0 SF
CONC	= 0 SF
ROOF	= 10,547 SF
LS	= 4,053 SF
TOTAL	= 16,600 SF
MIN. TREATMENT AREA	= 464 SF

NO.	BY	DATE	APP'D	DATE	REVISIONS

BENCHMARK: CITY OF SUNNYVALE
 BENCHMARK #2
 ELEV. 16,875 FEET
 DATUM: MARS 1928
 DESCRIPTION:
 A BRASS DISK IN TOP OF CURB NEXT TO A CATCH BASIN AT THE INTERSECTION OF FAIR OAKS AVE. & E. WEDDELL AVE.

TLA
ENGINEERING & PLANNING
 1039 BUREKA ROAD, SUITE 100
 ROSSVILLE, CA 95061 916.782.6885



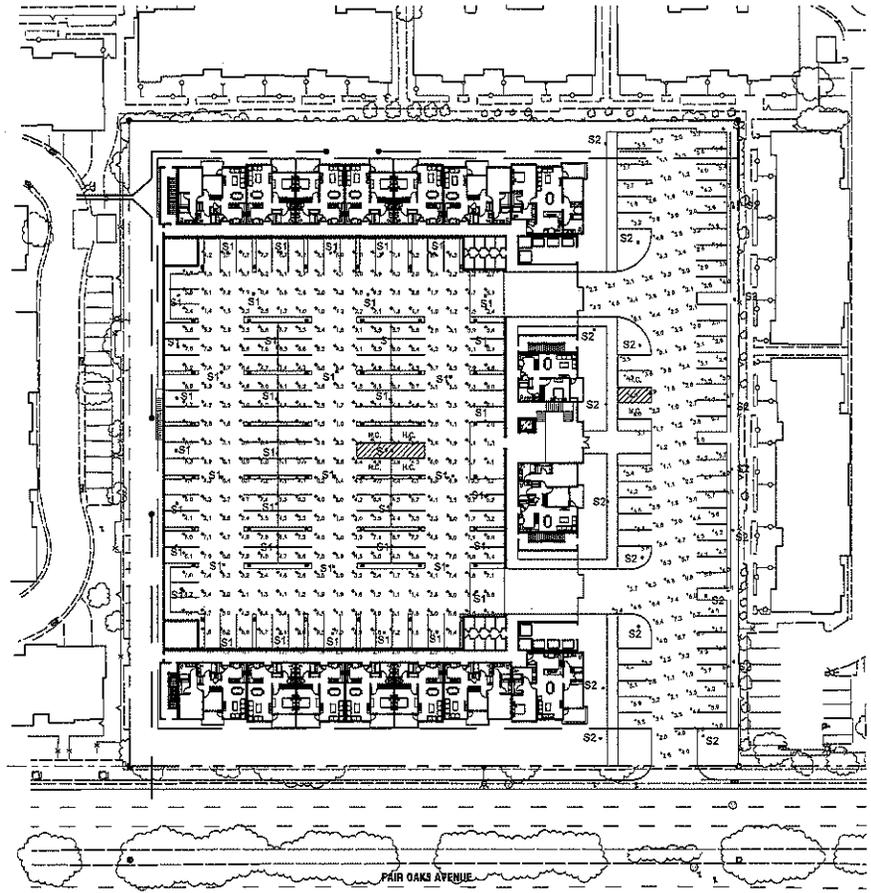
DESIGNED UNDER THE SUPERVISION OF:
 PATRICK J. LONGTH
 P.E. 03516
 DATE: 6-27-2012

FOR REDUCED PLANS
 ORIGINAL SCALE IS IN INCHES
 HORIZ. SCALE: 1" = 20'
 VERT. SCALE: 1" = 4'
 RECONTOUR INTERVAL: 5' MAJOR 1' MINOR

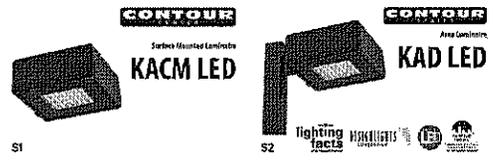
ANTON SUNNYVALE APARTMENTS
 CITY OF SUNNYVALE CALIFORNIA

PRELIMINARY GRADING PLANS
 PRELIMINARY STORMWATER QUALITY CONTROL PLAN
 SHEET C.3 OF

RECORD DRAWING: ALL REVISIONS SHOWN ON THESE PLANS HAVE BEEN PREPARED BY OR UNDER THE SUPERVISION OF THE REGISTERED ENGINEER. AGREEMENTS MADE IN THE FIELD OR OPERATIONS ARE INCLUDED THEREON UNLESS THE PROJECT ENGINEER IS ADVISED IN WRITING OF SUCH CHANGE BY THE OWNER, DEVELOPER, CONTRACTOR, OR THE CITY OF SUNNYVALE. DATE: _____ ENGINEER'S INITIALS: _____



Symbol	Label	Qty	Category	Description	Light	File	Lumens	LLF	Watts
[Symbol]	S1	44	KACM LED 1	KACM LED WITH HLM MODULE, 40 LUMENS, DOWN LIGHT, DOWN LIGHT, DOWN LIGHT, DOWN LIGHT, DOWN LIGHT, TYPE 1 LUM.	ONE BLU-WATT LED PARADIGM FOL.	KACM_LED_1	400lm	1.00	24.7
[Symbol]	S2	17	KAD LED 1	KAD LED WITH HLM MODULE, 40 LUMENS, DOWN LIGHT, DOWN LIGHT, DOWN LIGHT, TYPE 1 LUM.	ONE H-WATT LED, DOWNLIGHT POS.	KAD_LED_1	400lm	1.00	24.3



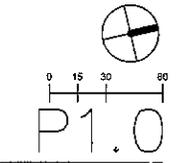
ANTON SUNNYVALE

PHOTOMETRIC PLAN

St. Anton
 PARTNERS
 St. Anton Partners
 1801 I Street, Suite 200
 Sacramento, California 95811
 916.400.2072

SUNNYVALE, CALIFORNIA
 KTG # 2012-0180 06.12.2012

KTGY Group, Inc.
 Architecture+Planning
 17922 Fitch
 Irvine, CA 92614
 949.851.2133
 ktgy.com



Jeff Hulse Design Build

Jill Provencal
574 Leyte Terrace
Sunnyvale, CA 94089

August 30, 2012

The Sunnyvale City Council
Sunnyvale, CA

To the Sunnyvale City Council:

The Danbury Place HOA board has reviewed St. Anton Partners' plan to build a multi-family rental building on the lot adjacent to Danbury Place at 1100 North Fair Oaks Avenue and approves of the project. We understand that the proposed project would be a rectangular three and four story building of podium construction with parking under the living units which would include 97 studio, one, and two bedroom apartments and a large courtyard in the center with a swimming pool and other amenities. We are aware that the planned property is a Residential-4 (R4) which allows up to 35 units per acre and that the existing zoning calls for R3 which allows up to 26 units per acre.

The HOA board has reviewed the detailed plans, construction, and rendered drawings for the property and we do not believe that it will have any negative impact on Danbury Place. In fact we welcome the project as a major improvement over the existing old and somewhat unsightly light industrial building that often emits noise during the day and into the night. The new building also conforms closely to and compliments the Danbury Place architecture and should complete the upgrades to this section of Tasman Crossing.

In evaluating the project, the HOA board paid particular attention to the density of the proposed project and to the parking situation. We are satisfied that the number of units would not overcrowd the available space and that the density is compatible with the surrounding developments. Most importantly, we believe that adequate parking for the type and size of the units is included in the plan.

From a higher level, the additional residential units will help provide living space for employees of the commercial projects that have been approved and built in recent years including Moffett Towers, the expansions at Net App and Juniper Networks, and other yet-to-be occupied buildings in the Moffett Park area. These commercial projects will continue to provide new jobs and the employees would benefit from additional conveniently located accommodation.

Sincerely,


Jill Provencal
President, Danbury Place Homeowners Association

Morse Park Neighborhood Association

August 31, 2012

The Honorable Mayor and Members of the Sunnyvale City Council
456 West Olive Avenue
P.O. Box 3707
Sunnyvale, CA 94088-3707

Re: Morse Park Neighborhood Association - Support for 1101 North Fair Oaks

Dear Mayor and Councilmembers:

As Chairman of the Morse Park Neighborhood Association, I write to express our Board's **SUPPORT** for the proposed 97-unit "Anton 1101" Residential Apartment Community at 1101 North Fair Oaks Avenue.

The site currently has an underused and blighted light industrial building on it, but is surrounded by high density housing on three sides and North Fair Oaks on the remaining side. The parcel is the final remaining piece of the City's successful Industrial to Residential ("ITR") zoning and planning effort.

The builder is requesting a zoning increase to an R-4 designation with Green Building features, thus permitting 97 units on the site. These 97 units will be approximately 800 feet from the Fair Oaks Light Rail station; which is an ideal location for transit oriented development. In addition, the builder designed the project so that its architecture is similar to the neighborhood and its height is consistent with the adjacent neighbors' homes.

As you may be aware, the Danbury Place HOA recently endorsed this project as well. Our Board of Directors has been working closely with the builder, St. Anton Partners, from the early stages of the project's conceptual development. It is clear to us that as long term owners, St. Anton's relationship with their neighbors is important to them. We welcome that approach and respectfully urge your support of this project.

If you have any questions or suggestions, please contact me at Robert@bjro.net or (650) 248-5782.

Sincerely,



8-31-2012

Robert Biro, Chairman
Morse Park Neighborhood Association

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE PRECISE ZONING PLAN, ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTIES LOCATED AT 1101 NORTH FAIR OAKS AVENUE FROM M-S/ITR/R-3/PD (INDUSTRIAL AND SERVICE INDUSTRIAL TO RESIDENTIAL MEDIUM DENSITY RESIDENTIAL AND PLANNED DEVELOPMENT) TO R-4/PD (HIGH DENSITY RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT

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

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended in order to include certain properties located at 1101 North Fair Oaks Avenue within the R-4/PD (High Density Residential Planned Development) Zoning District, which properties are presently zoned M-S/ITR/R-3/PD (Industrial and Service Industrial to Residential Medium Density Residential And Planned Development) Zoning District. The location of the properties is set forth on the scale drawing attached as Exhibit A.

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

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

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

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

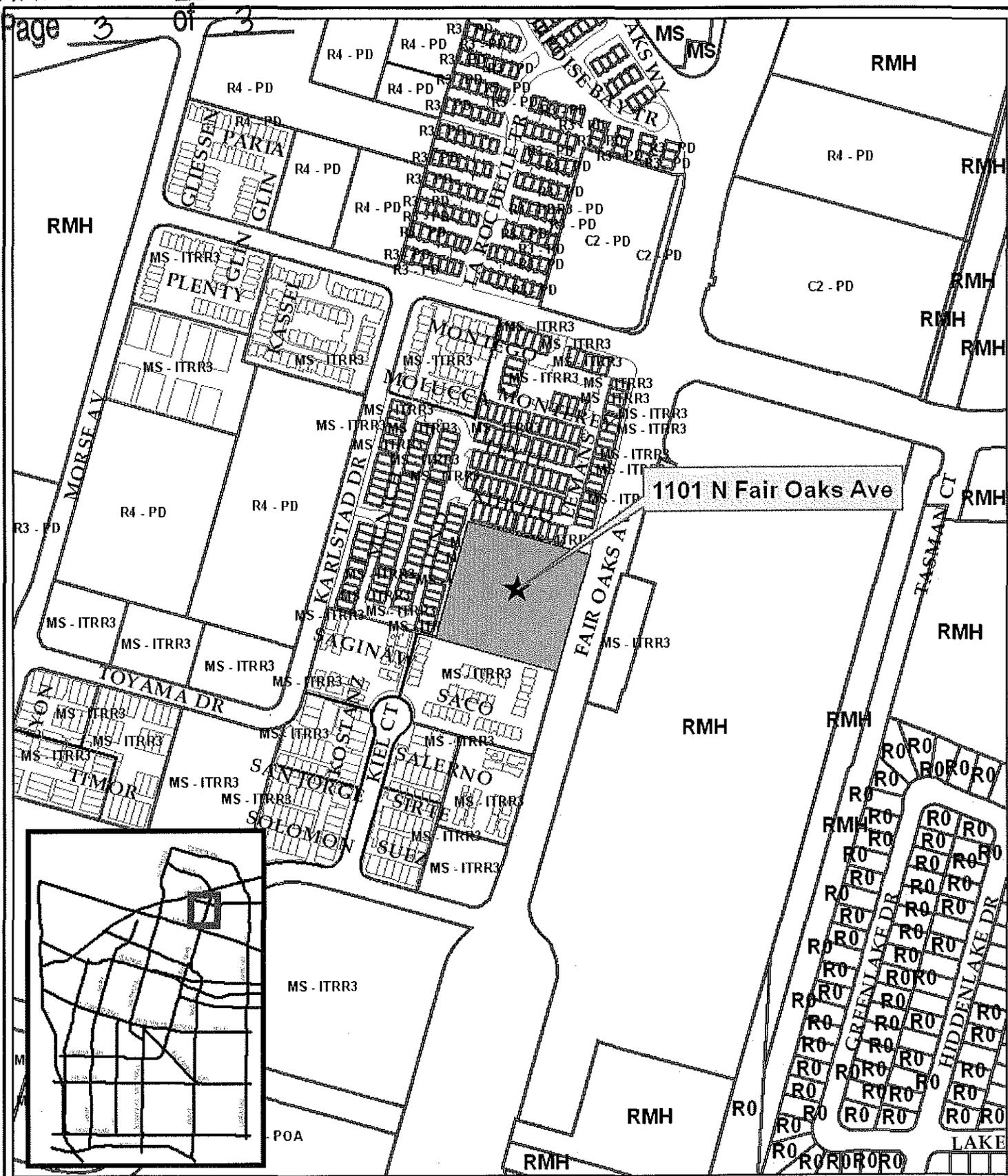
APPROVED:

City Clerk
Date of Attestation: _____
SEAL

Mayor

APPROVED AS TO FORM AND LEGALITY:

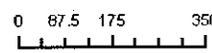
Michael D. Martello, Interim City Attorney



1101 N Fair Oaks Ave



1101 N. FAIR OAKS AVE. (APN:110-14-176)
 REZONE FROM MS/ITR/R3/PD TO R4/PD



Planning AP - Web Contact - project - 97 Dwelling Units Subject: St. Anton

From: "emailer" <emailer@ci.sunnyvale.ca.us>
To: "Contact - planning@ci.sunnyvale.ca.us" <planning@ci.sunnyvale.ca.us>
Date: 9/22/2012 5:47 PM
Subject: Web Contact - Request ID: 23262 Reply: Yes, Subject: St. Anton project - 97 Dwelling Units

Dear **Planning**,

Please respond to web request 23262 by clicking one of the three buttons below:

From Hannalore Dietrich [REDACTED] 408-[REDACTED]
Reply Needed Yes
Subject St. Anton project - 97 Dwelling Units

Message I am opposed to changing the zoning of the N. Wolfe Road location for St. Anton to develop 97 dwelling units. St. Anton first appealed to the Housing Commission in Sunnyvale for grant funds, but refused to provide all the necessary financial and application information necessary for grant funds from the city. Some of the Housing Commission issues regarding the large number of dwelling units are: (1) there are no affordable dwelling units, (2) St. Anton's dwelling units is over the established zoning for that property, and (3) a possible parking problem. If 1.5 or 2 parking spaces per dwelling unit are permitted, what if four different persons occupied any given unit and there were 4 separate vehicles needing to parking spaces? There currently exist parking issues in that neighborhood due to several apartment complexes. I will not be able to attend the planning commission meeting Monday, 9/24, thus I am writing to the planning department. Thank you. Hannalore Dietrich Chair, Housing & Human Services Commission

September 20, 2012

City of Sunnyvale
Department of Community Development
Planning Division
456 West Olive Avenue
Sunnyvale, CA 94988

RE: 1101 N. Fair Oaks Avenue CEQA Initial Study

I disagree with the 'Negative Declaration' finding in the CEQA Initial Study for the project at 1101 N. Fair Oaks. Specifically, item 24 'Public Services' should not be checked as 'No Impact'. This project is within the Fremont Union High School District (FUHSD) and in the attendance area for Fremont High School (see attachment A). According to FUHSD enrollment projections, Fremont High's enrollment will increase from 2000 students today to more than 2900 students by 2021 (see attachment B).

