



Hearing Date: February 14, 2011

File Number: 2011-7015

SUBJECT: **2011-7015:** Application for a project located at **182 South Murphy Avenue** in a DSP – 2 (Downtown Specific Plan – Block 2) Zoning District. (APN: 209-06-028)

Special Development Permit for a new bar and nightclub.

REPORT IN BRIEF:

Existing Site Conditions Two-Story Commercial Retail Building

Surrounding Land Uses

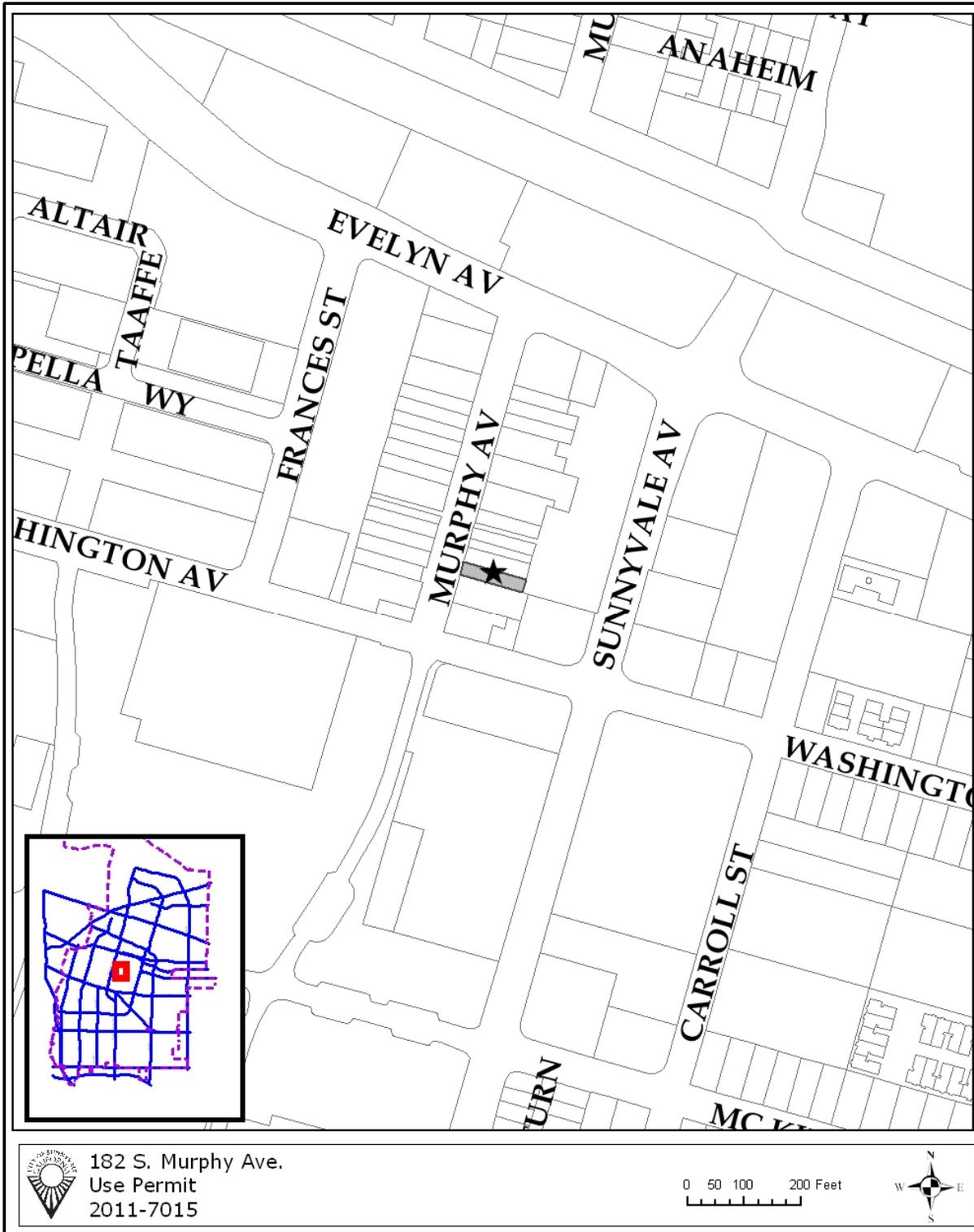
North	Commercial (Gumba's)
South	Commercial (Bean Scene)
East	City Parking Lot (Parking District)
West	Commercial (across Murphy Avenue)

Issues Compatibility of Use, Parking, Security Measures

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

Staff Recommendation Approve with Conditions

VICINITY MAP



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Central Business	Same	Central Business
Zoning District	DSP-2	Same	DSP-2
Lot Size (s.f.)	2,800	Same	No min.
Gross Floor Area (s.f.)	4,850	7,000 (incl. 1,400 s.f. basement)	No max.
Lot Coverage (%)	Same	Same	100% max.
Building Height (ft.)	25'	32'	36' max.
No. of Stories	2	Same	2 max.
Parking	Downtown Parking District	Same	Downtown Parking District

BACKGROUND

The proposed project includes the redevelopment of a commercial building at 182 S. Murphy Avenue which is located within the Murphy Avenue Local Landmark District (100 Block of S. Murphy Avenue). A Landmark Alteration Permit was reviewed by the Heritage Preservation Commission on January 12, 2011 and was approved by a 6-0 vote; thereby, allowing it to be removed from the district as a contributing structure. The Landmark Alteration Permit included a review of the historic analysis of the site as well as an architectural review of the new commercial building. The Planning Commission has no review authority for the exterior of this building which is in a Heritage Landmark District.

A Special Development Permit is required to evaluate the appropriateness of the proposed bar and nightclub use for the site. The site is currently occupied as a retail clothing and boutique store and has been operated as such since the mid-1980s.

Previous Actions on the Site

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

File Number	Brief Description	Hearing/Decision	Date
1985-0640	Use Permit for a retail antique business	Planning Commission/ Approved	5/13/85

File Number	Brief Description	Hearing/Decision	Date
1984- 0381	Use Permit for a bar and live entertainment in conjunction with an advertising agency office	Planning Commission / Approved	1/9/1984
1984-0381	Use Permit to allow expansion of an advertising agency	Planning Commission/ Approved	4/23/1984

The above table notes changes or expansion of use that have required public hearing review. The approved bar and live entertainment use noted above was a smaller and more private operation tied to the existing advertising agency.

DISCUSSION

Special Development Permit

The proposal is to allow for the redevelopment of the property and construction of a new commercial building operated as a bar and nightclub. The new building would be approximately 7,000 square feet including a basement. The bar/nightclub (proposed to be called Brian Borus) would operate daily from 11:00 A.M. to 2:00 A.M. The proposal would not include a restaurant or have a kitchen but may provide snacks and small food items. Entertainment may include live music and/or D.J. on Wednesday through Sunday. The applicant notes that 19 full-time and 16 part-time employees would be hired. A project description provided by the applicant has been included in Attachment D. Planning and Public Safety staffs have consulted on security and operational issues. The consultation is reflected in the Recommended Conditions of Approval (See Conditions of Approval AT-1 - AT-9).

- **Site/Floor Plan**

The building consists of two floors and a basement (See Site/Floor Plans in Attachment C). The approximately 2,800 square foot first floor would include a bar area with seating towards the front of the building and a dance floor towards the back. A smaller bar is also located at the back of the building. To allow access to the second floor and/or basement, a ramp, elevator and stairway are also provided.

The second floor, which is of equal size to the first floor, is partially composed of an open roof garden. A bar area with seating would be open to the sky but have walls on all four sides. An open trellis feature would cover approximately two thirds of this area. Bathrooms and access to the first floor are located at the rear. As approved by the Heritage Preservation Commission, a safety barrier is required to be installed adjacent to the

second floor window and seating area. This Condition of Approval was included in the Landmark Alteration Permit 2010-7776.

The 1,400 square foot basement would include a storage area, trash facilities, a bathroom and an electrical/mechanical equipment room.

- **Parking**

The subject site is located within the Downtown Parking District. Parking is provided in shared parking lots in the downtown, including the one adjacent to the building to the east and adjacent to buildings across Murphy Avenue. Additional parking lots in the downtown district include lots located east of Sunnyvale Avenue (between Evelyn and Washington Ave.), Caltrain station, and adjacent to Macy's at the southeast corner of Washington and Sunnyvale Avenue.

The Downtown Specific Plan indicates that new development or intensification of uses are required to provide their own parking. The zoning code notes that Block 2 (100 Block of South Murphy) is not required to provide parking. The Block 2 provisions did not contemplate a major increase in the size of a building. Due to the increase in overall floor area with the new building, as well as the intensity of the proposed use, staff requested the applicant to provide an analysis of the possible impact to future parking capacity to the surrounding area. The applicant has provided an analysis from Hexagon Transportation Consultants, which is located in Attachment E. The analysis demonstrates that the proposed use, based on the expected operational peak, will not exceed parking capacity in the area. The business is expected to reach peak demand on Thursday through Saturday between the hours of 7:00 P.M. and 12:00 A.M. The City's downtown rate for bars without a restaurant, require 1 space per 50 square feet. A total of 140 spaces would be required. Currently, a peak time for parking demand in the downtown area is noted at approximately 7:00 P.M. on Friday evenings. The parking study also considers expected parking demand as a result of the approved redeveloped downtown projects. The study notes that parking during peak holiday season (November – December) could result in a 25% increase over the measured numbers, but still falls within the capacity of the public parking.

Downtown businesses vary in peak operational demand. For many restaurants downtown, lunchtime traffic can also be a peak operational period. Since the proposed use would not operate as a restaurant, the proposed use is not expected to contribute significantly to this demand; however, the provided analysis shows that ample parking is currently provided during this period as well. The proposed use is subject to the Downtown Parking Maintenance District Fee Regulations.

