



REPORT TO PLANNING COMMISSION

Hearing Date: October 10, 2011

File Number: 2011-7495

SUBJECT: **Yahoo!** Application for a Yahoo! campus expansion to add a new, 6-story 315,000 sq. ft. office building, 24,000 sq. ft. special use amenities building and one parking structure at 589 and 399 W. Java in the MP-TOD Zoning District (APN: 110-26-044, 047, 033):

Motion **Moffett Park Major Design Review** for the design of the new, 6-story 315,000 sq. ft. office building, 24,000 sq. ft. special use amenities building and one parking structure;

Motion **Tentative Map** for the merger of the three existing lots.

REPORT IN BRIEF:

Existing Site Conditions Vacant and Office Use

Surrounding Land Uses

North Research and Development

South Research and Development

East Research and Development

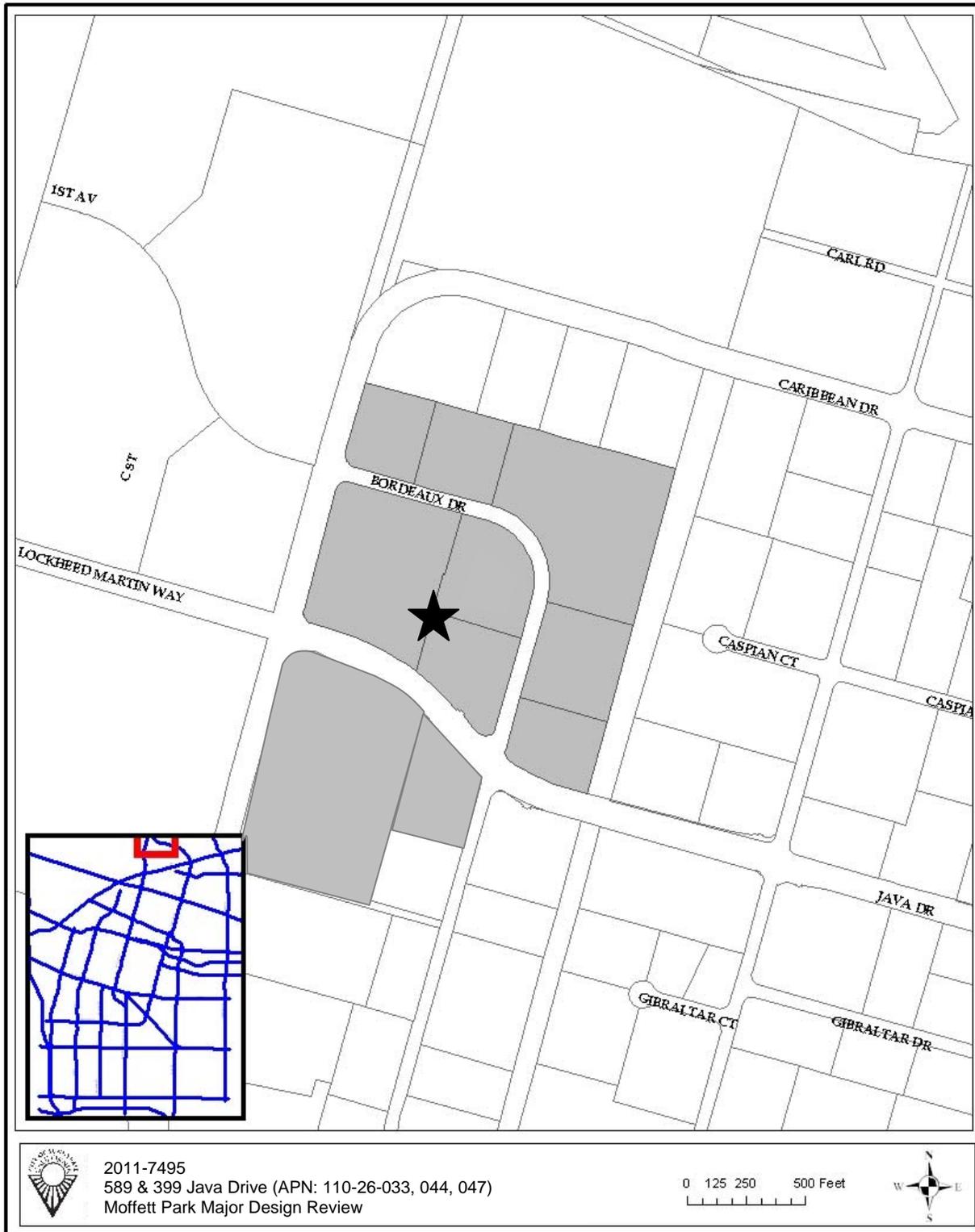
West Research and Development

Issues Architecture and Design

Environmental Status A Mitigated Negative Declaration was prepared for the proposed project.

Staff Recommendation Approval with conditions

VICINITY MAP



PROJECT DATA TABLE

	EXISTING Yahoo! Campus	PROPOSED Combined Campus	REQUIRED/ PERMITTED
General Plan	Moffett Park Specific Plan (MP)	Same	Moffett Park Specific Plan (MP)
Zoning District	MP-TOD	Same	MP-TOD
Lot Size (s.f.)	299,257 (6.87 Acres)	641,805 (14.73 Acres)	22,500 sf. min.
Gross Floor Area (s.f.)	171,409	508,000	No max.
Lot Coverage (%)	16%	33%	40% max.
Floor Area Ratio (FAR)	50%	79%	50% Standard 70% w/Development Reserve 10% (up to 80% w/LEED)
No. of Buildings On-Site	2	5	---
Distance Between Buildings	40'	120'	26' min.
Building Height (ft.)	56'	112'	130' (Including Mechanical)
No. of Stories	3	6	--
Front	40' (Mathilda)	40'	15' min.
Left Side	170' (Bordeaux east west)	42'	20' min. total
Right Side	40' (Java)	17'	20' min. total
Rear	200'	15' (Bordeaux north south)	None
Total Landscaping	52%	27%	20% min.
Frontage Width (ft.)	35'	15'	15 min.
Parking Lot Area Shading (%)	50%	51.2%	50% min. in 15 years

	EXISTING Yahoo! Campus	PROPOSED Combined Campus	REQUIRED/ PERMITTED
Water Conserving Plants	N/A	80%	80% + limit turf, or water budget
Total Spaces			
Total Spaces	616	1,565	1,936 to 968
Standard Spaces	370	1,565	782 min.
Compact Spaces/ % of Total	246/40%	0	50% max. of uncovered
Accessible Spaces	13	8	Per ADA requirements
Aisle Width (ft.)	24'	26'	26 min.
Bicycle Parking	28	52 (80 Total)	1 per 6,000 sf 75% Class 1 25% Class II Per TIA Study
Stormwater			
Impervious Surface Area (s.f.)	367,646	396,540	No max.
Impervious Surface (%)	57%	61%	No max.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

BACKGROUND:

The existing Yahoo! building was constructed in 2003 and was part of the original campus located west of the site across Mathilda Avenue. The buildings on the east side of the subject site were demolished in 2002. In 2008, plans were approved for a new 7-story office building on the two parcels to the east of the existing building. The project never came to fruition and has since expired.

Planning Commission Study Session

The proposed project was reviewed by the Planning Commission on August 22, 2011. The Planning Commission had few concerns and requested clarification regarding tree preservation, permeable paving, traffic, employees. The applicant and staff responded to the Planning Commission inquiries.

DISCUSSION:

Requested Permit(s)

Major Moffett Park Design Review: The site is currently used as corporate office by Yahoo! on the west side of the site. The remaining two parcels are currently vacant. This project proposes to construct a new 6-story office building near the south east corner of the site and 6-story parking structure and amenities building near the north east corner of the site. The new office building will add 339,000 square feet of office and amenities space to the campus, bringing the site to a total office square footage of 508,000 square feet. The new building is a rectangular form (different than the existing building) and exterior architecture and materials will complement the existing office building. With this new building, the total Floor Area Ratio (FAR) for the site will be 79%.

