



REPORT TO PLANNING COMMISSION

Hearing Date: June 25, 2012
File Number: 2011-7635

SUBJECT: **Chick-fil-A / GND Properties LLC:** Application on an 42,187 square foot located at **550 W. El Camino Real** in a C-2/ECR Zoning District (APN: 201-22-007):

Motion **2011-7635** – Special Development Permit for a new 4,400 sq. ft. fast food restaurant with a drive-through.

REPORT IN BRIEF:

Existing Site Conditions Free-Standing Commercial Building (Beacon Lighting)

Surrounding Land Uses

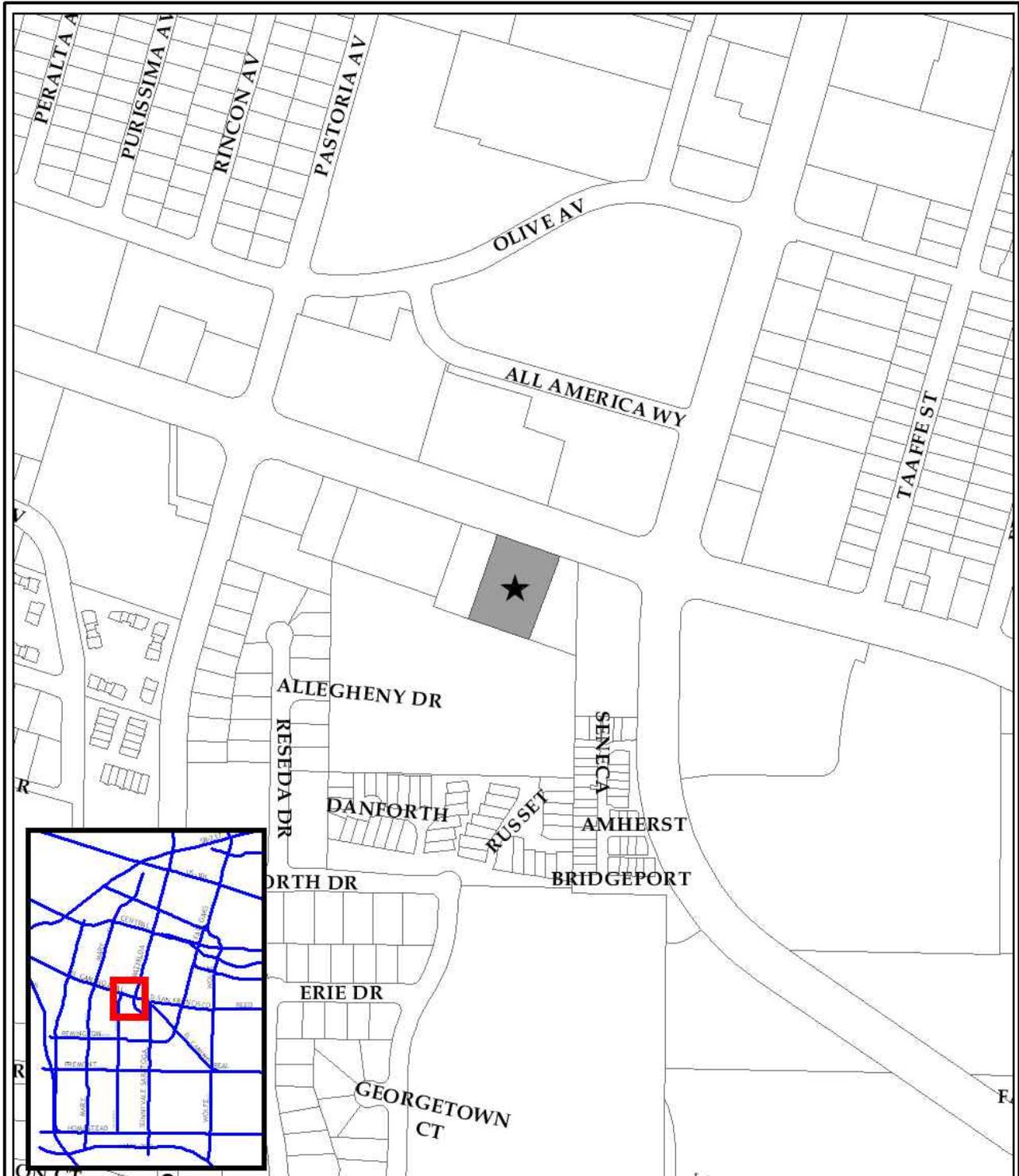
North	Civic Center / County Courthouse
South	Former Chevrolet Dealership – Recently Approved Townhomes
East	Commercial
West	Auto Repair