- **Architecture**

Architectural review of building exteriors on the 100 block of S. Murphy Avenue is not under the purview of the Planning Commission as it is located in a Heritage Landmark District. Architectural review was considered at a prior hearing held by the Heritage Preservation Commission on January 13, 2011. In addition to holding a study session with the Heritage Preservation Commission to gather input, staff worked extensively with the applicant regarding the design of the proposed building. A historic analysis and staff concluded that although the building was not considered to identify with a particular architectural style, certain architectural elements of the original front façade could be maintained to help replicate the historic feel for Murphy Avenue. Elevations are provided, for information only, in Attachment D. Floor plans are also available; as they do influence the use of the building, the Planning Commission may want to consider them.

Green Building Requirements

The project is required to meet LEED Certified design intent. The applicant has demonstrated with preliminary documentation that this level will be met. Condition of Approval BP-12 requires that the project provide documentation by a LEED AP that the development will meet a “Certified” level of design.

Environmental Review

A Negative Declaration was adopted in conjunction with the approved Landmark Alteration Permit 2010-7776. The project was determined to be in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study determined that the proposed project would not create any significant environmental impacts.

FISCAL IMPACT

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

PUBLIC CONTACT

Heritage Preservation Commission Public Hearing: On January 12, 2011, a public hearing to review the historical and architectural aspects of the project (2010-7776). The Commission voted unanimously, 6-0, to approve the project with modified Conditions of Approval.

Staff has received verbal inquiries regarding the project; however, no written comments have been received.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 229 notices mailed to the property owners and tenants within 300 ft. of the project site and the Downtown Sunnyvale Association. 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

CONCLUSION

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

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

ALTERNATIVES

1. Approve the Special Development Permit with attached conditions.
2. Approve the Special Development Permit with modified conditions.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1: Approve the Special Development Permit with attached conditions.

Prepared by:

Ryan M. Kuchenig
Project Planner

Reviewed by:

Steve Lynch
Senior Planner

Approved by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site and Architectural Plans
- E. Project Description from the Applicant
- F. Parking Study prepared by Hexagon Transportation Consultants

RECOMMENDED FINDINGS

Special Development Permit

Goals and Policies that relate to this project are:

Downtown Specific Plan

Policy B.1 - Encourage mixed uses throughout the downtown when consistent with the district character.

Land Use and Transportation Element

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

Socio-Economic Element

Policy C.1 – Support efforts to establish Sunnyvale's downtown area as a strong commercial center for the City.

Community Vision:

Goal IX. Dynamic Downtown - To create and support a strong and attractive traditional downtown which serves as the community's central marketplace, common gathering place, and symbolic center.

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

The proposed redevelopment of the site is consistent with the City's General Plan and meets applicable ordinances and design guidelines. The proposed bar and nightclub is appropriately located in the City's downtown and entertainment district. Conditions of Approval ensure adequate operational and security measures are in place.

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 proposed redevelopment is in character with the surrounding uses along Murphy Avenue. As conditioned, security measures and a subsequent six month compliance review will ensure that any possible impacts are limited to the surrounding area. Although an increase in traffic is expected to the site, parking capacity has been demonstrated to be adequate under current and future conditions.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS FEBRUARY 14, 2011

Planning Application 2011-7015

182 S. Murphy Avenue

Special Development Permit to consider the redevelopment
of a property with a new bar and nightclub

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

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

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

- GC-1 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]
- GC-2 PERMIT EXPIRATION - The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

- GC-3 TITLE 25 - Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]
- GC-4 LANDMARK ALTERATION PERMIT - The approved use shall comply with all Conditions of Approval related Landmark Alteration Permit (2010-7776).
- GC-5 ALCOHOL BEVERAGE CONTROL (ABC) – The project applicant shall obtain all appropriate licenses from the Department of Alcoholic Beverage Control prior to commencement of the sale of alcohol on the subject property. [COA] [PLANNING]
- GC-6 USE AND ABC COMPLIANCE - Non-compliance with the Conditions of Approval for this Special Development Permit or non-compliance with the requirements of the Department of Alcoholic Beverage Control at any time may trigger either: 1) reconsideration of the SDP and the imposition of additional Conditions of Approval; or 2) initiation of revocation proceedings by the Director of Community Development. [COA] [PLANNING]
- GC-7 NOTICE OF PROJECT RESTRICTIONS – The Notice of Project Restrictions will be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and shall be signed and notarized by each property owner of record. The property owner or designated appointee shall provide the necessary information to the Planning Division. For purposes of determining the record owner of the property, the property owner or designated appointee shall provide, within 30 days of permit approval, evidence to the City in the form of a report from a title insurance company indicating that the record owner(s). The property owner shall sign and notarize the document as per the accompanying instructions and provide the document to the Planning Division prior to issuance of a Building Permit or within 30 days of preparation of the Notice of Project Restriction (whichever occurs first). [COA] [PLANNING]

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

- AT-1 SECURITY AND SAFETY PLAN (DEPARTMENT OF PUBLIC SAFETY REVIEW) - Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development 30 days prior to commencement of the approved use. The plan shall include general policies and procedures, crowd management measures, management of the transition from restaurant to entertainment for under 21, training program, implementation and record keeping. [COA] [PUBLIC SAFETY]
- AT-2 SECURITY CAMERAS SYSTEM – The project applicant shall work with Public Safety to determine the appropriate number and locations of security cameras for the site. Locations and camera specifications shall be submitted to the Director of Community Development to determine if any additional permits are needed. The security camera system shall be installed and inspected by the Crime Prevention Division of Public Safety Department prior to commencement of use. [COA] [PUBLIC SAFETY]
- AT-3 HOURS OF OPERATION (ENTERTAINMENT ESTABLISHMENT, WITH DANCING) – The entertainment establishment for 21 or older shall comply all ABC license requirements and with the following hours of operation and age restrictions at all times:
- a) The hours of operation are limited to 9:00 a.m. to 2:00 a.m. (unless reduced hours are applied by ABC) for standard hours of operation, excluding short duration sales events which may have extended hours and no one under 21 years of age is allowed on the premises after 10:00 p.m.
 - b) Hours extending beyond 2:00 a.m. require review and approval by the Director of Community Development through a Miscellaneous Plan Permit. [COA] [PLANNING/PUBLIC SAFETY]
- AT-4 EVENTS - No outside event promoters are allowed to operate at this location. All entertainment/entertainers must be hired directly by the business managers or owners. Only private events operated by the bona fide tenant or its successors, are permitted. [COA] [PLANNING]
- AT-5 SECURITY - The business operator shall retain private uniformed security guards who shall be responsible for monitoring noise, any patrons loitering outside of the building, and shall be on-site at all times when entertainment establishment and dancing is occurring and a minimum of 1 hour prior to the nightclub operating hours and until all patrons have departed the site and surrounding area. The security camera system shall be maintained in working order in compliance with the system approved by the Crime Prevention Division of Public Safety Department. Security guards shall comply with the following:

- a) The security guards shall be responsible for working closely with Public Safety to resolve problematic operational issues, including crowd management and patron queuing.
- b) Private security guards shall be responsible for ensuring that no patrons are loitering in front or rear area of the premises, at all times.
- c) All private security guards shall comply with the security plan approved by Public Safety.
- d) The amount of security guards needed shall be a minimum of 1 per 40 patrons unless otherwise approved by the Department of Public Safety [COA] [PUBLIC SAFETY].

AT-6 EMPLOYEE TRAINING – The business operator shall ensure that all employees are trained on the following:

- a) The business operator shall create an employee manual that informs employees the proper procedure in dealing with drunk and disorderly patrons and all security protocol included in the security plan. The manual shall address items such as outside transportation contact information for patrons leaving the club to their homes, maximum drink limits for inebriated patrons, policies on over-service of drinks, etc.
- b) Employees shall be given training and education from the employee manual on a quarterly basis. [COA] [PUBLIC SAFETY].

AT-7 OPERATIONAL – The rear door shall remain closed during business hours. [COA] [PUBLIC SAFETY].

AT-8 NOISE - Outdoor loud speakers shall be prohibited. [COA] [PUBLIC SAFETY].

AT-9 NOISE - To reduce noise generated from the second-story roof area, the applicant shall install sound proofing materials and noise rated windows to mitigate impacts on neighboring properties and adjoining tenant spaces. [COA] [PUBLIC SAFETY].

AT-10 OUTDOOR STORAGE - Outdoor storage of goods is prohibited. All storage shall remain in designated enclosed storage areas. [COA] [PLANNING].

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

- BP-1 CONDITIONS OF APPROVAL - Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]
- BP-2 RESPONSE TO CONDITIONS OF APPROVAL - A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]
- BP-3 BLUEPRINT FOR A CLEAN BAY - The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]
- BP-4 SOLID WASTE DISPOSAL PLAN - A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP -5 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]
- BP-6 MECHANICAL EQUIPMENT (EXTERIOR) - Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]
- BP-7 SPRINKLER SYSTEM - A fire sprinkler system is required for the entire building (including basement) per the Sunnyvale Municipal Code. [COA] [FIRE PREVENTION]

- BP-8 KNOX BOX -A knox box (key box) will be required in accordance with Fire Prevention guidelines. [COA] [FIRE PREVENTION]
- BP-9 SANITARY SEWER CONNECTION FEES - Due to the increase of building square footage and change of occupancy use, pay incremental sanitary sewer connection fee fees prior to any permit issuance. [COA] [PUBLIC WORKS]
- BP-10 WATER CONNECTION FEES - Due to the increase of building square footage, pay incremental water connection fees prior to any permit issuance. [COA] [PUBLIC WORKS]
- BP-11 MOP SINK - Provide a mop sink, or equipment / mat washing area indoors and plumbed to the sanitary sewer line. [COA] [PUBLIC WORKS]
- BP-12 GREEN BUILDING DESIGN -
- a) The project shall be designed to meet LEED Certified level design intent. The development is required to implement a minimum of 42 LEED points. Upon certification, the applicant shall provide proof that the building has achieved a rating of LEED Certified or better.
 - b) Building permit plans shall include a sheet noting the green building features incorporated into the design subject to review and approval the Director of Community Development. The plan sheet shall include notes on where specific provisions are included on which plan sets. [COA] [PLANNING]



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 a **Landmark Alteration Permit** by **Des Nolan & Liam Balfe**.