The FUHSD has published a management plan to implement a capital facility improvement program; the plan is the Program Implementation Plan (PIP). The FUHSD PIP (see attachment C) lists improvements to Fremont High based on a projected enrollment of 2180 students in 2018 (see attachment C , page 135). The PIP for Fremont High is insufficient to handle the most recent enrollment projections. Adding 94 housing units in the Fremont High attendance area will add more students to an overcrowded high school.

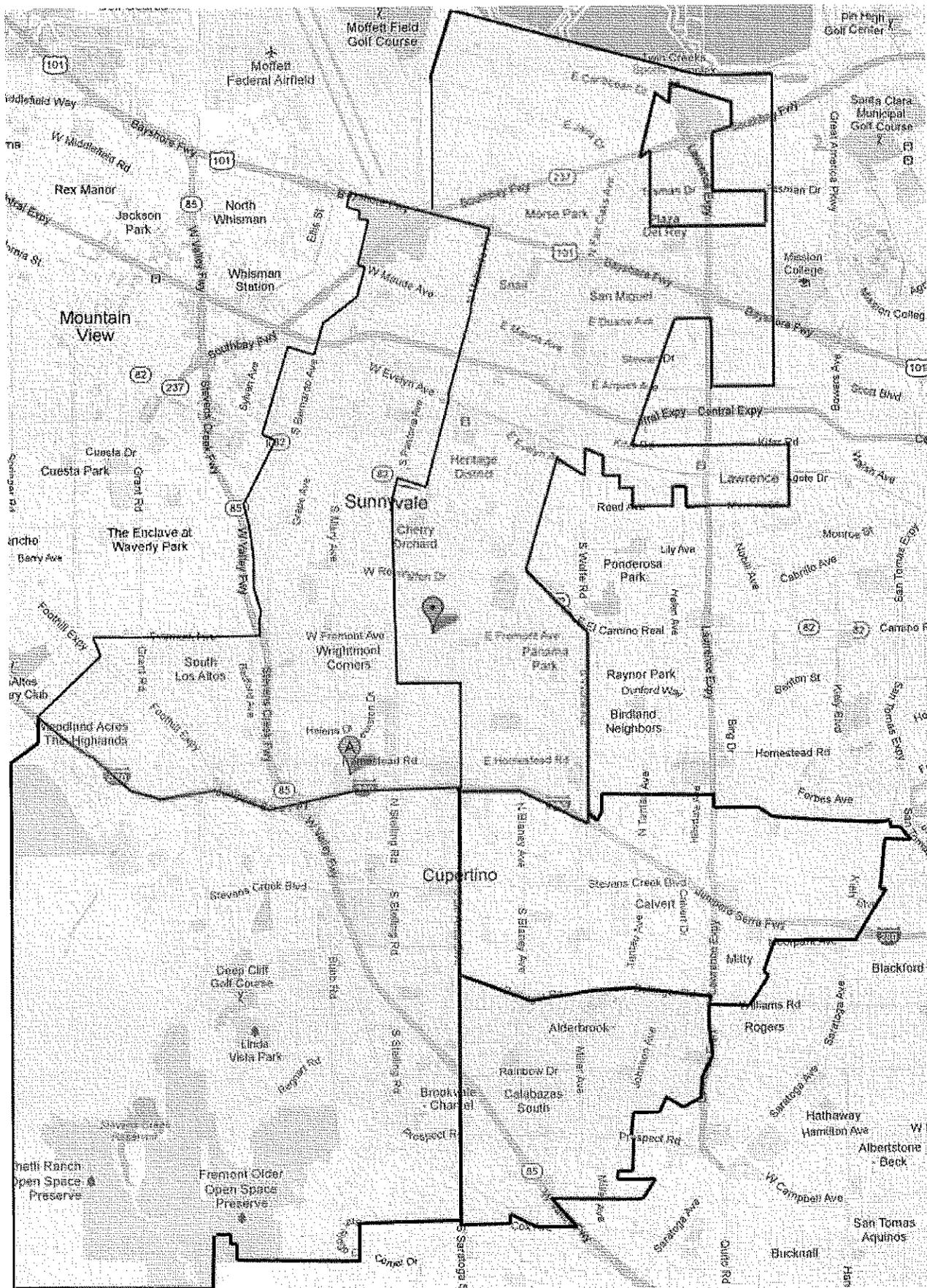
The project at 1101 N. Fair Oaks may have a limited effect on high school enrollment but the cumulative impact of recent and future new housing units in the City of Sunnyvale have not been accurately considered with regards to the high school enrollments. Previous environmental reviews and Sunnyvale's General Plan have not evaluated the impacts of additional housing units on the FUHSD and therefore have not provided any mitigation measures. I request that the City of Sunnyvale provide an Environmental Impact Report to fully analyze the project at 1101 N. Fair Oaks Avenue.

Sincerely,

Martin Landzaat
Sunnyvale, CA

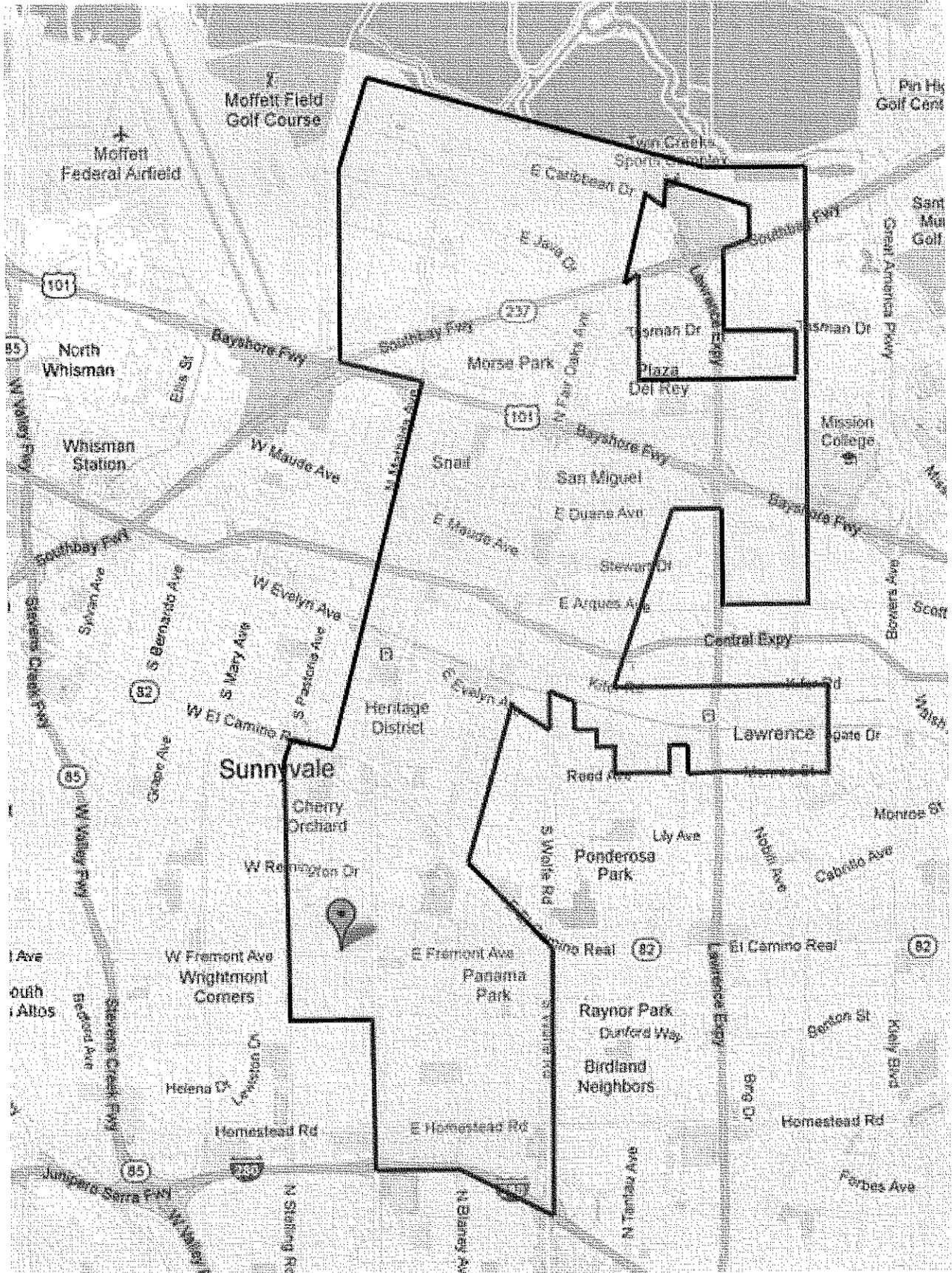
FREMONT UNION HIGH SCHOOL DISTRICT ATTENDANCE BOUNDARY MAP

This is a general overview map. Please do not use for residency or purchase/rental decisions.
For detail boundary listings please go to <http://www.schvision.com/schoolfinder3/fuhsd/>.



FREMONT HIGH SCHOOL ATTENDANCE BOUNDARY

This is a general overview map. Please do not use for residency or purchase/rental decisions.
For detail boundary listings please go to <http://www.schvision.com/schoolfinder3/fuhsd/>.



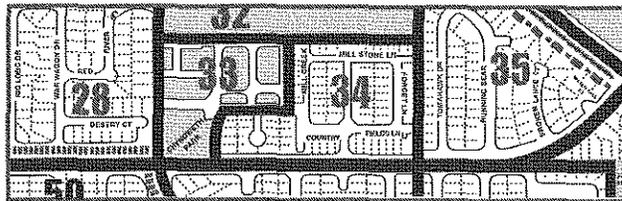
ENROLLMENT PROJECTION CONSULTANTS

Providing School Districts with Accurate Enrollment Forecasts by Location

Area 32
Older Mobile Home Park
450 units, 90 K-8 students, 0.20 SGR

Area 28
Recent Upper-Income Det. Homes
218 units, 85 K-8 students, 0.39 SGR

Area 33
Recent Upscale Townhouses
82 units, 9 K-8 students, 0.11 SGR



Area 34
Recent Middle-Income Det. Homes
94 units, 33 K-8 students, 0.36 SGR

Area 35
Older Middle-income Det. Homes
89 units, 57 K-8 students, 0.64 SGR

Legend
ELEMENTARY and Middle School
Attendance Boundaries

Superintendent and Board of Trustees
Fremont Union High School District
589 West Fremont Avenue
Sunnyvale, CA 94087

December 28, 2011

Dear Superintendent and Board Members:

This is the concluding documentation to the enrollment forecast update. The sections below provide a summary of the projection impacts and some background information. Subsequent sections follow the order of the tables, starting with the projected enrollments in Tables 1 and 2 and then underlying factors to those numbers in Tables 3 to 7. The appendices provide additional details for those who want to delve further into the data.

Summary of Forecast Numbers Related to Facilities

To repeat nearly verbatim from our last report: Previously we have discussed how growth in the lower elementary grades eventually would cause the high school total to soar, which is again true with this update. The only real differences are that (1) this "long-range" impact now starts in just three years and (2) the amounts in the lowest elementary grades are even larger. Enrollment in the Fremont Union High School District (henceforth FUHSD or district) is projected to increase by 128 students in 2012 and essentially maintain that level in the following year. The net increase then jumps to more than 300 students greater in three years and by over 1,000 in six years. The FUHSD enrollment in 2021 could be 1,600 or more students above the current figure. While this is only an estimate for that far into the future, clearly there will be a much higher total with a consequential facility impact.

We continue to determine that this growth will occur almost exclusively in the northern and eastern parts of the district. The largest short-term "resident" student growth should be in the current Cupertino and Fremont High attendance areas. This includes 71 and 60 more students next year and cumulative amounts of 455 and 306 additional students, respectively, in five years.¹ Those schools and Homestead High, which are all in the aforementioned parts of the district, should have significant subsequent growth. The current Lynbrook and Monta Vista areas, in the south and west, are instead forecast to have fewer students. The result in five years could be four schools with between 2,300 to 2,400 students and Lynbrook with less than 1,700. Fremont High's region could have 2,900+ students by 2021.

These differences in five and ten years are not theoretical, as they already exist in the lower elementary grades within the five high school attendance areas. The resident totals now in grades K-3 (in the two "feeder" districts) are in the 3,500s for Fremont, 2,400s for Homestead, 2,300s for Cupertino, 2,100s for Monta Vista and just 1,200s for Lynbrook. Fremont High's region, which is where most of the future housing will occur, already has close to 50% more K-3 students than Homestead's, Cupertino's or Monta Vista's regions and almost three times more than Lynbrook's. Even after factoring in the tendency for resident numbers to decline in the Fremont High area as each elementary class graduates upward (the opposite occurs elsewhere), this is still a huge difference.

¹ Resident numbers refer to the attendance areas for the students' home addresses; school enrollment amounts will differ.

Background and Forecast Accuracy

This is the seventh year that we have provided a neighborhood-specific forecast for the district. My firm, Enrollment Projection Consultants (EPC), specializes in these in-depth studies, where every major component of the recent enrollment trends is determined, analyzed, compared to the knowledge gained from our experience in over 250 previous studies, and then projected. To do this, we drove literally every street in the district in our first FUHSD study to learn the community and divide it into suitable planning areas. These planning areas represent a single dominant housing type wherever feasible, including by subjective price ranges and average home and parcel sizes. Several years of student files (including from the elementary "feeder" districts) have been coded against a street index representing those areas so that the trends in each housing situation can be identified and evaluated for the likelihood to continue, by degree, in the forecast.