New parking will be provided by a new 6-story parking structure, which will include one full basement level and one partial basement level. The upper floors (four and five) of the parking garage will have an additional setback of approximately 28 to 30 feet from the street frontage to soften the appearance of the structure. A total of 1,565 cars will be provided at 1/309 (or 3.23/1,000) ratio for the new and existing office building. The existing surface lot will be reconfigured to accommodate the new parking structure and office buildings. New landscaped walkways will connect this structure and the new office building to the existing campus circulation.

The Moffett Park Specific Plan requires limited review for projects which commit to green building techniques and allows access to the established development reserve to achieve a floor area ratio of 70%. In addition, the Green Building incentives program allows for a 10% increase if the project achieves LEED GOLD with USGB certification. The proposed will result in a 79% floor area ratio for the entire site (all three parcels).

Tentative Map: The proposed project requires a Tentative Map to remove existing parcel lines and easements. The Tentative Map would only be valid in conjunction with the approved site map and approved Conditions of Approval. The standard Tentative Map Conditions of Approval are listed in Attachment B and the Tentative Map plans can be found in Attachment D.

ANALYSIS:

Architecture

The proposed office building will be sited on a north south (axis?) near the intersection of Java Drive and Bordeaux Drive. The structure will be comprised of glass curtain walls, precast concrete, metal panels and punch-out windows. The north face of the structure will provide a three-story lobby element which

will serve as the access point for this portion of the campus. The south face of the structure is the full six stories and uses simple rectilinear forms and changes in materials and window glazing to break up the mass of the structure. The precast concrete panels and metal panels will be of the same color and finish as the existing building so that the design of the existing and new buildings relate to each other.

The parking structure will sink one and a half levels below grade to minimize the visibility of the structure. The upper two floors will have an additional street side setback of approximately 28 feet to provide a two-story appearance of the structure at the street level. The structure will be screened with a green wall constructed of a metal mesh that supports a landscape screen to screen the parked automobiles. The See Attachment D, Site and Architecture Plans, for additional details.

Development Reserve

The Development Reserve is the primary land use tool available for implementing the vision of the MPSP of redeveloping as a high technology office and R&D area with smart growth principles. The Development Reserve is set aside square footage for which individual projects within the MP-I and MP-TOD zones may request access. Approved access to the reserve permits a project to exceed the standard FAR limitation of the site and can be used to allow up to the maximum FAR level of the underlying zone. The additional square footage and corresponding level of project intensity is intended to act as an incentive for the redevelopment of underutilized sites with targeted growth. Access to the Development Reserve is based on compliance with the MPSP Green Building incentive program (subject to Planning Commission approval of site plan and architecture). The original Development Reserve total in 2003 was 5,443,565 square feet. The allocation of the Development Reserve is on a first-come first-serve basis and is currently at 3,019,738 sf., due to previously approved projects (including the recently entitled Technology Corners/Ariba Campus and Moffett Towers expansion). If this project is approved, the remaining development reserve would be 2,918,138 sf. to cover all other sites in the MPSP. Staff notes that the additional 9% FAR requested under the Green Building incentives is included in deduction from the Development Reserve.

Development Standards

The proposed project complies with the applicable Development Standards as set forth in the Sunnyvale Municipal Code for the MP-TOD Zoning District. The following items are those that have been identified as items for clarification by the Planning Commission:

- **Site Layout**

The proposed new structures will be generally located on the existing vacant parcels, with the new office building near Java Drive and the parking structure and amenities building located on the opposite side of the site. The main entry into the office building will be oriented toward the amenities building and parking structure. The amenities building will serve as the hub

for most employees. A secondary entrance to the office building will be provided on the south side of the building facing Java Drive. The sidewalks and hardscape will focus pedestrians to the front entry of the new building and will be oriented to direct riders from VTA. The project also includes modifying the existing parking configuration and circulation pattern to facilitate connections between the existing building and the new office building and parking structure. A separate service/mechanical area will be located on Java Drive.

- **Parking/Circulation**

The existing Yahoo! building has three street access points into the site (Java, Mathilda, and Bordeaux) and the vacant site has four access points, which have been fenced off since demolition. The proposed project will result in minor location adjustments to the existing Java Drive and Bordeaux Drive driveways and removal of three driveways on the vacant site. Pedestrian access around the perimeter of the entire site will be provided by installing sidewalks. The perimeter sidewalk will be pulled away from the street to accommodate existing trees which will be retained (on Bordeaux). Additional hardscape and pedestrian pathways will be provided to connect the sites together.

- **Landscaping and Tree Preservation**

The entire site was surveyed to evaluate the condition of the trees. There are 265 trees at the site and 35 are protected trees. The initial submittal included removal of all trees within the project area. The applicant has worked with staff to retain the larger perimeter trees along Bordeaux Drive and several trees located adjacent to the existing building and north west parking lot. The remaining trees will be removed and replaced with new trees. Staff has included a condition of approval requiring a tree protection plan which will address protection measures and construction methods in the root zone of the trees.

- **Stormwater Management**

A preliminary Stormwater Management Plan has been submitted as required, which shows proposed drainage patterns and conceptual treatment techniques to minimize surface runoff and pollution. A more detailed Stormwater Management Plan will be submitted during the building permit phase per Conditions of Approval.

- **Green Building Requirements**

The project is required to achieve a LEED Gold with USGB certification since the applicant is requesting an additional 10% FAR through the Green Building incentives program. The project has received LEED Gold Existing Building certification for the existing Yahoo! building. The new building will achieve LEED Gold through the design of the landscaping, building materials, energy performance and plumbing. As required, verification of the

green building measures will be completed by the Building Safety Division during the building permit process.

- **Art in Private Development**

Non-residential sites two acres and larger are required to provide art in publicly viewable areas equal to 1% of the construction valuation of the project. Separate approval of the art is required by the Arts Commission.

Environmental Review

Background 2003

In 2003, the Sunnyvale City Council certified the program-level MPSP Environmental Impact Report. As part of the EIR, it was found that there were significant unavoidable environmental impacts resulting from the proposed MPSP. The Council at that time opted to make statements of overriding consideration for these unavoidable impacts, and deemed them to be acceptable in view of the significant economic and social benefits which the approval of the MPSP would make possible.

The statements of overriding consideration were made for the following unavoidable impacts, as stated in the 2003 EIR:

Air Quality - Future area source and vehicular emissions under the proposed Moffett Park Specific Plan may result in operational air quality impacts.

Traffic and Circulation – Freeway Operations: Implementation and subsequent build-out of the proposed General Plan Amendment would not impact any additional study freeway segments beyond those impacted under General Plan 2020 Conditions. However, the implementation and subsequent build-out of the proposed General Plan Amendment would increase the severity and level of significance of impacts along several freeway segments that would be significantly impacted under General Plan 2020 conditions.

Expressway Conditions: There are no feasible mitigations measures to reduce the level of service impacts at the Central Expressway and Oakmead Parkway (City of Santa Clara) intersection, and the Central Expressway and Bowers Avenue (City of Santa Clara) intersection.

Mathilda Avenue Corridor: The Mathilda Avenue corridor will be impacted under the proposed Project in the A.M. peak hour and the P.M. peak hour.

Housing and Population - The proposed General Plan Amendment would not allow for the future construction of residential units in the MPSP area. However, the intensity of future industrial and commercial development that could be facilitated under the proposed MPSP would generate a substantial

number of jobs and would indirectly induce population and housing growth throughout the region.

Cumulative Growth Impacts - Full build-out of the MPSP, along with other foreseeable development in the area will have an overall cumulative impact on the region, affecting air quality, transportation and the jobs/housing ratio.

