



**CITY OF SUNNYVALE
REPORT
Planning Commission**

January 12, 2009

SUBJECT: **2007-0306 – Rite Aid** [Applicant] **Tikvica Family Trust** [Owner]: Application for a property located at **1010 Sunnyvale-Saratoga Road** (at E. Remington Dr.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District.

Motion Special Development Permit to allow an approximately 14,673 square foot drug store/pharmacy with a drive-thru.

REPORT IN BRIEF

Existing Site Conditions Vacant Restaurant Building

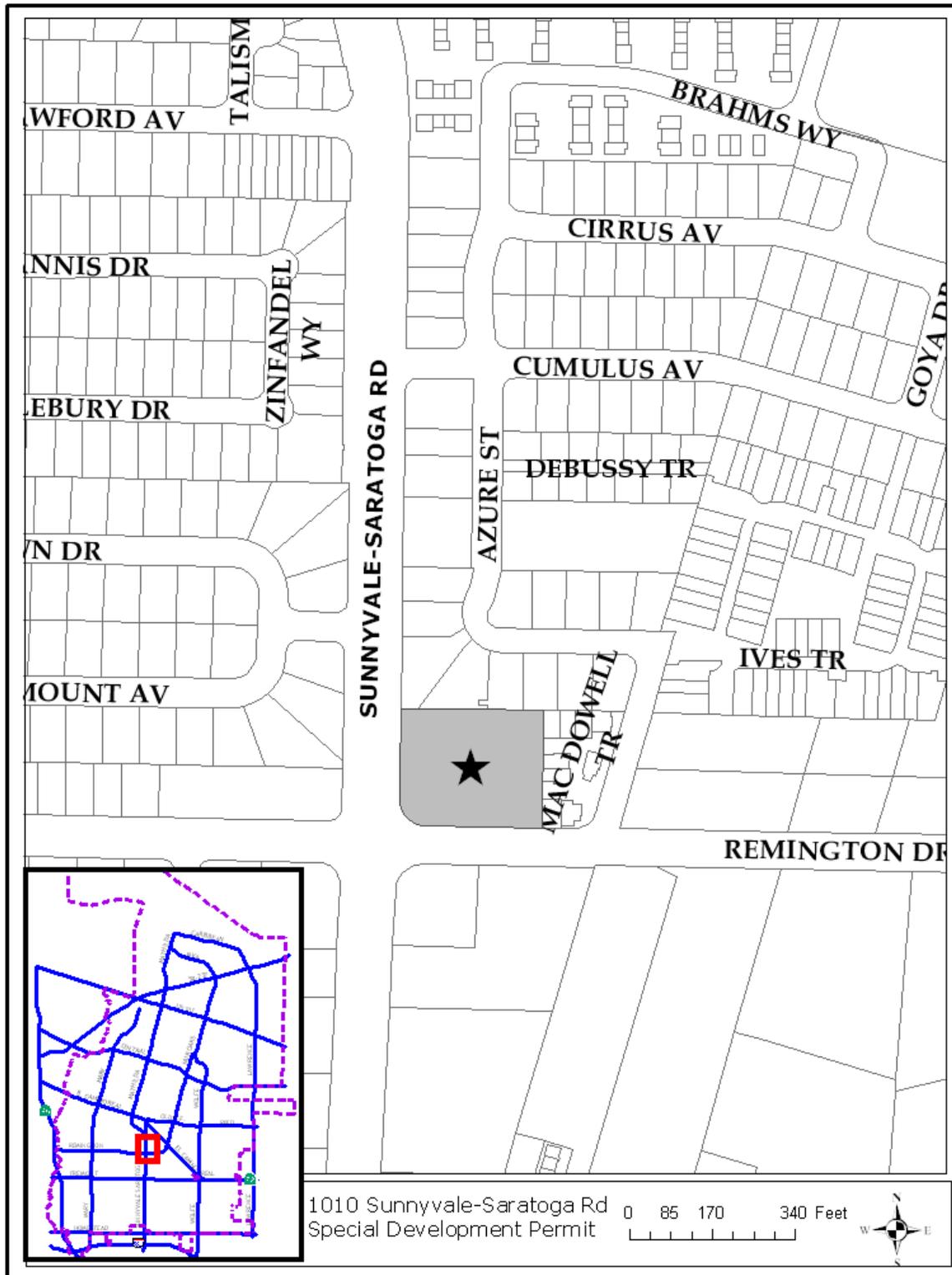
Surrounding Land Uses

- North Apartments
- South Gas Station / Apartments (across Remington Drive)
- East Townhomes
- West Offices / Single Family Homes (across Sunnyvale-Saratoga Road)

Issues Drive-Thru, Parking, Landscape Buffer

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

Staff Recommendation Approve with Conditions including the removal of one drive-thru lane and reducing the deficiency in parking to five spaces.



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential High Density	Same	Residential High Density
Zoning District	C-1/PD	Same	C-1/PD
Lot Size (s.f.)	70,324	Same	No min.
Gross Floor Area (s.f.)	9,545	14,673	No max.
Lot Coverage (%)	14%	21%	35% max.
Floor Area Ratio (FAR)	14%	21%	No max.
No. of Buildings On-Site	1	1	Per SDP
Building Height (ft.)	25'	34' 10"	40' max.
No. of Stories	1	1	2 max.
Setbacks (Facing Property)			
Front (Sunnyvale-Saratoga Road frontage)	50'	72' 4"	70' min.
Left Side	79'	43' 2"	10' min.
Right Side (frontage facing Remington Dr.)	35'	91' 5"	15' min.
Rear	145'	44' 2"	10' min.
Landscaping (sq. ft.)			
Total Landscaping	Unknown	14,272	14,066 min.
Frontage Width (ft.)	Unknown	6'10" along Sunnyvale - Saratoga 27' (12' to be dedicated) along Remington drive	15 ft. min.
Buffer (ft.) Adj. Residential	Unknown	6' – 10'	10 ft. min.



	EXISTING	PROPOSED	REQUIRED/ PERMITTED
% Based on Parking Lot	Unknown	40%	20%
Parking Lot Area Shading (%)	Unknown	50%	50% min. in 15 years
Water Conserving Plants (%)	Unknown	70%	70% min.
Parking			
Total Spaces	N/A	72	82 min.
Standard Spaces	N/A	65	74 min.
Compact Spaces/ % of Total	N/A	8	8 max. / 10%
Accessible Spaces	N/A	3	4 Min. (3 if less than 76 spaces approved)
Aisle Width (ft.)	N/A	26' (two way) 13' 6" (one-way)	26' min. for two-way, and 12' for one way
Bicycle Parking	N/A	1 Class I & 3 Class II	Per VTA Guidelines (1 Class I & 3 Class II)
Stormwater			
Impervious Surface Area (s.f.)	46,463	51,902	---
Impervious Surface (%)	66%	74%	---



Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The proposed project is for a Special Development Permit to allow for the construction of 14,673 square foot drug store/pharmacy with a drive-thru on a 1.61 acre site located at 1010 Sunnyvale-Saratoga Avenue. A restaurant building, developed in 1974, currently occupies the site.

Background

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

File Number	Brief Description	Hearing/Decision	Date
1973-0128	Special Development Permit for the Hungry Tiger restaurant	Planning Commission / Approved	2/27/1973

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts with implementation of the recommended mitigation measures. A noise and traffic study were developed by consultants employed by the applicant. The traffic study evaluated impacts related to the drive-thru use and adequacy of parking for the site. Noise impacts were evaluated related to additional vehicular traffic that may result from the new use. Mitigation measures relate to noise generated from truck loading and delivery activities have been recommended. The measures include limitations to hours of operation for these activities (7am -10pm) and is included in Condition of Approval #2A.1. Further mitigation relates to the approval of a final Stormwater Management Plan per Condition of Approval #20C.

Special Development Permit

Detailed Description of Use: The proposal is for the development of a 14,673 square foot drug store/pharmacy and drive-thru use on a corner lot at 1010 Sunnyvale-Saratoga Road. The drive-thru would enable customers the ability to purchase items from the pharmacy from their vehicles. The drive thru is proposed to be open from 9am-9pm while the store would be open 9am-11pm (7 days a week). As discussed further in the report, the project requests a deviation from parking requirements (73 proposed where 82 is required). An additional deviation is requested from the 15' requirement of landscaping along Sunnyvale-Saratoga Avenue.

Site Layout: The property is located at the corner of Sunnyvale-Saratoga Road and Remington Drive. The layout of the building is positioned generally at the center of the site with parking located in front along each of the street frontages. The proposed two-lane drive-thru facility is at the east end of the building and allows circulation behind and around the building. Two-way driveway access points are positioned along each frontage. See page 4 of

Attachment D for the site plan. (The applicant has provided earlier revisions of the plans in the preceding pages of this attachment)

Although a pharmacy drive-thru is typically less intrusive than a fast-food/take out drive-thru in terms of vehicular traffic, attempts to minimize these impacts have been explored. The applicant provided a traffic study that notes justification for the two lane drive thru to improve queuing at the site. The City's Traffic Division concurs with this analysis; however, due to the nature of the drive-thru, queuing is still not expected to be significant with one-lane. Planning staff finds that potential noise impacts to the neighboring residential uses caused by idling vehicles could be further reduced and therefore, recommends limiting this area to one-lane. Condition of Approval #1J requires that the drive-thru lane be modified to one lane. Modifications to the plan would enable increased parking along this portion of the site (More discussion noted in the "Parking" section of this report.).

In addition to a sidewalk that runs along the frontage of the site, pedestrian walkways are positioned along the front of building and connect the corner entrance from the building to the intersection of the two street frontages. Recent site plan improvements to the plans, based on input from the Planning Commission at the study session, indicate a new pedestrian connection from Remington Drive to the building, as well as a connection to the bike locker facility.

A trash and recycling enclosure is positioned at the rear of the site towards the northern boundary. Staff has worked with the applicant to move this enclosure away from the residential uses to the north and east. Previous layouts had the enclosure directly adjacent to the property line without a setback. A 6' setback had been provided on a recent plan, as shown at the Planning Commission study session. The current plan is for the trash enclosure to be located outside the required 10' buffer zone adjacent to residential (Sunnyvale Municipal Code Section 19.38.070(e)).

Stormwater Management: This project requires compliance with the Stormwater Management requirements for project sites that exceed 10,000 square feet. The applicant has been advised of the associated Stormwater Management Plan costs and the responsibilities for construction and long term maintenance and reporting and has provided a preliminary plan that indicates generally how they will comply. Staff finds the initial submittal for the project to be sufficient; however, the City of Sunnyvale requires Stormwater Management Plans to be certified by a qualified third party consultant prior to issuance of building permits (Condition of Approval #20C).

The Santa Clara Valley Water District does not require a permit for this application because it is not adjacent to a District Facility. Standard

Construction Best Management Practices will be required to minimize impacts to the environment during construction.

Easements: A 12’ public right-of-way easement is located along the entire Remington Drive frontage to allow for future improvements for street widening. The applicant has designed the project to accommodate this future change. As shown on the plan, a 27’ 9” landscaped area lies along this frontage which includes the future right-of-way.

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

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

Architecture: The architecture of the proposed pharmacy building is contemporary with the use of a combination of materials along the façade including a “Coronado” stone base material and a cement plaster painted different shades of beige and brown. Interest is drawn to the corner tower element which serves as the main entrance to the building. Tile roofing will be incorporated on top of this element as well as along the awnings, and drive-thru areas. Brackets are also used here to provide added interest. Divided light storefront windows are used on primary street elevations. Decorative wall light sconces are also used along each elevation to break up the walls. The roof plane of the building varies at certain portions, with a majority of the building ranging from approximately 23’ to 26’. The corner tower reaches a maximum peak of 34’ 10”. Projecting cornices improve the overall massing of the building. The proposed trash enclosure would utilize similar design and will incorporate the tile roof material similar to the corner tower and awnings. See pages 7 & 8 of Attachment D for more details of the elevations.