While last year's overall forecasts for the current FUHSD, Sunnyvale SD (SSD) and Cupertino Union SD (CUSD) enrollments are accurate, with differences of less than one-third of 1% for each district², we can once again say that the actual kindergarten totals exceeded the projections. Those greater numbers continue to be concentrated in the northern part of the FUHSD. This added to the already significant long-range numbers for the Homestead, Fremont and Cupertino High attendance areas.

District-Wide Projected Enrollments: The Next Five Years

The updated district-wide projections are basically the same as in our last report, with the key difference being that the first 200+ single-year gain, which occurs in 2014, and the soaring numbers after 2015 are now one year closer to the current enrollment.³ The total projected enrollment is forecast to rise by 128 in 2012, to 10,624 students (which are a modest 46 more than were forecast for that date in our last study). A nominal reduction by 22 is expected in the following year, for a net 24-month difference of just 106 additional students. The more rapid increase starts in 2014, with 207 additional students that year, to 313 above the current enrollment, and another 351 are added in the following two years, to a total in 2016 that is 664 higher than today's figure (see figures in the bold box in Table 1 on page 3). This updated forecast of 11,160 students in 2016 is within 90 of what we projected last year for that date.

As we have said before, these varying degrees of growth are mainly due to the current student distribution through the grades, including from the feeder districts. The totals now in the seventh through twelfth grades are relatively close, with between 2,531 and 2,668 students. That is only a maximum of a 137-student difference. Graduating into the FUHSD schools the students now in seventh and eighth, while graduating out the current eleventh and twelfth graders, thus should result in only modest overall gains (including the net increase that also occurs as each student body class graduates upward through the grades). The student totals now in fifth and sixth, by contrast, are in the 2,700s and the current fourth grade count is even higher, at 2,860. The FUHSD total should be consequentially higher as each of the latter classes enters the high school grades from 2014 to 2016.

District-Wide Projected Enrollments: From 2016 to 2021

We have discussed in the past the issues with extrapolating forward by over five years any larger counts in the lowest grades, but each year those greater amounts both have progressed upward and increased, so we are no longer caveating the huge growth expected after 2016. The current third grade total is 2,966 students, for a dramatic 400 more than those presently in seventh and even more compared to today's twelfth graders. There will be a big FUHSD enrollment jump in 2017, when that current third grade class enters the high schools and today's seventh graders graduate out. The exact increase that year is debatable, but there will be major growth.

² This comparison for the FUHSD is excluding NPS students because they were not included in last year's forecast (but are henceforth). Without those 14 NPS students (in 9-12), the FUHSD difference is 32 (10,450 projected and 10,482 actual).

³ Whenever just a year is stated in the text, such as 2014, the reference is for early October of that year.

Table 1: Projected Total District October Enrollment, 2011 to 2021

Early Oct. of.	Projected Enrollment by Grade in Grades 3-8 in the two relevant Elementary Feeder School Districts						Projected Fremont Union HSD Total Enrollment in 9-12 by Grade				9-12 Total
	3	4	5	6	7	8	9	10	11	12	
2011 *	2,966	2,860	2,723	2,770	2,566	2,589	2,668	2,657	2,640	2,531	10,496
2012	3,017	2,962	2,851	2,708	2,787	2,563	2,660	2,682	2,634	2,648	10,624
2013	2,998	3,023	2,951	2,839	2,724	2,780	2,627	2,672	2,660	2,643	10,602
2014	3,037	2,998	3,016	2,930	2,857	2,715	2,846	2,644	2,651	2,668	10,809
2015	2,965	3,033	2,985	2,998	2,946	2,848	2,764	2,860	2,624	2,661	10,909
2016	2,788	2,966	3,017	2,960	3,012	2,931	2,906	2,778	2,839	2,637	11,160
2017	2,616	2,789	2,955	2,990	2,973	2,997	2,985	2,923	2,757	2,851	11,516
2021	2,963	3,072	2,810	2,806	2,592	2,751	2,980	3,046	3,003	3,056	12,085

Total Fremont Union HSD Enrollment Change in (Compared to the Current Enrollment):

One Year, to October 2012	128
Two Years, to October 2013	106
Three Years, to October 2014	313
Four Years, to October 2015	413
Five Years, to October 2016	664
Six Years, to October 2017	1,020
Ten Years, to October 2021	1,589

Real Potential Lower FUHSD Total in 2012 (essentially -0.8%)	10,540
Real Potential Higher FUHSD Total in 2012 (essentially +0.8%)	10,710
Real Potential Lower FUHSD Total in 2016 (essentially -3.2%)	10,800
Real Potential Higher FUHSD Total in 2016 (essentially +3.2%)	11,520
Real Potential Lower FUHSD Total in 2021 (essentially -6.5%)	11,300
Real Potential Higher FUHSD Total in 2021 (essentially +6.75%)	12,900

Projected FUHSD students from net additional new housing through 2016	86
Projected FUHSD students from net additional new housing through 2021	213

* This is the actual enrollment in student files provided to EPC by the relevant districts, including all TK-12 SDC (Special Ed.) and NPS (non public school) students maintained in databases of the three districts. (The K-12 NPS total is less than 60.)

Notes: (1) Projected amounts are for current facilities, educational programs and level of inter-district control. (2) Enrollments anywhere within "real potential" ranges are quite possible, with the likelihood of being more to the lower or higher end of each range dependent in part on inter-district enforcement levels (especially the extent of identifying incorrect home addressing). Potential ranges shown are for essentially an 80% probability. There is an approximately 10% possibility for each of lower or higher totals. (3) All figures include SDC and NPS students enrolled in the relevant districts. (Prior forecasts excluded NPS.) (4) Nuances of the pending evolution of the kindergarten (K) eligibility cutoff birth date from December 2 to September 1, plus a related "Transitional Kindergarten" (TK) program for those in the affected birth months, will create a small reduction ("dip") in the student totals in three adjacent student body classes, compared to what would have been in those classes without these changes. This "dip" is in grades 3-5 in 2017 (note lower numbers in especially 3-4 that year) and enters ninth starting in 2021.

Our forecast adds another 356 FUHSD students in 2017, for a six-year rise by over 1,000 from the current count. Similarly large numbers now in K-2 (i.e., averaging 2,940) will create real additional high school enrollment gains in 2018 to 2020. The result is a projected total in 2021 that exceeds 12,000 students, at about 1,600 over the current figure.

As significant as that increase is, this could be a conservative ten-year forecast. Although we are showing a "real potential" range, for that far into the future, of anywhere between essentially 800 and 2,400 more students than at present, the bottom part of that range is feasible only if a major unforeseeable change occurs. Considering the desirability of many of the schools in these three districts (the FUHSD, CUSD and SSD), with exceptionally high API scores that are causing families to move into the area, growth by 2,000+ high school students definitely could occur in the next decade.

Our recommendation is to start facility planning for how to handle 1,000 more students in six years, because at least that amount should be necessary either then or shortly thereafter, and have contingency "what if" plans for a cumulative total of 2,000 more students in ten years. If next year's enrollments in K-8 and 9-12 are comparable to, or above, these updated projections, then having an eventual FUHSD total in the 12,000-to-12,500 range becomes an even higher probability, with the District's facility plans needing to evolve accordingly.

There is one note, however, that should be made for your enrollments immediately after 2021: further growth is unlikely. The reason is recent State legislation that will change the birth cutoff date for kindergarten eligibility from December 2 to September 1. This is being phased in over three school years, starting with 2012-13, with interim cutoffs of November 1 and October 1 before being fully implemented for 2014-15 and thereafter. What this means for each of 2012-13, 2013-14 and 2014-15 is that only eleven-month periods of births officially will qualify for kindergarten entry. Without getting into further details about that and the related "Transitional Kindergarten" (TK) program, the result should be three adjacent student body classes with smaller amounts (the "dip") than would have been in those classes without this shift. Those classes will start to reach the high school grades in 2021, be fully in the high school grades in 2023 and continue to be at least partly in those grades through 2026.⁴

Projected Resident Student Populations by Existing Attendance Areas

This forecast is again based on an analysis of where the students live (the resident population⁵) rather than the schools they happen to attend (the attending enrollment). Resident populations differ from enrollments because of (1) intra-district enrollment (i.e., between FUHSD schools), (2) incoming inter-district enrollment (i.e., from stated addresses that are outside the FUHSD) and (3) Community High and NPS students.⁶ By coding the student addresses from the current and prior school years to planning areas that represent various housing types and locations, we have been able to identify and evaluate how the student population is evolving in each situation. We flip back-and-forth between these "resident" population and "attending" amounts in the text below and it is important to remember the distinction between these two types.

The current and projected resident numbers, along with some current attendance figures, are provided in Table 2 on page 6.

⁴ How individual districts will handle this cutoff-date shift and related TK program both varies greatly and will evolve in the next few years, but the current implementation plans in the SSD and CUSD will mostly and partially limit the "dip", respectively. Since the CUSD provides a larger number of students to the FUHSD, however, there still should be some "dip".

⁵ "Resident" throughout this report means physical resident, not legal resident.

⁶ Community High and Non-Public School (NPS) students do not have specified attendance area subsections of the district, so those students are instead resident to the attendance areas of the five main high schools. In our earlier studies, we grouped Community with the other "special schools" of the Middle College, College Advantage, Horizon, New Start, Vista and Young Parent programs, but all of the latter students are now included in the attendance figures of the five regular high schools due to changes in how the State requires district student records be maintained. All counts cover only 9-12 (i.e., no Adult Ed or eighth graders taking FUHSD classes).

Understanding the Data in Table 2

Table 2 (page 6) contains two sets of data. The figures on the left (under "Enrollment part of Table 2") show how the current enrollment at each school differs from the resident population. There are 2,015 district-enrolled (9-12) students, for instance, with home addresses in the Fremont attendance area. That school's enrollment, however, is 1,989, which is 26 less than the resident total. This net difference is shown by the "-26" in the top row of the "Attending Adjust" column in the table. The second set of data, on the right side of the table (under "Resident Student Population part of Table 2"), has the projected resident amounts. These are not projected enrollments. They do indicate, however, where changes in the population may warrant a concern. In Lynbrook's case, for example, the resident total, which already is the lowest in the district, is forecast to drop by 52 in five years and by 266 in ten. These declining amounts are shown in the bottom row of the box in the far right columns of the table.

Key Findings by the Existing FUHSD Attendance Areas (including a comparison to our previous projections)

Before discussing the updated high school projections by attendance area, it is worth noting how the current resident totals compare to what was projected for this year in our last study (with a total of 14 NPS students subtracted from the current numbers to make the data comparable; these figures are not shown in Table 2). The Homestead and Monta Vista regions each have a statistically irrelevant ten fewer students than expected. That is a deviation of less than one-half of 1%. Lynbrook's resident count did decline, but not by as much as projected, resulting in a 17-student difference that is also statistically minor. And Fremont High's resident count is 23 fewer than projected, which is still only a 1% difference. The resident Cupertino High numbers, however, were forecast to grow by 46 but instead added twice as many (in 9-12). That attendance area had the largest resident student shift in the last year.

With these findings, it should not be surprising that the projected short-term evolutions are generally the same as before, with the exception that Cupertino's are moderately higher. The Cupertino region again has the largest projected resident (9-12) increase in 2012, with this update calling for 71 additional students, plus 70 more (141 total) to 2013 (see Table 2). The Fremont region is a close second for growth in 2012, with a rise by 60 students expected. Another 28 are added in the following year. The Homestead area is forecast for 49 more students next fall and then maintains that level in 2013. What may have been less clear in our last forecast, but was included then, are a small one-year projected rebound in 2012 for Lynbrook's region, with growth by 34 before returning to a declining pattern, and a more consequential drop in Monta Vista's area. The latter region has the greatest projected resident changes in the next two years, with 87 fewer students in 2012 and a cumulative drop by 204 in two years. Enrollments will differ, of course, based on intra- and inter-district attendance shifts.⁷

Divergent resident expectations continue in subsequent years. The projected cumulative resident shifts over the next 60 months are gains of 455 for Cupertino, 306 for Fremont and 105 for Homestead, while the Lynbrook region loses 52 and Monta Vista's total is down by 157. Note that the latter is a partial rebound after a 2013 low.

These pending changes will reduce the resident differences between four of the five schools, with Monta Vista's total declining from what is the largest current amount and the Fremont and Cupertino regions having gains from what now are the third and fourth lowest figures. Instead of a gap by essentially 500 to 600 students between Monta Vista and the latter schools, the differences narrow to 200 to 300 in two years. Homestead's resident total could slightly exceed Monta Vista's then, but all four regions are forecast for between 2,000 and 2,350. That range narrows to only 80 students (between 2,321 and 2,401) in 2016. Only Lynbrook's count remains far apart from the rest, in dropping below 1,700.

⁷ The Appendix A tables provide by-grade breakdowns of the actual 2011 and projected 2012 amounts for each school, including a comparison between attending and resident amounts for both the current enrollments and what next year's enrollments could be if the District allows the current levels of intra- and inter-district attendance to continue at each school (but with those adjustments advanced by one grade and fine-tuned as necessary to match the overall forecast). These "potential enrollments" are simply theoretical numbers that have been provided to help the District in determining what changes to those levels may be warranted. The actual levels that will be permitted next year will be altered, of course, by District decisions, such as for capacity issues and staffing.

Table 2: Actual Enrollments and Actual and Projected Resident (9-12) Student Populations by High School Attendance Area

School	Enrollment part of Table 2			Projected Resident Student Population part of Table 2							
	Actual October 2011*			Projected Res. 9-12 Student Pop. (incl. SDC and NPS) in Oct. of				9-12 Student Population Change to Oct. of***			
	Resident Students	Attending Adjust**	Attending Enrollment	2012	2013	2016	2021	2012	2013	2016	2021
Fremont	2,015	-26	1,989	2,075	2,103	2,321	2,939	60	88	306	924
Homestead	2,296	17	2,313	2,345	2,347	2,401	2,780	49	51	105	484
Monta Vista	2,512	-11	2,501	2,425	2,308	2,355	2,236	-87	-204	-157	-276
Cupertino	1,869	18	1,887	1,940	2,010	2,324	2,576	71	141	455	707
Lynbrook	1,687	92	1,779	1,721	1,710	1,635	1,421	34	23	-52	-266
Community NPS	NA	13	13	NA	NA	NA	NA				
	NA	14	14	NA	NA	NA	NA				
Total***	10,379	117	10,496	10,506	10,478	11,036	11,952	127	99	657	1,573

* The actual student counts in grades 9-12 are based on student records provided to EPC by the FUHSD (incl. SDC and NPS).

** Net attending adjustments include (1) intra-district attendance, (2) incoming inter-district enrollment and (3) students listed at unlocatable home addresses. This includes 102 inter-district students and 15 unlocatable addresses in the current records.

*** "Resident" totals differ from Table 1 because they exclude incoming inter-district enrollment and addresses unlocatable by attendance region.