Background 2006

In 2006 Jay Paul Company's Moffett Towers (Lot 1 and Lot 3) was approved for a rezoning of a portion of the Lockheed-Martin campus. This project required a Subsequent Environmental Impact Report (SEIR) since the Lot 3 portion of the site was proposed at a higher intensity than what is permitted under the 2004 MPSP or SMC code provisions, resulting in the need for an amendment to the MPSP and the Lot 3 rezoning. The zoning of the balance of the site (Lot 1) was unaffected. It was determined that the increased development intensity could result in major revisions to the previously certified EIR. Similar to the 2003 MPSP EIR, the Council at that time opted to make statements of overriding consideration for these unavoidable environmental impacts.

Current Application

The current application does not require a subsequent EIR since it is implementing a project that was anticipated as part of the MPSP and expected under the approved Development Reserve. The project would draw the proposed square footage from the approved Development Reserve and does not propose to create a higher intensity development than was contemplated by the MPSP or other SMC provisions. However, an environmental review is required to determine if there are any site-specific or local impacts, if mitigation measures are required, and to properly disclose those impacts. Site-specific impacts are the result of the Development Reserve square footage being applied to specific parcels, which could not have been anticipated under the MPSP.

The proposed project is tiering from the 2003 MPSP programmatic EIR and does not require a subsequent EIR under CEQA section 21166 (Subsequent Studies) and Guidelines section 15162 (Subsequent EIRs). Based on the Initial Study, the project does not trigger the events listed in CEQA section 21166 and Guidelines section 15162.

A Mitigated Negative Declaration (Attachment C) has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the project would not create any significant environmental impacts with implementation of the recommended mitigation measures.

The Initial Study and Mitigated Negative Declaration includes discussions about air quality, transportation/traffic, and population/housing. See Attachment C for more details. Mitigation measures have been incorporated in the attached conditions of approval at the appropriate states of construction

(Attachment B). The following is a summary of the main issues not already discussed in the report above:

- **Air Quality**

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

The applicant provided an Air Quality and Greenhouse Gas Analysis for the two projects. The study was completed by Environ on August 16, 2011. The report concludes that the combined projects will result in both one-time (construction related) and annual (operational-related) emissions. Environ's analysis indicates that the project does not exceed the thresholds of significance according to the current BAAQMD CEQA guidelines.

- **Transportation and Traffic**

A Traffic Impact Analysis (TIA) has been prepared by Fehr & Peers, dated August 25, 2011. The study is attached to the Initial Study (Attachment C). The Fehr & Peers report presents the results of the TIA identified impacts to the Mathilda Avenue/Moffett Park Drive intersection and the Mathilda Avenue/State Route 237 westbound ramps. These intersections have been identified for improvements in the MPSP FEIR and the Citywide Deficiency Plan. Improvements for these intersections are included in the City Capital Improvement Program. Payment of Transportation Impact Fees will mitigate the project's contribution to these impacts to a less than significant level. The TIA also identified potential impacts to the westbound left hand turn pocket on Java Drive. The TIA indicates that there may be the need to for one additional car length to be added to the pocket. Mitigation for this will be achieved through monitoring and payment of a "fair share" contribution by the applicant. Based on the required mitigations the project would result in a less than significant traffic impact.

- **Population and Housing**

The total square footage of the site can be accommodated through access to the MPSP Development Reserve based on allowable 70% FAR of the Zoning (Moffett Park Transit Oriented Development - MPT) and General Plan designation (Moffett Park Specific Plan) and an additional 9% FAR (up to 10%) with the City's Green Building incentive program. The new

office square footage would create opportunities for new jobs and would cause a slight increase in the City’s Jobs/Housing balance.

The project would be required to pay a Housing Mitigation fee (\$9.08/sf.) for the new square footage approved that exceeds the base General Plan FAR of 50% that was in place before adoption of the MPSP. Based on a preliminary calculation, the current Housing Mitigation fee for the new building would be approximately \$1,698,841. The Housing Mitigation fees are intended to mitigate the impacts of potential new jobs on housing by providing dedicated funds for the expansion of workforce housing. Therefore, the project would not induce substantial population growth. The number of jobs are within the total expected for the MPSP area.

FISCAL IMPACT

Transportation Impact Fee

Projects resulting in net new peak hour automobile trips are subject to a transportation impact fee (TIF). The TIF is estimated to be \$983,085 and must be paid prior to issuance of a building permit. The amount is subject to the fee schedule in place at the time of payment.

Housing Impact Fee

The City of Sunnyvale requires a payment of Housing Mitigation fees for high intensity development greater than the standard FAR levels adopted in the 1997 General Plan. The Housing Mitigation fee is \$9.08/sf. for all new square footage. The estimated housing impact fee is \$1,698,841. Fees must be paid for each phase prior to issuance of building permits for the associated building.

PUBLIC CONTACT

Staff has not received any comments of concern regarding the proposed project.

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

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Moffett Park Major Design Review and Tentative Map. Recommended Findings and General Plan Goals are located in Attachment A.

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

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the Major Moffett Park Design Review and Tentative Map with attached conditions.
2. Adopt the Mitigated Negative Declaration and approve the Major Moffett Park Design Review and Tentative Map with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Major Moffett Park Design Review and Tentative Map.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1: Approve the Major Moffett Park Design Review and Tentative Map with attached conditions to allow the construction of a new, 6-story 315,000 sq. ft. office building, 24,000 sq. ft. special use amenities building and one parking structure for Yahoo!.

Prepared by:

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Reviewed by:

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Reviewed by:

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Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans

RECOMMENDED FINDINGS

Major Moffett Park Design Review

Moffett Park Specific Plan Goals and Policies:

The City Council may approve any Major Moffett Park Design Review permit upon such conditions, in addition to those expressly provided in other applicable provisions of this code, as it finds desirable in the public interest, upon finding that the permit will both:

(A) Attain the objectives and purposes of the MPSP:

The project attains the primary purpose of the MPSP objectives based on the following:

Guiding Principles

- *Guiding Principle 1.0:* Positively influence the Sunnyvale business climate and enhance economic vitality by providing comprehensive land use policies and permitting processes that encourage development of additional needed Class A office space to diversify the industrial base of Sunnyvale.
- *Guiding Principle 4.0:* Provide opportunity for strategic retention and attraction of business and private investment.
- *Guiding Principle 5.0:* Focus areas of higher intensity development in areas adjacent to public transportation facilities.
- *Guiding Principle 6.0:* Streamline the land use permit and environmental review approval process.
- *Guiding Principle 8.0:* Increase utilization of public transit through coordinated land use, transportation, and infrastructure planning.
- *Guiding Principle 9.0:* Incorporate the principles of “smart growth: into all planning decisions.
- *Guiding Principle 10.0:* Incorporate sustainable design and green building concepts into private and public projects.

Land Use Objectives

- *Specific Plan Objective LU-1:* Establish development regulations that provide a framework to allow for higher intensity development.
- *Specific Plan Objective LU-2:* Coordinate land use planning within Moffett Park with transportation planning.
- *Specific Plan Objective LU-3:* Allow for balance development that minimizes environmental and fiscal impacts to the City.
- *Specific Plan Objective LU-4:* Establish land use districts that encourage high quality corporate headquarter and Class A office development.
- *Specific Plan Objective LU-5:* Provide for higher intensity development along transportation corridors and within close proximity to rail and transit stations.
- *Specific Plan Objective LU-6:* Provide a development reserve of additional square footage for sites adjacent to public transit facilities as an incentive to developers and to provide flexibility of use for the future needs of the City's residents and businesses.

Circulation and Transportation Objectives

Specific Plan Objective CIR-5: Require a correlation between higher intensity land uses in the Specific Plan project area and direct access to alternative modes of transportation.

Implementation and Administration Objectives

Specific Plan Objective IMP-4: Allow for flexibility with the Specific Plan so that it is responsive to changes in the marketplace.