PROJECT DESCRIPTION AND LOCATION (APN):

2010-7776: Des Nolan & Liam Balfe [Applicant] **Cheswycke LLC**. [Owner]. Application for a Landmark Alteration Permit to consider the redevelopment of a property with a new bar & nightclub on Historic Murphy Avenue located at **182 S. Murphy Avenue**. (APN: 209-06-028) 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 **Wednesday, January 12, 2011**. 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:

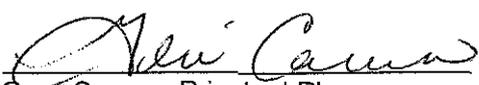
A public hearing on the project is scheduled for:

Wednesday, January 12 2011 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

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

Circulated On December 17, 2010

Signed: 
Gerri Caruso, Principal Planner

Project Title	Special Development Permit for a new bar/nightclub use; and Landmark Alteration Permit for the redevelopment of a property located within the Historic Murphy Avenue District
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Associate Planner
Phone Number	408-730-7431
Project Location	182 S. Murphy Avenue
Applicant's Name	Des Nolan and Liam Balfe
Project Address	182 S. Murphy Avenue, Sunnyvale, CA 94086
Zoning	DSP-2 (Downtown Specific Plan – Block 2)
General Plan	Downtown Specific Plan
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT: The proposed project is a Special Development Permit and Landmark Alteration Permit for the redevelopment of a downtown commercial property with a new bar/nightclub. The business would be open daily from 11 A.M. to 2 A.M. daily. Live music will typically occur Wednesday through Sunday. The business will employ a total of 19 full-time and 16 part-time employees. Two employees will typically occupy the site.

DETAILED PROJECT DESCRIPTION:

On-site Development: The current site consists of an approximately 4,850 s.f. two-story commercial building occupied by a retail business. This building will be replaced by an approximately 7,000 square foot (including basement) two-story commercial building utilized as a bar/nightclub. The first floor will be mostly open with a bar and dance floor. The second story will include an open beer garden patio and bar area. The basement area will be almost entirely utilized for storage purposes. Certain architectural features of the current building will be re-utilized as part of the design for the new building façade at the front facing S. Murphy Avenue.

Construction Activities and Schedule: Construction activities include full demolition of the existing building on the subject property, and construction of a new commercial building. 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 property is located at 182 S. Murphy Avenue which is within the downtown commercial district. This block is within the historic Murphy Avenue Landmark District. Commercial uses are located in all four directions of the subject property.

Off-site Improvements: Standard water, sewer, right-of-way and utility connections/upgrades will be provided as required by the Municipal Code. Many upgrades have already taken place as part of a City improvement project.

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

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

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:

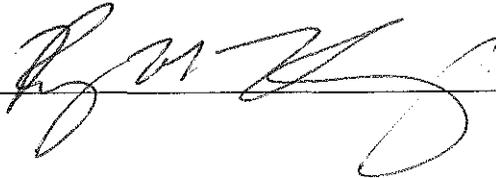
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions 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 M. Kuchenig

Date: December 13, 2010

Title: Associate Planner

City of Sunnyvale

Signature: 

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Open Space Sub-element www.sunnyvaleplanning.com Project Description State of California Department of Parks and Recreation Form DPR-523 prepared by a historic consultant, Anthony Kirk, Ph.D.
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 Murphy Avenue Design Guidelines 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
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 . The subject site is located within the Downtown Parking District.
10. Hazards and Hazardous Materials - For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ, Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. Hazards and Hazardous Materials - For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. Hazards and Hazardous Materials - For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input 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
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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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 type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or 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
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources The United States Secretary of the

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
resource?					Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places State of California Department of Parks and Recreation Form DPR-523 prepared by a historic consultant, Anthony Kirk, Ph.D.
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description
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
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD 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 type="checkbox"/>	<input checked="" 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	<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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
precursors)?					
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
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:

1. Aesthetics (Less than Significant): The subject property lies with a Landmark District as designated by the City of Sunnyvale. The existing building will be demolished and replaced with a new building that will utilize similar architectural features such as the predominant stucco façade material and tile awning feature at the front of the building. Similar window shape and spacing is also utilized within the front facade. The scale of the proposed two-story building matches the height of the existing building but comprises of more overall floor area.

2. Aesthetics (Less than Significant): A historic analysis was conducted on the subject property by historic consultant, Anthony Kirk, Ph.D. and determined that the commercial building does not appear eligible in the California Register of Historical Resources under any of the four criteria.

15. Noise (Less than Significant): The project will introduce short-term sources of noise to the project area during construction and demolition of the site. Through the City's implementation of the Municipal Code noise regulations contained in Chapters 19.42.030 and 16.08.030, this impact will be lessened to a less than significant level during construction.

22. Historic and Cultural Resources (Less than Significant) - A historic analysis was conducted on the subject property by historic consultant, Anthony Kirk, Ph.D. and determined that the commercial building does not appear eligible in the California Register of Historical Resources under any of the four criteria. The property

is not associated in an important way with an event or a pattern of events considered significant at a national, state, or local level, nor is it associated with an individual whose achievements are thought important to the history of the United States, California, or the City of Sunnyvale. The architecture of the building is considered an extremely modest vernacular example of Mission Revival style.

23. Historic and Cultural Resources (Less than Significant): The existing buildings on site do not have any Federal, State, local historical or architectural significance. Staff has no evidence of archaeological resources being located on site or being found in the immediate vicinity. However, the scope of the project does include grading and excavation of the site associated with the construction of the project. There may be the potential that the project may uncover resources. As a standard Condition of Approval, staff has included specific project requirements related to the potential discovery of resources and procedural requirements. Based on this analysis and standard conditions of approval, staff has determined that the project would have a less than significant impact.

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input 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.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual, and Sunnyvale Neighborhood Traffic Calming Program.

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

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

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

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

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

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

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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
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: Planning Division

Completed by: Ryan M. Kuchenig

Date:12/13/10

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date:12/13/10

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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
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

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date:12/13/10

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 <i>environmental impacts</i> , 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

Responsible Division: Planning Division

Completed by: Ryan M. Kuchenig

Date: 12/13/10

City of Sunnyvale General Plan:

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

City of Sunnyvale Municipal Code:

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

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

Specific Plans:

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

Environmental Impact Reports:

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

Maps:

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

Lists / Inventories:

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

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

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

Transportation:

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

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

Public Works:

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

N. Project LEED Checklist

Miscellaneous Agency Plans:

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

Other:

- A. State of California Department of Parks and Recreation From (DPR 523A-L)

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

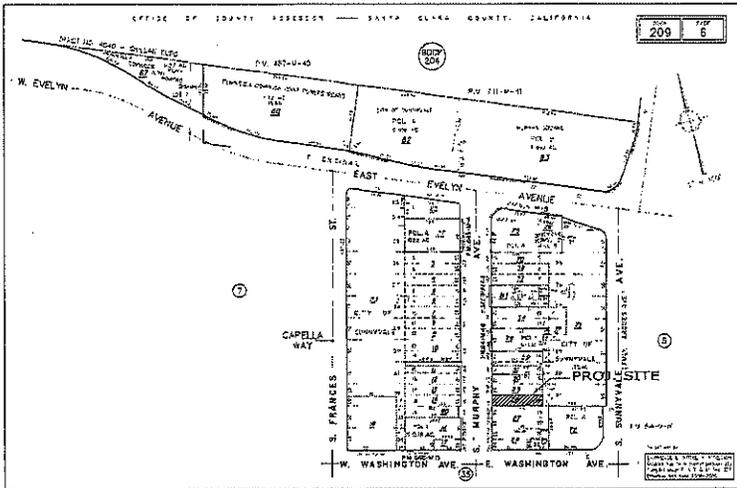
- A. Storm Water Quality Best Management Practices Guidelines Manual 2007
- B. Sunnyvale Citywide Design Guidelines
- C. Sunnyvale Industrial Guidelines
- D. Sunnyvale Single-Family Design Techniques
- E. Sunnyvale Eichler Guidelines
- F. Blueprint for a Clean Bay
- G. SCVWD Guidelines and Standards 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:

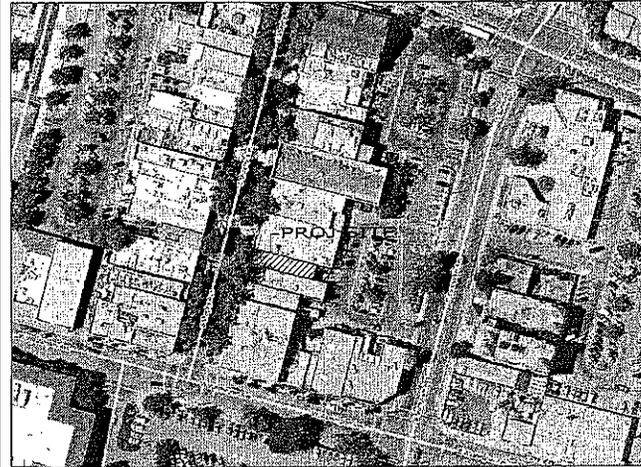
- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated **/**/**
- D. Project Traffic Impact Analysis
- E. Project Noise Study
- F. Project Air Quality Analysis
- G. Field Inspection
- H. Project Site Plan dated **/**/**
- I. Project construction schedule
- J. Project Draft Storm Water Management Plan
- K. Project Tree Inventory
- L. Project Tree Preservation Plan
- M. Project Green Building Checklist