Notes: (1) Students enrolled in Middle College, College Advantage, Horizon, New Start, Vista and Young Parent programs are included in the above attendance numbers for the five regular schools. (2) Appendix A provides actual October 2011 resident and attending amounts by grade. (3) Projections include fractional amounts, so the amounts shown here may not sum exactly to totals in other tables.

The long-range totals, however, become severely unbalanced. Together the Fremont, Homestead and Cupertino regions are forecast to have over 2,100 additional students in ten years, resulting in resident totals from the 2500s for Cupertino to the 2900s for Fremont. The combined Monta Vista and Lynbrook region, by contrast, loses more than 500 students, with the former area ending up with a resident total in the 2200s and Lynbrook's count falling into the 1400s. These are only target estimates for that far into the future and Lynbrook's total, in particular, could be higher, but that region definitely will have the smallest number and Fremont's figure should be the largest. (Homestead's potentially could be comparable.) The current Fremont High area has a strong possibility for well over 3,000 resident students in 2021 and beyond.

Underlying Factors to the Projections: Recent Student Population Evolution by High School Region

Some readers may find the projected high school changes hard to accept, so we have inserted a new Table 3 (on page 7) showing how the K-12 population has evolved in the five current regions. Those of you reading a color version of this report will find the differences highlighted accordingly, but the numbers (and everything else in the report other than the colors) are the same in both versions.

Fremont High's area already had a distribution that was concentrated in the lowest grades in 2006 and that has been ongoing; the big difference is the extreme subsequent K-4 growth. The student totals five years ago had 700s in K-1, 600s in 3-5, 500s in 6-9 and upper 400s in 10-12. Graduating those mainly 500s amounts into the high school grades since then, while graduating out those upper 400s amounts, created only a modest rise in the resident 9-12 total. In K-4, by contrast, the growth was significant. Instead of three of those five grades having

Table 3: K-12 Public School Resident Student Population Trends in Each Current High School Attendance Area

High School Region	Oct. of	Number of Students Residing in High School Region and Enrolled in SSD, CUSD and FUHSD*													K-12		
		Knd.	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th			
Fremont	2006																7,622
	2007																7,787
	2008																8,052
	2009																8,256
	2010																8,471
	2011																8,638
Change from October 2006 to October 2011																1,016	
Homestead	2006	485	542	487	525	526	503	506	500	495	574	579	554	499		6,775	
	2007	552	503	543	503	526	508	489	519	502	537	580	564	534		6,860	
	2008	594	570	509	550	504	541	525	492	521	544	545	569	559		7,023	
	2009	604	605	578	501	560	512	523	540	494	576	543	542	575		7,153	
	2010	601	628	597	580	521	564	518	530	544	567	585	551	533		7,319	
	2011	590	608	625	623	571	529	558	532	532	599	579	582	536		7,464	
Change from October 2006 to October 2011																689	
Cupertino	2006	508	541	524	463	490	472	430	457	411	375	414	389	367		5,841	
	2007	530	558	567	525	493	488	479	427	462	433	385	400	397		6,144	
	2008	560	562	583	568	516	492	475	478	423	436	442	388	398		6,321	
	2009	602	608	576	580	554	534	496	473	463	438	432	438	378		6,572	
	2010	581	634	612	590	561	565	526	502	478	466	453	424	435		6,827	
	2011	560	580	630	576	587	578	558	512	491	497	483	459	430		6,941	
Change from October 2006 to October 2011																1,100	
Monta Vista	2006	461	565	479	549	514	559	627	628	602	633	654	692	620		7,583	
	2007	491	534	571	505	556	531	593	615	644	598	627	658	681		7,604	
	2008	458	526	540	579	510	547	582	581	625	693	614	616	651		7,522	
	2009	467	515	549	567	597	517	576	597	589	641	687	593	604		7,499	
	2010	492	521	542	565	581	599	544	572	602	618	644	670	582		7,532	
	2011	455	537	541	588	585	579	615	527	576	607	613	637	655		7,515	
Change from October 2006 to October 2011																-68	
Lynbrook	2006															4,968	
	2007															4,933	
	2008															4,858	
	2009															4,797	
	2010															4,805	
	2011															4,841	
Change from October 2006 to October 2011																-127	

* Figures include K-12 SDC and a nominal number of NPS students. Students in former Montebello SD included through 2008.

Notes: (1) Figures exclude intra- and inter-district enrollments and a small number of students listed at residentially unlocatable addresses such as PO boxes. (2) Color codes for by-grade student totals are: red = 900s, pink = 800s, rust = 700s, orange = 600s, yellow = 500s, green = 400s, blue = 300s, lavender = 200s

counts in the 600s, there are now none with 600s, only one in the 700s, three in the 800s and one (the current kindergarten) at nearly 1,000. Those five grades added over 900 students since 2006. Although the Fremont area, unlike the others, has a tendency to have student totals by grade that decline as each class graduates upward, that still will be insufficient to offset, over time, the differences between these much larger K-4 numbers and those now in 9-12. If you follow the boxed numbers for Fremont through the grades, you will see examples of 771 in K graduating forward to 756 in fourth (-2%) and 606 in fourth graduating upward to 523 in ninth (-14%). Applying the latter rate to those 756 students now in fourth results in 652 ninth graders five years from now, with much larger ninth grade numbers immediately thereafter. The 828 now in third, for example, would become almost 700 and the 985 now in K would become over 800.⁸ Compare those to current 9-12 counts for Fremont that are only between 460 and 527.

Moderately smaller but still consequential lower-grades growth has occurred in the Homestead and Cupertino regions. Homestead in 2006 had a relatively flat resident student distribution through the grades, with most counts in the upper 400s and lower 500s. Subsequent kindergarten growth has created K-4 figures that are now all in the upper 500s and lower 600s. These amounts should increase further as those classes graduate upward, since that is a clear pattern in this attendance area, including having the largest jump between eighth and ninth of the five regions. Adding up to 17% to those K-4 amounts will create much larger 9-12 numbers in the long run.

Cupertino High's region, while having more modest kindergarten growth, did have the largest resident K-12 rise (by 1,100) since 2006. There are now more students in every grade than five years ago, with a distributional slant that has graduated upward. Three of the high school grades previously had totals in the 300s, but now all are in the 400s. More notably, however, is that the highest grade containing over 500 students has graduated from second in 2006 to seventh today, with all the grades below seventh now having over 550. This means that the big impact on the high school grades is now closer for Cupertino than in the other high school regions.

In this same period that the Fremont and Cupertino regions were adding over 1,000 students each (in K-12) and Homestead's gained nearly 700, the Monta Vista and Lynbrook totals declined. With the sole exception of twelfth for Monta Vista, the counts now in each of grades 8-12 are lower for both of these regions than in 2006. Monta Vista's area also has fewer students now in seventh and eighth (in the 500s) than in any high school grade (which are all in the 600s, with the largest being the 655 in twelfth). This is the main reason that Monta's Vista resident high school numbers significantly decline in the next two years. Lynbrook's changing pattern is less obvious, with slightly larger amounts now in sixth and seventh than in 2006, but the K-5 total is down a little from five years ago and the expected kindergarten count next year (for ninth graders is 2021) is lower, based on the corresponding local birth data from 2007, with further birth reductions in 2008 through 2010 in the Lynbrook region. Those birth figures suggest continued decline in the Lynbrook resident high school total after 2021.⁹

Recent Resident Student Population Changes in Existing Housing

All of the trend findings from areas of mainly "existing" (pre-2006) housing have been updated for this study, including by several value classifications of established single-family-detached ("SFD") and attached ("ATT", for apartment, condo, townhouse and plex) residential units. This housing category information is presented in summary in Tables 4 and 5 and with greater detail in Appendix B. It is all based on aggregates of the relevant student population counts in the 491 planning areas that we are now analyzing the data by for your district.

These existing housing figures have been compiled separately by the SSD and CUSD regions because of trend differences between similar dwellings in those respective locations.

⁸ These rates of change also exclude the rising impact that new housing will have in the Fremont area, which will reduce those percentage declines in the net student totals graduating upward through the grades.

⁹ These birth data findings are discussed in more detail in the forecast study reports provided to the SSD and CUSD.

Table 4A: Most Significant Resident Student Population Trends in Existing Housing by Residential Category*

Elem. District Region	Existing Residences (built before 2006)		Early Oct. of	Students in K-8	K-8 Resident Student Pop. Change Since		Students in 9-12	9-12 Resident Student Pop. Change Since	
	Type**	Category***			Prior Year	Oct. 2008		Prior Year	Oct. 2008
SSD	SFD	All Existing	2008	3,074			1,342		
			2009	3,044	-30		1,381	39	
			2010	3,019	-25		1,314	-67	
			2011	3,025	6	-49	1,282	-32	-60
	ATT	Most Affordable	2008	1,475			505		
			2009	1,479	4		496	-9	
			2010	1,598	119		571	75	
			2011	1,653	55	178	623	52	118
	All Existing (incl. Most Affordable)	2008	2,455			909			
		2009	2,573	118		888	-21		
		2010	2,787	214		981	93		
		2011	2,813	26	358	1,054	73	145	
CUSD	SFD	All Existing	2008	10,870			5,349		
			2009	10,929	59		5,297	-52	
			2010	11,041	112		5,227	-70	
			2011	11,082	41	212	5,218	-9	-131
	ATT	Most Affordable	2008	900			483		
			2009	960	60		504	21	
			2010	982	22		535	31	
			2011	978	-4	78	542	7	59
	All Existing (incl. Most Affordable)	2008	6,215			2,231			
		2009	6,566	351		2,208	-23		
		2010	6,772	206		2,333	125		
		2011	6,987	215	772	2,366	33	135	

* These are aggregate counts of planning areas with virtually no new housing units added since September 2006.

** "SFD" = single family detached homes; "ATT" = Attached, including condo, townhouse, apartment & duplex-fourplex units

*** Categories are for subjective assignments by EPC of the dominant housing situation in each area; areas without a dominant type are excluded. Students from areas with a mix of pre-2006 and more recently built units are also excluded.

Note: A few student counts have changed notably by category since our last study due to the reclassification of some planning areas from "mixed type" to "ATT" in the Sunnyvale SD region.

Understanding the Data in Tables 4A and 4B

Table 4A contains student totals from 2008 through 2011 from areas with virtually no housing units added since September 2006. The counts are provided in K-8 and 9-12 in this table. Having figures for both of those groups shows how the student population is evolving, in terms of getting older or younger on average. "All Existing" SFD homes in the CUSD, for instance, provided 212 more K-8 students (+2%) and 131 fewer 9-12 students (-2%) over the last three years (see top group of the CUSD section of Table 4). There was thus a distribution shift toward the elementary grades, which indicates that the current families have younger children on average (through turnover and/or new housing). This has the converse impact of a greater potential for 9-12 growth in the long run.

Table 4B has a similar structure to 4A but differs by comparing the recent impacts of new vs. existing housing.

Table 4B: Comparison of Recent Student Population Changes between Areas of Existing and New Housing

District Region	Subject	Oct. of	Students in K-8		Pop. Change Since		Students in 9-12	Pop. Change Since	
			Prior Year	Oct. 2008	Prior Year	Oct. 2008			
SSD	Existing Dwellings*	2008	6,106				2,508		
		2009	6,204	98			2,514	6	
		2010	6,400	196			2,547	33	
		2011	6,488	88	382		2,606	59	98
	New Dwellings**	2008	44				20		
		2009	56	12			24	4	
		2010	71	15			25	1	
		2011	82	11	38		29	4	9
CUSD	Existing Dwellings*	2008	17,214				7,644		
		2009	17,622	408			7,569	-75	
		2010	17,951	329			7,634	65	
		2011	18,211	260	997		7,666	32	22
	New Dwellings**	2008	135				35		
		2009	189	54			54	19	
		2010	249	60			68	14	
		2011	269	20	134		91	23	56

* "Existing" figures are aggregate counts of areas with virtually no net increase in housing units since September 2006. This includes a few students in residual categories not shown in Table 4A, such as mixed-type and mainly non-residential areas.

** "New" figures are from areas with consequential net numbers of housing units first occupied since September 2006 and can include a few students from older units.

Note: Figures are for students enrolled in the three relevant districts and exclude both incoming inter-district students and students listed at residentially unlocatable addresses such as PO boxes.

Key Findings Related to the Data in Tables 4A and 4B

The recent FUHSD enrollment gains came almost exclusively from "existing" (pre-2006) ATT dwellings. New housing did contribute some students, but that was more of an immediate factor for the feeder districts. Greater impact should occur in the future as that student population rises over several years of occupation, which is the norm from new housing in this and most other districts. For the FUHSD growth specifically between 2008 and 2011, however, the established attached units provided a net of 280 more students while new housing generated just 65. Mixed-type areas of older dwellings added 31 (mainly from ATT units)¹⁰ and areas of existing SFD homes, in aggregate, provided 191 fewer students.

It is interesting to note that this 9-12 student growth in existing attached housing came more from units in the SSD (145 students) than the CUSD (135). This is despite there being more than twice as many students from such units in the CUSD. The growth ratio in K-8, however, is close to that two-to-one, CUSD-to-SSD difference, with 772 and 358 students having been added to existing ATT units in those two respective regions. These dwellings are in the Fremont and Homestead attendance areas in the SSD and are mainly in the Fremont, Homestead and Cupertino areas in the CUSD, with corresponding recent and future impacts on those locations.

One comment should be made about the 212 additional K-8 students from SFD homes in the CUSD: this rise occurred in the northern and northeastern parts of the CUSD. This will have a future impact on the same three attendance areas listed directly above.

¹⁰ This mixed-type count differs from the sum of what is shown in Appendix B1 because the latter excludes some value levels.

Average Student Grade-to-Grade Advancement Rates from Existing Housing

The following text is repeated from our past reports. Readers already familiar with how to interpret this data thus may want to proceed to the subsection titled "*Key Findings Related to the Data in Table 5*" (below).

Grade-to-grade "advancement" rates are calculations of the change in the number of students in each grade as they "graduate" into the next grade in the next school year. These rates are most applicable to an accurate forecast when they are determined specifically for students from existing housing. Usually such rates are averaged over the last several years within each single-grade advancement to avoid giving too much influence to nuances that may have occurred in any year.

For this study, we have again determined the average over the last four years, with a slight weighting added for the final year of change. These rates are then evaluated for their likelihood to continue, by degree, through the forecast period.¹¹

Understanding the Data in Table 5

The rates entering each high school grade are shown in bold on the right side of Table 5 (on page 12). In the "Affordable to Modest" SFD group in the SSD region, for instance, the boxed "1.03" rate entering ninth grade means that, on average, a net of 103% of the eighth grade population in one year became ninth graders a year later from the same homes. That rate (a 3% increase) is then evaluated for its likelihood to continue, by degree, in the forecast.