Since the Planning Commission study session, the architecture of the building has been modified to improve each of the elevations. Detailing to each of the corners has been created through utilizing an inset feature arch to match the character and detailing of the main entry arch. This inset panel will be composed of cement plaster and the bases of the arch will be rock faced to match the height at the entry. A tube steel plant espalier (trellis) is proposed to stand in front of the inset arch, with a matching shape and with a tube steel grid pattern. Along the north elevation this feature will be built out 12” to surround the doors which are built within the building envelope.

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

"Name of Guidelines"	Comments
<p><i>C9. Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, arcades, porticos, trellises, porches, balconies, dormers, windows, opening, etc.</i></p> <p><i>F2. Avoid large expanse of smooth surfaces such as concrete or glass. Use materials with a sense of scale and texture.</i></p>	<p>The building includes various changes in wall plane and height. Primary interest is drawn to the corner tower element at the entrance of the building.</p> <p>Tiled roof is carried out to other elements including the awnings. Divided light windows also help break up the façade.</p>
<p><i>F1. Develop a comprehensive material and color scheme for each project to tie in the various parts of the project. Choose variety of colors and materials to add interest to the buildings.</i></p>	<p>The proposed architecture incorporates a mix of high quality materials such as a stone base and stucco facade which is carried along each façade of each building. Also, the use of tile roofing with projecting cornice/mouldings helps define the scale and massing of the building.</p>

Landscaping: The proposed plan indicates compliance with landscaping standards with approximately 14,272 square feet of landscaping (20% of the site). Landscaping is dispersed around the site, primarily within buffer areas along each property line. Additionally, landscaped islands project into the parking lot. Specific trees have been selected to provide adequate shading for the site. The site meets the requirement for a landscape buffer adjacent to the residential uses to the north and east with the exception of a 6’ buffer at a portion along the northern boundary to accommodate the location for the trash enclosure.

The site currently has two protected heritage trees (Pine) which are located along the Remington Drive frontage. Protected trees are those that measure 38 inches or greater in circumference when measured at four feet, six inches from the ground. The plans for this project include preserving one of the protected trees which is in good condition. The remaining protected tree is located near the proposed driveway approach. The location of the driveway is integral to the design of the development and ideal for traffic circulation off Remington Drive. The City Arborist finds that these reasons are adequate. In all, a total of 52 trees of varying species will be on site. The preliminary landscaping plan calls for a combination of 24” box trees and 15 gallon trees along the side and rear property lines adjacent to residential uses to improve the buffer and screening of the site. Additional evergreen shrubs are planted along the perimeter. Six protected trees are located immediately adjacent to site to the north and are

required to be preserved and protected during construction of the site. Measures are noted in the Conditions of Approval (#9C).

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

"Name of Guidelines"	Comments
<i>B11. Define site boundaries by landscaping and bands of decorative paving to announce entry into the site.</i>	Landscaping is located throughout and along the perimeter of the site. Condition of Approval #8A.1 requires decorative paving at the main entrance of the site and shall include some form of impervious surface.
<i>A2. All areas not in use by structures, driveways, and parking spaces shall be properly landscaped.</i>	The landscaping plan includes an extensive plant selection that will be dispersed throughout the site. The project will upgrade the vacant site with new landscaping in all areas that are not utilized by parking and driveway areas.

Parking/Circulation: The site provides a total of 73 spaces for the proposed pharmacy development. Parking is located in front of the building along each frontage. Two-way circulation is provided within the parking lot with one-way flow enabled around the building. The two lane drive-thru is located adjacent to the eastern side of the building. Sunnyvale Municipal Code requires 1 space per 180 square feet for retail uses (5.5 spaces per 1,000 square feet). Therefore, for the proposed building, a total of 82 spaces are required. Based on calculations provided by the applicant’s traffic consultant, Hexagon Engineering, a total of 52 spaces are determined to be adequate for the pharmacy use (3.5 spaces per 1,000 square feet). Additional surveys provided by the consultant showing similar uses at five different locations show a maximum need of 2.66 spaces per 1,000 square feet (40 spaces). For more information regarding the consultant’s parking demand survey, see Attachment F). The analysis also notes the Institution of Transportation Engineers (ITE) recommended maximum parking demand of 2.10 spaces per 1,000 per square feet for drive-thru pharmacies.

Although analysis provided by the traffic consultant indicates fewer spaces needed for parking than the Municipal Code requirement, staff finds that the 9 space deficiency is significant. Modifications to the site plan to eliminate one of the drive-thru lanes could make space for more parking. Reductions to the overall size of the building could also further decrease parking requirements. To decrease this deficiency, staff recommends Condition of Approval #1J and #1K, which requires the removal of one of the drive-thru lanes and reduction to the deficiency in parking to five spaces. A combination of removing the drive

thru and reducing building footprint (if necessary) can accommodate this recommendation.

Upon discussion with the City's Traffic Division, it was noted that since the project has been reduced in size from previous plans; the City can initially allow a full access off of Remington. (i.e., all turning movements in & out can be allowed). However, this access will be monitored following the project completion. Per Condition of Approval #13E, if at any point, the full access creates safety and/or operational issues, the City will prevent the left-turn movements in and out of the site, thereby converting the Remington Drive access driveway to right-turn-in and right-turn-out movements only.

Bicycle racks are provided near the front entrance of the building at the corner of the building. A modification from an earlier plan reviewed at the Planning Commission study session includes moving the bicycle locker from the rear corner of the site to a location towards the front corner near the on-site pedestrian walkway. As proposed, the site would meet VTA Guidelines for required Class I and Class II bicycle facilities (Condition of Approval #11D)

Compliance with Development Standards/Guidelines: The proposed project meets most standard development requirements for the C-1 Zoning District. As discussed above, the proposal does not meet S.M.C. requirements for parking. Additionally, the 15' landscaping buffer along Sunnyvale-Saratoga Road and the required 10' buffer adjacent to residents (to the north) is not met. Staff has recommended modifications to the project through Conditions of Approval to reduce deviations to the site. More discussion noted in the "Conclusion" section of the report.

Expected Impact on the Surroundings: The proposed demolition of the existing restaurant building and construction of the new pharmacy will have a visual impact to this site and busy intersection. Additionally, traffic circulation and flow to the site is different in terms of frequency and peak hours than the current use. The use of the rear portion of the building for truck deliveries and drive-thru circulation replaces the expansive restaurant parking area that currently lies on the site behind the building. Conditions of Approval and required modifications limit possible impacts from the proposed change of use for the site.

Green Building Features: The project will achieve an equivalent number of points to achieve a LEED Certified rating. Condition of Approval #17 requires documentation to be submitted prior to Building Permits to demonstrate design intent of LEED Certified Level. In summary, LEED emphasizes state-of-the-art strategies for sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. LEED is a performance-based program that provides the project design team the ability to select which

credits they would achieve and how it would be designed. Although details of necessary point level have not been completely demonstrated, certain elements have been described such as: use of certain drought tolerant landscaping, stormwater management, reuse of materials, construction waste management, certain indoor material selection, bicycle parking facilities, use of roof material with high solar reflective rating (SRI).

Fiscal Impact

The project is subject to a Transportation Impact Fee of \$19,455.79 based on FY '08-'09, per Condition of Approval #7A. The applicant is required to pay the fee in place at the time of payment, and prior to issuance of final building permits.

Public Contact

Planning Commission Study Session: A Planning Commission study session for this project was held on December 8. The primary concerns relate to the drive-thru, specifically the use and proximity to residential uses as well as the need for two lanes. Other concerns related to the amount of parking and location of the trash enclosure. Further comments related to possible improvements to the architecture and color scheme.

Since the study session, the applicant has modified the proposal to include the following changes:

- Parking deficiency reduced from 10 to 9.
- Increased setback for trash enclosure from 6' to 10' to meet residential buffer requirement
- Modified layout to create pedestrian connection from the building to Remington Drive a
- Relocated bike locker and racks to locations closer to building entry
- Increased architectural detailing along elevations as described in "Architecture" section of the report
- Increased buffer area through reduction of trash enclosure

Neighborhood Outreach Meeting: A neighborhood meeting was held by the architect and developer on January 7th, 2009 regarding this project. At the meeting two members of the public had questions related to trees, hours of operation, truck deliveries, and height of the building. Additional discussion related to the architecture.

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 • 472 notices mailed to the property owners and residents within 300 ft. of the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Conclusion

Discussion: As conditioned, staff finds that the proposed project will be a compatible retail development to the surrounding neighborhood and provide a visual enhancement to a busy intersection along Hollenbeck Avenue. Although, the project will result in deficiencies to parking, staff finds that modifications to the site through Conditions of Approval reduces this deviation and the remaining deviations are justified based on exceptional design and improvement of the site.

Staff recognizes that given the limitations of the corner lot and site layout and the need to provide additional landscaping for a future easement along Remington Drive, along with providing ample parking for the proposed use; a reduced buffer can be supported. Modifications to the site plan have enabled the 10' buffer adjacent to residential to be met.

Although the building would be positioned closer, increased landscaping along the perimeter, as well as added trees within this area, could improve the appearance of the site from neighboring residents.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Recommended Findings and General Plan Goals are located in Attachment A.

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

Alternatives

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

Recommendation

Alternative 1.

Prepared by:

Ryan M. Kuchenig
Project Planner

Reviewed by:

Gerri Caruso
Principal Planner

Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans
- E. Letter from the Applicant
- F. Parking Demand Survey Conducted by Hexagon Transportation Consultants

Recommended Findings - Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

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

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

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

The project is consistent with the policies and objectives for land uses in the General Plan. The proposal meets most development standards for the C-1 Zoning District and is compatible with surrounding uses along Sunnyvale-Saratoga Road and Remington Drive. Conditions of Approval require modifications to be made regarding the location of the trash enclosure and drive-thru (one-lane) which improve compatibility with neighboring residential uses.

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

The proposed project will significantly improve the streetscape of the Sunnyvale-Saratoga Road and Remington Drive intersection by replacing an aging restaurant building with a higher quality designed commercial use. Overall, landscaping around the perimeter of the site will be greatly increased from the current layout to meet current standards while decreasing the amount of parking area adjacent to residential neighbors. The new building would be consistent with the other buildings in the area. Landscaping and site improvements will also contribute to the streetscape.

Recommended Conditions of Approval - Special Development Permit

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

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

1. GENERAL CONDITIONS

- A. Execute a Special Development Permit document prior to issuance of the building permit
- B. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- C. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved at staff level by the Director of Community Development.
- D. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- E. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- F. The Special Development 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.
- G. Any expansion or modification of the approved drugstore/pharmacy use shall be approved by separate application at a public hearing by the Planning Commission.
- H. The developer shall work with the Santa Clara County Transit District in establishing bus stops, shelters, pads and turnout locations, if desired by the District.
- I. The hours of operation for the pharmacy use are limited to 9am to 11pm (Monday through Friday) and 9am to 9pm for the drive-thru use. Delivery/loading hours are specified in C.O.A. 2.A.1.

- J. Remove one drive-thru lane to enable additional parking on-site.
- K. The site may maintain a deficiency of 5 spaces from Municipal Code requirements. Either a reduction in building size or reconfiguration of the site to enable additional parking spaces may be considered.

2. ENVIRONMENTAL MITIGATION MEASURES

- A. In addition to complying with applicable City Codes, Ordinances, and Resolutions, the following mitigation measures are incorporated into the project to minimize the identified potential environmental impacts:
 - 1. All delivery and loading activities shall occur during daytime operations. between 7am and 10pm.
 - 2. Additional mitigation measures relates to a final stormwater Management Plan noted in Condition of Approval #19.
- B. Final construction drawings shall incorporate all measures as set forth under "Mitigation Measures."