File#: 16419 12/17/2010

LOCATION MAP



AERIAL MAP



PROJECT DATA

1. DEMOLISH EXIST'G 1-1/2 STORY STRUCTURE IN ITS ENTIRETY
2. PROPOSE 2-STORY FACILITIES W/ ROOF ASSEMBLY AREAS
3. THE NEW SPACES TO BE FUNCTIONED AS A TAVERN BAR INCLUN'G DANCE
4. AREA OF PROPERTY 25'X112' = 2800 SF
5. RE-BUILD STORE TO HAVE 2-STORY ABOVE GRADE & 1-STORY BELOW
6. FLOOR AREAS REF. TO A-2 & A-3
7. OCCUPANCY TYPE ASSEMBLY GROUP A-2 AS PER CBC 303.1
8. CONSTRUCTION TYPE VB W/ AUTO FIRE SPRINKLERED SYS.
9. MAX. ALLOWABLE AREA 6000 SF / 1-STORY * AS PER CBC TABLE 503
* 2-STORY & 60' IN HT IF FIRE SPRINKLERED INSTALLED AS PER CBC 504.2
10. TO ERECT FIRE WALL AS PER CBC SECT. 705 BETWEEN ADJACENT PROPERTY.
11. FIRE WALL TO BE 2-HR FIRE-RESISTANCE-RATING FOR TYPE A OCC. AS PER CBC TABLE 706.4
12. SHAFT CONNECT'G MORE THAN 2 STORIES TO BE 1-HR FIRE-RESISTANCE BARRIER AS PER CBC 708.4
13. OPEN'G FOR DUCTS COMPLYING W/ CBC SECT. 716
13. CONSTRUCTION SHALL BE IN ACCORDANCE W/
 - A. CALIFORNIA BUILDING CODE (CBC) 2010 EDITION
 - B. CALIFORNIA MECHANICAL CODE (CMC) 2010 EDITION
 - C. CALIFORNIA PLUMBING CODE (CPC) 2010 EDITION
 - D. CALIFORNIA ELECTRICAL CODE (CEC) 2010 EDITION
 - E. CALIFORNIA FIRE CODE (CFC) 2010 EDITION
 - F. CALIFORNIA ENERGY CODE 2010 EDITION

OWNER:

DES NOLAN + LIAM BAFLE
691 N. MATHILDA
SUNNYVALE, CA 94085
(408)481-4990

DRAWING INDEX

ARCHITECTURAL

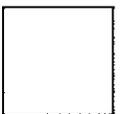
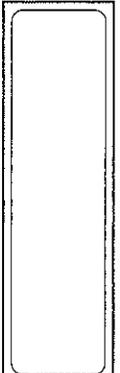
SHEET 1	A-1	TITLE SHEET
SHEET 2	A-2	FLOOR PLANS, BASEM'T & 1ST FLOOR
SHEET 3	A-3	2ND FLOOR PLAN
SHEET 4	A-4	BLDG ELEVATIONS, FRONT & REAR
SHEET 5	A-5	BLDG SECTION, LONGITUDINAL

CONSULTANTS

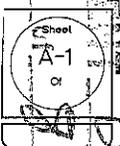
ARCHITECT :	STEVE YANG & ASSOCIATES	1612 WILLOWHURST AVE. SAN JOSE, CA 95125	TEL (408) 694-1618 FAX (408) 604-8888
CIVIL ENGINEER :			
SOIL ENGINEER :			
LANDSCAPE ARCHITECT :			
STRUCTURAL ENGINEER :			
MECHANICAL ENGINEER :			
ELECTRICAL ENGINEER :			
ACOUSTICAL :			

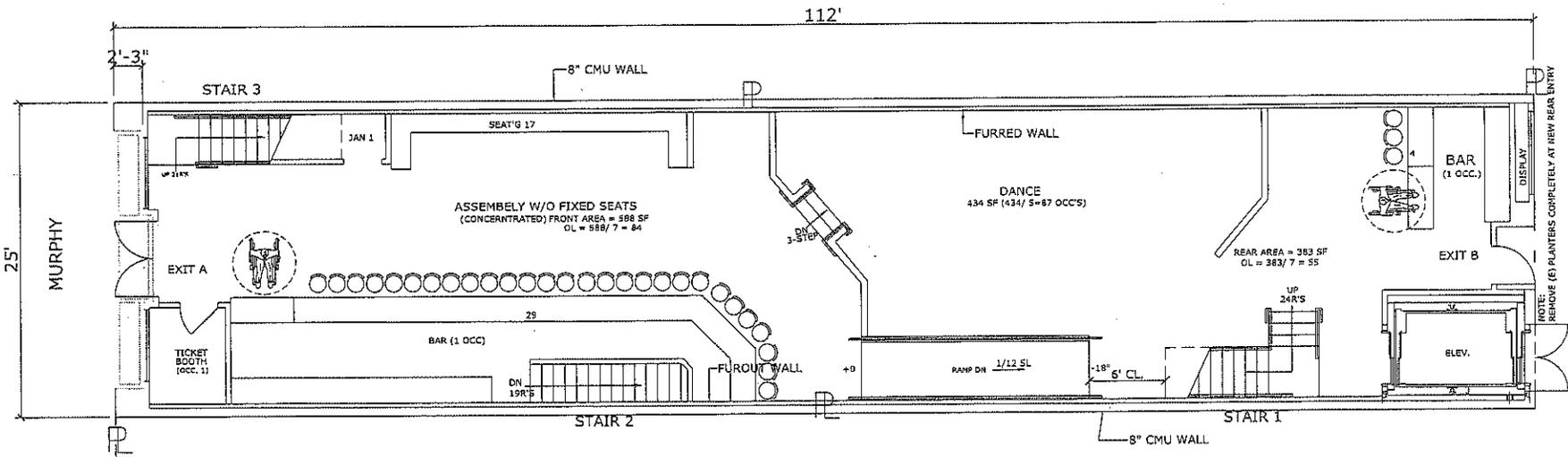
BRIAN BORU'S
182 S. MURPHY AVE.
SUNNYVALE, CA

ATTACHMENT D
Page 1 of 8

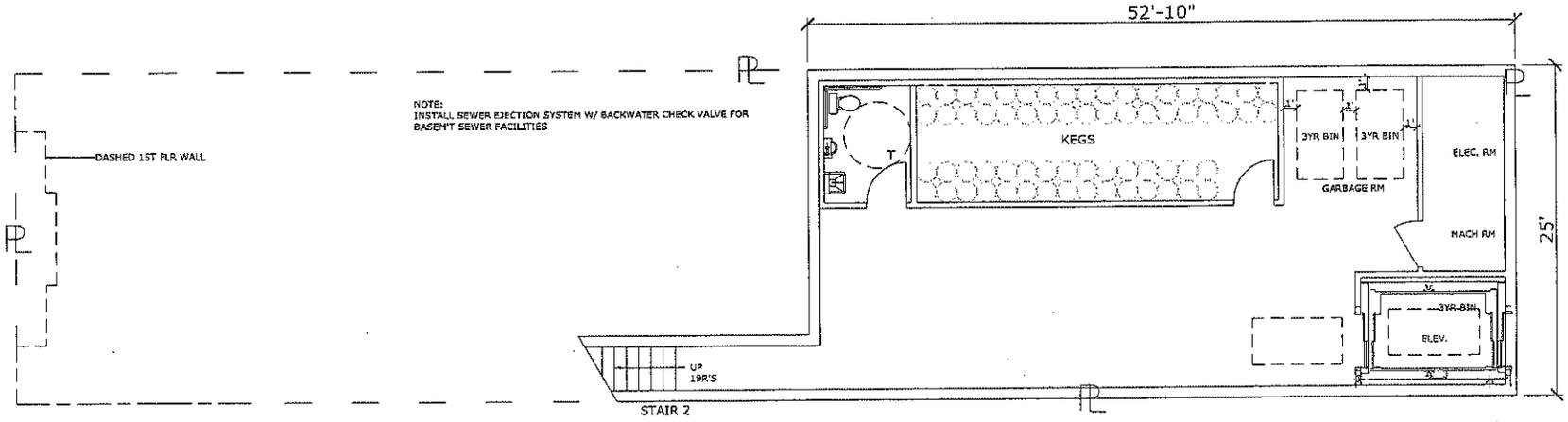


Revisions	By
1/1/10	NH
12/1/10	NH





1ST FLOOR PLAN 
 1/4" = 1'-0"
 GROSS AREA = 2800 SF
 TOTAL OL = 274



BASEM'T FLOOR PLAN 
 1/4" = 1'-0"
 GROSS AREA = 1400 SF
 TOTAL OL = 5 (1400/ 300)

SWA
 Steve Wong
 A Associates
 architects inc./pa
 planning
 construction
 interior
 1818 W. HUGHESWAY AVE.
 3rd Floor, CA 94116-3646
 (415) 431-1418