The cumulative rates shown in the middle columns of Table 5 are the result of a compounding of the individual grade-to-grade rates from first to eighth. These figures identify the net aggregate change, from the same housing units, in each student body class as it graduates upward through all of the elementary grades.¹² Again using the "Affordable to Modest" SFD group within the SSD as an example, the "0.74" from 2007 to 2011 means that 100 students in first grade in one year would become 74 students seven years later in eighth grade (i.e. a 26% reduction), if these rates continue. These cumulative figures are a good indication of the net effect that families moving in and out of the districts are having on the K-8 enrollments and the subsequent high school populations.

Key Findings Related to the Data in Table 5

While the CUSD's cumulative rates in "Most Affordable" ATT and "Originally Affordable or Modest" SFD continue to be among the highest that we have calculated, they did come down from even higher levels in our last study. These rates have declined from 1.47 to 1.38 and 1.42 to 1.34, respectively. The "normal range" rates in those categories, however, are only 0.75 to 1.15 in other client districts. The economic situation, with more families needing to relocate into such housing while still staying in the CUSD, evidently is contributing to this pair of high rates. Further reduction is likely, due to both (1) the large numbers of students in the lower grades (i.e., applying such rates to already significant counts leads to unrealistically large totals) and (2) an improving economy.¹³

¹¹ Although these rates can be viewed as a more precise, by-grade identification of the trends discussed in the previous section, there is one key exception: the Table 4 figures also change due to differences between the populations entering the lowest grade (kindergarten in K-8 and ninth in 9-12) and graduating from the highest.

¹² See Appendix B3 for the data in each K-8 grade. The rates entering first and ninth grades are excluded from this cumulative calculation because those are impacted by students coming from private schools. The latter factor, while important, is a separate issue from identifying the changes caused mainly by housing turnover.

¹³ Having the least expensive SFD and ATT homes provide the highest cumulative rates is the reverse of the norm. These are the smallest units, on average, in the SFD and ATT types, with generally tiny bedrooms and relatively affordable prices, which should give them a continuing concentration of young families. The reason is that as each family gets older, some of them will increase their incomes sufficient to move into larger units and they are then replaced in their former homes by, on average, younger families. This creates cumulative rates that, at least until recently, usually are below 1.00 (100%) in such dwellings.

Table 5: Summary of Resident Student Grade-to-Grade Advancement (Cohort Survival) Rate Findings in Existing Housing

Neighborhoods of Existing Residences* Region	Type**	Current Students Enrolled in the two ESDs and FUHSD	Cumulative Rates from 1st to 8th***					Four-Year Weighted Avg. Rate at which Net Number of Stu. Advanced from Prior Grade to this Grade in Oct. Each Year****				
			2003 to 2007	2004 to 2008	2005 to 2009	2006 to 2010	2007 to 2011	2003 to 2007 9th	2007 to 2011 (This Study)			
				9th	10th	11th	12th					
SSD	SFD - Affordable to Modest	2,318	0.97	0.91	0.86	0.82	0.74	1.02	1.03	1.00	0.97	0.95
	SFD - Moderate to Upper Income	1,939	1.05	1.04	1.03	0.94	0.92	1.16	1.16	1.00	1.01	0.98
	ATT - Most Affordable	2,276	0.86	0.86	0.84	0.98	1.01	1.01	1.01	1.07	0.98	1.00
	ATT - All Other	1,591	0.72	0.72	0.76	0.79	0.74	1.09	1.13	1.02	1.01	1.03
CUSD	SFD - Originally Affordable to Modest	1,717	1.20	1.35	1.35	1.42	1.34	1.06	1.06	1.00	0.98	0.99
	SFD - Moderate to Upper Income	14,583	1.22	1.19	1.21	1.20	1.21	0.99	0.99	1.00	0.99	1.00
	ATT - Most Affordable	1,520	1.30	1.34	1.46	1.47	1.38	1.10	1.18	1.03	1.01	0.93
	ATT - All Other	7,833	1.01	0.94	0.91	0.82	0.81	1.05	1.00	1.02	0.97	0.96

* These are areas with virtually no net added housing units since Sept. 2006 for latest studies and Sept. 2001 in earlier studies.

** "SFD" is for single-family detached homes and "ATT" covers attached units, including apartments, condos, townhouses and plexes. Value levels are based on EPC evaluation of the dominant housing situation in each planning area. The totals in these levels may not sum to aggregate SFD and ATT figures shown elsewhere because of a small number of students in mixed-value SFD or ATT areas.

*** This is the portion of the number of students in any one year in first grade that would be in eighth grade seven years later using these rates. The "0.74" from "ATT - All Other" in the Sunnyvale SD region, for instance, means that, on average, there would be 74% as many eighth graders (i.e., -26%) in these same homes as there were first graders seven years earlier.

**** For example, the boxed "1.18" entering ninth grade from "ATT - Most Affordable" in the Cupertino USD region means that the student population rose by an average of 18% in graduating from the eighth to ninth grade from the same housing units over the last four years, except that the rate of change in the latest year has been weighted at 150% in the calculations.

Notes: (1) Advancement rates shown are the actual calculated rates. These have been modified where warranted in the forecast. (2) ATT figures in the SSD region have been recalculated for all data periods based on the reassignment of some planning areas from "mixed type" to ATT (because nearly all students in those areas come from ATT units there).

Also questionable to continue is the 18% student jump as each class graduates from eighth to ninth from the "Most Affordable" ATT units in the CUSD region. Clearly the desirability of the corresponding FUHSD schools is the main source of this growth, with families of modest means moving into those units as the only way they can afford to get their children into those schools. But this situation is true for the underlying CUSD feeder schools as well, and applying dramatically gaining cumulative rates to what are already huge student numbers in the lower grades, and then adding another 18% on top of that entering ninth grade, would result in too many students over time. (Having a high student ratio in every studio and one-bedroom unit is not a reasonable expectation.) The forecast therefore includes a gradual easing of these rates, which still creates significant student growth.

A different situation is occurring in the SSD, with cumulative rates in the SFD groups that have continued to decline. This surprised us. The weighted four-year average in the "Affordable to Modest" detached homes fell from 0.97 four years ago (i.e., covering the period from 2003 to 2007) to 0.91 in the next study, then 0.86 and 0.82 for the following studies and just 0.74 in this update. That latest calculation is below our broad "normal range" findings of 0.75 to 1.15 from similar housing elsewhere. Also continuing to fall is the cumulative rate from the SSD's more expensive detached homes. After having been consistently above 1.00 (100%) in our studies prior to last year, the figure dropped to 0.94 in our previous update and then even further to 0.92 for this study. While that is still within the latest normal range for that housing group, it is lower than we would expect from such neighborhoods in attendance areas of high-API-scoring SSD schools (which is where most of these homes are located in the SSD).

We suspect that increased attendance at private K-8 schools is a factor in these declining SFD cumulative rates in the SSD. The 16% gain entering ninth grade from the higher priced detached homes supports that suspicion, so that rate is feasible to continue. This impacts Homestead in particular.

It is important to note that all of the aforementioned categories have relatively small student totals (i.e., fewer than 2,400 each; see leftmost column in Table 5), while the two largest-population groups have more reasonable rates. Moderate to expensive SFD homes in the CUSD, with over 14,500 students attending that district or the FUHSD, had a stable cumulative rate of about 1.21 and essentially a 100% graduation rate (specifically 0.99) entering ninth grade. The modest to high priced ATT units in the CUSD, with more than 7,800 students, had lower cumulative and ninth grade rates in the updated calculations, compared to some prior determinations, but those latest figures are realistic to be ongoing.

Caveat to the Data in Table 5

To restate from our last report: Some figures in Table 5 represent categories that are in both the Fremont High region and other attendance areas, but merging such data hides a tendency for lower rates in the former. Every major dwelling group in the SSD and CUSD had fewer net students graduating into ninth grade from within the Fremont High region than from comparable residences in the other high school areas (in aggregate in recent years). Some of the cumulative rates are also significantly lower from the Fremont High neighborhoods. The updated forecast numbers factor in these trend differences.

Projected Impacts of New Housing

New dwellings impact the enrollment through a combination of (1) the number of residences expected in the various housing types, by year and location, and (2) the projected number of students in each of those units. These two components are discussed in the following italicized subsections. Most of the text below (other than the updated rates) is repeated from past reports, so some readers may want to skip to "*Projected New Housing Amounts*" on page 15.

Average Student Generation Rates (SGRs) from Recently Built Housing

Student generation rates are the average rates at which residences "yield" students, such as one student in every two homes (a 0.50 SGR). Public school SGRs usually are calculated by identifying the number of students in a sufficiently large unit sample from the local area. SGRs identified from recently built housing are often considered the best estimation of what similar future homes will generate, at least in the first few years of occupation.

The rates identified from recently built housing are often considered the best estimation of what similar future homes will generate, at least in the first few years of occupation. Several of these SGR categories were again determined necessary (and have been updated) for the projections. Two pairs of these categories are for the same housing classifications, but within the separate SSD and CUSD regions. The categories are:

- (1) "SFD and SFA" - tracts of mostly market-rate, single-family-detached (SFD) and comparable attached (SFA) homes (i.e., large plex units with attached two-car garages) [split into SSD and CUSD sections]
- (2) "Regular ATT" - all non-SFA attached (ATT) housing developments with a majority of market-rate units [split into SSD and CUSD sections]
- (3) "BMR ATT" - attached complexes with at least 50% of the units offered at below-market rates (i.e., affordable to occupants with annual incomes below a certain level, such as 80% of the median income); this excludes motel-like "SRO" BMR projects [for all of the FUHSD, including in both ESDs]

These SGRs for FUHSD students differ based on the feeder district location, with new homes in the CUSD area consistently having higher rates in both K-8 and 9-12. A sample of 107 recently built "SFD and SFA" homes in the SSD currently provides nine FUHSD-enrolled students.¹⁴ That translates into a 9-12 SGR of 0.08 (see "box" in the top row of Table 6), or the rounded equivalent of eight students in every 100 such new residences. The 329 recent "SFD and SFA" dwellings sampled in the CUSD, by contrast, provide 70 FUHSD students for a 0.21 SGR (i.e., more than double the rate in the SSD for comparable residences). And the 0.64 SGR for grades K-8, from three times as many students than are now in 9-12, suggests an eventual rise in this high school SGR.

Table 6: Student Generation Rates (SGRs) from Recently Built Housing

Elementary District Region	Category of Recently Built Housing*	Sampled Housing Units	Actual October 2010 Students Enrolled in the Respective Districts				Current SGR (rounded)		
			K-2	3-5	6-8	9-12	K-8	9-12	K-12
Sunnyvale	SFD and SFA	107	5	5	4	9	0.13	0.08	0.21
	Regular ATT	2,274	60	41	24	49	0.05	0.02	0.08
Cupertino	SFD and SFA	329	72	71	67	70	0.64	0.21	0.85
	Regular ATT	590	69	49	42	50	0.27	0.08	0.36
All Areas	BMR ATT (non-SRO)	64	6	7	8	11	0.33	0.17	0.50

* "SFD" = single family detached
 "SFA" = single family attached, for modern large (1500+ s.f.), individually owned townhouse and plex units with 2-car garages
 "Regular ATT" (attached) = apartment, condominium and traditional townhouse and plex units
 "BMR" = developments with most units at below-market-rates (excludes single-room-occupancy developments)

Note: Samples include the latest completed developments (by planning area) and exclude tracts opened before 2002, with the exception of including apartments opened in 2000 and 2001 for a sufficiently diverse Reg. ATT sample in Sunnyvale SD region.

¹⁴ The unit total in some SGR categories, including "SFA and SFA" in the SSD, are lower than before because many previously included residences are now considered too old.

There is also a difference between the two "Regular ATT" samples. There are just 49 FUHSD students coming from an updated sample of 2,274 such units in the SSD, for a 0.02 SGR in grades 9-12. Although this may sound low to some readers, such an SGR is not out-of-line with our findings from new ATT complexes in comparable elementary district regions and settings. Many of these modern ATT developments have higher percentages of studios, one-bedroom and smaller two-bedroom units than in the attached housing developments built prior to the 1980s. They also tend to be designed more for singles and childless couples, with features such as weight rooms and spas but only minimal "green" areas for children. As a result, even though this 0.02 SGR could (and should) increase after several years of occupation, we are confident that it will never approach the SGR level of the average older ATT development. The 9-12 SGR in 590 sampled recent "Regular ATT" units in the CUSD, on the other hand, is currently at 0.08 (from 50 FUHSD students). The 0.27 K-8 SGR in those dwellings (i.e., over three times higher) indicates that this 9-12 SGR will rise in the next few years.

A limited sample of 64 "BMR ATT (non-SRO)" units in the FUHSD currently has 11 district students, for a 0.17 SGR. This is the equivalent of essentially one FUHSD student in every six new units.

Projected New Housing Amounts

The following paragraphs cover the elementary feeder regions separately, with information provided in reports to each of those districts essentially copied here. This provides consistency between the reports. Readers who do not need a listing of the major projected sites can proceed to the last paragraph of this subsection (on page 17).

The local market for new dwellings continues to improve. Several South Bay communities had increased activity in the last 18 months and inquiries for future sites have accelerated in 2011. The two jurisdictions with perhaps the most under-construction and planned housing developments are in the Cities of Sunnyvale and Milpitas, which have similar demographics and employment situations, along with multiple sites suitable for new homes.

The SSD region, especially the Fremont High part, contains most, but not all, of the major potential City of Sunnyvale sites. (Several others are in Santa Clara Unified.) This includes six developments that have either active or pending construction, all of which are in the Fremont attendance area. The largest is a 290-unit high-rise at the northeast corner of Tasman and Fair Oaks. Although completed this summer, only a small percentage of those units had been occupied as of October 1, 2011. The majority should be occupied by next fall and the rest shortly thereafter. A couple of blocks west of that is a townhouse development on the east side of Morse Avenue. That had just finished construction in October 2011, with approximately eight units occupied. The other 40 units should be sold in the next year. And just south of that is a newly approved development of 17 townhomes that could be finished by the fall of 2013. There are two additional active projects in the vicinity, including 222 townhouses in the "Fusion" development on the south side of Duane near De Guigne. We are projecting 77 will be occupied as of next October 1 and the rest in the following two years. The other nearby development has 24 ATT units now being built, plus 10 more pending, on easternmost Taylor Avenue. The sixth major development with occupancies likely by 2013 is on the former Town and Country site. The first of those 280 condos could be occupied in 2013. Along with a couple of small SFD developments, the result is a projected total of 290 additional housing units occupied in each of the next two years in the SSD (see Table 7 on page 16).

The main SSD activity thereafter should be concentrated in two locations: (1) south and west of "Fusion" and (2) near the Town Center. Each of those vicinities could have over 700 new housing units by 2021, and both are in the Fremont High attendance area. Along with scattered smaller developments elsewhere, including a few with 200-300 units each, there are a total of 3,140 new residences forecast in the next decade in the SSD region.