3. COMPLY WITH OR OBTAIN OTHER PERMITS

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

4. DESIGN/EXTERIOR COLORS AND MATERIALS

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

5. EASEMENTS AND DEDICATIONS

- A. Dedicate 12' easement along Remington drive for future roadway expansion prior to issuance of a Building Permit or Final Map
- B. Provide 10' wide Public Utility Easement along both Sunnyvale-Saratoga and Remington.

6. EXTERIOR EQUIPMENT

- A. Individual air conditioning units shall be screened with architecture or landscaping features.
- B. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure.

7. FEES

- A. Pay Traffic Impact fee estimated at \$19,455.79, prior to issuance of a Building Permit. (SMC 3.50), subject to the fee in place at the time the payment is made.

8. FENCES

- A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.
- B. Only fences, hedges and shrubs or other natural objects 3 feet or less in height may be located within a "vision triangle" (For definition, refer to Vision Triangle brochure or SMC 19.12.040(16), SMC 19.12.050 (12))

9. LANDSCAPING

- A. Landscape and irrigation plans shall be subject to approval by the Director of Community Development prior to issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy.
- B. Provide decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- C. Provide separate meter for domestic and irrigation water systems.
- D. All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition
- E. A tree protection plan shall be submitted for any existing trees on the site. Where possible, trees shall be protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.
- F. The landscape plan shall including street trees and shall be submitted and approved per the City Arborist and Public Works Department.
- G. Any landscaping proposed within a public utility easement is subject to approval by the Director of Public Works and Director of Community Development.
- H. 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.
- I. Of new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.

- J. 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.
- K. At the expense of the subdivider, City staff shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.38.070) prior to issuance of a Building Permit.
- L. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- M. All areas not required for parking, driveways or structures shall be landscaped.
- N. Provide a fifteen-foot deep band of decorative paving for the width of the private drive(s) immediately behind the public sidewalk.
- O. For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building.
- P. The corner and all driveway vision triangles shall be maintained.

10. TREE PRESERVATION

- A. Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for approval.
- B. The tree protection plan shall be installed prior to issuance of any Building Permits, subject to the on-site inspection and approval by the City Arborist.
- C. The tree protection plan shall remain in place for the duration of construction. Special attention shall be given to the six ‘protected trees’ located immediately north of the site.
- D. The tree protection plan shall include measures noted in Sunnyvale Municipal Code Section 19.94.120 and at a minimum:
 - 1. An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
 - 2. All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.

3. Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- E. Overlay Civil plans including utility lines to ensure that the tree root system is not damaged.

11. LIGHTING

- A. Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development. Driveway and parking area lights shall include the following:
1. Sodium vapor (or illumination with an equivalent energy savings).
 2. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
 3. Provide photocells for on/off control of all security and area lights.
 4. All exterior security lights shall be equipped with vandal resistant covers.
 5. Wall packs shall not extend above the roof of the building.
 6. Lights shall have shields to prevent glare onto adjacent residential properties.
- B. Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development.
- C. Out-of door loudspeakers shall be prohibited.

12. PARKING

- A. A Parking Management Plan must be submitted to the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:
1. Employee parking locations shall be located within the angle parking at the rear of the site.
 2. Employees shall be required to park on the site.
 3. Specify the location and term of short-term parking.
- B. The parking lot shall be maintained as follows:

1. Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 2. Maintain all parking lot striping and marking.
 3. Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 4. Require signs to direct vehicles to additional parking spaces on-site, as needed.
- C. Submit a revised parking and circulation plan to the Director of Community Development for review and approval prior to issuance of a Building Permit.
- D. Provide 1 Class I (locker) and 3 Class II (racks) bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. Selected models of the bike locker and racks, dimensions, and installation/spacing details must follow the December 2007 VTA Bicycle Technical Guidelines and provided as part of the on-site improvement plan details.

13. RECYCLING AND SOLID WASTE

- A. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval.
- B. All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- C. The required solid waste and recycling enclosure shall match the design, materials and color of the main building as shown on proposed plans.
- D. All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic.

14. RIGHT-OF-WAY/TRAFFIC IMPROVEMENTS

- A. Obtain a Development Permit from the Department of Public Works for improvements.
- B. Existing driveways shall be removed and replaced with sidewalk, curb and gutter. New driveways must be designed and constructed according to current City standards.
- C. Curbs, gutters, sidewalks, streets, utilities, traffic control signs, electroliers (underground wiring) shall be designed, constructed and/or installed in accordance with City standards prior to occupancy. Plans shall be approved by then Department of Public Works.

- D. Comply with standard requirements and obtain encroachment permit for any work in the public right-of-way. Pay standard fees related to any such work.
- E. If at any point, the full access creates safety and/or operational issues, the City will prevent the left-turn movements in and out of the site, thereby converting the Remington access driveway to right-turn-in and right-turn-out movements only.
- F. The project is required to submit a signing and striping plans for on- and off-site improvements. The plans have to follow provisions of the 2006 California Manual on Uniform Traffic Control Devices (MUTCD). Example information to be illustrated on the plans include a stop control (i.e., a stop sign, stop bar and legend, and centerline tail) facing traffic exiting the project site, pavement markings showing the on-site vehicular travel movements, reinstatement of the on-street pavement markings (i.e., edge lines of travel and bike lanes, pedestrian crosswalks, etc.) in thermoplastic, etc.
- G. The project is required to submit a Traffic Control Plan for review and approval by the City's Transportation and Traffic Division. The TC Plan needs to be submitted as part of the improvement plans packet and must be approved prior to the issuance of an encroachment permit. The TC Plan typically shows any potential temporary closure of a sidewalk and/or travel lane during any phase of project construction. It also shows the on-site location that will be dedicated for storage of construction materials, equipments, and construction related parking. Following to the 2006 or most recent update of the CA MUTCD, temporary warning devices, potential provision of flagman, etc. will be shown on the plan. Truck routes to and from the site will also be described.
- H. Provide sanitary sewer cleanout at property line.
- I. Upgrade water meter to radio-read meters; one for domestic water service and a separate meter and backflow device for landscaping per city standards.
- J. Provide above ground DCDA backflow prevention device (with FDC) per city standard and Fire Safety division requirements
- K. Remove and replace fire hydrant with updated Clow 75 model. Work with City staff to determine adequate placement of fire hydrants on-site if necessary.

15. ROOF/ROOF SCREENS

- A. Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view to

meet code requirements as noted in Sunnyvale Municipal Code Section 19.38.020.

16. SIGNS

- A. No signs are approved as part of this development permit.
- B. All new signs shall be in conformance with Sunnyvale Municipal Code.

17. GREEN BUILDING DESIGN

- A. The project shall be designed to meet LEED Certified level design intent. The development is required to implement a minimum of 23 LEED points. Upon certification, the applicant shall provide proof that the building has achieved a rating of LEED Certified or better.
- B. Building permit plans shall include a sheet noting the green building features incorporated into the design subject to review and approval the Director of Community Development. The plan sheet shall include notes on where specific provisions are included on which plan sets.
- C. Prior to the issuance of any building permit, a signed Green Building Agreement shall be submitted to the Planning Division for recording against the property identifying requirements for all new development to implement green building requirements and to maintain facilities in accordance with the installed green building techniques. The agreement is subject to review and approval by the Director of Community Development.

18. TRAFFIC/ROAD IMPROVEMENTS

- A. Construct traffic signal interconnect conduits along the Remington project frontage.
- B. Approval of detailed street improvements plan shall be obtained from Public Works and bonds posted prior to issuance of a Building Permit.

19. UNDERGROUND UTILITIES

- A. All proposed utilities shall be undergrounded.
- B. Applicant shall provide a copy of an agreement with affected utility companies for undergrounding of existing overhead utilities which are on-site or within adjoining rights-of-way prior to issuance of a Building Permit or a deposit in an amount sufficient to cover the cost of undergrounding shall be made with the City.
- C. If any additional poles are proposed to be added, developer shall have PG&E submit the preliminary plan to Public Works Department for review. City Council shall make the decision if any additional poles

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

- D. Install conduits along frontage for Cable TV, electrical and telephone lines in accordance with standards required by utility companies, prior to occupancy. Submit conduit plan to Planning Division prior to issuance of a Building Permit.
- E. Conduit sizing and locations shall be included on street improvement plans. Submit one copy to the Planning Division.
- F. Improvement plans showing conduits for future undergrounding of existing overhead utilities shall be submitted to the Planning Division for review and approval prior to issuance of a Building Permit. Complete installation of conduits prior to occupancy.

20. STORMWATER

- A. An Impervious Surface Calculation worksheet for final project is required to be completed and submitted for the California Regional Water Quality Control Board and a copy provided to the city prior to issuance of a building permit.
- B. Prior to the issuance of a grading permit, a "Blueprint for a Clean Bay" shall be submitted and approved by the City.
- C. A final Stormwater Management Plan is subject to the review of the Director of Community Development prior to issuance of a building permit in conformance with 12.60 of the Sunnyvale Municipal Code, including third party certification of the final plan.
- D. Certified Stormwater plans must be recorded with the property deed. The owner is responsible for maintaining the Stormwater Best Management Practices (BMPs).
- E. Final Certified Stormwater plan needs to indicate no conflict with civil, landscape and tree protection plan.



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

File Number: 2007-0306
No. 08-19

ATTACHMENT C

Page 1 of 22

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

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

PROJECT TITLE:

Application for a **Special Development Permit** filed by **Rite Aid**.

PROJECT DESCRIPTION AND LOCATION (APN):

2007-0306 – Rite Aid [Applicant] **Tikvica Family Trust** [Owner]: Application for a Special Development Permit to allow an approximately 14,673 square foot pharmacy with a drive-thru. The property is located at **1010 Sunnyvale-Saratoga Road** (at E. Remington Dr.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (Mitigated Negative Declaration)(APN: 211-21-018) RK

WHERE TO VIEW THIS DOCUMENT:

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

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Monday, January 12, 2009**. 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, January 12, 2009 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

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

Circulated On December 19, 2008

Signed: *Gerri Caruso*
Gerri Caruso, Principal Planner

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

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

1. Project Title: Special Development Permit for 1010 Sunnyvale-Saratoga Road
2. Lead Agency Name and Address: City of Sunnyvale, Community Development Department, Planning Division
3. Contact Person and Phone Number: Ryan M. Kuchenig, Associate Planner (408) 730-7431
4. Project Location: 1010 Sunnyvale-Saratoga Road, Sunnyvale, CA 94087
5. Project Sponsor's Name and Address: Craig and Grant Architects
301 Hartz Avenue, Suite 213
Danville, CA 94526
6. General Plan Designation: Residential High Density
7. Zoning: C-1/PD (Neighborhood Commercial/Planned Development)
8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))

The applicant proposes a Special Development Permit to allow for the construction of 14,673 square foot pharmacy and drive-thru located at 1010 Sunnyvale-Saratoga Avenue. The applicant will be required to obtain a building permit subsequent to planning approval of the project.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings) The site is currently developed with a restaurant building. Surrounding uses include multifamily residential to the north and east (apartments north and townhomes and east.) Residential and office across Sunnyvale-Saratoga road to the west and commercial and residential uses to the south across Remington Drive.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

Project #: 2007-0306
 Project Address: 1010 Sunnyvale-Saratoga Road
 Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

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 | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

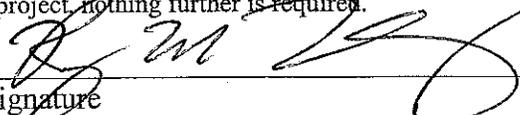
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

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

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

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


 Signature

12-18-08
 Date

Ryan M. Kuchering
 Printed Name:

For: City of Sunnyvale

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

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:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. 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.
 - c. 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
- 6) 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.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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I. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?	0	0	X	0	See Discussion
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	0	0	0	X	2, 94
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	0	0	0	X	2, 94
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	0	0	0	X	2, 94

II. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?	0	0	0	X	3, 97, 100
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	0	0	0	X	3, 97, 100, 111
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	0	0	X	0	Discussion at end of check-list
d. Expose sensitive receptors to substantial pollutant concentrations?	0	0	X	0	Discussion at end of check-list
e. Create objectionable odors affecting a substantial number of people?	0	0	0	X	111, 112

Project #: 2007-0306
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INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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III. BIOLOGICAL RESOURCES:

<p>a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?</p>	θ	θ	θ	X	2, 94, 111
<p>b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?</p> <p><i>Storm Water Runoff Guidance:</i> Include aquatic and wetland habitats as part of the sensitive habitat review. Also evaluate adverse changes to sensitive habitats that favor the development of mosquitoes and other biting flies that may pose a threat to public health. Aquatic and wetland habitats such as those found near Stevens Creek, Calabazas Creek, Sunnyvale East Channel, Sunnyvale West Channel, El Camino Channel, Moffett Channel, Guadalupe Slough and the Baylands are considered sensitive habitat areas.</p>	θ	θ	θ	X	2, 94, 111, 112, 109
<p>c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	θ	θ	θ	X	2, 94, 109
<p>d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p>	θ	θ	θ	X	2, 94, 111, 112, 109
<p>e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	θ	θ	θ	X	2, 41
<p>f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?</p>	θ	θ	θ	X	2, 41, 94, 111

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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IV. CULTURAL RESOURCES. Would the project:

- | | | | | | | |
|----|--|---|---|---|---|----------------|
| a. | Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | θ | θ | θ | X | 2, 59-61, 94 |
| b. | Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? | θ | θ | θ | X | 10, 42, 94 |
| c. | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | θ | θ | θ | X | 10,42, 94, 111 |
| d. | Disturb any human remains, including those interred outside of formal cemeteries? | θ | θ | θ | X | 2, 111, 112 |

V. LAND USE AND PLANNING. Would the project:

- | | | | | | | |
|----|--|---|---|---|---|-------------------|
| a. | Physically divide an established community? | θ | θ | θ | X | 2, 11, 12, 21, 28 |
| b. | Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | θ | θ | θ | X | 28, 31, 111 |
| c. | Conflict with any applicable habitat conservation plan or natural communities conservation plan? | θ | θ | θ | X | 2, 94, |

VI. MINERAL RESOURCES. Would the project:

- | | | | | | | |
|----|--|---|---|---|---|-------|
| a. | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | θ | θ | θ | X | 2, 94 |
| b. | Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | θ | θ | θ | X | 2, 94 |

VII. NOISE. Would the project result in:

- | | | | | | | |
|----|--|---|---|---|---|----------------|
| a. | Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | θ | θ | θ | X | 2, 16, 26, 94 |
| b. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | θ | θ | θ | X | 2, 16, 26, 94, |

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
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INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	X	0	See Discussion
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	0	0	X	0	See Discussion
VIII. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	0	0	0	X	2, 11, 12
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	0	0	0	X	2, 11, 111, 112
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	0	0	0	X	2, 11, 111, 112
IX. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Parks?	0	0	0	X	2, 111, 112
b. Fire protection?	0	0	0	X	26, 65, 66, 103, 104
c. Schools?	0	0	0	X	UFC/ UBC/ SMC
d. Other public facilities?	0	0	0	X	2, 111, 112
e. Police protection?	0	0	0	X	26, 65, 66, 103, 104

Project #: 2007-0306
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Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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X. MANDATORY FINDINGS OF SIGNIFICANCE

<p>a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</p>	θ	θ	θ	X	2, 3, 12, 80, 94, 96, 97, 109, 110
<p>b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?</p>	θ	θ	θ	X	2, 3, 12, 80, 83, 94, 96, 97, 110
<p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	θ	θ	θ	X	94, 111, 112

Project #: 2007-0306
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INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XI. GEOLOGY AND SOILS. Would the project:

- | | | | | | | |
|----|---|---|---|---|---|--------------------------------------|
| a. | Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: | | | | | |
| | (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| | (ii) Strong seismic ground shaking? | 0 | 0 | X | 0 | See Discussion
UBC, UPC, UMC, NEC |
| | (iii) Seismic-related ground failure, including liquefaction? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| | (iv) Landslides? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| b. | Result in substantial soil erosion or the loss of topsoil? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| c. | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| d. | Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |
| e. | Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | 0 | 0 | 0 | X | UBC, UPC, UMC, NEC |

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INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	0	0	0	X	2, 20, 24, 87, 88, 89, 90, 111, 112
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	0	0	X	0	Discussion at end of check-list
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
e. Result in a determination by the wastewater treatment provider that 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?	0	0	0	X	2, 20, 24, 25, 87, 88, 89, 111, 112
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	0	0	0	X	2, 22, 90, 111, 112
g. Comply with federal, state, and local statues and regulations related to solid waste?	0	0	0	X	2, 22, 90, 111, 112

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XIII. TRANSPORTATION/TRAFFIC. Would the project:

a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	0	0	X	0	See Discussion
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	0	0	0	X	2, 12, 71, 75-77, 80, 84, 111, 112
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	0	0	0	X	2, 111, 112, 113
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	0	0	0	X	2, 12, 71, 75-77, 80, 84, 111, 112
e. Result in inadequate emergency access?	0	0	0	0	8, 12, 13
f. Result in inadequate parking capacity?	0	0	X	0	See discussion
g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	0	0	0	X	12, 81, 85

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XIV. HAZARDS AND HAZARDOUS MATERIALS. Would the project?

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	θ	θ	θ	X	UFC, UBC, SVM C
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	θ	θ	θ	X	UFC, UBC, SVM C
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	θ	θ	θ	X	UFC, UBC, SVM C
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	θ	θ	θ	X	UFC, UBC, SVM C
e. For a project located within 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?	θ	θ	θ	X	UFC, UBC, SVM C
f. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	θ	θ	θ	X	UFC, UBC, SVM C
g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	θ	θ	θ	X	UFC, UBC, SVM C

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XV. RECREATION

a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	0	0	0	X	17, 18, 111
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	0	0	0	X	17, 18, 111

XVI. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	0	0	0	X	94
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	0	0	0	X	94
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	0	0	0	X	94

Project #: 2007-0306
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INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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XVII. HYDROLOGY AND WATER QUALITY. Would the project?

a. Violate any water quality standards or waste discharge requirements?	0	0	0	X	2, 24, 25, 111, 112
(i.) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, will it result in an increase in any pollutant for which the water body is already impaired?	0	0	0	X	2, 24, 25, 111, 112
(ii.) Will the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	0	0	0	X	2, 24, 25, 111, 112

Storm Water Runoff Guidance:

For example, projects that could increase pollutant discharges such as mercury, copper, nickel, sediment, organophosphate pesticides, PCBs, or other listed contaminants will need to address those impacts. Beneficial uses for Sunnyvale water bodies may include Cold Freshwater Habitat (e.g., Stevens Creek), Estuarine Habitat (e.g., Guadalupe Slough, north portions of Sunnyvale East and West Channels), Groundwater Recharge (e.g., Calabazas Creek and Stevens Creek), Preservation of Rare or Endangered Species (e.g., Stevens Creek, Baylands), Warm Freshwater Habitats and Wildlife Habitat (e.g., Sunnyvale East and West Channels).

b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	0	0	0	X	2, 24, 25, 111, 112
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Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
<p>c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</p> <p><i>Storm Water Runoff Guidance:</i> Evaluation of a project's effect on drainage patterns should refer to the final approved SCVURPPP Hydromodification Management Plan (HMP) where applicable, to assess the significance of altering existing drainage patterns and to develop any mitigation measures. The evaluation of hydromodification effects should also consider any potential for streambed or bank erosion downstream from the project. Areas that may be impacted within Sunnyvale include the storm water drainage area into Stevens Creek and the southern reach of Calabazas Creek between Homestead Road and Lawrence Expressway. Areas that drain into Sunnyvale East and West Channels and El Camino Channel have been proposed to be exempt from HMP requirements since they are artificial channels and the northern portions of Sunnyvale East and West Channels are under tidal influence.</p>	0	0	X	0	See Discussion
<p>d. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</p>	0	X	0	0	See Discussion
<p>(i.) Will the proposed project result in increased impervious surfaces and associated increased runoff?</p>	0	X	0	0	See Discussion
<p>(ii.) If so, does the project meet the NPDES permit's Group 1 or Group 2 criteria?</p>	0	X	0	0	See Discussion
<p><i>Storm Water Runoff Guidance:</i> If applicable, document Best Management Practices in fulfillment of Provision C.3 requirements as CEQA mitigation measures.</p>					

Project #: 2007-0306

Project Address: 1010 Sunnyvale-Saratoga Road

Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
e. Otherwise substantially degrade water quality?	θ	θ	θ	X	2, 24, 25, 111, 112
(i.) Would the proposed project result in an increase in pollutant discharges to receiving waters? <i>Storm Water Runoff Guidance:</i> Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).	θ	θ	θ	X	2, 24, 25, 111, 112
(ii.) Does the project have the potential to result in a significant impact to surface water quality, marine, fresh, or wetland waters, or to groundwater quality?	θ	θ	θ	X	2, 24, 25, 111, 112
(iii.) Will the project result in avoiding creation of mosquito larval sources that would subsequently require chemical treatment to protect human and animal health?	θ	θ	θ	X	2, 24, 25, 111, 112
f. 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?	θ	θ	θ	X	2, 24, 25, 111, 112
g. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	θ	θ	θ	X	2, 24, 25, 111, 112
h. 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?	θ	θ	θ	X	2, 24, 25, 111, 112
i. Inundation by seiche, tsunami, or mudflow?	θ	θ	θ	X	2, 24, 25, 111, 112

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

INITIAL STUDY ENVIRONMENTAL CHECKLIST

DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT

1. a) **AESTHETICS:** The City's implementation of the Citywide Design Guidelines and staff's review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not degrade the visual character or quality of the site and its surroundings. As a result, this impact will be less than significant
2. c) **AIR QUALITY** The proposed project could result in impacts to air quality due to emissions of criteria pollutants resulting from grading, demolition, and construction activities. Mitigation efforts can be used during the construction phase to reduce the impact on air quality.
2. d) **AIR QUALITY** The proposed project could result in impacts to air quality due to emissions of criteria pollutants resulting from the generation of additional vehicle trips to the site and local regional roadways. The increase of pollutants from the pharmacy and the drive thru uses is not considered significant over levels generated by the current use.
7. d) **NOISE** Although, the site is already developed, the project will introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction.
- 11.a) ii. **GEOLOGY AND SOILS** The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. Through the City's implementation of the Uniform Building Code requirements for area's with potential for seismic activity this aspect of the project will be reduced to a less than significant level.
12. c) **UTILITY AND SERVICE SYSTEMS** The proposed project includes stormwater run-off treatment Best Management Practices, as now required by the Santa Clara Valley Urban Runoff Pollution Prevention Program.
13. a) **TRANSPORATION AND TRAFFIC** The project analysis conducted by Hexagon Transportation Consultants found that the project would result in a net increase of 38 AM peak hour trips and 37 PM peak hour trips. The projected increase in trips is considered less than significant.
13. f) **TRANSPORATION AND TRAFFIC** As currently proposed, the project would result in a deficiency of 10 parking spaces per Sunnyvale Municipal Code Section 19.46.050 standards. The parking analysis performed by Hexagon Transportation Consultants indicates that a ratio of 3.5 spaces per 1,000 square feet should be applied for such uses in the Bay Area. Field surveys based on similar pharmacy and drive-thru uses resulted in a 2.66 per 1,000 square feet ratio. ITE surveys publish a 2.1 per 1,000 s.f. weekday and 4.74 per 1,000 s.f. weekend rate.

