



July 26, 2010

SUBJECT: **2010-7357 - Watry Design Inc. / TWM Industries:**
Application on a 25,873 square foot site located at **1051 E. El Camino Real** in an C-2/ECR (Highway Business/ El Camino Real Precise Plan) Zoning District. (Negative Declaration) (APN: 213-38-002)

Motion **Special Development Permit** to allow a new drive-thru at an existing restaurant (Carl's Jr.).

REPORT IN BRIEF

Existing Site Conditions Restaurant (Carl's Jr.)

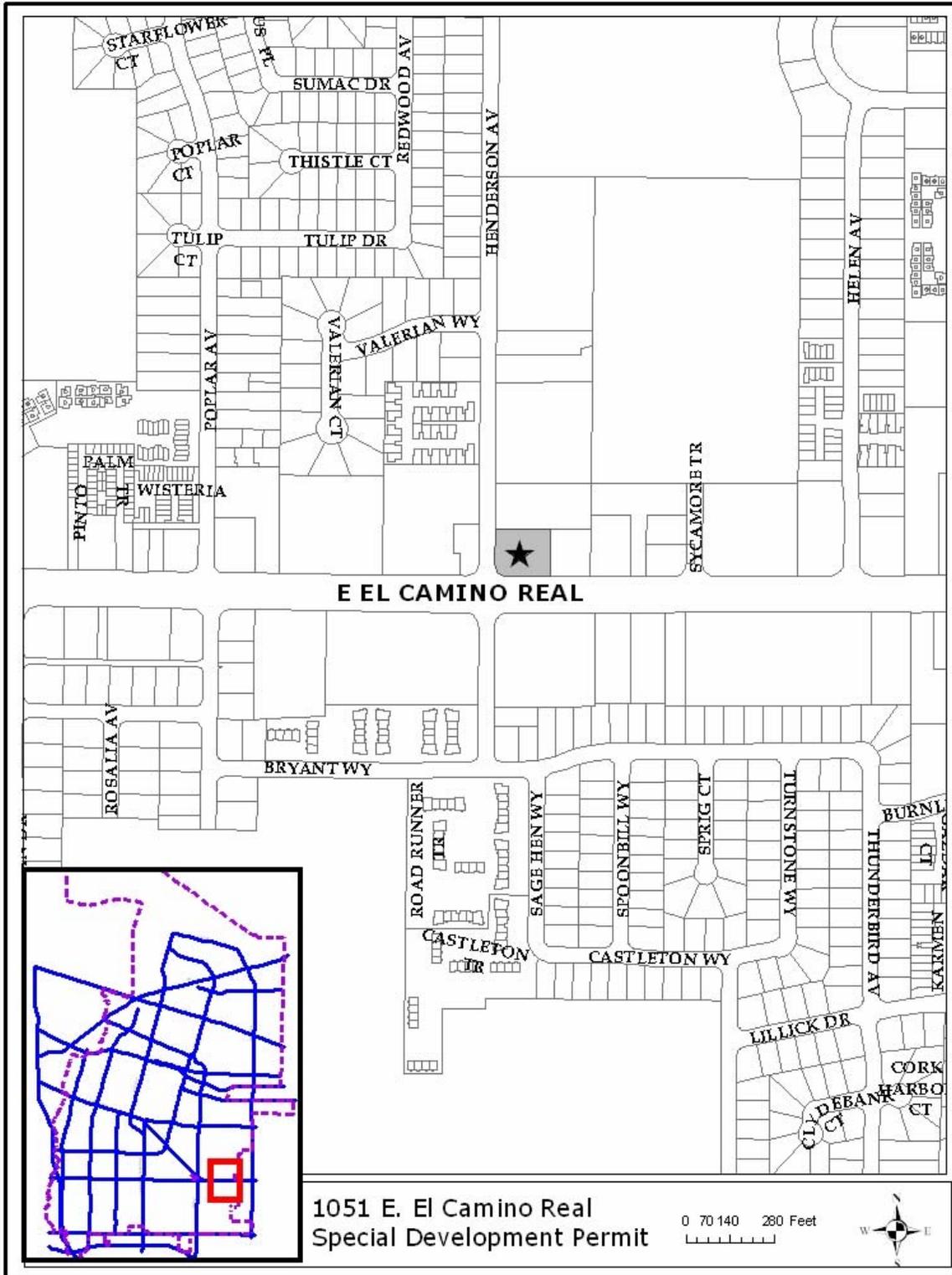
Surrounding Land Uses

North	Retail
South	Retail
East	Restaurant
West	Retail

Issues Drive-Thru Circulation, Trash Enclosure Location

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

Staff Recommendation Approve with Conditions



PROJECT AND SITE DESCRIPTION

Project Background: The site consists of a restaurant (Carl's Jr.) building which was approved in 1975 and built in 1976. Minor modifications have occurred to the building and site with permits in the late 1980's and early 1990's.

General Plan and Zoning District: The project site lies at the corner of E. El Camino Real and Henderson Avenue. The subject property has a General Plan designation of CGB (Commercial General Business) and is within the C-2/ECR (Highway Business/ Precise Plan for El Camino Real).

Description of Project: The proposed project is to allow a drive-thru facility at an existing restaurant (Carl's Jr.). The drive-thru facility would be open during business regular hours from 6am to 12am daily. Additional improvements are planned, as noted in the following sections.

Site Area: The building is situated towards the northwest corner of the site. A shopping center lies behind the building on a separate property. Two-way directional access is provided to the site through a driveway positioned along Henderson as well as one on El Camino Real. The proposal would add a one-way egress along Henderson Avenue for the drive-thru facility. Existing and proposed site plans are shown in Attachment E.

Modifications to the site include the removal of a portion of the building to allow one-way directional access around the building. The parking and circulation of the site are also planned to be modified to accommodate the drive-thru facility. The central parking aisle at the east side of the lot would be reconfigured from angled parking to a perpendicular layout and access would be switched to the opposite (west) side. The drive aisle at the center of the lot would be changed from one-way to a two way direction. Furthermore a water meter near the Henderson frontage will be relocated and upgraded to make room for the new driveway.