(B) Substantially conform with the Moffett Park Design Guidelines set forth in Chapter Six of the MPSP:

The project has attained the primary design objectives of the Specific Plan through site planning and architectural design, as well as green building design. The project has coordinated the site layout to emphasize campus connectivity and the primary landscape promenade through the site. Connectivity is provided throughout the site. The building architecture utilizes both building forms and materials to distinguish the design while at the same time providing consistency with contemporary neighboring R&D facilities within Moffett Park. The following are specific policy and the project achieved related to the Community Design in Chapter 6 of the MPSP:

Site Plan

1. Buildings should generally be placed at or near the front setback line without parking between.
2. Buildings located on corner parcels should be placed at or near the setback lines of each street. A strong pedestrian connection to the street should be established through the use of open plaza area and enhanced landscaping, lighting, artwork, and pedestrian amenities.
4. When multiple buildings are proposed for a site, they should be grouped to provide functional open spaces, plazas, and courtyards. Strong pedestrian connections should link buildings and open spaces. Consider daylighting opportunities through building orientation and separation of buildings.
5. Loading areas and service yards should be located to the rear of the site and completely screened from view.
6. Service areas for trash bins, utility cabinets, transformers, etc. should be planned and designed as an integral part of the site.

Architecture

1. Large scaled elements of undifferentiated mass make buildings appear bulky and monotonous. Differentiate the three traditional parts of the building; base, mid section, and top. Vary the planes of exterior walls and provide articulation through use of color, change of materials, and arrangement of façade elements. Create buildings of varying heights and roof lines.
3. Architectural design and detailing should be consistent on all elevations of the building and between different buildings within the same complex.
4. Throughout Moffett Park a diversity of building types, colors, and materials is encouraged to create a pleasing mixture of styles and forms. Diversity is intended to prevent a monotonous pattern of development that is identifiable with uniform project development or specific time periods that may appear dated as time passes.
5. The use of varied materials and colors is generally encouraged. Materials should be of high quality and should relate to each other in logical ways.
6. Roof forms shall be consistent with the design theme of the building and should continue all the way around the building to complete the design.
7. Parapet walls and equipment screen walls shall be treated as an integral part of the building design.
9. Art in private development requirement may allow for integration of art objects into building design, features, and materials.

Landscaping

1. Landscaping serves a variety of purposes and shall be designed to serve multiple needs.
3. Existing trees shall be incorporated to the extent feasible into the site designs of new buildings.

4. Site designs should provide a variety of amenities, including artwork, outdoor furniture, lighting, raised planters, seating areas, trellises, trash receptacles, etc. These items should be consistently designed to stay within the same overall theme.
5. Outdoor recreation and eating areas for employees are strongly encouraged.
6. Window design shall, in addition to considering such issues as energy efficiency and aesthetic appeal, strive to provide for high levels of day lighting for office type uses.
7. Exterior lighting for all types of uses shall be designed to shine downward to prevent light pollution affecting efforts to preserve a “dark sky” and to avoid light trespass and glare onto adjoining properties. Creative fixture design is encouraged as an accent to the site.

Sustainable Design and Green Building Techniques

2. Impervious surfaces, including parking areas, shall be kept to the minimum amount necessary to adequately serve the use.
3. Roof design shall consider the heat island effects of roof materials. Roofs should incorporate high albedo (reflective, light colored) or "green" roof designs into the building to address energy efficiency of building cooling and stormwater runoff requirements.
4. Impervious surface design shall incorporate methods to reduce impacts such as heat island effect and stormwater runoff. Use of light colored materials, vegetation, permeable pavement, tree shading, phasing of parking, are examples of methods to address the negative impacts of impervious surfaces.
5. Parking lot design shall allow for phased implementation as necessitated by on-site demand. Overflow parking or underutilized periphery spaces shall emphasize ecological design techniques.
6. Window design shall, in addition to considering such issues as energy efficiency and aesthetic appeal, strive to provide for high levels of day lighting for office type uses.
7. Indoor and outdoor materials should contain a high percentage of recycled content or rapidly renewable resources and produced in the region, when available to satisfy the required utility or aesthetic.
8. Interior design is encouraged to provide for high levels of indoor environmental quality that provides for long term benefits to employees' health and productivity through the use of low-emitting materials and efficient ventilation methods.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS OCTOBER 10, 2011

Planning Application 2011-7495
589 and 399 W. Java Drive

Major Moffett Park Design Review Permit to add a new, 6-story 315,000 sq. ft. office building, 24,000 sq. ft. special use amenities building and one parking structure and Green Building Incentive (LEED GOLD) for a FAR of 79% for the entire site.

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. The Development Agreement supersedes and/or extends this permit expiration timeline. [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. STORMWATER MANAGEMENT PLAN:
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed “Stormwater Management Plan Data Form”, and therefore must submit a Final Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-5. ENCROACHMENT PERMIT:
Obtain an encroachment permit from the Department of Public Works for all off-site improvements. [SDR] [PUBLIC WORKS]
- GC-6. PARCEL MAP:
Recordation of a parcel map for this project is required prior to building permit or encroachment permit issuance whichever occurs first. [COA] [PLANNING]
- GC-7. GREEN BUILDING REQUIREMENTS:
a) **New Office and Amenities Building:** The new office building shall be constructed to meet LEED Gold level and shall be submitted to USGBC for formal certification.
b) **Existing Buildings:** The applicant shall obtain LEED Gold certification for all existing office buildings and shall be submitted to USGBC for formal certification prior to occupancy of the new building.
[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. FEES AND BONDS:
The following fees and bonds shall be paid in full prior to issuance of building permit.
- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new peak hour trips resulting from the proposed project that will be calculated prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
 - b) HOUSING IMPACT MITIGATION FEE - Housing Mitigation fee is required for all new square footage over 50% and is based on the fee in place at the time of payment. (SMC 19.29).
 - c) ART IN PRIVATE DEVELOPMENT BOND – Pay Art in Private Development bond based on 1% of the construction valuation for the new office building, amenities building and parking structure, prior to issuance of a Building Permit. [PLANNING] [SDR]
- BP-5. PUBLIC WORKS FEES:
The following fees shall be paid in full prior to issuance of building permit.
- a) WATER CONNECTION FEE – Applicant shall pay water connection fee of \$63,265.00 less any credit to be determined during building permit submittal.
 - b) SANITARY SEWER - Applicant shall pay sanitary sewer connection fee of \$298,667.34 less any credit to be determined during building permit submittal. To further refine this connection fee, please provide the anticipated water consumption, in gallons per day (GPD), of the office buildings, cafe and fitness center.
 - c) PUBLIC WORKS CLEARANCE FEE - Applicant shall pay a Public Works building clearance fee of \$2,321.00. [SDR] [PUBLIC WORKS]
- BP-6. LANDSCAPE PLAN:
Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through a Miscellaneous Plan Permit at the time of

Building Permit submittal. The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) The landscape plan shall be approved by the stormwater consultant prior to submittal. The plans shall be stamped and signed.
- b) Ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- c) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- d) All landscaping, except retained Redwoods, shall be irrigated with the City's reclaimed water system. The plans shall ensure that potable water is used for the retained Redwoods out to the dripline of the canopy.
- d) Backflow devices and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front or side yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. – "mailbox style"). [COA] [PLANNING]

BP-7. LANDSCAPE MAINTENANCE PLAN:

Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-8. SITE SURVEY – BURROWING OWL (APRIL – AUGUST):

The project applicant shall comply with the following requirements prior to any site disturbance which may occur during the April through August nesting season.

WHAT: A focused survey shall be conducted in accordance with the California Department of Fish and Game (DDFG) protocol during the peak nesting season (April 15 through July 15). Surveys must be conducted on four separate days from two hours before sunset to one hour after sunset, or from one hour before sunset to two hours after sunrise. The property owner/developer shall be responsible for retaining a qualified biologist to conduct the surveys in accordance with all applicable state (CDFG) protocol in effect at the time of development application review and consideration.