Project #: 2007-0306
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INITIAL STUDY ENVIRONMENTAL CHECKLIST

17. c) HYDROLOGY AND WATER QUALITY The proposed project construction shall result in a change in drainage pattern for the site. However, a project includes a stormwater management plan with Best Management Practices to reduce the level of pollutants in the runoff. The impact of run-off during construction is addressed as a standard mitigation in construction site management requirements

DISCUSSION OF IMPACTS THAT ARE LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

7. d) NOISE A noise study was completed by Edward Pack & Associates on November 4, 2008. The proposed project noise exposure is considered to be lower than that the existing noise levels. Noise generated from the drive-thru use is calculated to be at 38 dBA which falls below the City's maximum noise standard. Deliveries and truck/loading noise area expected to fall within the daytime 60 dBA levels of the Sunnyvale Municipal Code; however may exceed nighttime levels.

Mitigation Measures

Based on the noise analysis, staff recommends the following mitigation measures to reduce noise from truck loading and delivery activities and to ensure noise levels.

WHAT: 1) All delivery and loading activities shall occur during daytime operations. Municipal Code noise standards base daytime hours between 7am and 10pm.

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Special Development Permit is approved and must be installed within three months.

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.

17. d) i. & ii. HYDROLOGY AND WATER QUALITY The proposed project will result in an increase of impervious surface for the site. A Stormwater Management Plan has been submitted which includes Best Management Practices (BMPs) to fulfill C3 provisions. The site is subject to oil and grease, sediments, pesticides, and trash based on its general commercial use designation. Some of these BMPs include the use of bio-swales & bio-retention planters.

Mitigation Measures

Staff recommends the following mitigation measures to address stormwater runoff.

WHAT: 1) A final Stormwater Management Plan is subject to review and approval by staff prior to approval of Building Permits.

Project #: 2007-0306
Project Address: 1010 Sunnyvale-Saratoga Road
Applicant: Craig and Grant Architects

ATTACHMENT C
Page 20 of 22

INITIAL STUDY ENVIRONMENTAL CHECKLIST

WHEN: These mitigation measures will be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Special Development Permit is approved and must be installed within three months.

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.

Approval of a final Stormwater Management Plan is required prior to construction of the development.

Completed By: Ryan Kuchenic

Date: 12/22/08

ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are for the most recent version, as of the date the Initial Study was prepared.

City of Sunnyvale General Plan:

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

City of Sunnyvale Municipal Code:

25. Chapter 10
26. Chapter 12.60 Storm Water Management
27. Chapter 19.18. Residential Zoning Districts
28. Chapter 19.20. Commercial Zoning Districts
29. Chapter 19.22. Industrial Zoning Districts
30. Chapter 19.24. Office Zoning Districts
31. Chapter 19.26. Combining Zoning Districts
32. Chapter 19.28. Downtown Specific Plan
33. Chapter 19.42. Operating Standards
34. Chapter 19.46. Off-Street Parking & Loading
35. Chapter 19.56. Solar Access
36. Chapter 19.66. Affordable Housing
37. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
38. Chapter 19.94. Tree Preservation
39. Chapter 19.96. Heritage Preservation

Specific Plans:

40. Downtown Specific Plan (SMC 19.28)
41. El Camino Real Precise Plan
42. Lockheed Site Master Use Permit
43. Moffett Field Comprehensive Use Plan
44. 101 & Lawrence Site Specific Plan
45. Southern Pacific Corridor Plan

Environmental Impact Reports:

46. Futures Study Environmental Impact Report
47. Lockheed Site Master Use Permit Environmental Impact Report
48. Tasman Corridor LRT Environmental Impact Study (supplemental)
49. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of Santa Clara)
50. Downtown Development Program Environmental Impact Report
51. Caribbean-Moffett Park Environmental Impact Report
52. Southern Pacific Corridor Plan Environmental Impact Report

Maps:

53. Zoning Map
54. City of Sunnyvale Aerial Maps
55. Flood Insurance Rate Maps (FEMA)
56. Santa Clara County Assessors Parcel
57. Utility Maps (50 scale)

Lists / Inventories:

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

Legislation / Acts / Bills / Codes:

63. Subdivision Map Act

ENVIRONMENTAL CHECKLIST REFERENCE LIST

Note: All references are the most recent version as of the date the initial Study was prepared:

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

Transportation:

- 70. California Department of Transportation Highway Design Manual
- 71. California Department of Transportation Traffic Manual
- 72. California Department of Transportation Standard Plan
- 73. California Department of Transportation Standard Specification
- 74. Institute of Transportation Engineers - Trip Generation
- 75. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
- 76. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
- 77. California Vehicle Code
- 78. Traffic Engineering Theory & Practice by L. J. Pegnataro
- 79. Santa Clara County Congestion Management Program and Technical Guidelines
- 80. Santa Clara County Transportation Agency Short Range Transit Plan
- 81. Santa Clara County Transportation Plan
- 82. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 83. Santa Clara County Sub-Regional Deficiency Plan
- 84. Bicycle Plan

Public Works:

- 85. Standard Specifications and Details of the Department of Public Works

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

Miscellaneous:

- 93. Field Inspection
- 94. Environmental Information Form
- 95. Annual Summary of Containment Excesses (BAAQMD)
- 96. Current Air Quality Data
- 97. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?
- 98. Association of Bay Area Governments (ABAG) Population Projections
- 99. Bay Area Clean Air Plan
- 100. City-wide Design Guidelines
- 101. Industrial Design Guidelines

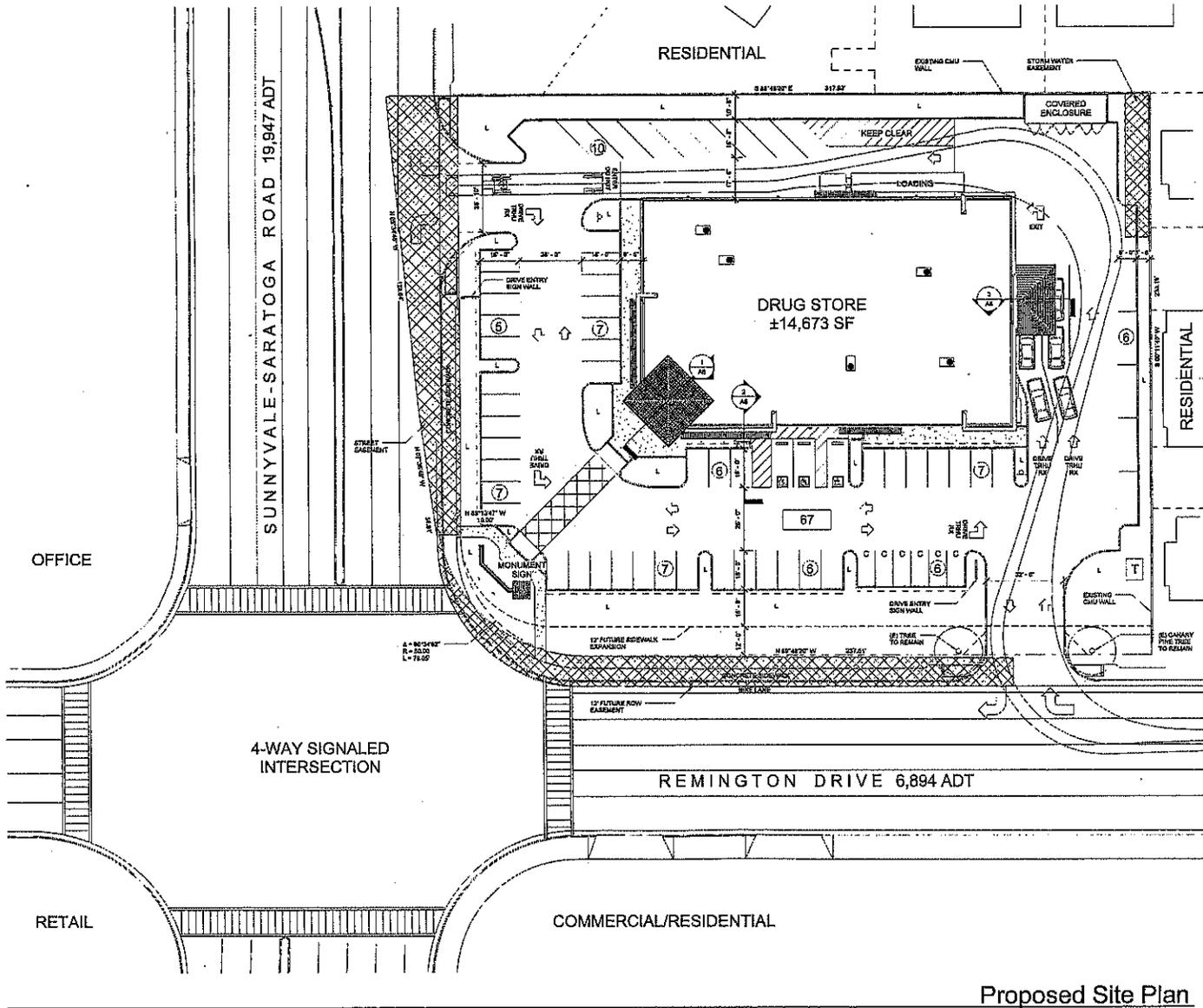
Building Safety:

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

Additional References:

- 108. USFWS / CA Dept. F&G Special Status Lists
- 109. Project Traffic Impact Analysis
- 110. Project Description
- 111. Project Development Plans
- 112. Santa Clara County Airport Land Use Plan
- 113. Federal Aviation Administration
- 114. Site Map

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PROJECT DATA

SITE DATA APN: 211-21-017 & 018

ADDRESS: 1010 SUNNYVALE-SARATOGA ROAD
SUNNYVALE, CA 94087

ZONING: C-1 / PD

OCCUPANCY: M

CONSTRUCTION TYPE: V-B

SITE AREA: ±70,324 SF GROSS (SEE SURVEY)
±66,816 SF NET

SETBACKS:	REQUIRED	PROPOSED
SUNNYVALE-SARATOGA ROAD (FRONT)	7'-0"	7'-0"
REMINGTON DRIVE (RIGHT SIDE)	1'-0"	8'-0"
NORTH (LEFT SIDE)	1'-0"	4'-0"
EAST (REAR)	1'-0"	4'-0"

AREA PERCENTAGES

BUILDING AREA:	±14,673 S.F.	22%
HARDSCAPE AREA:	±37,228 S.F.	59%
LANDSCAPE AREA:	±14,956 S.F.	22%
FAR:	EXISTING	7.35:1
	PROPOSED	4.79:1

PARKING BASIS AS PROPOSED

PARKING RATIO:	1 CAR / 180 SF RETAIL	
PARKING SIZES:	STANDARD	8' x 18' w/ 2' OVERHANG
	PARALLEL	8' x 22'
	COMPACT	8' x 17' w/ 2' OVERHANG
	AISSLES	28' MIN. EXCEPT AS NOTED
PARKING REQUIRED:	14,673 SF / (180SF/CAR) = 82 STALLS	
PARKING PROVIDED:	STANDARD	52
	PARALLEL	6
	COMPACT	6
	ACCESSIBLE	6
TOTAL	67 STALLS	

GRAPHIC LEGEND

T	TRANSFORMER
□	IN GROUND SIGNAGE LIGHTS
○	SITE SIGNAGE
L	LANDSCAPING



AS ORIGINALLY SUBMITTED 11.07.08

Proposed Site Plan
SCALE: 1" = 20'-0"