Approximately 40 square feet of the building at the rear would be removed. This small reduction in floor area allows for a 10-foot drive-aisle to be created behind the building. As a result of the building modification the existing eave would extend approximately three to four feet from the building and would cover a portion of a vehicle driving underneath. Existing and proposed elevations are provided in Attachment E. The drive aisle increases to 12 feet at locations beyond the area adjacent to the building.

A majority of the modifications to the floor plan relate to accommodating the drive-thru and improved accessibility (See Floor Plan in Attachment E). Interior work includes changes to the bathrooms and changes to the employee areas at the corner of the building. Additional improvements are being made

adjacent to the restaurant for improved accessibility to parking and pedestrian walkway areas.

Staff has also included conditions of approval to modify and improve the existing driveway entrance ramps along El Camino Real and Henderson Avenue to current standards. Such improvements also require approval of an encroachment permit from Caltrans.

Parking: The site meets parking standards with 35 spaces (two accessible) provided. The additional drive-thru use does not require additional spaces. Modifications to the site include converting a standard space to an accessible space to bring the site up to Code standards.

As recommended by staff, the applicant has designed the angled spaces at the rear to be marked for employee parking only. Condition of Approval #19a requires that such spaces be marked on the plans submitted for Building permits. Although queuing is not typically expected to extend the full length of the drive aisle adjacent to these parking spaces, this condition is intended to reduce conflicts with patrons at the site.

Landscaping: The proposal includes a landscaping plan that would replace and upgrade landscaping on-site; however, the site currently maintains less than the required amount of landscaping according to Code. To allow for the drive-thru facility, landscaping behind the building and along Henderson Avenue would be removed. Staff has worked with the applicant to increase landscaping including adding a landscaping strip adjacent to the central parking aisle. The added strip would increase landscaping and provide a physical buffer adjacent to the drive aisle. The additional landscaping within the parking lot but would not bring the site into conformance as the site is approximately 730 square feet deficient. Modifications to the trash/recycling enclosure would also shift landscaping on-site.

One protected tree, in poor condition, is planned to be removed. Two protected palm trees, in good condition, are planned to be relocated on-site. A total of six non-protected trees that vary in overall condition are also planned to be removed. Conditions of Approval require replacement trees to be planted.

Trash/Recycling Enclosure: Initially, the proposal only included modifications to the size of the trash enclosure and did not include moving the location of the trash enclosure for the site. The current location is positioned at the northeast corner of the site. The Public Works Department had concerns regarding the current location with its close proximity to the proposed drive-thru and queuing area. The provided plans indicate queuing that extends along the rear of the site and wraps around the eastern most drive aisle, towards El Camino Real. Although shown on the plans to extend further than the trash

enclosure location, the applicant has noted that such queuing during trash pick-up and peak hours of the business would not conflict with service to the site. The applicant has provided a letter noting expected peak queuing based on a comparison to a similar restaurant located in Redwood City (See Attachment F.). Nonetheless, staff has worked with the applicant to consider alternative locations for the trash enclosure, including locations more central to the site or away from the drive-thru facility. Certain considerations have been dismissed due to loss in parking that would result as well as reduced landscaping. Additionally, a location closer to El Camino Real would be aesthetically less preferable.

The applicant has provided an alternative layout (See Page 2 of Attachment E for more detail) that indicates a more centralized location. Two parking spaces would be relocated to the previous location of the enclosure. The applicant states that the current location at the northeast corner of the site is preferable. Staff has included Condition of Approval #5a to approve the centralized location, as shown in the alternative layout. The design of the enclosure would also be required to match the architecture of the restaurant building per Condition of Approval #10.

Deviations from Development Standards: The project meets most development standards for the C-2/ECR Zoning District. The existing setback along Henderson does not meet the required 15' setback. The project does not affect this pre-existing condition. The proposal does not meet the minimum drive aisle width for one-way access (at portions adjacent to the building) with 10 feet proposed where 12 feet is required for commercial uses. The Traffic Division has reviewed this condition and notes that the width is acceptable provided that area beyond the building meets the standard as shown on the plans. Adjacent to a portion of the central parking aisle, the two-way drive aisle is 24' where 26' is required for commercial sites. Elsewhere, this standard is met.

As noted in the report, the site maintains deficient landscaping and improvements would disperse landscaping to new locations within the parking lot but minimum standards would not be met. Staff has explored opportunities for additional landscaping to bring the site closer to conformance; however, based on the need to meet standards for parking and circulation, Code standards could not be met.

Stormwater Management: This project does not require compliance with the new Stormwater Management requirements since the project is not disturbing 10,000 square feet of area. Best Management Practices (BMPs) are included in the Conditions of Approval.

ANALYSIS OF PROJECT DESIGN

The project is subject to the Precise Plan for El Camino Real. The following policies apply to key aspects of the project:

Policy 3.2.1 *To provide a variety of needed retail services for residents, particularly those types of retail services which are not normally found in the downtown or in neighborhood shopping areas.*

Policy 3.2.2 *To maintain and enhance the retail sales tax revenue generated for the City.*

Policy 3.2.5 *To ensure that properties are developed and operated in such a manner as to minimize their negative impacts upon adjacent residential areas.*

Policy 3.2.6 *To design, develop and maintain the public right-of-way in a manner which creates a strong, positive image of the City of Sunnyvale for both residents and visitors.*

Policy 3.2.7 *To require quality design, architecture and landscaping which incorporate sustainable design principles.*

Policy 3.4.1 *Encourage a mixture of regional and community serving retail uses in accordance with the vision.*

Policy 4.1.6 *Minimize the impact of drive thru facilities on El Camino Real and the remained of the project*

- a. *Drive through windows will be considered on a case-by case basis. If allowed, aisles and stacking spaces should be physically separated from other site circulation and parking aisles.*
- b. *Drive though aisles and windows should be avoided along the El Camino Real frontage unless no other site development plan is possible. If no other location is possible, the drive through stacking area, service windows and protective canopies will be expected to be of a very high quality.*
- c. *Drive through aisles and windows should be visually buffered with low walls and/or landscaping.*
- d. *Canopies over drive through service windows should be designed to complement the architecture of the building.*
- e. *Locating drive thru windows away from street frontages is desirable, but screening and good building design quality is expected when no other solution is possible.*

Discussion: The proposed project meets the listed policies above for the Precise Plan for El Camino Real. Additional policies related to drive-thru facilities, noted above, are met as the project includes a drive-thru facility that is located behind the building and not readily visible from El Camino Real. The facility provides adequate vehicular queuing on-site. Conditions of Approval require relocation of the trash enclosure to minimize conflicts with pick-up times. Conditions also required employee parking along the rear portion of the site to minimize conflict with drive-thru circulation. Improvements to the parking, circulation, landscaping and the layout of the trash enclosure improve allow for the drive-thru facility to be incorporated and improve the overall viability of the existing restaurant use.