There are only 14 new residences, in scattered small developments, expected in the CUSD region this year (i.e., in the twelve months to October 1, 2012) and just three large complexes are forecast in the following four years (to 2016). The first of those major developments is the long-stalled "Rose Bowl" site (next to Wolfe Road by JC Penney). That is going through the city permit process for a redesign, but the total of 204 Regular ATT units should remain. Half of those are projected to be occupied in 2013 and the balance in the following year. The

ATTACHMENT G
Page 20 of 33

Projected Enrollments from 2011 to 2021

Fremont Union High School District

Table 7: Projected New Housing Units (excludes housing restricted to seniors)*

Current Attend. Area	Housing Category	ESD Region	Projected Net Additional Units in 12 Months to October 1 of										Total	
			2012	2013	2014	2015	2016	2017	2018	2019	2020	2021		
Fremont HS	Regular ATT	SSD	287	287	292	290	294	290	290	290	290	290	290	2,900
	Regular ATT	CUSD	0	0	0	0	0	40	70	30	0	0	0	140
	BMR ATT	SSD	0	0	0	0	0	25	25	0	0	0	0	50
	SFD & SFA	SSD	3	2	2	1	2	4	4	4	4	4	4	30
	SFD & SFA	CUSD	5	10	9	1	3	2	1	1	0	0	0	32
	Total		295	299	303	292	299	361	390	325	294	294	3,152	
Homestead HS	Regular ATT	SSD	0	0	0	0	0	0	15	35	25	25	100	
	Regular ATT	CUSD	0	0	0	0	0	0	10	50	30	30	120	
	BMR ATT	SSD	0	0	0	0	0	0	0	10	20	20	50	
	SFD & SFA	SSD	0	1	1	4	4	0	0	0	0	0	10	
	SFD & SFA	CUSD	0	0	0	2	0	1	3	1	2	1	10	
	Total		0	1	1	6	4	1	28	96	77	76	290	
Monta Vista HS	Regular ATT	CUSD	0	0	0	0	1	9	0	0	0	0	10	
	BMR ATT	CUSD	0	0	0	2	2	0	0	0	0	0	4	
	SFD & SFA	CUSD	3	6	18	14	13	4	6	8	10	11	93	
	Total		3	6	18	16	16	13	6	8	10	11	107	
Cupertino HS	Regular ATT	CUSD	2	102	102	107	106	8	0	0	50	50	527	
	BMR ATT	CUSD	0	0	0	0	0	8	8	0	0	0	16	
	SFD & SFA	CUSD	4	0	0	2	0	0	0	0	0	0	6	
	Total		6	102	102	109	106	16	8	0	50	50	549	
Lynbrook HS	Regular ATT	CUSD	0	0	0	0	0	33	0	0	0	0	33	
	BMR ATT	CUSD	0	0	0	0	0	0	0	0	0	0	0	
	SFD & SFA	CUSD	0	0	0	0	0	5	2	2	0	0	9	
	Total		0	0	0	0	0	38	2	2	0	0	42	
Sunnyvale SD	Regular ATT	SSD	287	287	292	290	294	290	305	325	315	315	3,000	
	BMR ATT	SSD	0	0	0	0	0	25	25	10	20	20	100	
	SFD & SFA	SSD	3	3	3	5	6	4	4	4	4	4	40	
	Total		290	290	295	295	300	319	334	339	339	339	3,140	
Cupertino USD	Regular ATT	CUSD	2	102	102	107	107	90	80	80	80	80	830	
	BMR ATT	CUSD	0	0	0	2	2	8	8	0	0	0	20	
	SFD & SFA	CUSD	12	16	27	19	16	12	12	12	12	12	150	
	Total		14	118	129	128	125	110	100	92	92	92	1,000	
Fremont UHSD	Regular ATT	(all)	289	389	394	397	401	380	385	405	395	395	3,830	
	BMR ATT	(all)	0	0	0	2	2	33	33	10	20	20	120	
	SFD & SFA	(all)	15	19	30	24	22	16	16	16	16	16	190	
	Total		304	408	424	423	425	429	434	431	431	431	4,140	

* from site-specific projections that are based on EPC fieldwork and information from the relevant city planning departments

second large projected development is on a site just east of the "Rose Bowl" and is called "Main Street". Those approximately 120 housing units are forecast in 2014 and 2015. The third large project expected within the next five years is on the south side of Stevens Creek Blvd. just west of Blaney Avenue. A total of 93 apartments are forecast there in 2015 and 2016. All three of these developments are in the Cupertino High attendance area.

The new housing projections from 2016 to 2021 in the CUSD include ATT developments in the Homestead (two sites totaling 120 units), Fremont (two sites totaling 140 units) and Cupertino (one site with 100 units) attendance areas. Those, plus small infill developments, result in a forecast of 1,000 new residences in the next decade.

These projected units in the SSD and CUSD regions total to 4,140 residences, of which 76% are in the Fremont High attendance area. Most of the latter, however, are in the low yielding "Regular ATT" category in the SSD. This new housing is forecast to provide 213 FUHSD students in 2021 (see lowest data row of Table 1 on page 3).

Concluding Commentary

The two toughest judgment "calls" continue to be the extents of growth and decline in the Fremont and Lynbrook attendance areas, respectively. Lynbrook's region has relatively few ATT units, which are the principal source of the recent enrollment growth in the district. The new housing amounts, both recently built and in the forecast, are nominal for Lynbrook. This is an attendance area dominated by SFD homes that are several decades old, with relatively low SGRs indicating a generally older population. We have looked for signs of residential turnover bringing in more families of school-age children, but that is not evident to date. The latest birth data for that part of the FUHSD instead indicates further decline in the pending kindergarten populations (and thus Lynbrook enrollments after 2020, on top of the drop that will be caused by the kindergarten cutoff date shift). Could we be too pessimistic in our forecast for Lynbrook? The answer is yes, especially if more student-generating turnover occurs in the future. But that attendance area clearly will have fewer resident high school students than the already low current total. And any increase in the Lynbrook numbers (i.e., less of a drop than is projected) obviously would add to the significant expected district-wide growth.

The huge rise projected for the Fremont High attendance area also may be, nonetheless, too conservative. The public (everywhere; not just in the FUHSD) has become focused on API scores on the web for deciding where to live and whether to have their children attend regular public schools, charter public schools or private schools. The student population trends in the Fremont attendance area reflect this issue. Fremont's slightly lower API scores, compared to the other FUHSD schools, are a factor in that attendance area's trend to both (1) lose some students, in net, as each class graduates from kindergarten to eighth and (2) have lower SGRs from new housing.¹⁵ If Fremont's API scores rise notably in the future, however, which is a realistic possibility, then those Fremont-specific tendencies should lessen, resulting in more students enrolled in that school in the long run.

Sincerely,

{Signature not provided with electronic PDF version}

Thomas R. Williams, principal demographer for Enrollment Projection Consultants

¹⁵ A similar impact is occurring because of the relatively low API scores for some of the SSD schools (especially Columbia Middle) that are in the Fremont High attendance area. Any increase in those scores could add to the student population throughout K-12.

Appendix A1: Actual October 2011 Resident Populations versus Attending Enrollments

High School	Category	Actual Oct. 2011 Feeder ESD and FUHSD Students, incl. SDC and NPS*							9-12 Total
		6	7	8**	9	10	11	12	
Fremont	Attendance				506	532	498	453	1,989
	Resident Population	588	548	536	523	527	505	460	2,015
	Net Difference (A-R)				-17	5	-7	-7	-26
Homestead	Attendance				594	582	587	550	2,313
	Resident Population	558	532	532	599	579	582	536	2,296
	Net Difference (A-R)				-5	3	5	14	17
Monta Vista	Attendance				602	606	634	659	2,501
	Resident Population	615	527	576	607	613	637	655	2,512
	Net Difference (A-R)				-5	-7	-3	4	-11
Cupertino	Attendance				496	490	464	437	1,887
	Resident Population	558	512	491	497	483	459	430	1,869
	Net Difference (A-R)				-1	7	5	7	18
Lynbrook	Attendance				468	439	447	425	1,779
	Resident Population	429	410	423	426	432	432	397	1,687
	Net Difference (A-R)				42	7	15	28	92
Community NPS	Attendance (no Res. Pop.)				0	5	4	4	13
	Attendance (no Res. Pop.)				2	3	6	3	14
Total	Attendance				2,668	2,657	2,640	2,531	10,496
	Resident Population	2,748	2,529	2,558	2,652	2,634	2,615	2,478	10,379
	Net Difference (A-R)***				16	23	25	53	117

* Attendance figures exclude eighth graders taking classes at the high schools. There are only 14 current NPS students in 9-12.

** The change from last year's 8th grade total to the current total in 9th was -4% at FHS, +10% at HHS, +1% at MVHS, +4% at CHS and +8% at LHS. These percentages are all notably different from those in the previous year (-9%, +14%, +4%, -2% and +1%, respectively, from Oct. 2009 in 8th to Oct. 2010 in 9th).

*** Total net difference is 102 incoming inter-district students (outgoing amount not calculated) and 15 students listed at unlocatable addresses.

Notes: Students enrolled in Middle College, College Advantage, Horizon, New Start, Vista and Young Parent programs are included in the attendance numbers for the five regular high schools.

Appendix A2: Projected October 2012 Resident Student Populations and Potential Attending Enrollments if Current Intra- and Inter-District Levels continue Next Year (graduated up by one grade with adjustments for both advancement rates and special schools)*

High School	Category	Projected Oct. 2012 Feeder ESD and FUHSD Students, incl. SDC**							
		6	7	8	9	10	11	12	9-12 Total
Fremont	Resident Population	619	586	541	521	529	521	504	2,075
	Potential Net Adjustment				-17	-17	5	5	-24
	Potential Attendance				504	512	526	509	2,051
Homestead	Resident Population	525	566	531	589	606	575	575	2,345
	Potential Net Adjustment				-5	-5	3	10	3
	Potential Attendance				584	601	578	585	2,348
Monta Vista	Resident Population	592	617	523	585	605	604	631	2,425
	Potential Net Adjustment				0	-5	-5	2	-8
	Potential Attendance				585	600	599	633	2,417
Cupertino	Resident Population	582	561	509	510	499	480	451	1,940
	Potential Net Adjustment				-1	-1	7	10	15
	Potential Attendance				509	498	487	461	1,955
Lynbrook	Resident Population	370	435	411	437	426	428	430	1,721
	Potential Net Adjustment				39	39	7	20	105
	Potential Attendance				476	465	435	450	1,826
Community NPS	Attendance (extrapolated)				0	4	5	4	13
	Attendance (extrapolated)				2	2	4	6	14
Total	Resident Population	2,688	2,765	2,515	2,642	2,665	2,608	2,591	10,506
	Projected Net Adjustment***				18	17	26	57	118
	Attendance				2,660	2,682	2,634	2,648	10,624

* This information is provided to assist the FUHSD in planning for individual school enrollments. District decisions based on both these numbers and many other factors will almost certainly alter the actual net adjustments that will occur for each school.

** Potential attendance figures exclude eighth graders taking classes at the high schools.

*** Projected total net adjustment is 100 incoming inter-district students and 18 students listed at unlocatable addresses. The former is based on recent FUHSD averages of (1) accepting around 50% as many 9th grade inter-district students as had been enrolled as 8th graders the year before in the ESDs; (2) the same inter-district amount in 10th as was in 9th the year before; (3) about three more inter-district students in 11th, compared to the amount in 10th the year before; and (4) about 32 more inter-district students in 12th, compared to the amount in 11th the year before, presumably via "senior privilege"; but with all of those differences fine-tuned as necessary to match the aggregate forecast. The actual levels, however, easily could be modified by District decisions, such as to accept more students to maintain enrollments.

Notes: (1) Students enrolled in Middle College, College Advantage, Horizon, New Start, Vista and Young Parent programs are included in above attendance numbers for the five regular schools. (2) This is the first year with NPS students included in 9-12. (3) The projections have hidden fractional amounts, so the totals shown here may not exactly match those in other tables.

Appendix B1(a): Detail for Table 4 on Student Trends in Existing Housing
Findings in the Sunnyvale SD Section from Sunnyvale SD and Fremont Union HSD Students

Classification of Existing Dwellings*		Oct. of	Total in K-8	K-8 Change Since 2006 (Amount)	Total in 9-12	9-12 Student Pop. Change Since		
Type**	Category***					Prior Year (Amount)	Oct. 2006 (Amount)	Oct. 2006 (Percent)
SFD	Relatively Affordable	2006	204		98			
		2007	212		109	11		
		2008	215		106	-3		
		2009	195		110	4		
		2010	185		98	-12		
		2011	181	-23	97	-1	-1	-1%
Modest		2006	1,558		724			
		2007	1,569		743	19		
		2008	1,535		711	-32		
		2009	1,467		716	5		
		2010	1,428		699	-17		
		2011	1,401	-157	639	-60	-85	-12%
Moderate Income		2006	553		222			
		2007	580		220	-2		
		2008	610		216	-4		
		2009	658		226	10		
		2010	678		195	-31		
		2011	695	142	217	22	-5	-2%
Mid Income through Upper Income		2006	598		333			
		2007	620		338	5		
		2008	680		298	-40		
		2009	692		317	19		
		2010	699		308	-9		
		2011	712	114	315	7	-18	-5%
All SFD Categories (including one mixed-value area)		2006	2,940		1,385			
		2007	3,008		1,420	35		
		2008	3,074		1,342	-78		
		2009	3,044		1,381	39		
		2010	3,019		1,314	-67		
		2011	3,025	85	1,282	-32	-103	-7%

Appendix B1, Page 1 of 4, with footnotes provided in Table 4

Appendix B1(a): Detail for Table 4 on Student Trends in Existing Housing
Findings in the Sunnyvale SD Section from Sunnyvale SD and Fremont Union HSD Students

Classification of Existing Dwellings* Type**	Category***	Oct. of	Total in K-8	K-8 Change Since 2006 (Amount)	Total in 9-12	9-12 Student Pop. Change Since		
						Prior Year (Amount)	Oct. 2006 (Amount)	Oct. 2006 (Percent)
ATT	Most Affordable	2006	1,421		446			
		2007	1,432		480	34		
		2008	1,475		505	25		
		2009	1,479		496	-9		
		2010	1,598		571	75		
		2011	1,653	232	623	52	177	40%
Affordable (counts higher than in past studies due to two reclassified areas to this cat.)		2006	719		284			
		2007	649		276	-8		
		2008	711		258	-18		
		2009	775		260	2		
		2010	828		283	23		
		2011	792	73	295	12	11	4%
Modest through High Amenity		2006	290		156			
		2007	281		156	0		
		2008	269		146	-10		
		2009	319		132	-14		
		2010	361		127	-5		
		2011	368	78	136	9	-20	-13%
All ATT Categories		2006	2,430		886			
		2007	2,362		912	26		
		2008	2,455		909	-3		
		2009	2,573		888	-21		
		2010	2,787		981	93		
		2011	2,813	383	1,054	73	168	19%
Mixed-Type Areas	Relatively Affordable (counts lower than in past studies due to two reclassified areas from this cat.)	2006	367		137			
		2007	408		164	27		
		2008	407		176	12		
		2009	408		166	-10		
		2010	427		165	-1		
		2011	492	125	176	11	39	28%