BRIAN BORUS'S
 182 S. MURPHY AVE.
 SUNNYVALE, CA

ATTACHMENT D
 Page 2 of 8

Sheet
 A-2
 of
 2
ENT D



Slava Teng
& Associates
Architectural
Interior
& Design

1018 WILLOWBUSH AVE
SAN JOSE, CA 95128-3500
(408) 991-1000

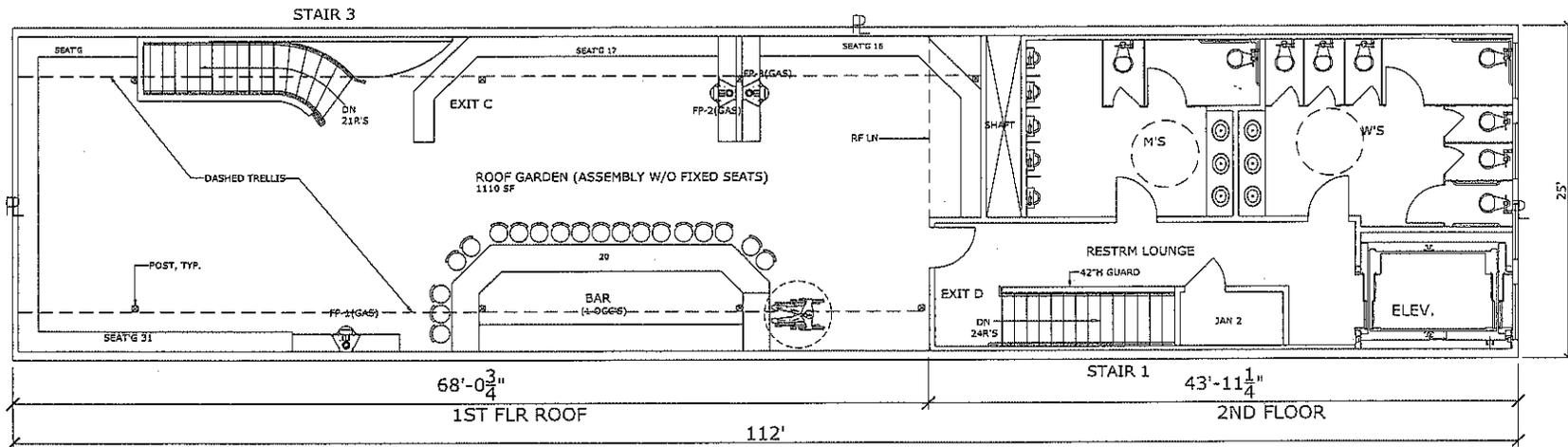
BRIAN BORUS
182 S. MURPHY AVE.
SUNNYVALE, CA

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12/1/10	NH

Drawn	NH
Check	SY
Date	11/2/09
Scale	AS NOTED
Job No	08.05

Sheet
A-3
of

ATTACHMENT D



2ND FLR & 1ST FLR ROOF PLAN 

1/4" = 1'-0"
GROSS AREA = 2800 SF
TOTAL OL = 234

NOTE:
INSTALL MOP SK IN JAN. CLOSETS(1ST/2ND FLR'S) W/ WASH'G AREA & PLUMBED TO S.S. LINE



SIA Inc
Architects & Associates
1816 MILCOMB ST AVE
SAN JOSE, CA 95128-3555
408-284-8216

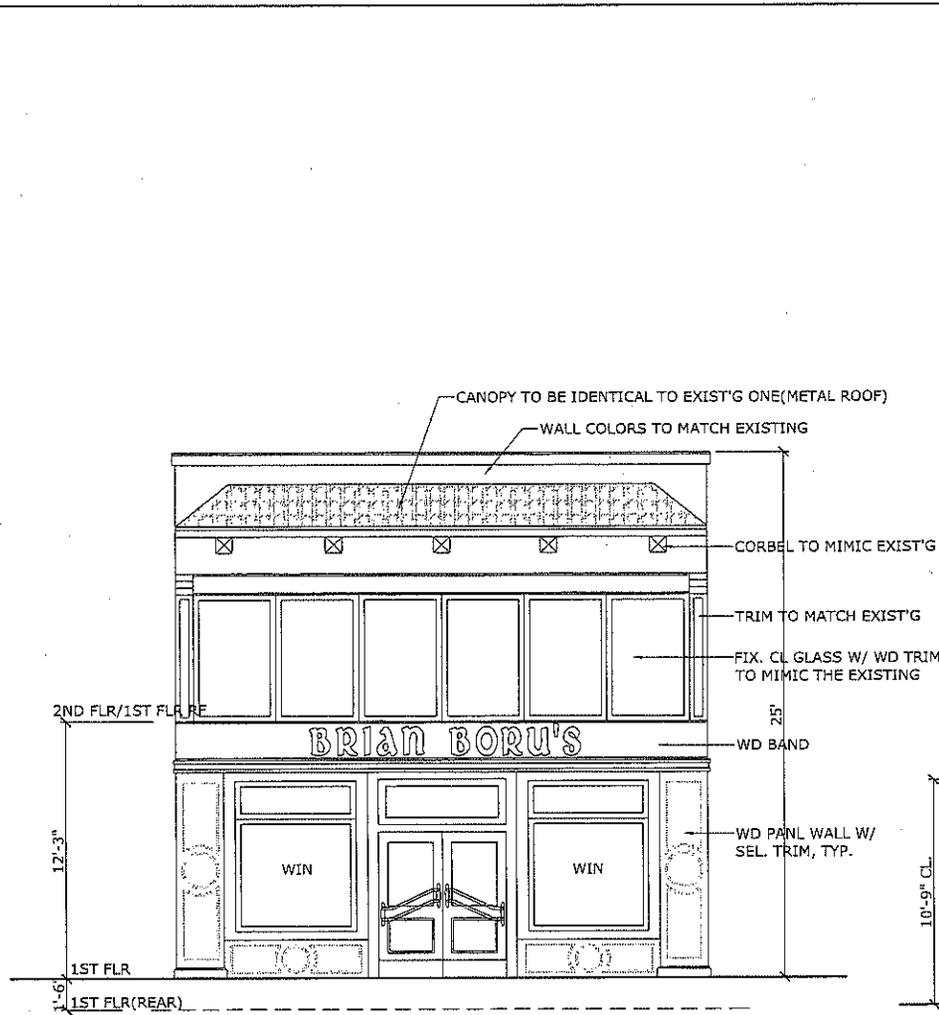
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182 S. MURPHY AVE
SUNNYVALE, CA

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12/1/10	RH

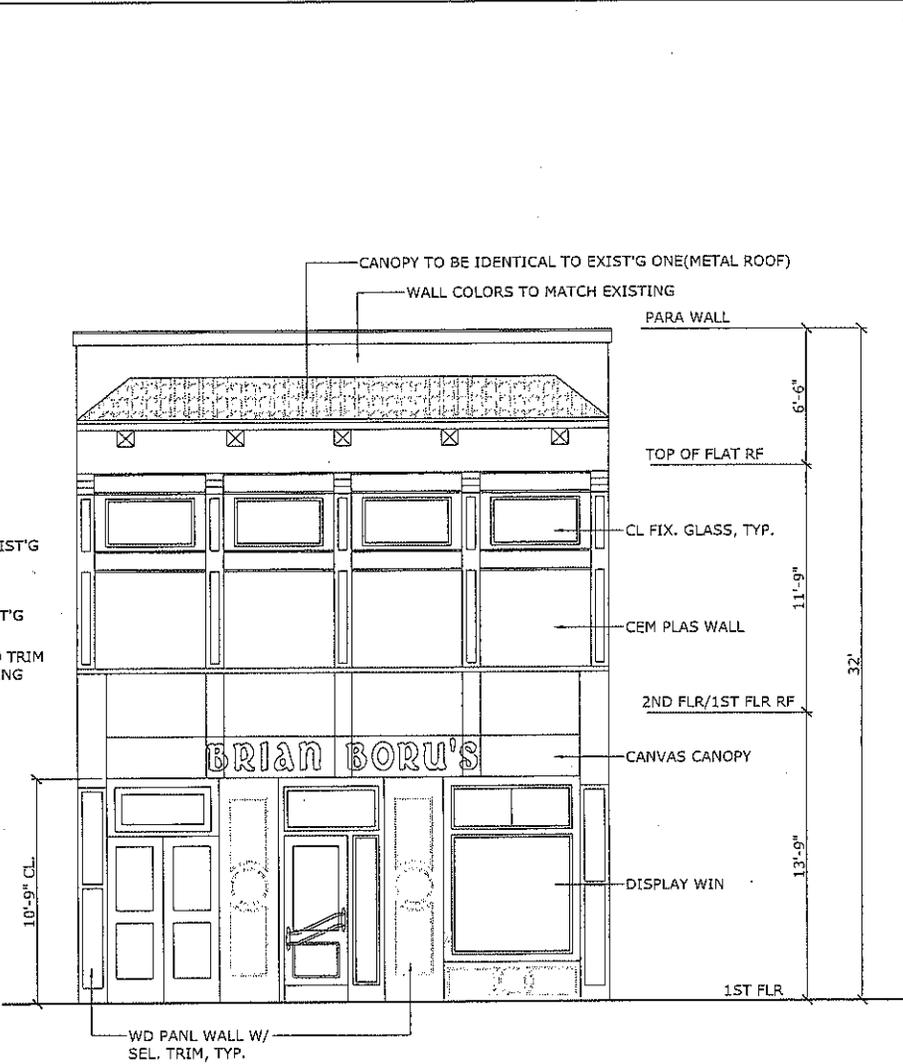
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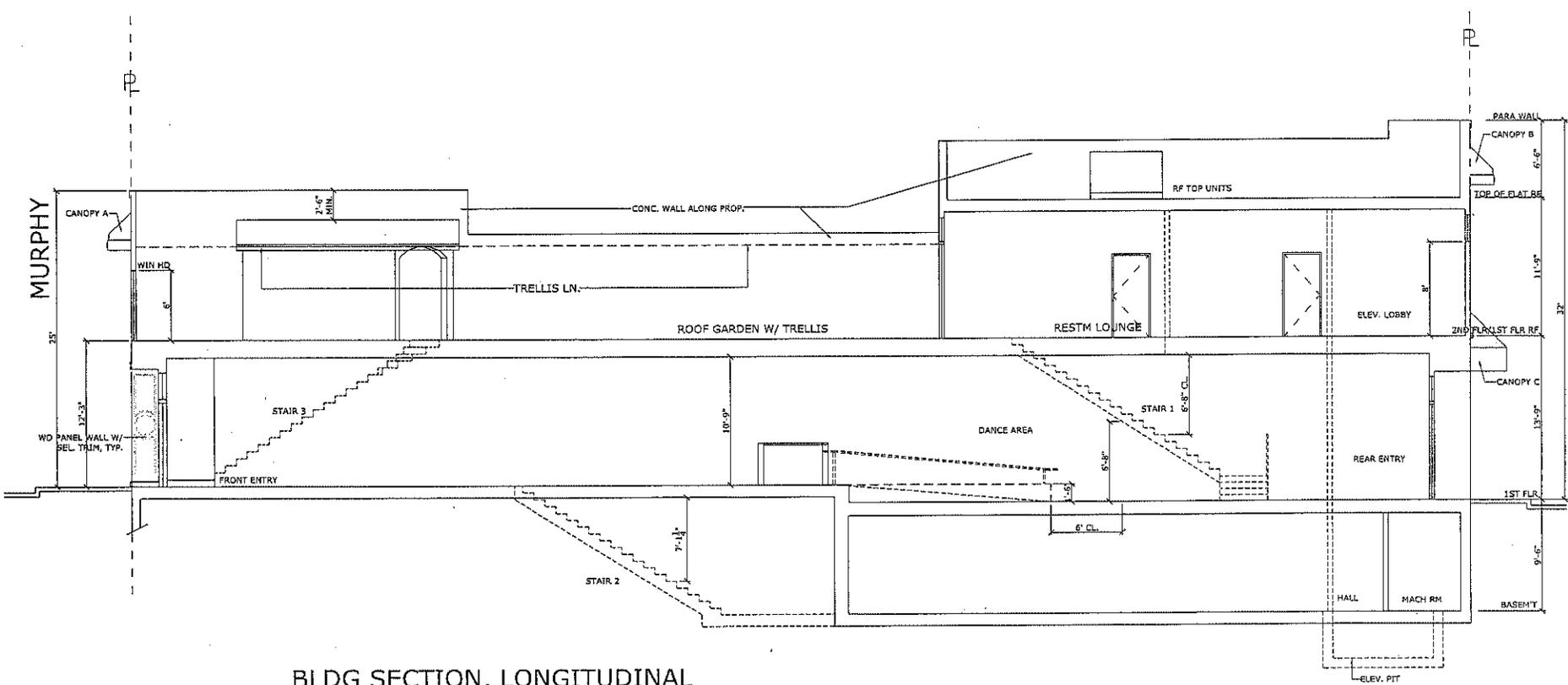
80