EXPECTED IMPACT ON SURROUNDINGS

The proposed project will have minimal visual impact to the surrounding neighborhood as a majority of the building will remain in its current appearance. The added drive-thru facility may create additional traffic to the site; however, the increase is not determined to be significant. Site and landscaping improvements will be an upgrade over current conditions. Conditions of Approval also require further on-site and off-site improvements that should benefit the site and surrounding area.

PUBLIC CONTACT

34 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters have been received prior to the draft of this report.

ENVIRONMENTAL DETERMINATION

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts (see Attachment D, Initial Study).

ALTERNATIVES:

1. Adopt the Negative Declaration and approve the Special Development Permit with the Conditions of Approval located in Attachment B.
2. Adopt the Negative Declaration and approve the Special Development Permit with modified conditions.
3. Adopt the Negative Declaration and deny the Special Development Permit.
4. Do not recommend adoption of the Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1. Staff was able to make the required Findings as located in Attachment A.

Reviewed by:

Steve Lynch
Senior Planner

Prepared By: Ryan M. Kuchenig

Attachments:

- A. Findings
- B. Standard Requirements and Recommended Conditions of Approval
- C. Project Data Table
- D. Negative Declaration
- E. Site and Architectural Plans
- F. Letter Provided by the Applicant Re: Drive-Thru Queuing

General Plan Goals and Policies

Land Use and Transportation Element

Policy N1.1 – *Protect the integrity of the City’s neighborhoods; whether residential, industrial or commercial.*

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

Action Statement N1.1.1 – *Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.*

Policy C4.3 – *Consider the needs of business as well as residents when making land use and transportation decisions.*

FINDINGS

Goals and Policies that relate to this project are:

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

Staff was able to make the findings as the project is consistent with the policies listed above and objectives for land uses in the General Plan. The proposal meets most development standards for the C-2 Zoning District and is compatible with surrounding uses along El Camino Real.

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 the orderly development of, or the existing uses being made of, adjacent properties. *(Finding met.)*

The project does not propose any significant modifications to the exterior of the building or to the site, so no visual impact to the surrounding area is anticipated. The drive-thru use is surrounded by commercial uses and is consistent with other similar restaurant uses nearby. As proposed and conditioned, internal site circulation for the drive-thru is managed satisfactorily and the overall site will also be improved.

ATTACHMENT B

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JULY 26, 2010**

Planning Application 2010-7357 1051 E. El Camino Real
Special Development Permit to allow new drive-thru at an existing fast-food
restaurant (Carl's Jr.).

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

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

THE FOLLOWING GENERAL CONDITIONS SHALL APPLY TO THE APPROVED PROJECT.

1. CONFORMANCE WITH APPROVED PLANNING APPLICATION – All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]
2. USE EXPIRATION - The approved Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)
3. PERMIT EXPIRATION (Ordinance 2895-09): The Special Development Permit shall be valid for three (3) years from the date of approval by the final review authority (as adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit

approval. If the approval is not exercised within this time frame, the permit is null and void. [SDR] (PLANNING)

4. TITLE 25 - Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

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

5. REQUIRED REVISIONS TO PROJECT PLANS - The plans shall be revised to include the following:
 - a) Incorporate changes noted in Alternative Site Plan provided on page 2 of Attachment E including centralized trash enclosure location and relocated parking stalls.
6. PARKING AND CIRCULATION PLAN - Submit a revised parking and circulation plan subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

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

7. CONDITIONS OF APPROVAL – Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]
8. RESPONSE TO CONDITIONS OF APPROVAL – A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]
9. BLUEPRINT FOR A CLEAN BAY – The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]
10. RECYCLING AND SOLID WASTE ENCLOSURE – The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:
 - a) Match the design, materials and color of the main building.
 - b) Be of masonry construction. [COA] [PLANNING]
11. RECYCLING AND SOLID WASTE CONTAINER - All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The

building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

12. ROOF EQUIPMENT - Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
13. LANDSCAPE PLAN - Landscape and irrigation plans shall be required and are subject to review and approval by the Director of Community Development prior to issuance of a Building Permit. The landscape plan shall include the following elements:
 - a) All areas not required for parking, driveways or structures shall be landscaped.
 - e) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
 - f) 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.
 - g) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
14. LANDSCAPE MAINTENANCE PLAN - Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
15. TREE PROTECTION PLAN - Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:
 - a) An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
 - b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
 - c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
 - d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

16. STORMWATER MANAGEMENT CALCULATIONS - Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]

17. BEST MANAGEMENT PRACTICES - The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
 - a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
 - b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
 - c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
 - d) Covered trash, food waste, and compactor enclosures.
 - e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

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

19. PARKING MANAGEMENT PLAN (NONRESIDENTIAL)- A Parking Management Plan shall be submitted for review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:
 - a) Employee parking shall be marked along the eastern portion of the site (angled parking spaces).
 - b) Employees shall be required to park on the site.
 - c) Provide adequate signage to direct traffic and pedestrians [COA] [PLANNING]

20. BICYCLE SPACES - Provide 1 Class I and 1 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]

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

21. Modify the existing driveway along Henderson Avenue with City of Sunnyvale standard detail 6C-1. [COA] [ENGINEERING]
22. Remove and replace, or modify the existing driveway along El Camino Real with City of Sunnyvale standard detail 6C-3. Caltrans approval and encroachment permit is required. [COA] [ENGINEERING]
23. Remove and replace, or modify the two curb ramps at the northeast intersection corner. Caltrans approval and encroachment permit is required.