If the presence of burrowing owls is verified on an individual development site within the Specific Plan area, a burrowing owl mitigation plan shall be implemented prior to construction. This plan shall include a pre-construction survey to determine the location of active burrows on the project site, passive exclusion of burrows to be impacted by

project construction, installation of artificial burrows in the designated open space areas of the proposed project and mitigation monitoring. Specific requirements to be included in this plan shall be determined through consultation with CDFG. This shall be subject to the review and approval of the City of Sunnyvale Community Development Department.

In the event that removal of habitat for the western borrowing owl is required for development, the applicant/owner shall work with the Springtown Reserve, or similar preserve local to the Bay Area, to purchase habitat credits. (See contact information listed below) When burrows must be removed, owls shall be evicted outside the breeding season via passive relocation based plan developed by a qualified biologist. Lost burrows shall be replaced outside the nesting season, before construction begins. Burrows should be replaced at a 3:1 ratio either within owl preserves or other suitable habitat as determined by a biologist.

Contact: Terry Huffman, (415) 925-2000
Environmental Mitigation Exchange Company (EMAX)
21 Sunnyside Avenue
Corte Madera, CA 94925

- WHEN: These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. Conditions shall be applicable at time of building permit issuance.
- WHO: The property owner/developer shall be solely responsible for the required survey and any relocation measures that may be required.
- HOW: The conditions of approval shall require these mitigation measures to be addressed prior to construction.

BP-9. TREE PROTECTION PLAN:

Prior to issuance of a demolition permit, a grading permit or a building permit, whichever occurs first, obtain approval of a tree protection plan from the director of community development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in title 19 of the Sunnyvale Municipal Code and at a minimum:

- A) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "guide for plant appraisal" published by the international society of arboriculture (ISA).
- B) All existing trees on the plans, showing size and varieties, and clearly specify which are to be retained as indicated in the plan set dated October 4, 2011.

-
- C) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- D) The tree protection plan shall be installed prior to issuance of any building or grading permits, subject to the on-site inspection and approval by the city arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans.
- E) The plan shall include measures for construction occurring within tree driplines.
[COA] [PLANNING/CITY ARBORIST]
- BP-10. STORMWATER MANAGEMENT CALCULATIONS:
Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]
- BP-11. STORMWATER MANAGEMENT PLAN:
Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, pursuant to SMC 12.60, prior to issuance of building permit. [COA] [PLANNING/PUBLIC WORKS]
- BP-12. STORMWATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]
- BP-13. RECLAIMED WATER:
Building permit plans shall include separate irrigation lines for the use of reclaimed water for landscaping and potable water shall be used around the Redwood trees. [COA] [PLANNING]
- BP-14. STORMWATER BEST MANAGEMENT PRACTICES:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
 - b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides

and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.

- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-15. HISTORICAL AND CULTURAL REMAINS:

The project shall comply with all necessary requirements regarding Historic and Cultural Remains. [COA][PLANNING]

Mitigation Measures

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

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

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

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

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

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

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

- WHEN: These conditions shall apply during construction of the project.
- WHO: The property owner will be solely responsible for implementation and maintenance of these conditions.
- HOW: These conditions shall apply during construction of the project and shall be incorporated into the construction plans.

BP-16. AIR QUALITY:

The project shall comply with all necessary requirements regarding Air Quality. [COA][PLANNING]

Mitigation Measures

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

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

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

WHEN: These conditions shall apply during construction of the project.

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

HOW: The conditions shall be incorporated into the construction plans.

BP-17. TRANSPORTATION AND TRAFFIC:

The project shall comply with all necessary requirements regarding Transportation and Traffic listed in the Fehr & Peers report dated August 25, 2011. [COA][PLANNING]

Transportation Impact Fee (TIF):

WHAT: TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts at Mathilda Avenue and Moffett Park Drive and Moffett Park Drive/SR 237.

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

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

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

Fair Share Contributions - Left Turn Pocket:

WHAT: The applicant shall contribute their "fair share" for the construction of one additional car length in the westbound left-turn vehicle storage on Java Drive, including median improvements.

- WHEN: These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. The City shall determine the applicant "fair share" contribution prior to building permit issuance. The City may require the project applicant to prepare construction drawings for the needed improvements (in coordination with the City). Construction costs shall be estimated and the applicants "fair share" shall be determined. In 2016, after construction of the proposed project, the City at the cost of the applicant shall determine if the improvement is needed.
- WHO: The property owner/developer shall be responsible for developing construction drawings subject to the discretion of the Public Work Director and pay their "fair share" contribution. The City at the cost of the developer shall evaluate the area in 2016 to determine if the needed improvements are required, if the improvement is not need, the applicants "fair share" contribution may be refunded to the applicant.
- HOW: The conditions of approval shall require these mitigation measures to be completed and paid by the applicant or project proponent.

BP-18. FIRE PREVENTION REQUIREMENTS:

The following requirements and upgrades are required, for review and approval by the Department of Public Safety: [COA] [PLANNING/PUBLIC SAFETY]

- a) As applicable, comply with the current requirements contained in Sunnyvale Municipal Code Chapter, California Fire Code, and Title 19 California Code of Regulations:
- b) The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety.
- c) A fully automatic fire sprinkler system, fire alarm system, standpipes, and smoke control system are required.
- d) Provide required number of approved fire extinguishers.
- e) Adhere to Sunnyvale Fire Prevention fire access road requirements. www.fireprevention.insunnyvale.com. Roadway leading around proposed parking garage has dead-end fire apparatus access road in excess of 150 feet, so approved turnaround provisions would apply.
- f) Onsite fire hydrants shall be required along the fire access road(s) and/or parking lots.
- g) Trash enclosures, within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
- h) A Knox box (key box) will be required in accordance with Fire Prevention guidelines. www.FirePrevention.inSunnyvale.com
- i) Firefighter's air system required.
- j) Radio retransmission equipment required.
- k) Fire Equipment Rooms required.

- l) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems.
- m) Provide a written Fire Protection Construction Plan.
- n) Provide electronic version of plans to assist with Fire Department "Pre-Fire Survey" maps.

BP-19. VTA GUIDELINES

The developer shall have bicycle parking consistent with (VTA) Bicycle Technical Guidelines. This may require some bicycle parking to be located conveniently for Building D users, and in close proximity to building entrances. [COA] [PLANNING]

BP-20. BP-15: DRIVEWAYS:

The building permit plans shall replace all removed driveways with new curb, gutter and sidewalk per City standard details and all new driveways shall be designed and installed per City standard details. No curb-return style driveways allowed. Building permit plans shall clearly indicate compliance with this condition. [COA] [PUBLIC WORKS]

BP-21. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

BP-22. TRASH AND RECYCLING ENCLOSURE:

The developer shall submit to staff, for review and approval, a site plan with details and path of trash truck travel showing the location and number of trash and recycling bins or compactors that meet the trash and recycling needs of the entire building based on the city's sizing criteria and requirement guidelines. Specifically, the trash enclosures shall comply with the following (at the discretion of the Public Works Director):

- a) Provide enough enclosures to facilitate seventeen (17) bins total, this includes garbage and recycling bins at a minimum bin size of 4.25'X6.75'. Larger bin sizes can be considered if more enclosure space is provided.
- b) Show dimensions and details for all trash enclosures, existing and proposed.
- c) Provide trash enclosure design during building permit submittal for staff review. [COA] [PUBLIC WORKS]

BP-23. 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. [PLANNING] [COA]

BP-24. ART IN PRIVATE DEVELOPMENT REVIEW:

An Art in Private Development application shall be submitted to the Director of Community Development subject to review and approval by the Arts Commission, prior to issuance of a Building Permit. The application shall provide public visible artworks along Java Drive [COA] [PLANNING]