FRONT ELEVATION
3/8"=1'-0" (VIEWED FROM MURPHY)



REAR ELEVATION
(VIEWED FROM CITY PARK'G LOT)



BLDG SECTION, LONGITUDINAL
 1/4"=1'-0"

AW

Shaw Yong
 & Associates
 architects and/or
 planning
 engineers
 & artists

1616 WILLOWHURST AVE.
 SAN JUAN, CA. 95026-2582
 (408) 534-1078

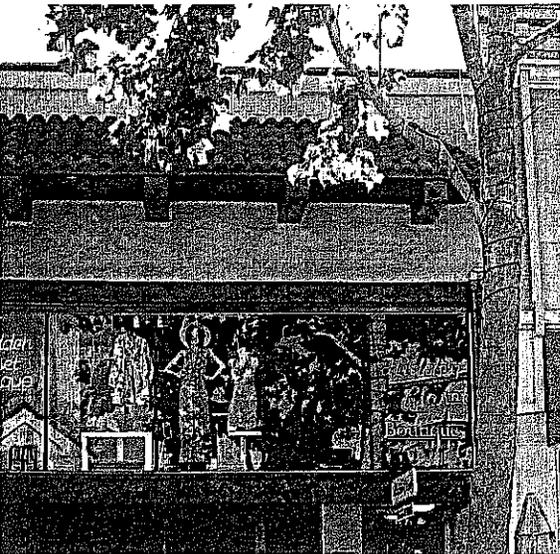
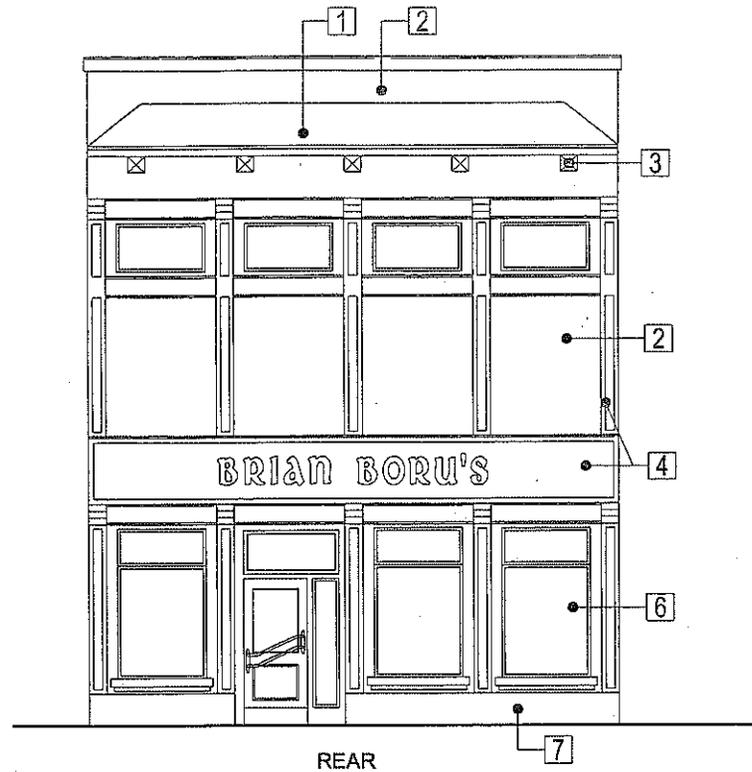
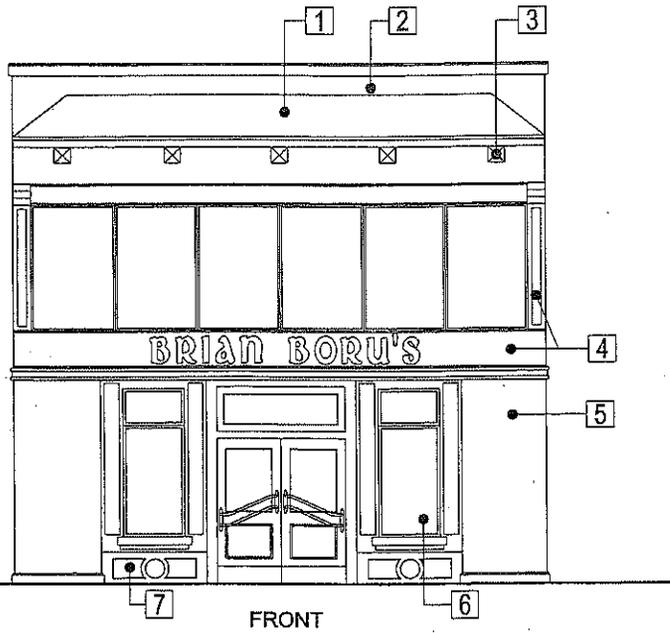
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 182 S. MURPHY AVE.
 SUNNYVALE, CA

Revisions	By
11/1/10	NH
12/1/10	NH

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Date	1/24/09
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A-5
 OF 5

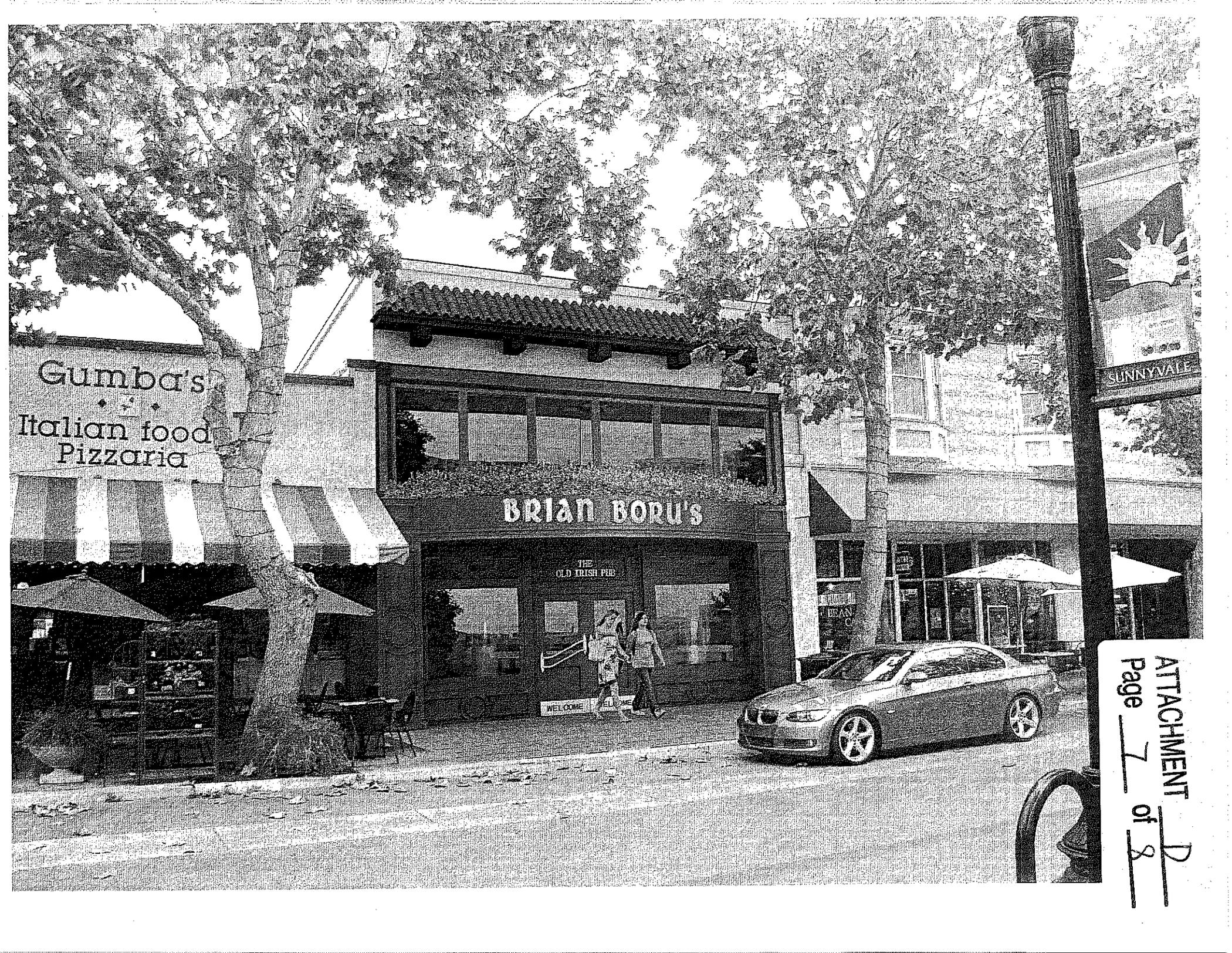
APPROVED
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 BY: SV