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

24. LANDSCAPING AND IRRIGATION – All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
25. PARKING LOT STRIPING – All parking lot striping shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

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

26. BLUEPRINT FOR A CLEAN BAY – The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]
27. TREE PROTECTION – All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

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

28. HOURS OF OPERATION – The use permitted as part of this application shall comply with the following hours of operation at all times:
 - a) The hours of operation are limited to 6:00 a.m. to 12:00 a.m. (midnight) for standard hours of operation and for the drive-thru facility. Hours extending beyond midnight shall require approval of the Director of Community Development through a Miscellaneous Plan Permit. [COA] [PLANNING]

29. DELIVERY HOURS – Delivery hours for the approved use shall comply with SMC 19.42.030:
 - a) Delivery hours are limited to daytime (period from 7:00 a.m. to 10:00 p.m. daily) only.
 - b) Nighttime delivery (period from 10:00 p.m. to 7:00 a.m. daily) is prohibited. [SDR] [PLANNING]

30. RECYCLING AND SOLID WASTE - All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

31. LOUDSPEAKERS PROHIBITED - Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]

32. EXTERIOR EQUIPMENT - 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. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

33. LANDSCAPE MAINTENANCE - All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]

34. PARKING LOT MAINTENANCE - The parking lot shall be maintained in accordance with the approved plans and as follows:
 - a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 - b) Maintain all parking lot striping and marking.
 - c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 - d) Clearly mark all compact spaces (if any) as per approved plans. [COA] [PLANNING]

35. EXTERIOR LIGHTING PLAN - Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for review and

approval by the Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor (or illumination with an equivalent energy savings).
 - b) 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.
 - c) Provide photocells for on/off control of all security and area lights.
 - d) All exterior security lights shall be equipped with vandal resistant covers.
 - e) Wall packs shall not extend above the roof of the building.
 - f) Lights shall have shields to prevent glare onto adjacent residential properties. [COA] [PLANNING]
36. PHOTOMETRIC PLAN - Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]

PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial General Business	Same	Commercial General Business
Zoning District	C-2/ECR	Same	C-2/ECR
Lot Size (s.f.)	25,873	Same	No min.
Gross Floor Area (s.f.)	2,830	2,790	No max.
Lot Coverage (%)	11%	11%	35% max.
Floor Area Ratio (FAR)	11%	11%	No max.
Building Height (ft.)	14'	Same	55' max.
No. of Stories	1	1	8 max.
Setbacks (Facing Property)			
Front (Facing El Camino Real)	84'	84'	15' min.
★ Left Side (Facing Henderson Avenue)	12' 10"	12' 10"	15' min.
Right Side	109'	109'	0' min.
Rear	8' 8"	10'	0' min.
Landscaping (sq. ft.)			
★ Total Landscaping/ % of lot	4,764 / 18%	4,442 / 17%	5,174 min. /20 %
Parking			
Total Spaces	35	35	35 min.
Standard Spaces	34	33	33 min.
Accessible Spaces	1	2	2 min.
Compact Spaces/ % of Total	0	0	3 max.
★ One-Way Aisle Width	N/A	10'-12'	12' min
★ Two -Way Aisle Width (ft.)	26'	24'-26"	26' min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.



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

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

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

PROJECT TITLE:

Application for **Special Development Permit** by **Watry Design Inc.**

PROJECT DESCRIPTION AND LOCATION (APN):

2010-7357 – Watry Design Inc. [Applicant] **TWM Industries** [Owner]: Special Development Permit to allow a new drive-thru at an existing fast-food restaurant (Carl's Jr.) located at **1051 E. El Camino Real** (APN: 213-38-002) RK

WHERE TO VIEW THIS DOCUMENT:

The **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 **Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Monday, July 12, 2010**. 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 **Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

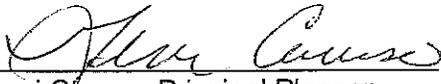
A public hearing on the project is scheduled for:

Monday, July 10, 2010 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 June 18, 2010

Signed: 
Gerri Caruso, Principal Planner

Project Title	Special Development Permit for 1051 E. El Camino Real.
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan M. Kuchenig, Associate Planner
Phone Number	408-730-7431
Project Location	1051 E. El Camino Real
Applicant's Name	Watry Design Inc.
Project Address	1051 E. El Camino Real Sunnyvale, CA 94086
Zoning	C-2/ECR (Highway Business/ El Camino Real Precise Plan)
General Plan	Commercial General Business
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT:

The proposed project is a Special Development Permit to allow the addition of a drive-thru facility to an existing fast food restaurant (Carl's Jr). Other planned site modifications are related to the parking, vehicular circulation and landscaping on the property. Some demolition will occur to the building to make room for the drive-thru as well as interior remodeling to portions of the building. The drive-thru facility is planned to be open from 6 A.M. to 12 A.M. daily.

DETAILED PROJECT DESCRIPTION:

On-site Development: The drive-thru facility would be added to the north side of the building and would allow new circulation behind the building and exits along Henderson Avenue. The parking area would be modified at various locations and an additional handicap accessible space would be added adjacent to the building. The circulation pattern is planned to be modified to accommodate the drive-thru use. Modifications to existing landscaping are proposed including the removal of a tree along a portion of the site to accommodate the circulation for the drive-thru. Other rehabilitation is planned in existing landscaped areas.

Construction Activities and Schedule: On-site construction activity is limited to the minor exterior modifications and interior tenant improvements to accommodate the proposed drive-thru. The project will be subject to the Sunnyvale Municipal Code requirements for noise and hours of construction contained in Chapters 19.42.0.0 and 16.08.030.

Surrounding Uses and Setting: The existing restaurant is surrounded mostly by commercial uses including multi-tenant retail adjacent to the north, and across Henderson Avenue to the west and

across El Camino to the south. A restaurant is located adjacent to the site to the east. A senior living facility is also located diagonally across Henderson Avenue to the northwest.