BP-25. TDM PROGRAM - DRAFT:

The applicant shall submit a draft Transportation Demand Management program consistent with the Moffett Park Specific Plan with a total trip reduction of 25% and a peak hour reduction of 30% for the entire site. The TDM program shall be submitted for review by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

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

EP-1 PUBLIC WORKS FEES:

Public Works fees associated with the lot line adjustment, including but not limited to utility frontage and/or connection fees, off-site improvement plan check and inspection fees (subject to adjustment to the current fiscal year fee schedule), shall be paid prior to recordation of the lot line adjustment or encroachment permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

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

DC-1. TREE PROTECTION:

All tree protection measures shall remain in place during the construction of the project. [COA] [PLANNING]

DC-2. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

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

- PF-1. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. COMPLETION OF PUBLIC IMPROVEMENTS:
All public improvements, including perimeter sidewalks shall be completed prior to first building occupancy. [COA] [PUBLIC WORKS]
- PF-3. PARKING LOT STRIPING:
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)
- PF-4. TDM PROGRAM - FINAL:
The applicant shall submit a final Transportation Demand Management program consistent with the Moffett Park Specific Plan for review by the Director of Community Development prior to final occupancy of the project. [COA] [PLANNING]
- PF-5. IRRIGATION METERS:
For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE MAJOR MOFFETT PARK DESIGN PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

- AT-1. LANDSCAPE MAINTENANCE:
All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]
- AT-2. STORMWATER BMP MAINTENANCE:
The project applicant, owner, landlord, or Maintenance Agreement parties, must properly maintain any structural or treatment control

best management practices to be implemented in the project, as described in the approved Stormwater Management Plan and indicated on the approved building permit plans. [SDR] [PLANNING]

AT-3. STORMWATER BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or Maintenance Agreement parties,, shall provide access to the extent allowable by law for representatives of city, the local vector control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm water treatment best management practices contained in the approved Storm Water Management Plan. [SDR] [PLANNING]

AT-4. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-5. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- b) Maintain all parking lot striping and marking.
- c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
- d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
- e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]

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

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5665



Document No.: 460
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REGINA ALCOMENDRAS, County Clerk - Recorder
by Veronica Aguirre, Deputy Clerk - Recorder,

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

- LEAD AGENCY: City of Sunnyvale
- PROJECT TITLE: Application for a Major Moffett Park Design Review (MMPDR) filed by Yahoo!
- APPLICANT NAME: Yahoo! PHONE: 408-730-7429
- APPLICANT ADDRESS: 399 and 589 Java Drive, Sunnyvale, CA 94089
- PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
- NOTICE TO BE POSTED FOR 21 DAYS.
- CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) \$ 2,839.25 \$ 0.00
- 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) \$ 2,044.00 \$ 0.00
- 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) \$ 965.50 \$ 0.00
- 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS \$ 949.50 \$ 0.00
- 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE) \$ 50.00 \$ 0.00
Fish & Game Code §711.4(e)

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

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

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

- NOTICE OF PREPARATION NOTICE OF INTENT NO FEE \$ NO FEE

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

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

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

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

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER
PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

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



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

Attachment C
Page 2 of 31

##: 480 9/19/2011

File Number: 2011-7495
No: 11-16

**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 Major Moffett Park Design Review (MMPDR) filed by Yahoo!

PROJECT DESCRIPTION AND LOCATION (APN):

2011-7495 - Major Moffett Park Design Review for the construction of a new 315,000 square foot new office building, a 24,000 square foot amenities building and new 5-story parking structure, parcel map to merge all parcels together and the new building and existing buildings will include the Green Building LEED Gold incentive resulting in 76% Floor Area Ratio. The property is located at **399 and 589 Java Drive** (APN: 110-26-033, 44 and 47), Sunnyvale, CA 94089, in a Moffett Park Transit Oriented Development (MP-TOD) Zoning District.

WHERE TO VIEW THIS DOCUMENT:

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

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Monday, October 10, 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 **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, October 10, 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 September 19, 2011

Signed: 
Andrew Miner, Principal Planner

Project Title	2011-7495 - Major Moffett Park Design Review for the construction of a new 315,000 square foot office building, a 24,000 square foot amenities building and new 5-story parking structure, parcel map to merge all parcels together. The new building and existing buildings will meet the Green Building LEED Gold incentive resulting in 76% Floor Area Ratio
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Shaunn Mendrin, Senior Planner
Phone Number	408-730-7429
Project Location	399 and 589 Java Drive
Applicant's Name	Yahoo!
Project Address	399 and 589 Java Drive (APN: 110-26-033, 44 and 47), Sunnyvale, CA 94089
Zoning	Moffett Park Transit Oriented Development (MP-TOD)
General Plan	Moffett Park Specific Plan
Other Public Agencies whose approval is required	None

MOFFETT PARK SPECIFIC PLAN AND PROJECT BACKGROUND

The subject site is within the boundaries of the Moffett Park Specific Plan (MPSP). The City of Sunnyvale adopted the 1,100-acre MPSP in the spring of 2004. The MPSP contemplates build-out of high-tech corporate campus style of projects over a 20-year timeframe. The MPSP also includes a provision for a Development Reserve to allow exemplary projects the benefit of additional floor area beyond the standard FAR restrictions of the sub-districts. The Development Reserve square footage was not applied to individual parcels or general areas, but rather to the entire MPSP area.

In 2003, the Sunnyvale City Council certified the program-level MPSP Environmental Impact Report. As part of the EIR, it was found that there were significant unavoidable environmental impacts resulting from the proposed MPSP. The Council at that time opted to make statements of overriding consideration for these unavoidable impacts, and deemed them to be acceptable in view of the significant economic and social benefits which the approval of the MPSP would make possible.

The statements of overriding consideration were made for the following unavoidable impacts:

Air Quality - Future area source and vehicular emissions under the proposed Moffett Park Specific Plan may result in operational air quality impacts.

Traffic and Circulation – Freeway Operations: Implementation and subsequent build-out of the proposed General Plan Amendment would not impact any additional study freeway segments beyond those impacted under General Plan 2020 Conditions. However, the implementation and subsequent build-out of the proposed General Plan Amendment would increase the severity and level of significance of

impacts along several freeway segments that would be significantly impacted under General Plan 2020 conditions.

Expressway Conditions: There are no feasible mitigations measures to reduce the level of service impacts at the Central Expressway and Oakmead Parkway (City of Santa Clara) intersection, and the Central Expressway and Bowers Avenue (City of Santa Clara) intersection.

Mathilda Avenue Corridor: The Mathilda Avenue corridor will be impacted under the proposed Project in the A.M. peak hour and the P.M. peak hour.

Housing and Population - The proposed General Plan Amendment would not allow for the future construction of residential units in the MPSP area. However, the intensity of future industrial and commercial development that could be facilitated under the proposed MPSP would generate a substantial number of jobs and would indirectly induce population and housing growth throughout the region.

Cumulative Growth Impacts - Full build-out of the MPSP, along with other foreseeable development in the area will have an overall cumulative impact on the region, affecting air quality, transportation and the jobs/housing ratio.

The current applications are projects that are tiering from the 2003 MPSP programmatic EIR and do not require a subsequent EIR under CEQA section 21166 and Guidelines section 15162. Based on the Initial Study below, the projects do not trigger the events listed in CEQA section 21166 and Guidelines section 15162.

PROJECT AND INITIAL STUDY OVERVIEW

This Initial Study and Mitigated Negative Declaration is for a project (2011-7495) located at 399 and 589 Java Drive (APNs: 110-29-033, 044, 047) and is for a Major Moffett Park Design Review (MMPDR) for the addition of a new 315,000 square foot office building, 24,000 square foot amenities building and five-story parking garage. In 2008, a Mitigated Negative Declaration was approved for a new 209,050 square foot office building on the site; however, the permit approval expired on August 11, 2011. Therefore, this new environmental document is being completed.