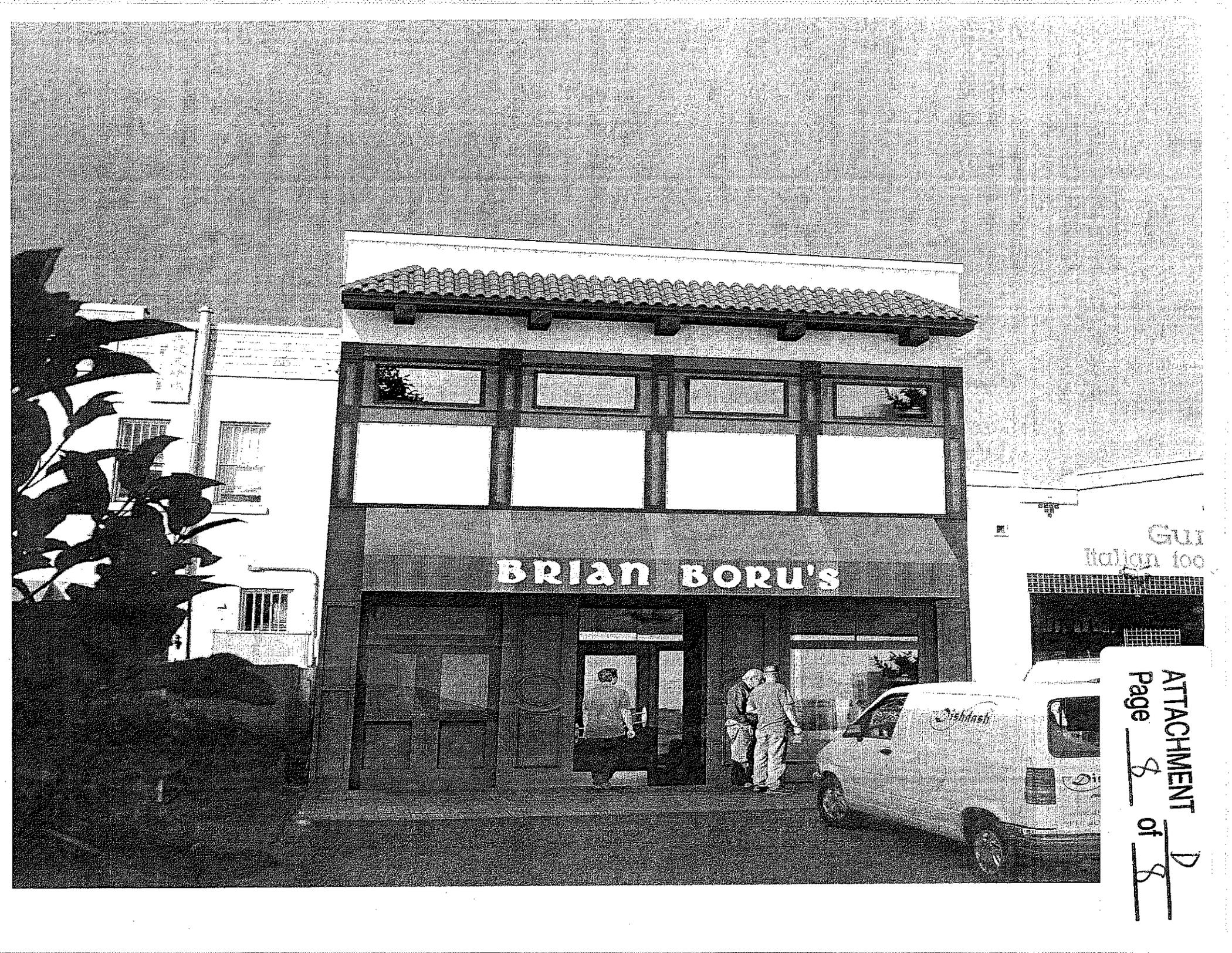


COLOR SCHEDULE			
	CLASS	MFG'ER	
1	MISSION TILE		
A	2152-50 GOLDEN STRAW (LIGHT EARTH TONE)	BENJAMIN MOORE	
B	1300 TUCSON RED (DARK RED)	BENJAMIN MOORE	
C	HC-155 NEWBURYPORT BLUE (DARK BLUE)	BENJAMIN MOORE	

EXTERIOR FINISH SCHEDULE				
MATERIAL	LOCATION	FINISH	COLOR	REMARKS
1] MISSION TILE	WALL CANOPY	PRE	TO MATCH EXIST'G	
2] CEM PLAS	WALL	PTD	TO MATCH EXIST'G	COLOR A
3] CORBEL & SOFFIT, WD	WALL	STAIN	TO MATCH EXIST'G	
4] WALL BAND & TRIM	WALL	PTD	COLOR B	ACCENT
5] WALL PANEL	WALL	PTD	COLOR C	
6] GLASS	WIN	PRE		
7] WALL TILE	WALL	PRE	SELECTED	
PAINT SCHEDULE				
COLOR A	2152-50	GOLDEN STRAW		
COLOR B	1300	TUCSON RED		
COLOR C	HC-155	NEWBURYPORT BLUE		
PAINT FROM 'BENJAMIN MOORE'				

Attachment D
 Page 6 of 8





BRIAN BORU'S

Gur Italian food

Fishfresh

ATTACHMENT D
Page 8 of 8

Des Liam Enterprises, Inc.

691 N Mathilda Ave, Sunnyvale, Ca 94085

Ph. (408) 481 4990

Fax. (408) 481 4993

11/2/2010

Re: Brian Boru's, 182 South Murphy Avenue Sunnyvale.

Description of operation.

Our company currently owns and operates two drinking establishments in the area. Molly Magees on Castro Street in Mountain View and Fibbar Magees at 156 South Murphy Avenue. For our business model we intend to transpose the most positive attributes of these two locations into the new venue. We have over 16 years experience of running this type of operation in the immediate area and we are aware of our responsibilities as business owners and members of our local community.

We have managed to maintain a level of consistency in our business practices through hands-on management. Over the years we have trained several new staff members while retaining experienced employees whenever possible. We intend to utilize many of our existing staff in various positions within the new operation as bar service staff and security staff. As we approach our opening date, new staff members will be hired and trained at the existing clubs.

In addition to in house training, new members of staff will attend ABC alcohol awareness meetings and undertake a training course such as ABC's LEED program.

Brian Borus would be our fourth such venture in Santa Clara County. We understand the challenges that come with opening a new drinking establishment and we are prepared to meet those challenges. We realize the importance of cooperation with the local code enforcement bodies. We are constantly monitoring downtown activities in both Sunnyvale and Mountain View and are in regular contact with local Public Safety Officers. Our new Club would not differ greatly from our current operations. We intend to meet an anticipated demand increase within downtown Sunnyvale.

Sincerely,

Des Nolan

Des Liam Enterprises, Inc.

691 N Mathilda Ave, Sunnyvale, Ca 94085

Ph. (408) 481 4990

Fax. (408) 481 4993

11/2/2010

Re: Brian Boru's, 182 South Murphy Avenue Sunnyvale.

Project Description Letter: 182 S. Murphy Avenue.

The front and main body of the existing two story building is currently occupied by a clothing store and dance studio. There are two employees working at premises. The rear portion of the building is used for storage. We propose to remove the existing structure and construct a new Pub and Night club named Brian Boru's. The building will have two full stories, and a partial basement used mainly for storage. The first floor facing Murphy Avenue will have a typical City Pub storefront. The first floor facing the rear parking lot will have a similar appearance. The second floor facing Murphy Avenue is designed to mimic the existing upper level style of Architecture.

The interior first floor will have typical pub décor with a dance area. The second level and partial third floor will have a open roof top patio and beer garden with a decorative trellis above. The basement will be used mainly for storage.

The operating hours will be 11am to 2 am daily. We propose to have live music and DJ dancing on Wednesday through Sunday. We anticipate that the entire operation will employ approximately 19 full time and 16 part time employees.

Sincerely,

Des Nolan



HEXAGON TRANSPORTATION CONSULTANTS, INC.

Memorandum

Date: February 7, 2011
To: Mr. Desmond Nolan
From: Ryan Sebastian
Subject: Parking Study for the Proposed Nightclub at 182 S. Murphy Avenue in Sunnyvale, California

Introduction

Hexagon Transportation Consultants, Inc. has completed this parking study for the proposed nightclub located at 182 S. Murphy Avenue in Sunnyvale, California. The proposed nightclub is approximately 5,600 square feet with an additional 1,400 square feet of storage space. The site location is depicted on Figure 1. The purpose of the parking analysis is to determine if the parking supply is adequate to satisfy project demand.

Existing Parking Supply

The project site is located along Murphy Avenue in Downtown Sunnyvale. Most Murphy Avenue visitors and employees typically park nearby and walk to their intended destination. Hexagon conducted parking surveys at the Sunnyvale Town Center, Caltrain parking garage and lot, and several adjacent parking lots within walking distance of the project in June 2010. Additional parking surveys at the expanded Sunnyvale Town Center and other adjacent parking garages and lots were conducted in January 2011.