Appendix B1, Page 2 of 4, with footnotes provided in Table 4

Appendix B1(b): Detail for Table 4 on Student Trends in Existing Housing
Findings in the Cupertino Union SD Section from Cupertino Union SD and Fremont Union HSD Students

Classification of Existing Dwellings*		Oct. of	Total in K-8	K-8 Change Since 2006 (Amount)	Total in 9-12	9-12 Student Pop. Change Since		
Type**	Category***					Prior Year (Amount)	Oct. 2006 (Amount)	Oct. 2006 (Percent)
SFD	Rapidly Gentrifying Areas of Historically Affordable & Modest (now all values)	2006	1,124		669			
		2007	1,095		652	-17		
		2008	1,083		659	7		
		2009	1,092		647	-12		
		2010	1,122		616	-31		
		2011	1,124	0	593	-23	-76	-11%
Originally Moderate Income (now expensive)		2006	829		351			
		2007	882		351	0		
		2008	893		352	1		
		2009	922		379	27		
		2010	985		378	-1		
		2011	1,026	197	376	-2	25	7%
Originally Middle Income (now expensive)		2006	6,087		2,983			
		2007	6,132		3,000	17		
		2008	6,180		2,964	-36		
		2009	6,194		2,926	-38		
		2010	6,260		2,895	-31		
		2011	6,269	182	2,879	-16	-104	-3%
Originally Upper Mid Income (now very expensive) through Highest Income		2006	2,741		1,398			
		2007	2,749		1,392	-6		
		2008	2,714		1,374	-18		
		2009	2,721		1,345	-29		
		2010	2,674		1,338	-7		
		2011	2,663	-78	1,370	32	-28	-2%
All SFD Categories		2006	10,781		5,401			
	2007	10,858		5,395	-6			
	2008	10,870		5,349	-46			
	2009	10,929		5,297	-52			
	2010	11,041		5,227	-70			
	2011	11,082	301	5,218	-9	-183	-3%	

Appendix B1, Page 3 of 4, with footnotes provided in Table 4

Appendix B1(b): Detail for Table 4 on Student Trends in Existing Housing
Findings in the Cupertino Union SD Section from Cupertino Union SD and Fremont Union HSD Students

Classification of Existing Dwellings* Type** Category***	Oct. of	Total in K-8	K-8 Change Since 2006 (Amount)	Total in 9-12	9-12 Student Pop. Change Since		
					Prior Year (Amount)	Oct. 2006 (Amount)	Oct. 2006 (Percent)
ATT Most Affordable	2006	827		544			
	2007	852		507	-37		
	2008	900		483	-24		
	2009	960		504	21		
	2010	982		535	31		
	2011	978		542	7	-2	0%
Affordable	2006	2,790		916			
	2007	2,818		941	25		
	2008	2,915		969	28		
	2009	2,992		941	-28		
	2010	3,051		986	45		
	2011	3,164		994	8	78	9%
Modest through High Amenity (incl. large plexes)	2006	2,151		694			
	2007	2,293		740	46		
	2008	2,400		779	39		
	2009	2,614		763	-16		
	2010	2,739		812	49		
	2011	2,845		830	18	136	20%
All ATT Categories	2006	5,768		2,154			
	2007	5,963		2,188	34		
	2008	6,215		2,231	43		
	2009	6,566		2,208	-23		
	2010	6,772		2,333	125		
	2011	6,987		2,366	33	212	10%
Mixed-Type Areas Moderate Income through High Amenity	2006	102		53			
	2007	122		62	9		
	2008	129		55	-7		
	2009	127		60	5		
	2010	134		59	-1		
	2011	141		67	8	14	26%

Appendix B1, Page 4 of 4, with footnotes provided in Table 4

ATTACHMENT G
Page 28 of 33

Projected Enrollments from 2011 to 2021

Fremont Union High School District

Appendix B2(a): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category in the Sunnyvale SD Region (with focus on data in the high school grades)

Classification of Existing Dwellings* Type** Category***	Oct. of	K-8 Resident Students enrolled in the SSD	Cumulative Advancement Rate from 1st to 8th****			Resident Students by Grade enrolled in FUHSD and Resultant Avg. 4-Year Rates Entering Each Grade*****				
			This Study	'10-'11 Study	'09-'10 Study	9th	10th	11th	12th	9-12
SFD Relatively Affordable and Modest	2006	1,762				215	207	199	201	822
	2007	1,781				229	220	210	193	852
	2008	1,750				187	222	217	191	817
	2009	1,662				205	187	223	211	826
	2010	1,613				205	206	172	214	797
	2011	1,582				176	207	191	162	736
			0.74	0.82	0.86	1.03	1.00	0.97	0.95	
Moderate through Upper Incomes	2006	1,151				145	133	159	118	555
	2007	1,200				119	146	131	157	553
	2008	1,290				129	114	143	131	517
	2009	1,350				141	130	126	148	545
	2010	1,377				115	143	126	118	502
	2011	1,407				152	114	147	119	532
			0.92	0.94	1.03	1.16	1.00	1.01	0.98	
All SFD Categories (including one mixed-value area)	2006	2,940				361	343	359	322	1,385
	2007	3,008				352	367	344	357	1,420
	2008	3,074				318	340	360	324	1,342
	2009	3,044				351	318	350	362	1,381
	2010	3,019				325	353	298	338	1,314
	2011	3,025				330	327	344	281	1,282
			0.83	0.87	0.92	1.07	1.00	0.98	0.98	
ATT Most Affordable	2006	1,421				118	128	110	90	446
	2007	1,432				136	117	118	109	480
	2008	1,475				129	149	113	114	505
	2009	1,479				121	132	129	114	496
	2010	1,598				155	137	146	133	571
	2011	1,653				174	159	147	143	623
			1.01	0.98	0.84	1.01	1.07	0.98	1.00	
Affordable through High Amenity (all data revised for two areas shifted from "mixed type")	2006	1,009				112	112	120	96	440
	2007	930				95	103	119	115	432
	2008	980				98	92	103	111	404
	2009	1,094				82	107	91	112	392
	2010	1,189				116	89	105	100	410
	2011	1,160				122	114	84	111	431
			0.74	0.79	0.76	1.13	1.02	1.01	1.03	
All ATT Categories (all data revised for two areas shifted from "mixed type")	2006	2,430				230	240	230	186	886
	2007	2,362				231	220	237	224	912
	2008	2,455				227	241	216	225	909
	2009	2,573				203	239	220	226	888
	2010	2,787				271	226	251	233	981
	2011	2,813				296	273	231	254	1,054
			0.89	0.89	0.80	1.05	1.05	0.99	1.01	

Appendix B2, page 1 of 3, with footnotes at the bottom of the final page

Appendix B2(b): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category *in the Cupertino USD Region (with focus on data in the high school grades)*

Classification of Existing Dwellings* Type** Category***	Oct. of	K-8 Resident Students enrolled in the CUSD	Cumulative Advancement Rate from 1st to 8th****			Resident Students by Grade enrolled in FUHSD and Resultant Avg. 4-Year Rates Entering Each Grade****				
			This Study	'10-'11 Study	'09-'10 Study	9th	10th	11th	12th	9-12
SFD Gentrifying Areas that Originally were Affordable or Modest	2006	1,124				161	181	163	164	669
	2007	1,095				151	162	176	163	652
	2008	1,083				172	157	151	179	659
	2009	1,092				163	174	157	153	647
	2010	1,122				138	158	173	147	616
	2011	1,124				121	139	161	172	593
			1.34	1.42	1.35	1.06	1.00	0.98	0.99	
Originally Moderate Income	2006	829				85	87	94	85	351
	2007	882				85	88	89	89	351
	2008	893				92	86	86	88	352
	2009	922				103	95	93	88	379
	2010	985				93	101	89	95	378
	2011	1,026				88	94	101	93	376
			1.10	1.13	1.03	0.99	1.01	1.00	1.00	
Originally Middle Income	2006	6,087				775	739	778	691	2,983
	2007	6,132				726	771	747	756	3,000
	2008	6,180				713	725	773	753	2,964
	2009	6,194				752	699	711	764	2,926
	2010	6,260				721	763	693	718	2,895
	2011	6,269				704	719	754	702	2,879
			1.23	1.23	1.22	0.99	1.00	1.00	1.00	
Upper Middle through Highest Income	2006	2,741				335	346	356	361	1,398
	2007	2,749				335	339	357	361	1,392
	2008	2,714				349	337	332	356	1,374
	2009	2,721				328	351	327	339	1,345
	2010	2,674				337	328	342	331	1,338
	2011	2,663				363	338	329	340	1,370
			1.22	1.17	1.24	1.01	1.01	0.99	1.01	
All SFD Categories	2006	10,781				3280	3565	3936	4100	14,881
	2007	10,858				3383	3532	3943	4026	14,884
	2008	10,870				3333	3689	3848	3973	14,843
	2009	10,929				3372	3757	3800	3953	14,882
	2010	11,041				3373	3867	3801	3936	14,977
	2011	11,082				3302	3821	3959	3911	14,993
			1.22	1.22	1.22	2.57	1.11	1.05	1.02	

Appendix B2, page 2 of 3, with footnotes at the bottom of the final page

Appendix B2(b): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category in the Cupertino USD Region (with focus on data in the high school grades)

Classification of Existing Dwellings* Type** Category***	Oct. of	K-8 Resident Students enrolled in the CUSD	Cumulative Advancement Rate from 1st to 8th****			Resident Students by Grade enrolled in FUHSD and Resultant Avg. 4-Year Rates Entering Each Grade*****				
			This Study	'10-'11 Study	'09-'10 Study	9th	10th	11th	12th	9-12
ATT Most Affordable	2006	827				121	141	150	132	544
	2007	852				123	120	125	139	507
	2008	900				120	123	126	114	483
	2009	960				130	125	136	113	504
	2010	982				139	137	126	133	535
	2011	978				128	152	145	117	542
				1.38	1.47	1.46	1.18	1.03	1.01	0.93
Affordable & Modest	2006	2,790				230	237	237	212	916
	2007	2,818				245	239	226	231	941
	2008	2,915				257	247	243	222	969
	2009	2,992				234	251	234	222	941
	2010	3,051				273	248	243	222	986
	2011	3,164				278	260	233	223	994
				0.70	0.69	0.77	1.01	1.03	0.97	0.95
Moderate through High Amenity (including "Duets")	2006	2,151				179	194	167	154	694
	2007	2,293				200	185	192	163	740
	2008	2,400				210	208	172	189	779
	2009	2,614				199	198	199	167	763
	2010	2,739				223	199	198	192	812
	2011	2,845				224	223	194	189	830
				0.94	1.00	1.13	0.99	1.00	0.97	0.97
All ATT Categories	2006	5,768				530	572	554	498	2,154
	2007	5,963				568	544	543	533	2,188
	2008	6,215				587	578	541	525	2,231
	2009	6,566				563	574	569	502	2,208
	2010	6,772				635	584	567	547	2,333
	2011	6,987				630	635	572	529	2,366
				0.87	0.89	0.98	1.03	1.02	0.98	0.96

* These are the aggregate counts from planning areas with virtually no net increase in housing units since September 2006. Cumulative rates in studies prior to 2010-11 were for virtually no net increase in housing units since September 2001.

** "SFD" = single family detached homes; "Attached" = condominium, townhouse, apartment & traditional duplex-fourplex units

*** Categories are subjective assignments by EPC of the dominant housing situation in each planning area; some areas may have small percentages in other groups.

**** This is the portion of the number of students in any one year in first grade that would be in eighth grade seven years later using these rates. For instance, "0.87" for "All ATT" in the CUSD means that, on average, there would be 13% fewer eighth graders from the same homes as there had been first graders seven years earlier (if these rates continue).

***** For example, the "1.03" entering ninth grade from "All ATT Categories" in the CUSD means that the student population increased by an average of 3% from eighth to ninth from the same housing units over the last four years, except that the rate of change in latest year has been weighted at 150% in the calculation. Some student counts by category have changed since our last report due to reclassification of a few areas.

Note: The rates shown are the actual calculated rates. These have been modified where warranted in the projections.

ATTACHMENT G
Page 31 of 33

Projected Enrollments from 2011 to 2021

Fremont Union High School District

Appendix B3(a): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category *in the Sunnyvale SD Region (with K-8 data by grade)*

Classification of Existing Dwellings* Type**	Category***	Oct. of	Resident Students by Grade enrolled in SSD and Resultant Weighted 4-Year Average Annual Advancement Rates Entering Each Grade*****									
			Kind.	1st	2nd	3rd	4th	5th	6th	7th	8th	K-8
SFD	Relatively Affordable and Modest	2006	183	190	192	186	180	230	202	172	227	1,762
		2007	223	187	198	203	186	183	220	205	176	1,781
		2008	198	214	178	194	201	176	178	212	199	1,750
		2009	190	193	199	181	177	193	156	170	203	1,662
		2010	214	176	178	195	170	176	181	155	168	1,613
		2011	195	208	165	175	186	157	166	181	149	1,582
					0.96	0.94	0.99	0.95	0.95	0.94	0.98	0.97
Moderate through Upper Incomes		2006	129	162	153	142	124	117	115	104	105	1,151
		2007	144	132	162	156	141	124	116	116	109	1,200
		2008	178	158	139	157	164	137	130	109	118	1,290
		2009	177	187	160	142	157	162	129	135	101	1,350
		2010	160	180	177	157	138	158	145	126	136	1,377
		2011	178	158	181	184	158	135	146	143	124	1,407
					1.03	1.00	1.01	1.01	0.99	0.95	0.99	0.98
All SFD Categories (including one mixed-value area)		2006	315	358	346	333	306	348	320	277	337	2,940
		2007	370	322	366	360	331	309	339	325	286	3,008
		2008	380	375	322	357	366	318	311	324	321	3,074
		2009	370	383	362	328	339	356	290	308	308	3,044
		2010	376	359	358	355	314	337	328	285	307	3,019
		2011	380	368	350	362	347	299	315	326	278	3,025
					0.99	0.97	1.00	0.98	0.97	0.94	0.98	0.98
ATT	Most Affordable	2006	194	187	149	147	183	150	132	140	139	1,421
		2007	195	195	178	143	139	175	134	133	140	1,432
		2008	182	186	187	176	145	145	174	148	132	1,475
		2009	173	184	192	177	162	142	145	169	135	1,479
		2010	199	191	191	196	180	162	160	147	172	1,598
		2011	233	198	200	187	186	191	161	156	141	1,653
					1.01	1.02	0.98	0.97	1.03	1.02	1.01	0.97
Affordable through High Amenity (all data revised for two areas shifted from "mixed type")		2006	140	139	102	115	116	119	88	100	90	1,009
		2007	133	125	116	86	108	102	92	77	91	930
		2008	173	135	128	112	84	97	96	84	71	980
		2009	171	169	131	126	116	85	95	103	98	1,094
		2010	197	166	162	145	118	106	83	104	108	1,189
		2011	192	184	139	157	122	95	93	74	104	1,160
					0.97	0.94	1.00	0.94	0.90	0.94	0.98	1.03
All ATT Categories (all data revised for two areas shifted from "mixed type")		2006	334	326	251	262	299	269	220	240	229	2,430
		2007	328	320	294	229	247	277	226	210	231	2,362
		2008	355	321	315	288	229	242	270	232	203	2,455
		2009	344	353	323	303	278	227	240	272	233	2,573
		2010	396	357	353	341	298	268	243	251	280	2,787
		2011	425	382	339	344	308	286	254	230	245	2,813
					0.99	0.98	0.99	0.96	0.97	0.99	1.00	0.99