DETAILED PROJECT DESCRIPTIONS

The project site is located at 389-589 Java Drive. The west half of the site is currently occupied by the existing Yahoo! campus and the remaining area to the east is currently vacant. The project is located close to the intersection of Java Drive and Mathilda Avenue, just south of the US Freeway 101 and South Bay Freeway 237 intersections. The immediate neighborhood is generally campus office use and consists of mostly low-to-mid-rise office and R&D campus/buildings.

The site is currently used as a corporate office campus (Yahoo!) and consists of two office buildings (3-stories each). This project proposes a parcel map to merge all three parcels together and to construct a new 6-story office building, amenities building and parking structure on the vacant area of land, east of the existing buildings. The project will add 315,000 square feet of office space to the existing campus, bringing to a total office square footage to 483,409 square feet (excluding the 24,000 sf. Amenities Building). The new buildings will be architecturally different than the existing buildings, but will use similar materials and elements to tie the two buildings together. The new building plus the existing two buildings (excluding the amenities building) will result in a Floor Area Ratio (FAR) of 76%. The Amenities Building is excluded from the FAR calculations since it does not result in an increase in the intensity of the site.

Parking for the new and existing buildings will be provided by a new 5-story parking structure (with one underground level and one partially sunken level) located at the northeast corner. In addition, the existing uncovered parking area will be reconfigured to allow for incorporation of the new office building and parking structure. A total of 1,565 parking stalls will be provided at 1/308 ratio for the new office building. Lost surface parking stalls due to the new construction will also be replaced and provided for in this structure. New landscaped plaza and walkways will connect the existing structures to the new office building, amenities building and parking structure. Parking for the existing buildings will be phased to ensure adequate parking is available during construction.

The two existing buildings have received LEED-Gold certification for existing buildings and the new office building and amenities structure will be LEED-Gold.

Surrounding Uses and Setting: The sites are located within the MPSP area which is generally bounded by Lockheed-Martin Corporation to the north and east, Innovation Way and Onizuka Air Force Station to the east, as well as a variety of other office, light industrial, and research and development uses to the east. The Valley Transportation Authority (VTA) Tasman West light rail lines and West Moffett Park Drive to the south. H Street and Moffett Federal Airfield are located to the west. The Moffett Park area is currently developed with corporate headquarters, office, and research and development uses.

Since the 1960s, the MPSP area has had a large defense industry presence (the Air Force, the Navy, Lockheed-Martin Corporation, and the National Aeronautics and Space Administration [NASA]). The MPSP area also contains numerous low-rise warehouses and industrial/business park buildings, as well as cafes, restaurants, hotels, and a private college (Cogswell College). Beginning in the late 1990s several high-tech businesses developed corporate campuses in the area, including Juniper Networks, Yahoo Inc., Interwoven, Net App, and Ariba. The Moffett Federal Airfield (located west of the Project site, across H Street) is where NASA continues to conduct federal aeronautical and aviation operations. Manufacturing, research and development, aircraft hangers, and office buildings currently occupy the site. A VTA light rail station is located in the southern portion of the site along West Moffett Park Drive. The surrounding MPSP area is developed with office, technology, research and development, and corporate headquarters space.

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.

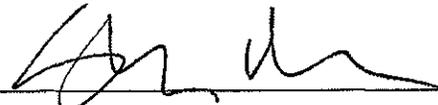
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR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

Checklist Preparer: Shaunn Mendrin

Date: September 19, 2011

Title: Senior Planner

City of Sunnyvale

Signature: 

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

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://gcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code. http://gcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off
10. Hazards and Hazardous Materials - For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input 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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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://gcode.us/codes/sunnyvale/view.php?topic=19&frames=off .
15. Noise -Exposure of persons to or generation of excessive ground borne 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 checked="" type="checkbox"/>	<input type="checkbox"/>	General Plan Map Project Description H.T. Harvey & Associates Survey, August 25, 2011
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Arborwell Arborist's Reports, July 13,2011.

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description. Planned grading will disturb the site and may affect sub-surface resources if they exist.
24. Public Services - Would the project result in substantial adverse physical 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Environ Report, August 16, 2011
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Project Description Environ Report, August 16, 2011
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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description Environ Report, August 16, 2011
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:

4. Population and Housing (Less than Significant with Mitigation): The 315,000 sf. of office is consistent with the allowable 70% FAR of the existing zoning (Moffett Park Transit Oriented Development – MP-TOD) and General Plan designation (Moffett Park Specific Plan) of the site and additional 10% FAR for the City's Green Building Incentive. The new office square footage would create opportunities for new jobs and would cause a slight increase in the City's Jobs/Housing balance. The project would be required to pay Housing Mitigation fees for the new square footage proposed above 35% FAR. The Housing Mitigation Fee would be paid and building permit issuance and may be subject to change annually based

on the adopted fee schedule. The Housing Mitigation fees are intended to mitigate potential new jobs by providing housing funds for the creation of new housing units. Therefore, the project would not induce substantial population growth and will mitigate potential job growth, therefore will not be inconsistent with the Sunnyvale General Plan.

The following mitigation measure shall apply to the projects:

- WHAT: The project would be required to pay Housing Mitigation fees for the new square footage proposed.
- WHEN: These mitigation measures shall be converted into conditions of approval prior to its final approval. The conditions will become valid when the MMPDR is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to pay the mitigation fees and the City shall implement the mitigation through City sponsored housing creation programs.
- HOW: The fees shall be paid to the City and the City shall implement the mitigation through City sponsored housing creation programs.

17. Biological Resources (Less than Significant): The proposed project includes the removal of several large trees and site grading. The Moffett Park Specific Plan FEIR included a discussion and mitigations for burrowing owl habitats and nesting raptors. Due to the length of time of the subject site has sat vacant and undisturbed, a survey was conducted for burrowing owls (*Athene cunicularia*) and nesting raptors. The survey indicated that there was no evidence of burrowing owl or nesting raptors at the site. The mitigations required as part of the 2003 FEIR will be included in the final conditions of approval for the project.

20. Biological Resources (Less than Significant): An Arborist's Report was completed by Arborwell, dated July 13, 2011. The report reviewed the existing trees on-site and concluded that as part of the project, a number of trees will need to be removed to allow the reconfiguration of the surface parking and the construction of the new buildings. Protected under SMC is defined as any tree greater than 38" in circumference, measured at 4.5' from the adjacent grade.

The survey evaluated 265 trees and 35 trees are identified as protected trees, which were identified for removal. Upon further review, the plans have been revised to retain 21 of the tree protected trees, which are generally the larger tree located along the perimeter of the site and include groupings of redwoods, cedars and oaks. The thirteen protected trees proposed to be removed will be replaced as required by the SMC and as per the final landscape plan.

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

- WHAT: 1) For projects involving substantial ground disturbance, the individual project sponsor shall be required to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future development projects that the CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project sponsor contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.
- 2) If a significant archaeological resource is identified during grading, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:
- Planning construction to avoid the archaeological site;
 - Incorporating the site within a park, green space, or other open space element;
 - Covering the site with a layer of chemically stable soil; or
 - Deeding the site into a permanent conservation easement.
- 3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities.

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

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

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

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

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

The applicant provided an Air Quality and Greenhouse Gas Analysis for the two projects. The study was completed by Environ on August 16, 2011. The report concludes that the project will result in both one-time (construction related) and annual (operational-related) emissions. Environ's analysis indicates that the project does not exceed the thresholds of significance according to the current BAAQMD CEQA guidelines.

With respect to the one-time construction-related air quality impacts, the project requires grading of the sites, demolition, and significant hauling of construction materials into the sites. Project grading and construction may introduce temporary and short-term dust into the air and pollution from construction equipment, therefore temporarily affect air quality. While this impact does not exceed the BAAQMD levels of significance, standard City mitigation measures are required to minimize any potential impacts to the surrounding population (non-residential).