Off-site Improvements:

Off-site activity will be primarily limited to curb and sidewalk improvements at driveway entrances to the property.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? Yes No

Mandatory Findings of Significance? Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)? Yes No

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

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

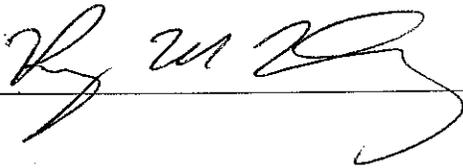
Checklist Preparer: Ryan Kuchenig

Date: 6/17/10

Title: Associate Planner

City of Sunnyvale

Signature:



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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Land Use and Transportation Element, Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off
10. For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
25. Air Quality - Conflict with or obstruct implementation of the <u>BAAQMD</u> air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

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

Noise impacts are limited to short-term and temporary noise associated with the construction of the project. Through the City's implementation of the Municipal Code noise regulations contained in Chapters 19.42.030 and 16.08.030, this impact will be lessened to a less than significant level during construction.

The 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 the drive thru uses is not considered significant over levels generated by the current restaurant use.

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 6/17/10

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

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

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

Responsible Division: Transportation and Traffic Division Completed by: Ryan M. Kuchenig

Date: 6/17/10

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

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
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Further Discussion if "Less Than Significant" with or without mitigation:

Responsible Division: Building Division Completed by: Ryan M. Kuchenig Date: 6/17/10

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

Engineering					
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

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

Responsible Division: Public Works Engineering Division Completed by: Ryan M. Kuchenig Date: 6/17/10

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

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

Responsible Division: Department of Public Safety Completed by: Ryan M. Kuchenig Date: 6/17/10

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety – Hazardous Materials					
64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
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Further Discussion if "Less Than Significant" with or without mitigation:

Responsible Division: Department of Community Service Completed by: Ryan M. Kuchenig Date: 6/17/10

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

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

Responsible Division: Department of Community Service Completed by: Ryan M. Kuchenig Date: June 16, 2010

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

City of Sunnyvale General Plan:

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

City of Sunnyvale Municipal Code:

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

- P. Chapter 19.54 Wireless Telecommunication Facilities
- Q. Chapter 19.81 Streamside Development Review
- R. Chapter 19.96 Heritage Preservation
- S. Title 20 Hazardous Materials

Specific Plans:

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

Environmental Impact Reports:

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

Maps:

- A. General Plan Map
- B. Zoning Map
- C. City of Sunnyvale Aerial Maps
- D. Flood Insurance Rate Maps (FEMA)
- E. Santa Clara County Assessors Parcel

ENVIRONMENTAL CHECKLIST REFERENCE LIST

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

- F. Utility Maps
- G. Air Installations Compatible Use Zones (AICUZ) Study Map
- H. Noise Sub-Element Appendix A 2010 Noise Conditions Map

Lists / Inventories:

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

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

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

Transportation:

- A. California Department of Transportation Highway Design Manual
- B. California Department of Transportation Traffic Manual
- C. California Department of Transportation Standard Plans & Standard Specifications
- D. Highway Capacity Manual
- E. Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook

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

Public Works:

- A. Standard Specifications and Details of the Department of Public Works
- B. Storm Drain Master Plan
- C. Sanitary Sewer Master Plan

ENVIRONMENTAL CHECKLIST REFERENCE LIST

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

- D. Water Master Plan
- E. Solid Waste Management Plan of Santa Clara County
- F. Geotechnical Investigation Reports
- G. Engineering Division Project Files
- H. Subdivision and Parcel Map Files

- G. Field Inspection
- H. Project Site Plan dated **/**/**
- I. Project construction schedule
- J. Project Draft Storm Water Management Plan
- K. Project Tree Inventory
- L. Project Tree Preservation Plan
- M. Project Green Building Checklist
- N. Project LEED Checklist

Miscellaneous Agency Plans:

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

Other:

Building Safety:

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

Guidelines and Best Management Practices

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

Additional Project References:

- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated **/**/**
- D. Project Traffic Impact Analysis
- E. Project Noise Study
- F. Project Air Quality Analysis

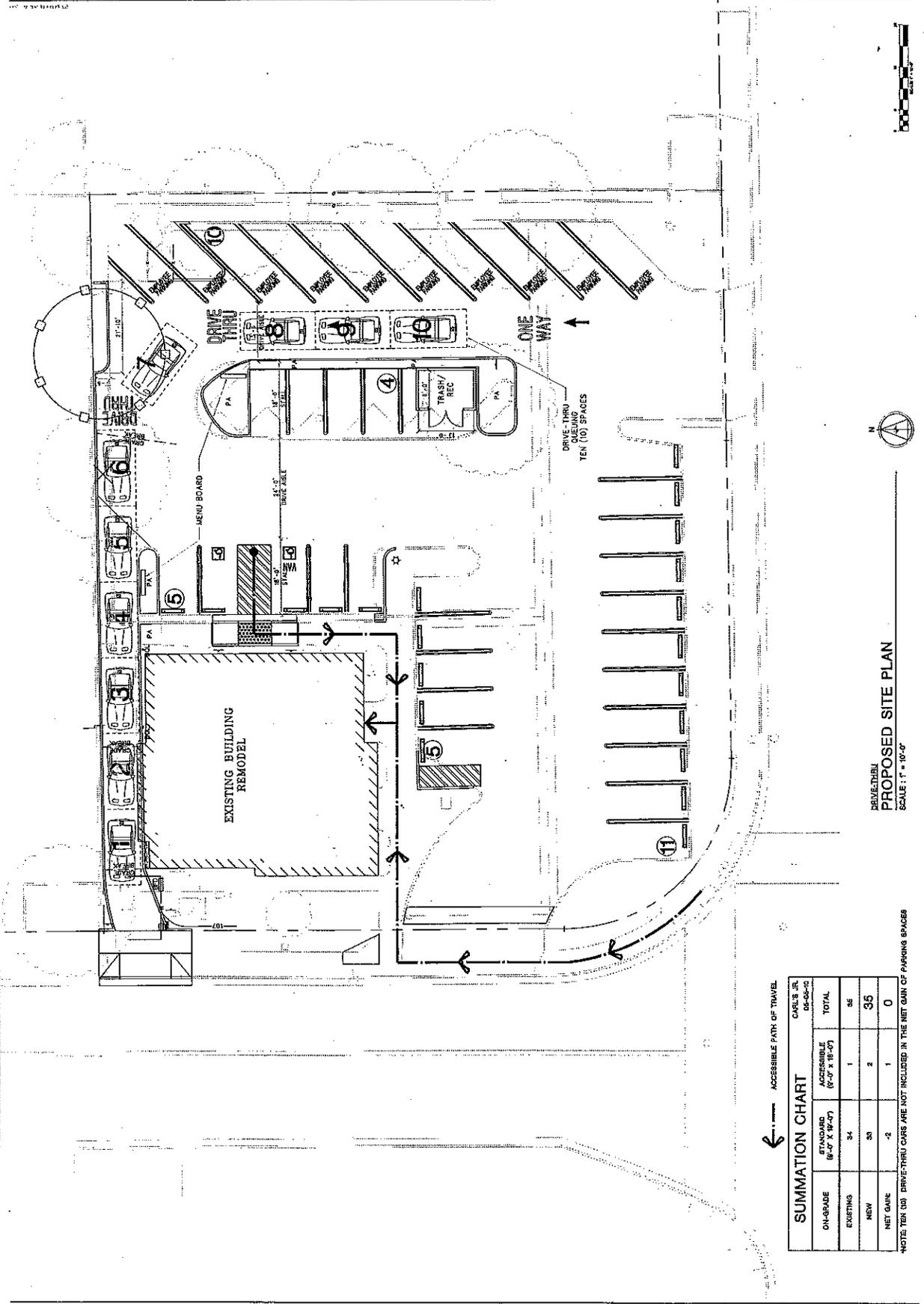
* Alternative Site Plan w/ Relocated Trash Enclosure