Appendix B3, page 1 of 3, with footnotes at the bottom of the final page of Appendix B2

ATTACHMENT G
Page 32 of 33

Projected Enrollments from 2011 to 2021

Fremont Union High School District

Appendix B3(b): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category *in the Cupertino USD Region (with K-8 data by grade)*

Classification of Existing Dwellings* Type**	Category***	Oct. of	Resident Students by Grade enrolled in CUSD and Resultant Weighted 4-Year Average Annual Advancement Rates Entering Each Grade*****									
			Kind.	1st	2nd	3rd	4th	5th	6th	7th	8th	K-8
SFD	Gentrifying Areas that Originally were Affordable or Modest	2006	100	130	97	123	107	120	143	162	142	1,124
		2007	91	102	130	96	131	112	124	143	166	1,095
		2008	105	94	119	131	106	129	121	127	151	1,083
		2009	99	121	102	129	137	118	138	117	131	1,092
		2010	95	112	125	115	138	153	120	149	115	1,122
		2011	99	106	125	117	120	135	160	119	143	1,124
					1.11	1.10	1.03	1.06	1.04	1.05	1.01	1.00
Originally Moderate Income	2006	92	98	89	81	99	91	106	87	86	829	
	2007	115	94	106	94	87	90	94	107	95	882	
	2008	103	119	92	107	95	88	86	98	105	893	
	2009	124	119	112	103	107	90	82	93	92	922	
	2010	119	135	125	115	114	109	94	84	90	985	
	2011	111	121	139	131	120	112	107	99	86	1,026	
				1.07	1.00	1.05	1.04	0.99	0.98	1.05	0.98	
Originally Middle Income	2006	577	674	607	669	652	699	759	705	745	6,087	
	2007	608	635	703	632	697	650	726	766	715	6,132	
	2008	581	670	664	750	644	705	678	724	764	6,180	
	2009	571	632	697	717	766	670	726	690	725	6,194	
	2010	581	623	681	731	721	779	709	741	694	6,260	
	2011	515	634	658	705	752	728	800	726	751	6,269	
				1.09	1.06	1.06	1.02	1.02	1.04	1.02	1.01	
Upper Middle through Highest Income	2006	234	285	297	298	312	314	333	341	327	2,741	
	2007	260	257	282	304	314	325	330	325	352	2,749	
	2008	247	273	266	303	315	316	342	326	326	2,714	
	2009	260	257	278	280	314	326	323	351	332	2,721	
	2010	228	287	262	274	295	323	327	324	354	2,674	
	2011	231	265	298	291	297	313	322	331	315	2,663	
				1.10	1.03	1.06	1.06	1.04	1.02	1.01	1.00	
All SFD Categories	2006	1003	1187	1090	1171	1170	1224	1341	1295	1300	10,781	
	2007	1074	1088	1221	1126	1229	1177	1274	1341	1328	10,858	
	2008	1036	1156	1141	1291	1160	1238	1227	1275	1346	10,870	
	2009	1054	1129	1189	1229	1324	1204	1269	1251	1280	10,929	
	2010	1023	1157	1193	1235	1268	1364	1250	1298	1253	11,041	
	2011	956	1126	1220	1244	1289	1288	1389	1275	1295	11,082	
				1.09	1.05	1.05	1.03	1.02	1.03	1.02	1.00	

Appendix B3, page 2 of 3, with footnotes at the bottom of the final page of Appendix B2

ATTACHMENT G
Page 33 of 33

Projected Enrollments from 2011 to 2021

Fremont Union High School District

Appendix B3(b): Detail for Tables 4 and 5 on Resident Student Population Trends and Grade-to-Grade Advancement Rates from Existing Housing by Category *in the Cupertino USD Region (with K-8 data by grade)*

Classification of Existing Dwellings* Type**	Category***	Oct. of	Resident Students by Grade enrolled in CUSD and Resultant Weighted 4-Year Average Annual Advancement Rates Entering Each Grade*****									
			Kind.	1st	2nd	3rd	4th	5th	6th	7th	8th	K-8
ATT	Most Affordable	2006	70	81	84	92	98	84	102	107	109	827
		2007	97	81	81	83	96	94	109	102	109	852
		2008	96	104	92	87	92	101	110	118	100	900
		2009	104	110	105	97	105	94	106	121	118	960
		2010	107	105	116	106	103	107	108	110	120	982
		2011	107	105	110	113	101	95	114	117	116	978
					1.04	1.06	1.02	1.07	0.99	1.10	1.08	1.01
Affordable & Modest		2006	341	399	334	340	296	309	267	263	241	2,790
		2007	358	379	385	319	311	283	296	241	246	2,818
		2008	427	375	357	349	300	306	267	292	242	2,915
		2009	427	437	382	325	316	282	295	258	270	2,992
		2010	436	442	412	354	311	277	275	275	269	3,051
		2011	481	449	430	398	333	311	267	237	258	3,164
					1.03	0.97	0.93	0.94	0.96	0.96	0.93	0.97
Moderate through High Amenity (including "Duets")		2006	267	297	239	251	238	227	207	225	200	2,151
		2007	271	304	311	254	271	225	231	212	214	2,293
		2008	317	302	320	304	247	261	225	225	199	2,400
		2009	356	357	308	311	310	245	272	226	229	2,614
		2010	340	378	364	321	297	302	242	280	215	2,739
		2011	344	346	381	365	319	294	298	240	258	2,845
					1.07	1.02	1.00	0.99	0.98	1.00	1.00	0.95
All ATT Categories		2006	678	777	657	683	632	620	576	595	550	5,768
		2007	726	764	777	656	678	602	636	555	569	5,963
		2008	840	781	769	740	639	668	602	635	541	6,215
		2009	887	904	795	733	731	621	673	605	617	6,566
		2010	883	925	892	781	711	686	625	665	604	6,772
		2011	932	900	921	876	753	700	679	594	632	6,987
					1.05	1.00	0.97	0.97	0.97	1.00	0.98	0.97

Appendix B3, page 3 of 3, with footnotes at the bottom of the final page of Appendix B2

3. **File #:** 2012-7450
Location: 1101 N. Fair Oaks Ave. (APN:110-14-176)
Proposed Project:
- SPECIAL DEVELOPMENT PERMIT to allow the development of 97 dwelling units.
 - REZONE from M-S/ITR/R-3/PD (Industrial and Service/Industrial to Residential/Medium Density Residential/Planned Development) Zoning District to R-4/PD (High Density Residential/Planned Development).
- Applicant/Owner:** St. Anton Partners / Fair Oaks LLC
Environmental Review Mitigated Negative Declaration
Staff Contact: Shaunn Mendrin, 408-730-7429, smendrin@ci.sunnyvale.ca.us
Notes: *This item is scheduled to be considered by City Council on October 16, 2012.*

Comm. Melton and **Comm. Chang** disclosed that they met with the developer and **Comm. Kolchak** disclosed that he spoke with the developer.

Shaunn Mendrin, Senior Planner, presented the staff report. He commented about two letters of opposition provided on the dais addressing the concerns, which included a negative effect on already impacted School Districts, no affordable housing units proposed, and parking concerns.

Comm. Hendricks discussed with staff the letters provided on the dais. He said one of the letters was from the chair of the Housing and Human Services Commission (HHSC) and asked if the comments were on behalf of the HHSC and had the HHSC reviewed this project. **Trudi Ryan**, Planning Officer, said the chair did not say for whom she was speaking. Comm. Hendricks asked if it was true that there is no legal regulation in the City today requiring affordable housing in rental properties. **Kathryn Berry**, Senior Assistant City Attorney, confirmed that is correct. Comm. Hendricks discussed with staff the concern about student population impacts.

Comm. Melton referred to the letter from the chair of HHSC and confirmed with staff that the project being reviewed tonight is not the same project as the HHSC reviewed. Comm. Melton discussed the history of zoning for this property. Staff confirmed that the intent of the prior General Plan change was to allow flexibility without having to initiate a General Plan Amendment to change the zoning and to base a zoning change on the merits of a proposed development.

Comm. Hendricks discussed with staff that the ITR 7 area is within walking distance to the Tasman Light Rail area. Comm. Hendricks confirmed with staff that a good spot to increase housing density is near light rail.

Vice Chair Dohadwala opened the public hearing.

Ardie Zahedani, Vice President of Development for St. Anton Partners, said they are a state-wide multi-family housing developer. He discussed St. Anton Partners and said they construct, own and manage their properties. He discussed the process of developing this project beginning with contacting their neighbors. He said they decided to create a project that was compatible with the neighbors and would yield a density to make the project profitable. He said they hired the architect of the neighboring project, KTG Y Group, to ensure compatibility. Mr. Zahedani discussed the outreach to the neighbors including the Danbury Place Homeowners Association (HOA), and referred to the letters of support from the Danbury Place HOA and the Morse Park Neighborhood Association. He

said the main thing they heard from the neighbors was to make sure the project was well-parked. Mr. Zahedani said they have 2/3 of the parking underground, and that the ITR (Industrial-to-Residential)

zoning has worked well in this area. He said the project is 690 feet from the light rail and there are two bus stops nearby. Mr. Zahedani said they would be widening the sidewalk from four to eight feet discussing two related deviation requests for setbacks, which would allow this development to be consistent with the neighbors. Mr. Zahedani introduced **Keith Labus**, Principal with KTG. Mr. Labus discussed the architecture including the parking structure, the courtyard space above the parking, the scale and character of the development being compatible with the Danbury Place development, that they meet the parking and open space requirements, and the outdoor amenities. He said the goals were to complement the traditional design of Danbury Place, yet include contemporary details to appeal to the target market. Mr. Labus said they think project has all the ingredients for a successful project at this location. Mr. Zahedani said they appreciate the Planning Commission's consideration of this project.

Comm. Kolchak asked the applicant about the setback deviation. Mr. Zahedani described the project and said they are asking for a deviation on the three-story side. Comm. Kolchak discussed with Mr. Zahedani the increase to the length of the sidewalk, and the request to reduce the setback requirement, which is consistent with the adjacent properties.

Comm. Melton discussed with Mr. Zahedani the wall between this property and the neighboring Danbury Place property. Mr. Zahedani said that in their meetings with the Danbury Place HOA that the HOA is happy about the proposed development however they want the wall to remain to prevent parking intrusion. Mr. Zahedani said the walkway to the park is about 15 feet away so the wall does not prevent pedestrian access to the park. Ms. Ryan added that the wall was built as part of the neighboring Danbury Place project to separate the housing from the industrial.

Comm. Hendricks commented that he would like to see these developments built without the walls to allow more openness and walkability; however, he understands they are being built in a piecemeal fashion so there are some constraints regarding the wall on the proposed development.

Simon Chang, the current property owner, spoke in support of the project. He said he has been in Sunnyvale many years and seen many proposals that are not appropriate for the community. He said he feels this is a strong and valuable project for the community.

Don Krafft, a resident and Vice President of the Board of Directors for the neighboring Danbury Place, spoke in support of the project for himself and the entire board. He said they are glad to see a proposed project that is compatible with the community and said they appreciate the applicant reaching out to the Board. He said they think the applicants will be good neighbors. He said that they are impressed that they are staying on to manage the site. He said they have reviewed plans and that their biggest concern was adequate parking, and they are comfortable with the proposed parking. Mr. Krafft commented about the wall between the sites and said he personally agrees that he would like to see at least a pathway opening through it. He said he does not think the Board would consider it until they can see that the parking is working. He said he and the Board recommend that the Planning Commission allow the zoning change and let St. Anton move forward with the project. Comm. Hendricks confirmed with staff that there would be no zoning issues if the Danbury Place and St. Anton wanted to put a pathway through the wall in the future.

Vice Chair Dohadwala closed the public hearing.

Ms. Ryan clarified that this is the last industrial site in this block, but not the last ITR site in the area.

Comm. Kolchak discussed with staff about adding a condition for the two properties to explore creating a pedestrian access through the wall between the properties after the St. Anton project is completed.

Comm. Melton moved for **Alternative 1 to recommend to City Council to adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density (R-4)/Planned Development (PD) and approve the Special Development Permit with attached conditions. Comm. Kolchak seconded the motion.**

Comm. Melton said he was pleased to make the motion and thanked the applicant for their robust community outreach. He said the architecture blends well with the neighboring development the two letters of support were helpful. He said he can make the findings and he looks forward to see this coming to fruition.

Comm. Kolchak said he could make the findings and looks forward to seeing this come to fruition. He said the deviation request is minimal and that the fourth floor section is the furthest away from the neighbors. He said he hopes there will eventually be pedestrian access through the wall between this property and Danbury Place. He said the architecture is nice.

Comm. Chang said he could make the findings and would be supporting the motion. He said the project meets the City requirements and that the setback deviations will work out. He said it is nice to have the two properties look similar and he looks forward to the completion of the project.

Comm. Hendricks said he would be supporting the motion and that he could make the findings. He said the community outreach was good and thanked the members of the public who spoke this evening. He said he thinks this is an appropriate place to change the zoning from R-3 and R-4 as it is close to light rail with access to public transit. He said he is comfortable with the deviations as he feels the intent is being met. He said he likes the pedestrian access provided to the new Seven Seas Park. He referred to COA GC-5 commenting that if these units are ever sold as individual sales that the subdivision would become subject to compliance with the City's Below Market Rate Housing Program requirements. He said the project exceeds what would be required by the green building standards. He said the architecture was discussed in a recent Study Session and the applicant has been agreeable to all the comments.

Vice Chair Dohadwala said she would be supporting the motion. She said she agrees with Comm. Hendricks' comments that this is a good place for R-4 zoning considering the proximity to light rail. She said she thinks the applicant's outreach was good, the architecture will result in a good quality product and she likes the innovative parking.

ACTION: Comm. Melton made a motion on 2012-7450 to recommend to City Council to adopt the Mitigated Negative Declaration and introduce an ordinance to Rezone to Residential High Density (R-4)/Planned Development (PD) and approve the Special Development Permit with attached conditions. Comm. Kolchak seconded. Motion carried 5-0, with Chair Larsson absent.

APPEAL OPTIONS: This recommendation will be provided to City Council and is scheduled to be considered at the Council meeting on October 16, 2012.

Ms. Ryan commented that the applicant's outreach efforts were exceptional and that it is rare that a proposed development would receive the neighboring HOAs support.