Issues Neighborhood Impacts, Architecture

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

Staff Recommendation Adopt the Mitigated Negative Declaration and Approve the Special Development Permit with Conditions

VICINITY MAP



2011-7635
550 W. EL CAMINO REAL (APN: 201-22-007)
SPECIAL DEVELOPMENT PERMIT

0 80 160 320 Feet



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial General Business	Same	Commercial General Business
Zoning District	C-2/ECR	Same	C-2/ECR
Lot Size (s.f.)	42,187	Same	None
Gross Floor Area (s.f.)	8,292	4,400	No max.
Lot Coverage (%)	20%	10.4%	35%
No. of Buildings On- Site	1	Same	---
Building Height (ft.)	25'	31'-6"	75' max.
No. of Stories	1	Same	8 max.
Setbacks			
Front	30'	21'	0' min. (per ECR Node standards)
Left Side	2	34'	0' min. (per ECR Node standards)
Right Side	115'	6'	0' min. (per ECR Node standards)
Rear	71'	175'	10' min.
Landscaping (sq. ft.)			
Total Landscaping	41 (0%)	8,480 (20.1%)	8,437 (20%) min.
Frontage Width (ft.)	Varies 5' – 20'	Same	15 ft. min.
Parking Lot Area Shading (%)	0	54.8%	50% min. in 15 years
Water Conserving Plants (%)	0	70%	70% min.
Parking (Commercial Development)			
Total Spaces	47	58	58 min.
Standard Spaces	45	55	41 min.
Compact Spaces/ % of Total	0	0	17 (30%) max.
Accessible Spaces	2	3	4 min.
Aisle Width (ft.)	Unknown	26'	26' min.
Bicycle Parking	0	1 Class 1 locker, 2 Class II racks	1 Class 1 locker, 2 Class II racks
Stormwater			
Impervious Surface Area (s.f.)	41,855	29,307	---
Impervious Surface (%)	99.5%	69.4%	---



Starred items indicate deviations from Sunnyvale Municipal Code requirements.

BACKGROUND:

Previous Actions on the Site:

The existing building was constructed in 1953 and has continuously been used as a commercial property since its original construction. With the exception of signs and minor upgrades, no significant planning permits have been obtained on this site.

Neighboring Properties:

The former Chevrolet Dealership site located at 660 W. El Camino Real was recently approved for a mixed use development, with a hotel that fronts El Camino Real and medium density townhome residential units behind. The project currently being considered will interface with future three-story townhomes along the southern property line of the former Chevy site. The subject property is adjacent to an existing commercial use along the east property line and automobile repair use along the west property line.

DISCUSSION:

Requested Permit:

The proposed project involves the demolition of an existing 8,292 square foot commercial building, currently occupied by Beacon Lighting, and construction of a new 4,400 fast food restaurant for Chick-fil-A. The new restaurant will include a drive-through and outdoor seating along the El Camino Real frontage.

• Special Development Permit

A Special Development Permit (SDP) is required for use, site and architectural review of the proposed commercial development, and is also required for new drive-through facilities. An SDP may allow deviations from development requirements. The proposed project includes the following deviations:

- Off-street loading area
- Landscaping frontage width

ANALYSIS:

The staff analysis discusses issues such as conformance with policies, architecture, development standards, and neighborhood impacts.