WATRY DESIGN, INC.
 1700 Stewart Drive, Suite 210
 Menlo Park, California 94025
 Tel: 650.326.1100
 Fax: 650.326.1130
 E-mail: info@watrydesign.com
 www.watrydesign.com

PROPOSED PARKING PLAN
 CARL'S JR. #147
 1051 E EL CAMINO REAL
 SUNNYVALE, CALIFORNIA

EPT
 3N

ATTACHMENT E
 Page 2 of 6

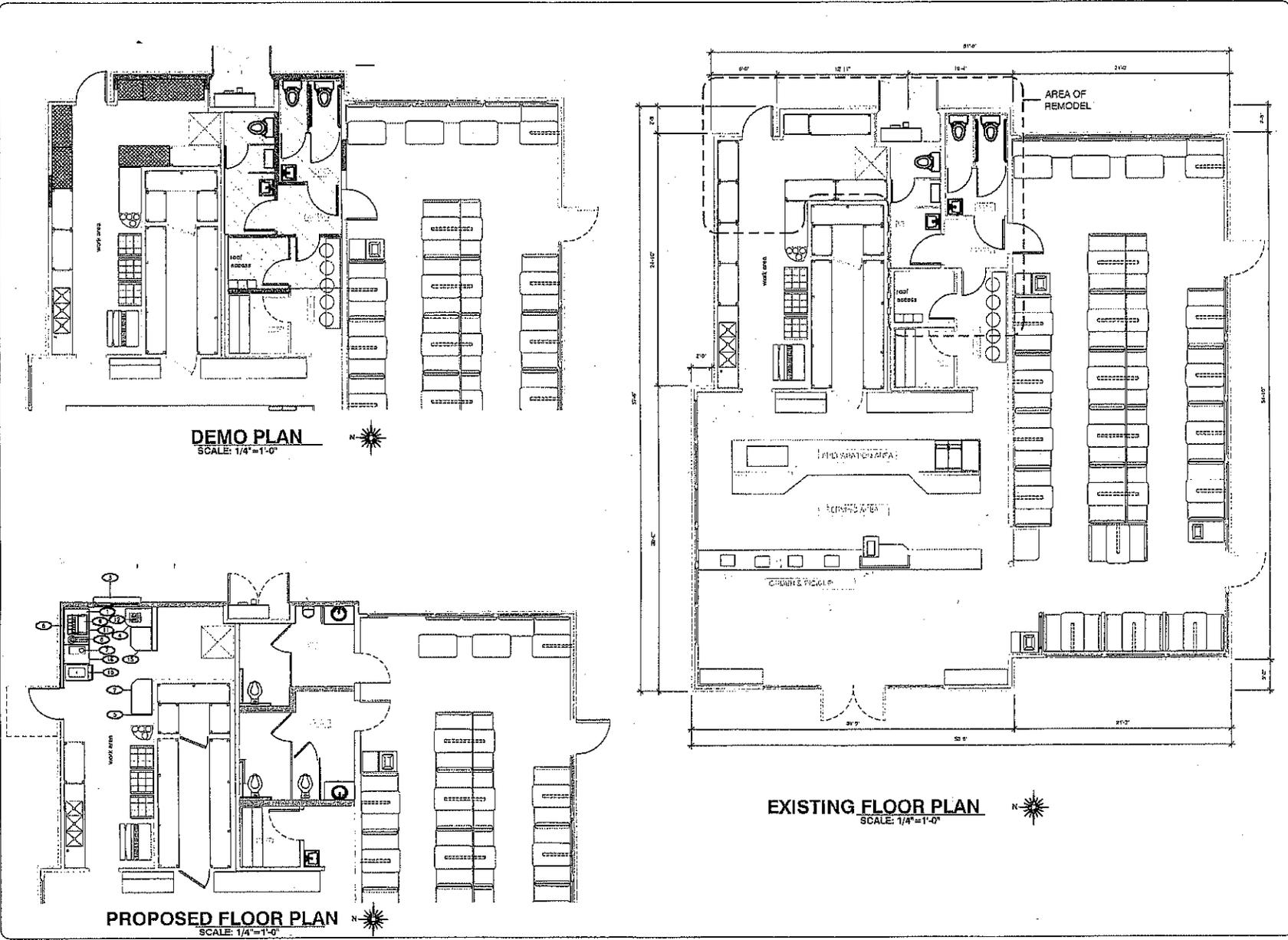


← ACCESSIBLE PATH OF TRAVEL

SUMMATION CHART		CARL'S JR. 04-04-00	
ON-SITE	STANDARD (8'-0" X 18'-0")	ACCESSIBLE (8'-0" X 18'-0")	TOTAL
EXISTING	34	1	35
NEW	33	2	35
NET GAIN	-2	1	0