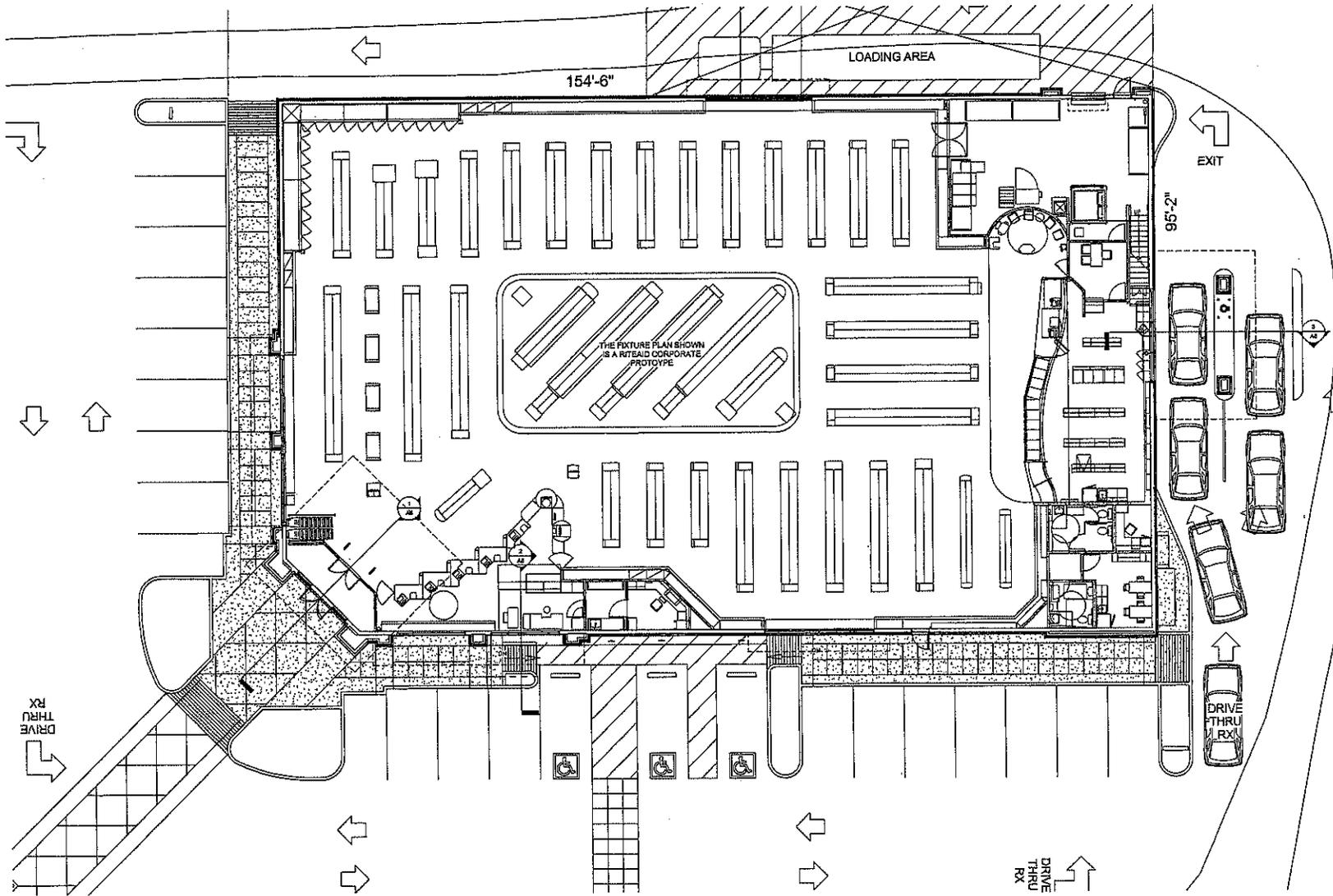
CRAIG + GRANT

ARCHITECTS
321 HART AVENUE, SUITE 213
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TELEPHONE 925-820-7665
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 RiteAid #5895
 1010 Sunnyvale-Saratoga Road
 Sunnyvale, California

ATTACHMENT D
 Page 2 of 10
 SITE PLAN
 A2
 11.07.08

P:\Addtl Projects\0811_08 - Sunnyvale\07 Design Documents\7.1.1 Architect Drawings\0811\0811_08\0811_08.dwg



Floor Plan/Fixture Plan

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

AS REVISED 12.31.08

CRAIG + GRANT



ARCHITECTS

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Sunnyvale, California

Page

6

FLOOR PLAN AS
REVISED 12-31-08

ATTACHMENT

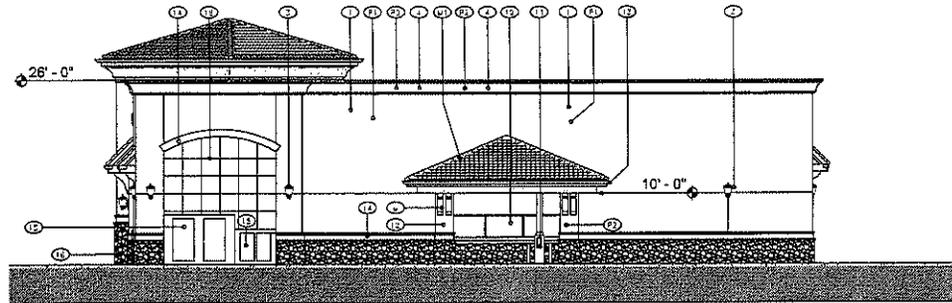
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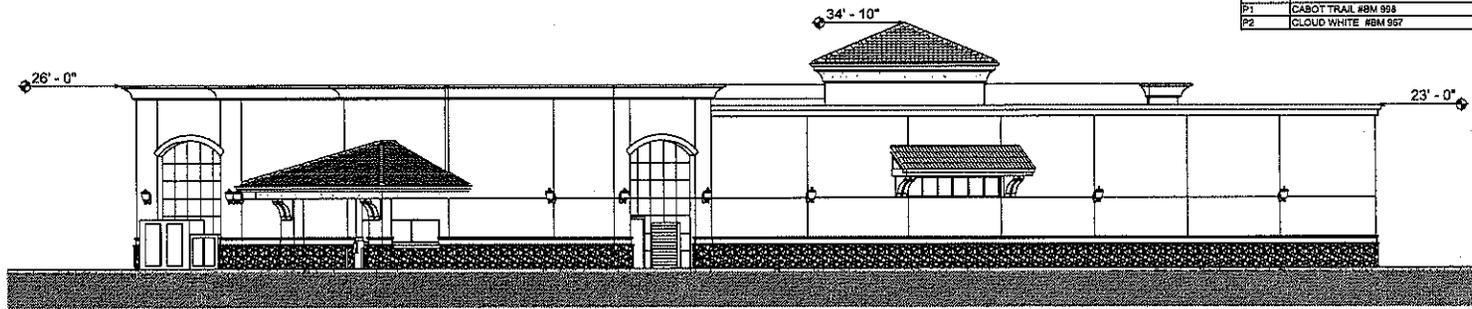
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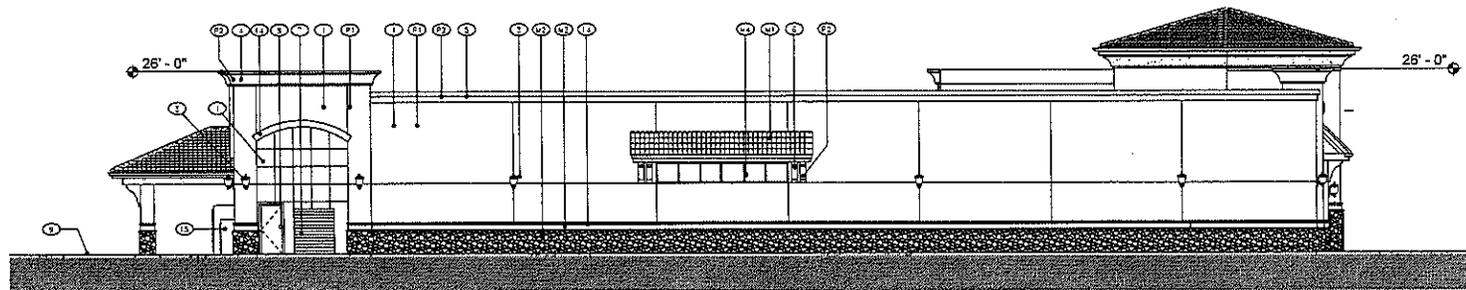
KEYNOTES	
1	CEMENT PLASTER FINISH
2	3D SIGN W/ INTERNAL ILLUMINATION
3	WALL, WTD. LIGHT SCONCE L1
4	FOAM CORNICE/MOULDING C1
5	FOAM CORNICE C2
6	DECORATIVE FOAM BRACKET C3
7	METAL OVERHEAD LOADING/DOCK DOOR (8'x 8')
8	METAL SERVICE DOOR
9	CONCRETE CURB
10	DRIVE THRU WINDOW
11	DRIVE THRU REMOTE BOX W/ PNEUMATIC TUBE
12	PLASTER
13	GUTTER WITH PAINTED FINISH ON PAINTED WOOD FASCIA
14	ARCHITECTURAL CONCRETE VENEER AND TRIM
15	ELECTRICAL UTILITY CABINET
16	POLE MOUNTED DISABLED PARKING SIGNAGE
17	TUBE STEEL TRELLIS
18	CEMENT PLASTER CONTROL JOINTS
M1	ROOF TILE, BOOSTED CAPISTRANO, SANTA CRUZ 9402, EAGLE ROOFING
M2	STONE VENEER, ITALIAN VILLA-FROVO CANYON GREY, CORONADO STONE
M3	ARCHITECTURAL CONCRETE, 70W, NAPA VALLEY CAST STONE
M4	PAINTED ALUM. STOREFRONT W/ TINTED GREY GLASS
P1	CABOT TRAIL #8M 958
P2	CLOUD WHITE #8M 957



Rear Elevation (East)
SCALE: 1/8" = 1'-0"



Service Area and Drive-Thru
SCALE: 1/8" = 1'-0"



Left Side Elevation (North)
SCALE: 1/8" = 1'-0"

AS REVISED 01-08-09

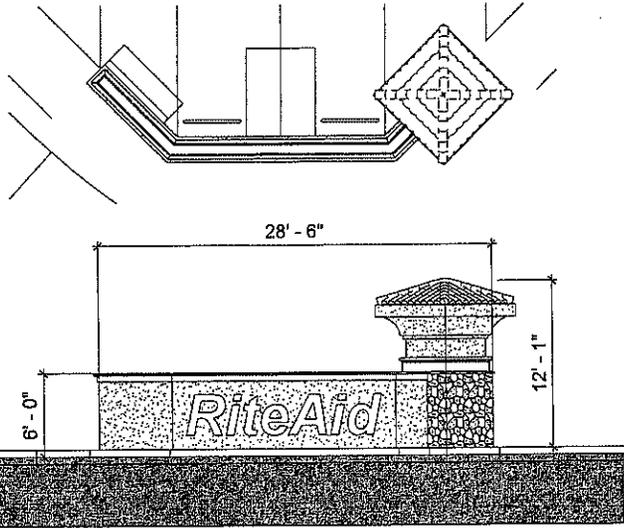
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Sunnyvale, California