Conformance with Adopted Policies

Precise Plan for El Camino Real: The overall purpose of the Precise Plan is to maintain and increase the vibrancy and vitality of El Camino Real. The project site is located within the “Downtown Node”, which encourages the assembly of smaller parcels into larger sites (at least two acres) that could accommodate

more intense mixed use development. The existing site is less than one acre in size and would not be eligible for mixed use development unless the adjacent commercial properties on both sides of the site could be combined. If combined, the three properties would total approximately two acres. Due to a variety of factors, the applicant has indicated that the owners of the adjacent small properties are not interested in combining the lots.

When mixed use is not possible, the Precise Plan encourages commercial uses, such as restaurants, that add positively to the streetscape with enhanced pedestrian design. Precise Plan policies also address how commercial properties interface with residential uses. A more detailed discussion of the Precise Plan policies is included in Attachment A.

While it is currently infeasible to assemble the smaller lots in order to accommodate a larger mixed use development, it is also important to acknowledge that approving development on this small parcel would forgo this opportunity in the future. On the other hand, denying development would discourage investment on an outdated site.

Grand Boulevard Initiative: The City Council has adopted the Grand Boulevard Initiative Guiding Principles which provide further direction and policies for new development along El Camino Real (see Attachment A). The specific policies aim to improve links between adjoining communities while preserving the Sunnyvale's local need to ensure El Camino Real remains primarily as a retail corridor with high quality design.

Architecture

The proposed architecture consists of modern forms with contemporary materials, and mostly utilizes rectangular shapes and towers with a curved element along the front elevation. Brick and stucco siding are applied to varying planes of the building. Architectural details include decorative cornices, clerestory windows, metal canopies, and large windows along the façade. The proposed color palette includes contrasting beige, red and silver.

The varying wall planes, details, colors and materials add visual interest and create a pedestrian-friendly design. Staff finds the proposed design to be high quality and will add positively to the streetscape. The architectural design and building details relate to other buildings in the vicinity, providing a cohesive streetscape along El Camino Real.

Conformance with Development Standards

Details regarding the project proposal and conformance with other applicable codes and design guidelines are discussed below.

Hours of Operation and Delivery Hours: Hours of operation for the restaurant and drive-through will be Monday through Thursday, from 6 a.m. to 10 p.m. and Friday and Saturday, from 6 a.m. to 11 p.m. (closed on Sundays).

The drive-through will only be open during the hours of operation of the indoor restaurant service. As conditioned, changes to the hours of operation for the restaurant and drive-through that extend beyond these hours will require a separate permit to be reviewed by the Director of Community Development.

In addition, delivery will be limited to daytime hours, from 7:00 a.m. to 10:00 p.m. daily. Nighttime delivery, from 10 p.m. to 7:00 a.m., will be prohibited (see Attachment B).

Site Layout: The proposed building will be located towards the front of the property, which includes an outdoor dining area along the El Camino Real frontage. A 3-foot tall brick wall will provide buffer between the public sidewalk and outdoor dining area. Landscaping and parking will be located at the side and rear of the building. A new two-way driveway along the eastern side of the building will provide direct street access, and will connect to a drive-through queuing lane that wraps along perimeter of the parking lot area.

Parking and Circulation: Sunnyvale Municipal Code Section (SMC) 19.46 requires one parking space for every 75 square feet of building area for a fast food restaurant. The site meets the minimum parking requirement of 58 spaces, and provides sufficient vehicular circulation. As recommended by the Department of Public Works, the first three parking spaces adjacent to the driveway entrance shall be marked for employees to minimize conflicts between vehicles backing out of the parking space and vehicles accessing the site (see Attachment B).

Up to 17 vehicles may be accommodated in the drive-through queuing lane, which is specifically placed along the parking lot perimeter to reduce conflicts with vehicles parking. The SMC does not have standards for the number of vehicles in a drive-through lane. The applicant has provided information from other Chick-fil-A sites that demonstrates that there will be more than enough queuing space available during the peak lunch hour (8 to 10 vehicles in the drive-through lane). The large queuing lane also helps to avoid vehicles queuing in the parking lot area and into the public right-of-way.