NOTE: TEN (10) DRIVE-THRU SPACES ARE NOT INCLUDED IN THE NET GAIN OF PARKING SPACES

PROPOSED SITE PLAN
 SCALE: 1" = 10'-0"



NO.	DATE	BY	REVISIONS

AND SHUBB Inc.
 100 EAST 11TH
 P.O. BOX 200
 SUNNYVALE, CA 94089

REMODEL OF
CARL'S JR-SUNNYVALE
 1051 E EL CAMINO REAL
 SUNNYVALE, CA

20X
 20X

proj: 21.6
 dwn: 25
 dxt: .
 app: .
 date: 11-28
 sheet: A-

ATTACHMENT E
 Page 4 of 6

NO.	10
DATE	
BY	
CHECKED BY	
APPROVED BY	
DESIGNED BY	
DRAWN BY	
SCALE	
PROJECT	
DATE	

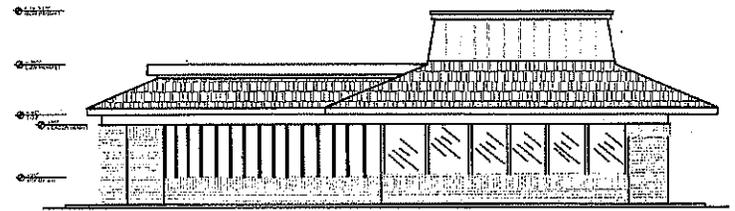
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CARL'S JR-SUNNYVALE
 1051 E EL CAMINO REAL
 SUNNYVALE, CA

REMODEL OF
CARL'S JR-SUNNYVALE
 1051 E EL CAMINO REAL
 SUNNYVALE, CA

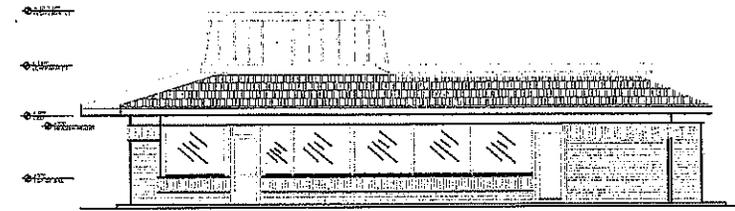
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CARL'S JR-SUNNYVALE
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 SUNNYVALE, CA

REMODEL OF
CARL'S JR-SUNNYVALE
 1051 E EL CAMINO REAL
 SUNNYVALE, CA

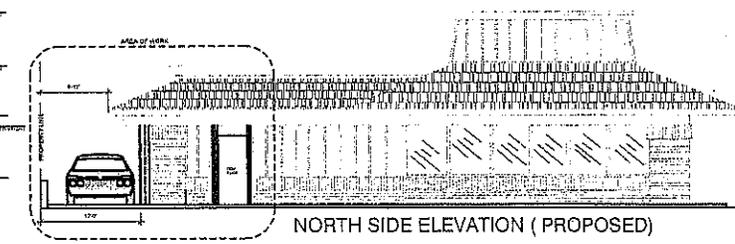
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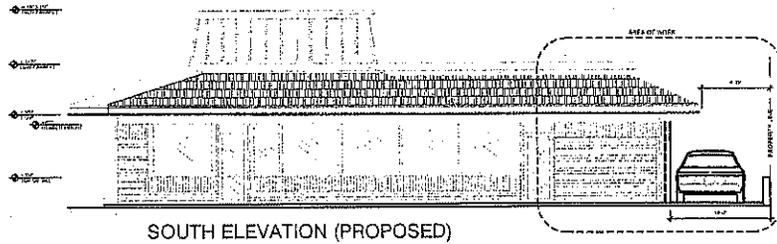
NORTH SIDE ELEVATION (EXISTING)



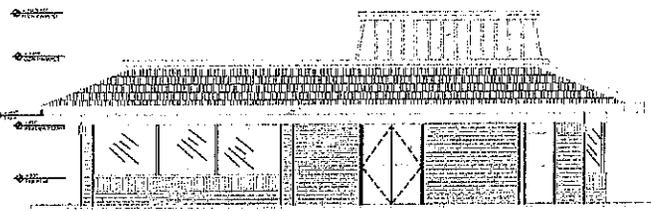
SOUTH ELEVATION (EXISTING)



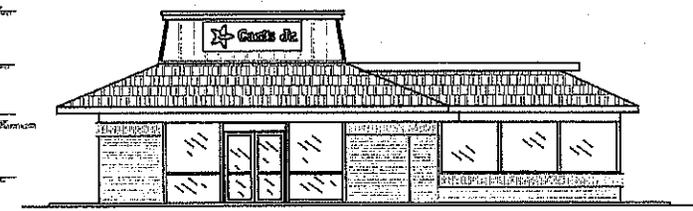
NORTH SIDE ELEVATION (PROPOSED)



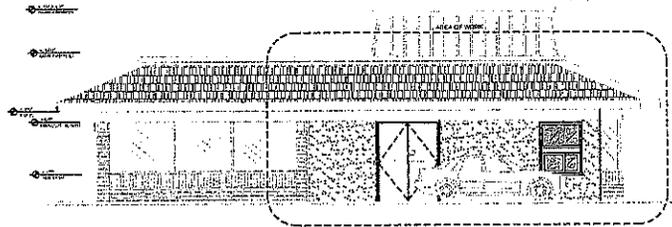
SOUTH ELEVATION (PROPOSED)



EAST ELEVATION (EXISTING)



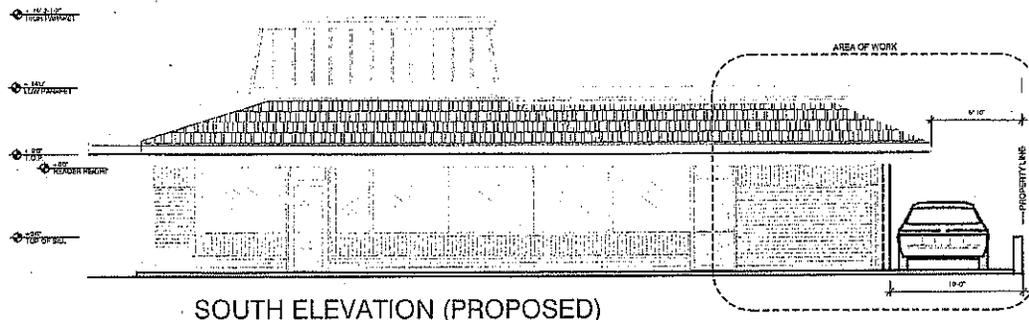
FRONT (WEST) ELEVATION (NO CHANGE)