EXTERIOR ELEVATIONS

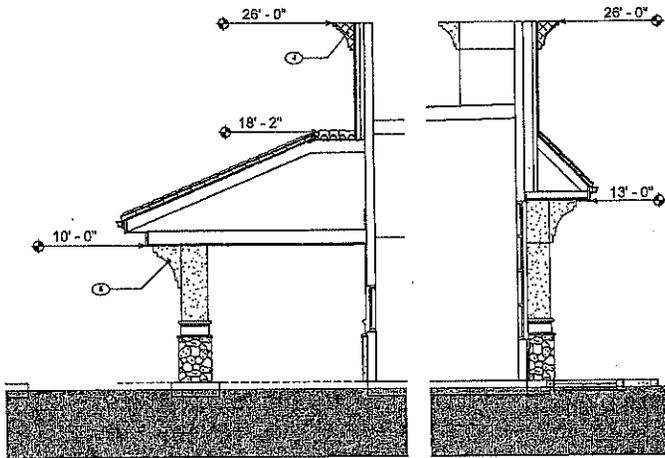
Page 5 of 10

ATTACHMENT D

A5
01.08.09

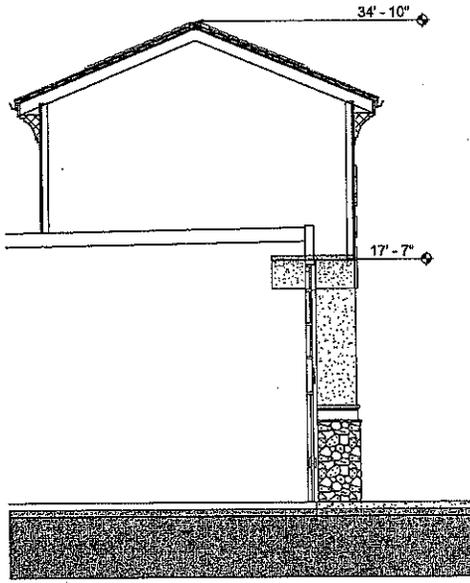


4 Monument Sign
SCALE: 1/4" = 1'-0"

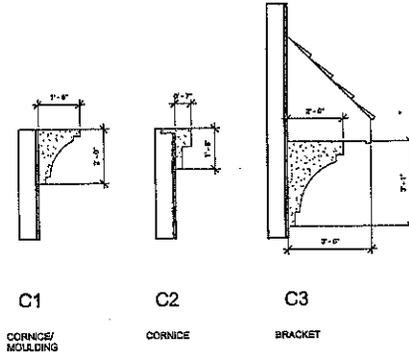


3 Drive-Thru Section
SCALE: 1/4" = 1'-0"

2 Awning Section
SCALE: 1/4" = 1'-0"



1 Entry Tower Section
SCALE: 1/4" = 1'-0"



Cornice/Moulding/Bracket Types
SCALE: 1/2" = 1'-0"



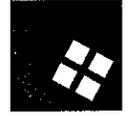
PHOTO FOR REFERENCE ONLY
MFR: MELISSA LIGHTING
SERIES: TUSCANY COLLECTION IV
MODEL: TC379043
FINISH: BLACK
LENS: PEARL
LAMPING: ELECTRONIC BALAST
EBPL-32 (4-Pin)

L1 Wall Sconce
SCALE: 1 1/2" = 1'-0"



TC379043
Ht. 28"
Wid. 16"
Extends 18"
Top To Outlet 18"
Backplate 6 1/2" x 14 1/2"

**CRAIG
+
GRANT**



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Nicholson Investment Properties
RiteAid #5895
1010 Sunnyside-Saratoga Road
Sunnyvale, California

EXTERIOR DETAILS AND SECTIONS
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A6

ATTACHMENT 2

PROJECT DESCRIPTIONRITE AID PHARMACY

Address: NEC Sunnyvale-Saratoga Road & Remington Drive
1010 Sunnyvale-Saratoga Road

City/State: Sunnyvale, California

Store No.: Rite Aid- 5895

Location

The proposed site is located on the northeast corner of Sunnyvale-Saratoga Road and Remington Drive in Sunnyvale, CA.

Design

The proposed use is a 14,673 sf Rite Aid Pharmacy, which offers a full service pharmacy and drive thru as well as an array of retail consumer goods; gifts, pre-packaged goods, alcoholic and non-alcoholic beverages, sundries and an ice cream counter. The project lies within the C1-PD zoned district. The purpose of the Planned District is to effect development in a way which generally enhances standards set forth in the Zoning Code and which is consistent with the General Plan.

The proposed Rite Aid has been designed to complement the neighborhood in three distinct ways; 1) The scale of the building is commensurate with its' neighbors on all sides, 2) The materials presented are a comfortable reflection of both the commercial sites to the west and the residential homes to the north and east, and 3) The structure is set well away from both main arterials, providing a substantial landscaped area and preserving both of the tall trees toward the southeast corner of the site. The landscape selected is designed to enhance the building and to provide a pleasant streetscape, adhering to the City's goals for pedestrian friendly design. The project is to be constructed in one phase.

34' 10"

The building height is approximately ~~30~~ feet to the top of the pitched entry roof and 16 feet to the top of the surrounding parapet which screens the rooftop mechanical units. The use of pitched roof elements is to mirror the residential roofscape to the north, east and south. Chapters of the City of Sunnyvale Community Design Guidelines were reviewed and the project does not contradict any information related to its' design and height relative to views of the surrounding hills.

Site Characteristics

Presently, the site consists of two parcels (APN: 211-011-017 & 018) which will be consolidated into one parcel under a separate application. The site is adjacent to the following uses within 50 feet of the property line:

- South ___ Multi-family residential & Commercial (filling station).
- West ___ Office commercial use.
- North ___ Single family residential.
- East ___ Single family residential.

Existing Site Data

- Gross site area ___ 70,324 sf.
- Net site area ___ 65,952 sf.
- Asphalt area ___ 38,057 sf.
- Concrete area –
sidewalks & pads ___ 2,998 sf.
- Landscaped area ___ 13,063 sf. (19% of net site area)
- Impervious area ___ 57,195 sf.
- Building area ___ 14,673 sf.
- FAR ___ 4:1

Presently, there is one existing structure on the site. The existing structure includes a restaurant and is slated to be demolished. Upon demolition of the structure, the site will be improved for the intended use. The property owner is in the process of completing all required environmental reviews of the site including an asbestos inspection of the structure. The property owner will contract with a licensed asbestos removal firm to properly remove and dispose of the contaminated material if necessary.

There are no significant historical, cultural and archaeological features on the site that would require methods to preserve and incorporate such elements into the proposed design. The site is nearly flat across the entire property. There are no environmental opportunities or constraints presented by soils, slopes, drainage patterns, surface geology, geologic hazards, water bodies, vegetation, flood hazards, heritage trees, wetlands, creeks or other natural features on site or within 50 feet of the property lines.

The Applicant has completed its' Arborist's investigation and a copy of the report is included herewith.

Applicant does not anticipate the need for performing any hydraulic analysis to determine the floodplain or floodway limits.

Use Characteristics

The proposed Rite Aid Pharmacy will consist of a 14,673 sf building with an attached drive-thru serving 2 lanes under a canopy. Rite Aid houses a full service pharmacy with licensed pharmacists, and offers an array of retail consumer goods, gifts, pre-packaged goods, alcoholic and nonalcoholic beverages, sundries and an ice cream counter. Hours of store operation are from 9:00 AM to 11:00 PM., 7-days a week. Peak hours are from 11:00 AM to 7:00 PM. Shopping carts are not allowed out of the store. Therefore, no cart corrals are planned.

The drive-thru operates from 9:00 AM to 9:00 PM. and serves approximately 5 to 6 cars per hour at peak hours during the day (11:00 A.M. to 7:00 P.M.). Off peak use is 2 to 3 cars per hour.

Rite Aid receives 1 large delivery per week for restocking and also receives 3 to 4 various deliveries per week from local vendors re-supplying the store with beverages and other prepackaged goods and medicines. All deliveries are received "at grade" along the northeast corner of the building in the early morning prior to the store opening. Storage of over-stock is kept in the storage area at the interior rear of the building.

The Applicant is proposing the placement of 3 covered trash containers in the northeast corner of the site within the side-yard setback. This location is the best choice as it:

- a. Avoids any conflict with the existing adjacent stormwater easement.
- b. Allows vehicular circulation for trash pick-up, deliveries & drive-thru.
- c. Rests as far as possible from both street traffic and on-site parking.
- d. Backs up to the existing 6 ft. stucco wall, eliminating the possibility of any transient encampments.

Modified location as shown on current site plan

Building Characteristics

The proposed Rite Aid building will be approximately ^{34'10"} feet tall at its' highest point, that being the ridge line at the southwest Entry. Construction will consist of traditional 3-coat stucco with a manufactured stone wainscot topped with a brick watertable and highlighted with terrazzo tile accent panels. The pitched roof finish will be a concrete "S" tile. All mechanical equipment is roof-mounted and screened from street view.

Along the east wall a drive-thru to drop off and pick up prescriptions only is proposed. The double lane drive-thru is designed to accommodate 6 cars. Only prescription drugs are dispensed from the drive-thru. The drive-thru window contains bullet resistant glazing. The under canopy includes lights for security and are shielded to prevent ambient light from encroaching onto the adjacent residential properties. An "at grade" receiving area is proposed for the northeast corner of the building. It is proposed that the entrance to the receiving area be on Remington Drive exiting onto Sunnyvale-Saratoga Road.

Building Data:

- Building Dimensions _____ 95'-2" x 154'-6"
- Total building floor area _____ 14, 673 sf.
- Receiving area _____ 771 sf.
- Pharmacy area _____ 625 sf.
- Sales Floor area _____ 11, 100 sf.
- Mezzanine floor area _____ 632 S.F.

Proposed Improvements

Both frontages will require curb, gutter and sidewalk, landscaping, driveways and streetlights. The site is limited to right turn in and right turn out driveways on both Remington and Sunnyvale-Saratoga Road.

The landscape design has been planned according to the City of Sunnyvale's requirements and will include recommended trees and plants. Irrigation drip system per code. The intent is to make the landscaping and the building complement each other and to provide a pleasant streetscape for the City and neighborhood.

Rite Aid will not be allowed Pylon signage; therefore a ground monument has been proposed.

Parking:

The proposed site plan includes 73 parking spaces:

- 3- A.D.A. stalls;
- 8 compact 7.5' x 15' stalls
- 65 Standard 9' x 18' stalls

JUSTIFICATION STATEMENT Special Development Permit

The Sunnyvale Municipal Code requires that at least one of the following two justifications must be met in order to approve a Special Development Permit Application. Illustrating how the project meets each of the following justifications will assist the Planning Division in reviewing the applicant's proposal.

1. Attain the objectives and purposes of the General Plan of the City of Sunnyvale.
2. Ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

The Applicant has chosen to answer number 2 in order to justify its' design.

The Applicant has consulted Section 2.5 of the General Plan: Community Design – Goals, Policies and Action Statements, Policies A-1 through D3d, and all “Action Statements” contained therein. Further, The Applicant feels strongly that it has complied with all Action Statements to the best of its ability, given that the Applicant is redeveloping an infill site rife with challenges. Particularly, the Applicant is complying with the following subsections as evidenced on the preliminary plans submitted:

A.2b. Continue to maintain and develop zoning standards which preserve the quality of residential neighborhoods.

A.2c. Continue to encourage infill development or redevelopment which is compatible with the use, density, setbacks, height and, where possible, the predominant building style and size of the surrounding district or neighborhood.

Policy A.3 Support measures which enhance the identity of special districts and residential neighborhoods to create more variety in the physical environment.

Action Statements

A.3a. Encourage diversity and develop programs to emphasize the unique features of special districts and neighborhoods.

A.3h. Encourage distinctive projects at major nodes which have a coherent spatial relationship and create dynamic spaces at these intersections.

The View From The Road

GOAL B: CREATE AN ATTRACTIVE STREET ENVIRONMENT WHICH WILL COMPLEMENT PRIVATE AND PUBLIC PROPERTIES AND BE COMFORTABLE FOR RESIDENTS AND VISITORS.

Policy B.1 Maintain and provide attractive landscaping in the public right-of-way to identify the different types of roadways and districts, make motorists more comfortable and improve the enjoyment of residential neighborhoods.

Action Statements

B.1a. Continue to maintain and provide landscaped medians on major thoroughfares where it is physically and financially feasible.

B.1c. Continue to design landscape medians for easy and safe maintenance.

B.1d. Encourage tree selection in the right-of-way which is in scale with the type of roadway and emphasizes important gateways.

B.1e. Consider uniform and cohesive landscape themes for districts, major thoroughfares, City boundaries and neighborhoods.

B.1f. Continue to choose roadway trees based on the planting site micro climate, whether the tree species is disease and insect resistant, location of utility wires, size of the planting site, root system potential for sidewalk damage, pruning requirements and the appropriateness of the visual characteristics of the trees.