Pedestrian access to the building will be directly from the public sidewalk along the street frontage. Decorative pavers at two segments of the drive-through lane provide sufficient pedestrian access from the parking lot area across the drive-through lane. To improve pedestrian circulation, staff recommends that the applicant incorporate a pedestrian walkway from the back parking area to the building. This can be accomplished by using decorative pavers along the drive aisles, which will help to minimize disturbance to proposed landscaping and parking areas. To improve pedestrian safety and vehicular circulation, staff also recommends that the applicant work with City staff to determine appropriate directional signs and stop sign locations for the site (see Attachment B).

Proposed bicycle parking consists of two bicycle racks located in the front patio area near the entry doors (racks are shown end-to-end on plans) and one secure bicycle locker located in the parking lot adjacent to the trash enclosure. The number of bicycle parking spaces meets code requirements and VTA guidelines. Staff finds the proposed locations of the bicycle parking to be acceptable. Racks will be located near the front door of the building where they are easily visible and accessible. The proposed locker will be primarily used by employees, and is located in the parking lot where it will be easily accessible.

Off-Street Loading: SMC 19.46.150 states that commercial buildings requiring 15 or more parking spaces must provide at least one off-street loading space with a minimum area of 350 square feet. Based on site limitations, including limited lot size and area required for parking and landscaping, the applicant proposes to deviate from this requirement.

Staff Comments on Off-Street Loading Deficiency: The applicant has indicated that it is Chick-fil-A's practice throughout the country to allow loading to take place within the on-site parking spaces during the off-peak morning hours. As proposed by the applicant, the delivery truck will park along the first row of spaces in back of the building. This is also typical for smaller restaurants in Sunnyvale, including fast food restaurants which have historically not been required to provide dedicated loading spaces. Staff finds that there will be sufficient parking during the morning hours to allow for delivery and loading in the parking lot, and recommends granting the deviation for off-street loading.

Trash Facilities: The required trash and recycling enclosure will be located within the back parking lot area. The design of the masonry enclosure is compatible with the architecture of the building and will not be visible from the street frontage.

Landscaping: The existing site has minimal landscaping and small trees along the perimeter. There are no existing protected trees on-site. A preliminary landscaping plan is provided which shows shrubs, groundcover and trees to be dispersed throughout the site. The site meets the total landscaping requirement by providing more than 20% of the lot as landscaped area. In addition, the site meets the parking lot shading requirement by demonstrating that more than 50% of the parking lot will be shaded within 15 years.

SMC 19.37.040 requires a 15-foot wide landscape strip along the El Camino Real street frontage, measured from the inside edge of the public sidewalk. The applicant proposes to deviate from this requirement by providing 5 to 20 feet of landscape frontage. The code also requires a 10-foot landscape buffer along the rear property line when adjacent to residential zones. The approved redevelopment of the Chevrolet Dealership will introduce townhomes along the rear property line of the subject site; however the site will retain the C-2/ECR zoning. The applicant proposes a 6-foot wide landscape buffer along the rear

property line. The applicant has indicated that provision of a 10 foot buffer would result in the elimination of three parking spaces.

Staff Comments on Frontage Width Deficiency: Due to the placement of the building and outdoor dining area, landscaping frontage is reduced to 5 feet directly in front of the building. The remaining frontage provides 20 feet of landscaping width. Staff finds this deficiency to be reasonable, as the Precise Plan encourages buildings and outdoor patio areas to be placed closer to the street. In fact, reduced landscape frontages are common for more recently-approved developments along El Camino Real.

Staff Comments on Buffer Landscaping: The intent of the required landscape buffer is to allow for adequate space for trees and landscaping to be planted in order to provide privacy and visual relief to adjacent homes. The City's Arborist has reviewed the proposed Evergreen Pear tree species along the rear property line. This species typically grows 15 to 30 feet in height, is considered to be deciduous, and is not ideal for screening. Other species, such as the Bottle Tree or Brisbane Box, are fast-growing evergreen trees that would be more effective at providing screening to the future homes along the back and would help to create a thicker canopy over the drive-through lane. As conditioned, a final landscaping plan will be submitted for staff review prior to issuance of a building permit (see Attachment B).