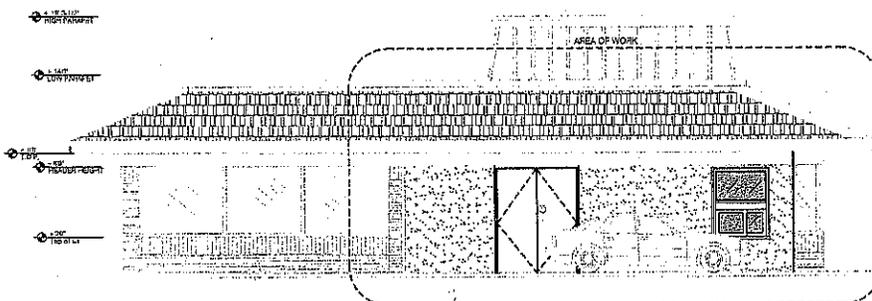
EAST ELEVATION (PROPOSED)

ELEVATIONS
3/16" = 1'-0"

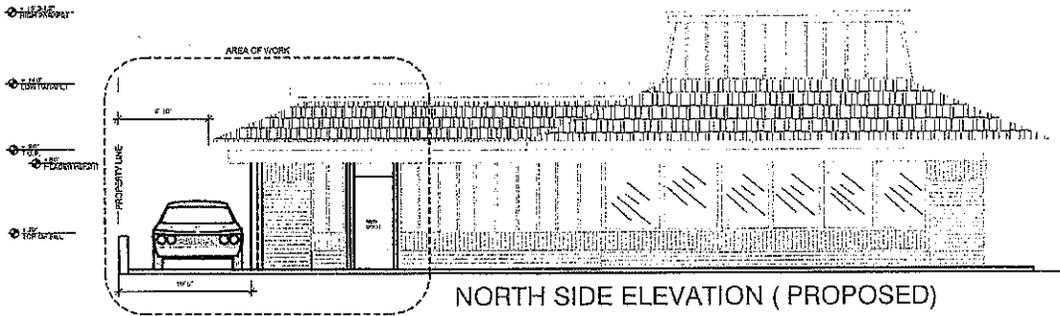
ATTACHMENT E
 Page 5 of 0



SOUTH ELEVATION (PROPOSED)



EAST ELEVATION (PROPOSED)



NORTH SIDE ELEVATION (PROPOSED)

1/4" = 1'-0" ENLARGED ELEVATIONS

NO.	REVISION	DATE	BY	CHK



REMODEL OF
CARL'S JR-SUNNYVALE
 1051 E. EL CAMINO REAL
 SUNNYVALE, CA

DATE: 11/11/11
 TIME: 11:11 AM
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]

ATTACHMENT
 Page 6 of 6



Tel.: (650) 340-1128, Fax: (650) 340-9366

July 8th, 2010

TWM Industries, LP.
899 Cherry Avenue
San Bruno, CA 94066

To: The City Planning Department of the City of Sunnyvale

From: Jeff Casaretto

Subject: Drive-Thru Queuing/Stacking Comparison

In order to estimate the number of cars that will be in our drive-thru que at our proposed addition site at 1051 E. El Camino Real in Sunnyvale, we have studied our current drive through stacking at our existing drive-thru at 1001 Veterans Boulevard in Redwood City, CA. This site is our only similar site as we also added a drive-thru to this location over 15 years ago. It allows us to estimate the increased number of transaction and traffic that we may experience in Sunnyvale after adding a drive-thru.

We analyzed the number of cars within our drive-thru at 1001 Veterans Boulevard for our peak time every day of the week, Monday through Friday, from 12pm to 1pm for one week in duration. During that time, we counted the maximum number of vehicles in the drive through isle each day and the average number of vehicles.

We have found that our average number of vehicles is approximately 4 cars during the busiest time of the day. In only two instances did the number of cars reach a total of 6 cars in the drive-thru lane. This was the maximum reached and it only occurred twice in the entire workweek. Further, our sales figures and transaction volumes are much lower on weekends and therefore a study of weekend figures/vehicles is unnecessary.

In order to compare these figures to the possible number of cars in our proposed drive-thru, we need to adjust the figures to adequately reflect the sales and transactions at our Sunnyvale location. The location at 1051 E. El Camino is currently our lowest volume store in our entire franchise as well as within any franchise locations we manage. Out of 60 locations, this store is well below the average and has current annual sales of approximately \$650,000 (2009 figures). This sales figure is less than during 2008 and the trend for 2010 is also declining. If we compare that to our location at 1001 Veterans Boulevard, which had 2009 sales of approximately \$1,125,000, the number of transactions would be about 58% of our Redwood City location. Our assumption is that we will see a 20-25% sales increase in Sunnyvale after the addition of the drive-thru. This would match our results from the addition of the Redwood City drive-thru on Veterans (even though it takes 3-4 years to build up to that sales increase as customers become aware of the change). At a 25% increase, our sales may increase to approximately \$813,000 annually, which would be 72% of the sales and associated transaction volume of our Redwood City location. Assuming that the ratio of vehicle stacking at our Sunnyvale location held true to our findings on Veteran's Boulevard, we should see no more than 4.33 cars in our drive-thru lane at any given time. Our average during the lunch hour of 12pm to 1pm during weekdays would be 3 cars (rounding up from 2.88 cars) in this proposed drive-thru.

I hope that this will help to alleviate any concerns of cars backing up within our proposed drive-thru lane. If you have any questions or would like any additional information, please call me directly at (650) 583-6491.

Sincerely,

Jeff Casaretto
General Partner/V.P. of Operations – TWM Industries

cc: Matt Davis – Watry Design