B.1g. Encourage trees which do not obscure business signage in commercial districts.

B.1h. Continue to provide attractive canopy trees in residential districts.

B.1i. Investigate new varieties of trees for use in the City right-of-way.

B.1j. Continue to plant and maintain street trees along the public right-of-way and identify areas which require replanting or replacement trees.

B.2c. Consider installing street trees next to the curb along major thoroughfares with significant pedestrian activity or in special areas which would benefit from a unified landscape theme.

GOAL C: ENSURE THAT BUILDINGS AND RELATED SITE IMPROVEMENTS FOR PRIVATE DEVELOPMENT ARE WELL DESIGNED AND COMPATIBLE WITH SURROUNDING PROPERTIES AND DISTRICTS.

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

C.1c. Continue to insure that projects have amenities which make them attractive and that these features are not sacrificed to maximize development potential.

C.2c. Continue to require that sites be designed so that the building locations, driveways, parking, exterior mechanical equipment, auxiliary structures and service access areas are attractive and compatible with adjoining properties and the public right-of-way.

C.2d. Continue to require that on-site lighting be energy efficient, unobtrusive and located to minimize off-site glare while providing adequate night time safety.

C.2e. Encourage site plans to be integrated with the adjoining road pattern, and at important junctures, provide view corridors into the project or other interesting features which will engage people.

C.2f. Continue to review project design to insure minimum noise impacts to adjoining properties and reduce noise impacts from off-site sources, such as traffic.

C.2k. Continue to require the screening of exterior mechanical equipment.

Policy C.3 Ensure that site design creates places which are well organized, attractive, efficient and safe.

Action Statements

C.3a. Encourage sites to have obvious and easy to locate entries.

C.3b. Encourage site plans to have a legible organization including focal points and features which provide direction and clarity about the use of the site.

C.3f. Continue to require adequate, attractive, water-wise, drought tolerant and efficiently irrigated landscaping and routinely review landscape standards.

C.3m. Continue to require site plans with good public visibility of entries, adequate night time lighting, safe on-site circulation systems and quick, unobstructed access routes for fire and police services.

C.3n. Continue to require sites plans to be easily navigated by people with handicaps and for some projects consider innovative features in excess of minimum state standards for handicap access.

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

Action Statements

C.4a. Encourage easily identified and attractive building entrances which are oriented to the street.

C.4b. Consider eliminating floor area ratio restrictions on entrances which enhance the architecture of the building and cannot be converted to work space.

C.4c. Require roof elements to wrap around the building so that the element looks integrated and not just pasted on.

C.4d. Encourage clear glass windows at the pedestrian level for commercial buildings to provide visibility of the activities inside stores and restaurants and visibility of pedestrian activity outside.

C.4e. Continue to require mechanical equipment to be fully screened and integrated with the architecture of the building.

C.4f. Encourage building windows to have a shape and spacing consistent with the building style.

C.4k. Encourage buildings to have interesting articulation on all sides through changes in the building plane and height and the addition of elements such as deeply recessed or bay windows, porticos or dormers which create shadow and texture.

C.4l. Avoid blank walls on the ends of buildings facing the roadway and provide detail and articulation on these elevations.

C.4m. Encourage the spacing and size of doors and windows to have a rhythm compatible with the architectural style.

C.4n. Encourage buildings where each of the building elements, such as windows, roofs and walls, are in proportion with each other.

C.4o. Encourage high quality, durable materials for buildings which create texture.

C.4p. Avoid piecemeal embellishment, frequent changes in materials or materials that are incompatible with the building style.

JUSTIFICATION STATEMENT Special Development Permit - Variances

As part of the Special Development Permit, the Applicant is also seeking the following variances:

1. Parking variance from 82 spaces to 67.
2. Landscape setback.
3. Building setback for Trash Enclosure.

Regarding the parking, landscape and 50% shade calculation requirement; Because of exceptional circumstances and conditions applicable to the property, its unique in-fill location and its use, including size, shape, and surroundings the strict application of the ordinance is found to deprive the applicant of privileges enjoyed by other properties in the vicinity and within the same zoning district. Because the site is a re-use in an in-fill location, the Applicant believes that it has strongly addressed the City's policy for redevelopment of an in-fill site.

The granting of the Special Development Permit will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

1. Reduction of Required Parking Stalls

The Applicant is seeking approval for a reduced number of parking stalls from the required 82 stalls to the proposed 67. The proposed site plan exhibits 15 parking stalls under the 82 parking stalls required by City code. The site plan demonstrates 58 standard parking stalls, plus 6-compact stalls and 3-handicapped accessible parking stalls. Rite Aid is confident that a shortfall of 15 parking spaces will not have an impact on its operations based on parking studies performed for its higher producing and higher traffic Southern California stores as well as the attached study dated November 19, 2007 by Hexagon Transportation Consultants, Inc, which clearly defines 52 spaces as more than adequate.

Due to the configuration of the building on the current site, additional parking cannot be generated. If the parking calculation is based only on the sales area of the store, not including the receiving/storage area at the back of the store, as well as the mezzanine, the building square footage is reduced to 11,100 square feet. Given the City parking calculation of 1:180 SF, the new calculated total required parking spaces would equal 62 parking stalls.

The City's required parking code for retail use (1:180 SF) does not contemplate the use of a drive through window serving the pharmacy. The Pharmacy drive-thru serves approximately 5 to 6 cars per hour at peak hours during the day (11 :00 A.M: to 6:00 P.M.). The use of the drive-thru pharmacy accounts for 35 vehicles during a 7-hour peak period. Off peak use is 2 to 3 cars per hour for the remaining 5-hours of business or 10 additional vehicles not utilizing parking spaces during this time period. Thus, 45 vehicles are utilizing the drive thru pharmacy and not the parking lot and space during the stores operational hours.

2. Landscape Setback

The site constraints for this redevelopment opportunity do not allow for the normal landscape setbacks along the perimeter of the project. However, the applicant has set the build back from the adjacent residential properties as much as possible. The redevelopment of the site from a restaurant, emitting smoke and food odor, into a clean retail building is an asset to the neighborhood. The granting of the Variances will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

3. Building Setback for Trash Enclosure

The Applicant is proposing the placement of 3 covered trash containers in the northeast corner of the site within the side-yard setback. This location is the best choice as it:

- a. Avoids any conflict with the existing adjacent stormwater easement.
- b. Allows vehicular circulation for trash pick-up, deliveries & drive-thru.
- c. Rests as far as possible from both street traffic and on-site parking.
- d. Backs up to the existing 6 ft. stucco wall, eliminating the possibility of any transient encampments.

The applicant feels strongly that the redevelopment of the site with the demolition of an old antiquated and less appealing building, replaced with a new building, new landscaping and on-site improvements generating a higher tax return for the city is both beneficial for the immediate neighborhood and for the greater good at large.

Memorandum

Date: September 21, 2007
 To: Rite Aid
 From: Brett Walinski, P.E. *BW*
 Subject: Survey of Drugstore Parking Demand in the San Francisco Bay Area

Hexagon Transportation Consultants has completed this study to determine the appropriate amount of parking for new Rite Aid stores in the San Francisco Bay Area. Our findings are summarized below.

Parking Surveys

Five drugstores with drive through pharmacies were surveyed for parking demand. Each store was surveyed on a weekend day (Saturday or Sunday) and a weekday (Tuesday, Wednesday, or Thursday) between the hours of 10:00 AM and 7:00 PM in September of 2007. The parking lots were counted for demand each hour. The results of the surveys are shown in the table below. A summary table for each survey is attached.

Drugstore with Drive Through - Parking Survey Results

Location	Store	Approx. Size (ksf.) ¹	Max Parking Demand		Max Ratio Demand/1,000 sf. ²
			Weekday	Weekend	
2799 S. White Rd, San Jose	Walgreens	14.3	38	36	2.66
1399 W. San Carlos St, San Jose	Walgreens	16.8	32	38	2.26
2150 Roosevelt Av, Redwood City	Rite Aid	17.2	28	22	1.63
16000 Monterey Rd, Morgan Hill	Rite Aid	17.1	31	22	1.81
4069 Evergreen Village Sq, San Jose	Walgreens	14.0	24	24	1.71

¹ Estimated by direct measurement of building footprint

² Maximum demand for store (weekend or weekday) divided by building size

For both the weekend and weekday surveys, each site generally peaked between 3:00 PM and 6:00 PM. The maximum observed parking demand at any site was 38 vehicles. The maximum calculated parking ratio was 2.66 spaces per 1,000 square feet.

Published Surveys

The Institute of Transportation Engineers (ITE) publication, *Parking Demand 3rd Edition*, contains additional data on parking demand for the land use category "Pharmacy/Drugstore with Drive Through Window." According to ITE, the average peak weekday parking demand for drugstore

uses is 2.02 vehicles per 1,000 square feet (with a standard deviation of 0.72). The average weekend peak parking demand is 2.10 vehicles per 1,000 square feet (with a standard deviation of 0.65).

For comparison purposes, according to ITE, the average peak weekend parking demand for a shopping center use in December is 4.74 vehicles per 1,000 square feet.

Recommended Parking Ratio

Both the ITE data and the data from the Bay Area stores indicate that the retail demand for drugstores is significantly less than that of a typical shopping center use. However, most cities consider drugstore uses as retail and typically recommend a parking ratio of 5 spaces per 1,000 square feet.

To determine an appropriate parking ratio for planning purposes, several factors must be considered. First, the parking demand for all retail uses, including drugstores, vary by their level of success. Some retail stores are more popular than average, while others are less so. Second, retail parking lots are typically designed to accommodate the anticipated parking demand at the 20th busiest hour of the year. It is generally accepted that it is not economical to design any transportation infrastructure for the single busiest hour of the year. Third, even during the busiest time of the day, some spaces should remain open to facilitate parking turnover so that patrons can locate spaces. Usually, around 10% of the parking spaces onsite should remain vacant. Fourth, some retail parking demand is seasonal. It is well documented that retail parking demand peaks during the month of December. Last, the consequences of overflow parking must be considered. Could the overflow be accommodated by an adjacent private use, by on street parking, or will the demand overflow into an existing residential neighborhood?

Given all of the above, Hexagon recommends a generic parking ratio of 3.5 spaces per 1,000 square feet for a "drugstore with drive-through window" use in the San Francisco Bay Area. This ratio is roughly two standard deviations greater than the observed peak ITE peak, and this ratio is 32% higher than the peak parking demand observed during Hexagon's surveys. We believe this ratio is sufficiently conservative to account for fluctuations due to seasonal demand and popularity, while providing an adequate number of vacant spaces to accommodate parking turnover.

Hourly Parking Survey Results

Hour	2799 S. White Rd, San Jose		1399 W. San Carlos St, San Jose		2150 Roosevelt Av, Redwood City		16000 Monterey Rd, Morgan Hill		4069 Evergreen Village Sq, San Jose	
	Wed 9/12	Sun 9/9	Tues 9/11	Sat 9/8	Thus 9/13	Sat 9/15	Tues 9/18	Sun 9/16	Wed 9/12	Sun 9/9
10:00 AM	14	17	26	16	9	12	14	14	12	7
11:00 AM	21	29	27	14	10	16	19	13	11	13
12:00 PM	23	18	28	22	20	11	22	14	15	14
1:00 PM	22	20	27	18	19	18	23	22	13	13
2:00 PM	22	27	24	20	23	19	25	11	15	11
3:00 PM	26	29	31	38	16	18	30	13	17	12
4:00 PM	23	28	32	33	27	21	31	20	24	16
5:00 PM	37	36	30	21	28	13	31	15	19	19
6:00 PM	38	23	21	20	15	22	15	17	24	11
7:00 PM	26	21	25	20	15	11	18	13	13	9
Max	38	36	32	38	28	22	31	22	24	19