The following mitigation measures shall apply to the projects:

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

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

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

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

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

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

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Traffic Study by Fehr & Peers, dated August 25, 2011.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City and CA Standard Plans & Standard Specifications. Traffic Study by Fehr & Peers, dated August 25, 2011.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan. Traffic Study by Fehr & Peers, dated August 25, 2011.

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies and associated capital projects. Traffic Study by Fehr & Peers, dated August 25, 2011.
42. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Transit Operations Performance Report, VTA Short Range Transit Plan, and Valley Transportation Plan for 2035.

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

35. 38. and 39. Transportation (Less than Significant with Mitigation) – A Traffic Impact Analysis (TIA) has been prepared by Fehr & Peers, dated August 25, 2011.

The Fehr & Peers report presents the results of the TIA and concludes there are no new significant impacts resulting from the project, which cannot be mitigated to be less than significant. The TIA identifies the following intersections as ones that would be impacted based on the cumulative growth of the area:

- Mathilda Avenue/Moffett Park Drive. During the AM peak hour, the intersection would operate at LOS F under the no project scenario, and the project would increase the critical delay by more than 4 seconds and increase the critical V/C by more than 0.01. During the PM peak hour, the project would cause the intersection LOS to degrade to LOS F from LOS E.
- Mathilda Avenue/SR 237 westbound ramps. During the AM and PM peak hours, the project would cause the intersection LOS to degrade to LOS F from LOS E.

The proposed project and its impacts to the intersections of Mathilda Avenue at Moffett Park Drive and Mathilda Avenue/SR 237 ramps are consistent with the projected buildout of the City of Sunnyvale General Plan. The mitigation for these impacts has been previously identified in both the Moffett Park Specific Plan and the Citywide Deficiency Plan and are included in the City Capital Improvement Program and tentatively scheduled for construction in the next five years. Payment of Transportation Impact Fees (TIF) would mitigate the impacts to a less than significant level. These TIFs will be used by the City as part of the ongoing study and upgrade of the City's transportation systems to offset the contribution of project-generated traffic on local roadways.

In addition, a Transportation Demand Management (TDM) program will be required and will help reduce the number of trips from the project site, and correspondingly help reduce the project's impacts at this location. As part of the project approval and as required by the MPSP for high intensity development, a TDM program reducing the total trips by 25% and peak hour trips by 30%, which will be a condition of the approval for the project. Accessing the 10% FAR through Green Building incentives, requires the project to maintain the trip volume to levels not to exceed the 70% FAR.

The westbound left turn pocket on Java Drive was found to potentially need to be lengthened by one car space, based on evaluation of project condition plus cumulative project traffic in 2016. Given that this is a very slight impact during one peak hour, will not occur during the predominance of the day, and may not occur during a preponderance of traffic signal cycles, The potential deficiency will be evaluated in the near future (2016) to determine if the impact actually occurs and is significant enough to cause traffic congestion or traffic safety issues. The applicant will be required to contribute their "fair share" for the improvement and monitoring. If the improvement is warranted, they will be incorporated into the City Capital Improvement Program and scheduled for construction at a point in the future. The application of the "fair share" fees would mitigate potential impacts to a less than significant level.

The TIA also identified the potential need for a signal at the intersection of Bordeaux Drive and Moffett Park Drive based on peak hour warrant analysis of background and cumulative traffic plus project traffic. The peak hour warrant analysis is one of several warrants that must be met in order to qualify a location for signalization, per the Manual of Uniform Traffic Control Devices, California Supplement. Therefore, based on meeting only one of several required warrants, and taking into account that the peak hour warrant that is met is for one approach direction with very low traffic volumes of less than 10 vehicles per hour, there is not a significant traffic impact according to MUTCD thresholds for signal warrants and there is not sufficient justification to consider signalization of this location as a required project mitigation. City staff will monitor this location in the future as part of it's standard operating procedures and update warrant evaluations as traffic conditions require.

Mitigation Measure:

Based on the Fehr & Peers TIA, the following mitigation measures shall apply to the projects in addition to implement the projects in the Transportation Strategic Program and the identified "fair share" contributions:

Transportation Impact Fee (TIF):

- WHAT:** TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts at Mathilda Avenue and Moffett Park Drive and Moffett Park Drive/SR 237.
- WHEN:** These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. Conditions shall be applicable at time of building permit issuance.
- WHO:** The property owner/developer shall be solely responsible for payment of the TIF and the City shall be responsible for the implementation/construction of these mitigation measures.
- HOW:** The conditions of approval shall require these mitigation measures to be paid by the applicant or project proponent.

Fair Share Contributions – Left Turn Pocket:

- WHAT:** The applicant shall contribute their "fair share" for the construction of one additional car length in the westbound left-turn vehicle storage on Java Drive, including median improvements.
- WHEN:** These mitigation measures shall be converted into conditions of approval for the proposed project prior to its final approval. The City shall determine the applicant "fair share" contribution prior to building permit issuance. The City may require the project applicant to prepare construction drawings for the needed improvements (in coordination with the City). Construction costs shall be estimated and the applicants "fair share" shall be determined. In 2016, after construction of the proposed project, the City at the cost of the applicant shall determine if the improvement is needed.
- WHO:** The property owner/developer shall be responsible for developing construction drawings subject to the discretion of the Public Work Director and pay their "fair share" contribution. The City at the cost of the developer shall evaluate the area in 2016 to determine if the needed improvements are required, if the improvement is not need, the applicants "fair share" contribution may be refunded to the applicant.
- HOW:** The conditions of approval shall require these mitigation measures to be completed and paid by the applicant or project proponent.

41. Transportation (Less than Significant) – The existing site currently does not have sidewalks surrounding the eastern side. The proposed project will include sidewalks to provide pedestrian circulation around the entire site. Bicycle parking is required by the SMC and conditioned as part of the project approval consistent with VTA standards.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

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

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

46. Geology and Soils (Less than Significant): The proposed project will have a significant amount of grading intended to clear the existing site prior to construction. During the time the existing topsoil is exposed and there is a potential for erosion and loss of soil. There is no surface run-off anticipated during construction and no long-term run-off expected after construction. This aspect of the project will be less

than significant with the implementation of Sunnyvale's Municipal Code 12.60, Storm Water Quality Best Management Practices, Regional Water Quality Boards C.3 permit requirements, and the Blueprint for a Clean Bay.

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

These impacts are less than significant.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
50. Utilities and Service Systems: Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description Sunnyvale Waste Water Management Sub-Element Water Resources Sub-Element www.sunnyvaleplanning.com
52. Utilities and Service Systems: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Water Resources Sub-Element www.sunnyvaleplanning.com
53. Utilities and Service Systems: Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description Sunnyvale Wastewater Management Sub-Element www.sunnyvaleplanning.com
54. Utilities and Service Systems: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Solid Waste Management Sub-Element www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit

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

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

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

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

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

These impacts are less than significant.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

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

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

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

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 BGC Phase I Environmental Assessment, April 2, 2010 BGC Soil Sample Report, January 29, 2010
68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

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

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

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: September 15, 2011

ENVIRONMENTAL CHECKLIST REFERENCE LIST

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

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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

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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

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

Other:

- A. Traffic Study by Fehr & Peers, dated August 25, 2011.
- B. Air Quality and Green House Gas report by Environ, dated August 16, 2011.
- C. Arborwell Arborist's Reports, July 13, 2011.

Miscellaneous Agency Plans:

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

Building Safety:

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

Guidelines and Best Management Practices

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

Additional Project References:

- A. Project Description
- B. Sunnyvale Project Environmental Information Form
- C. Project Development Plans dated 5/9/2011
- D. Project construction schedule
- E. Project Draft Storm Water Management Plan
- F. Project Green Building Checklist
- G. Project LEED Checklist

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