City staff provided the total amount of parking spaces. The Sunnyvale Town Center (under construction) provide 5,234 parking spaces of which 1,300 cannot be shared). An underground parking garage at the intersection of Frances Street and Evelyn Avenue provides 570 parking spaces. The Caltrain parking garage and lot provide 388 parking spaces. Parking lots are also available on either side of Murphy Avenue. The lot east of Murphy Avenue provides a total of 103 parking spaces. The lot west of Murphy Avenue provides 149 parking spaces. An additional 124 parking spaces are available in a parking lot on Carroll Street. Taking a conservative approach, on street parking was not included in the total Downtown Sunnyvale parking supply. In total, there are approximately 6,568 parking spaces within walking distance of the project. Not including the 1,300 dedicated secure parking at the Sunnyvale Town Center, the total available parking for visitors is 5,268 parking spaces. Figure 2 provides a summary of the existing parking supply.

Parking surveys were conducted between 10:00 PM and 12:00 AM once per hour on a Thursday, Friday, and Saturday in June 2010. Additional parking surveys were conducted between 7:00 PM and 9:00 PM on the same weekdays in January 2011. It is during these times when the project is expected to draw its largest crowds. The January 2011 parking surveys included newly opened parking structures in Sunnyvale Town Center and the Frances Street and Evelyn Avenue underground parking garage. The parking surveys showed that existing parking demand peaked at 1,167 spaces at 7:00 PM on Friday, January 14,

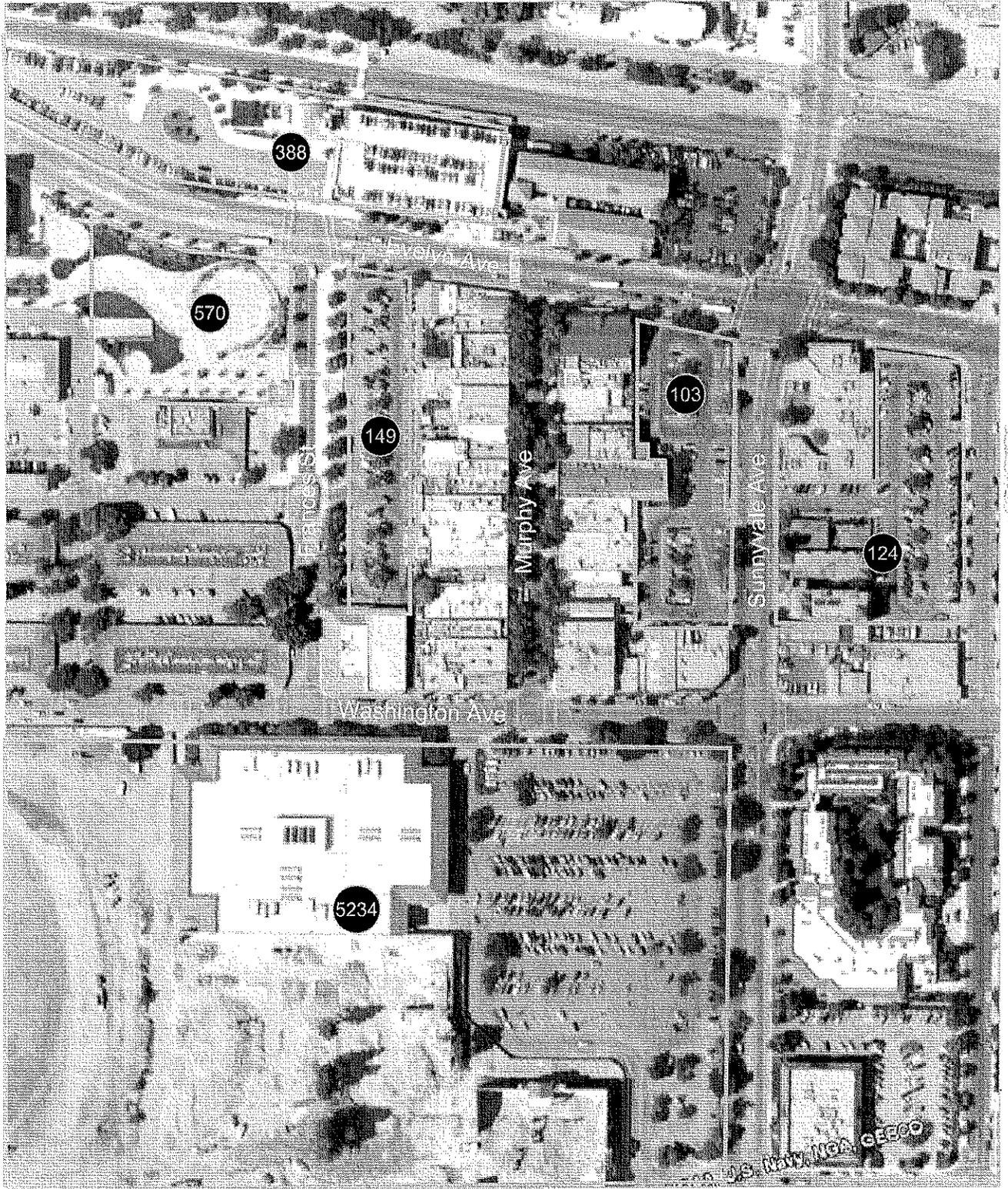
Lunch time is also a period of strong parking demand in Downtown Sunnyvale. However, since the project would operate mainly at night, it is not expected to generate measurable parking demand during the lunch time period. Thus, this period of study was not analyzed.



LEGEND

 = Site Location

Figure 1
Project Study Area



LEGEND

 = Site Location

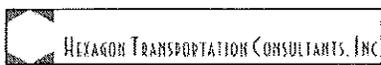


Figure 2
Parking Supply



182 S. Murphy Avenue

**Table 1
Existing Parking Demand Survey**

Time	Thursday	Friday	Saturday
7:00 PM	1,067	1,167	984
8:00 PM	916	1,071	852
9:00 PM	730	805	720
10:00 PM	223	445	421
11:00 PM	153	297	345
12:00 AM	120	225	243

Denotes highest peak parking demand.

Project Parking Demand

The estimated parking demand for the project's planned uses was based on Sunnyvale off-street parking requirements outlined in the city's municipal code. The City of Sunnyvale requires that a nightclub provide one off-street parking space per 50 square feet of space. Based on the project's land use and building size, the parking code requires 140 parking spaces (see Table 2).

**Table 2
Project Estimated Parking Demand**

Land Use	Size	Ratio	Parking Spaces
Nightclub /a/	7,000 s.f.	0.02	140

/a/ Ratio based on City of Sunnyvale parking requirements for nightclubs, which is one parking space per 50 square feet.

Parking surveys show that there are at least 4,101 available parking spaces in Downtown Sunnyvale during the peak operating hours. This is substantially more than the estimated project peak parking demand of 140 spaces. Thus, it can be concluded that the existing parking supply in Downtown Sunnyvale would be adequate to accommodate the parking demand for the proposed project.

Future Parking Demand

Downtown Sunnyvale has several large scale developments expected to break ground or finish construction in the near future. These proposed uses will all require parking to some extent. An analysis was completed to estimate the future parking demand in Downtown Sunnyvale and to determine if there is adequate parking for the proposed project in the future.

The proposed nightclub is expected to begin operations late in the night and into the early morning, eventually closing at 2:00 AM. During this proposed operational time, office and retail uses would need very little parking. Other uses, such as residential and hotel would use nearly all of their required parking spaces. The Urban Land Institute (ULI) has published *Shared Parking, Second Edition*, which provides parking ratios and time-of-day factors to estimate parking demand for multiple uses at any given time. Based on the Shared Parking guide, the parking demand for the future land uses are staggered throughout

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the day. To determine the adequacy of the future parking supply, the 10:00 PM hour was selected for analysis since the project is expected to be open during that hour while nearby establishments were still open. The results of the analysis are below and shown on Table 3.

Future projects slated for Downtown Sunnyvale consist of mostly office, retail and some residential uses. During the 10:00 PM hour, very few parking spaces are expected to be occupied by office uses. The majority of parking demand will be from retail and residential uses. According to the analysis, a total of 2,780 parking spaces will be needed for future uses not yet built during the 10:00 PM hour. Parking surveys conducted in January 2011 show that existing uses also need approximately 445 parking spaces during this hour. With a total parking supply of 6,568 parking spaces, the analysis estimates that 3,343 parking spaces will remain available. The proposed project would require 140 parking spaces. Thus, future parking supply during the project peak would be adequate.

**Table 3
Future Parking Demand During Project Peak (10:00 PM)**

Land Use	Base Parking Ratio /a/	Time-of-Day Factor (10:00 PM)	Parking Needed
Office			
Visitor	0.20 per KSF	0%	0
Employee	2.60 per KSF	1%	22
Retail			
Customer	3.60 per KSF	30%	1,376
Employee	0.90 per KSF	40%	459
Restaurant			
Customer	12.75 per KSF	55%	147
Employee	2.25 per KSF	65%	31
Residential			
Guest	1.50 per KSF	100%	698
Resident	0.15 per KSF	100%	70
Hotel			
Guest	1.00 per KSF	95%	190
Employee	0.25 per KSF	20%	10
Future Parking Needed			2,780
Existing Parking Needed /b/			445
Total Parking Supply			6,568
Total Parking Surplus			3,343
/a/ Ratios based on Urban Land Institute, Shared Parking, Second Edition, 2005. Size expressed in thousand square feet or units.			
/b/ Based on January 2011 parking surveys at 10:00 PM.			

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Holiday Parking

Parking demand increases around the holidays for retail and restaurant uses. Office, hotel and residential demand is relatively consistent throughout the year. The ULI Shared Parking guide indicates that retail parking demand can be up to 25 percent higher during the holidays. Even at this level, there would be a substantial number of vacant spaces in the area when the proposed nightclub is busiest. The proposed project is not expected to require measurably more parking during the holidays.

Conclusion

The proposed project would have adequate parking under existing and future conditions. Additional parking demands for retail uses during the holiday season would not measurable affect this conclusion. Most nightclub visitors are expected to arrive after most businesses in the area are closed.