If the site were to be reconfigured to provide buffer landscaping, the drive-through queuing lane would need to be reconfigured. In addition, significant changes to the parking lot and landscaping areas would be triggered. The approved adjacent townhome project will provide 10-12 feet of buffer landscaping on its side of the wall. Due to the site constraints and provision of adjacent buffer landscaping, staff finds that the proposed buffer landscaping is reasonable and achieves the objectives of the code.

Stormwater Management: A Preliminary Stormwater Management Plan has been provided per Municipal Code requirements, which shows proposed drainage patterns and conceptual treatment techniques to minimize surface runoff and pollution. A final Stormwater Management Plan will be required during the building permit phase as conditioned in Attachment B.

Easements: A new 15-foot wide pedestrian walkway along El Camino Real is proposed, which includes a new sidewalk and landscaping buffer along the street edge. The new walkway will be accommodated in the public right-of-way and a portion within an existing easement that runs along the front property line. The walkway upgrade is planned in accordance with VTA guidelines and is consistent with the Precise Plan.

As previously discussed, the Precise Plan encourages smaller lots to merge together for significant redevelopment opportunities. The intent is to move towards larger, mixed use (horizontally or vertically) developments that have

opportunities for cross access between buildings. Staff recommends a connection to the adjacent properties to the east and west. When these adjacent properties redevelop, the goal is to provide cross access easements for parking and circulation to assist in allowing the independent properties to function more as a unified site or center. A similar condition was required for the former Chevrolet mixed-use development. In staff's opinion, this requirement meets the intent of the Precise Plan by allowing more cohesive development with nodes (see Attachment B).

Green Building: Based on the size of the proposed building (less than 5,000 square feet) the project is not required to achieve a certain level of LEED points. The project is subject to the State's green building requirements, known as CALGreen.

Signs: The building elevations show tentative wall sign locations and a ground sign perpendicular to El Camino Real. Although signs are not a part of this application, it is important to note that only one wall sign or one ground sign is permitted along the El Camino frontage and that wall signs perpendicular to the street are restricted. Signs will require a separate staff-level permit demonstrating conformance with sign regulations (see Attachment B).

Neighborhood Impacts

As previously mentioned, the site backs up to recently-approved three-story townhomes, which will be approximately 35 feet in height. The homes will be constructed 10 to 12 feet from the common property. As part of the redevelopment, a new 8-foot tall masonry sound wall will be constructed on the property line. The Chick-fil-A site is graded approximately 3 feet lower than the residential properties, which results in an 11-foot tall wall along the restaurant site. A section drawing showing how the two properties interface is included in Attachment G. With the close proximity of residential uses, neighborhood impacts may include noise and privacy.

Noise Impacts: Noise associated with the operation of the restaurant, such as trash pick-up and deliveries, may be of concern. In staff's opinion, there is adequate distance between the rear property line and the trash enclosure (70 feet) and delivery truck parking (150 feet). The new masonry wall and restricted delivery times will further reduce noise.

There may also be noise concerns associated with the operation of a drive-through, specifically, with the menu board and cars idling in the drive-through lane. As proposed, the menu board will be located almost 100 feet away from the rear property line. The applicant has submitted menu board specifications, which details noise emitted at varying distances. Without ambient noise factored, the daytime noise of 60 dB will be met at a distance of 16 feet away from the menu board. The menu board is equipped with an automatic volume control, which automatically adjusts the speaker volume when ambient noise is reduced (i.e. nighttime). At the same distance of 16 feet the sound emitted

would measure approximately 36 dB, which complies with the nighttime noise limit of 50 dB (see Attachment H).

Vehicles in the drive-through lane, located 6 feet from the rear property line, may be an annoyance to future residents. Three townhome units will face the common property line, with second-story living room windows and third-story bedrooms windows along the side elevations. There are no private yards that abut the common property line; instead, the 10 to 12 foot setback area separating the townhomes and the new masonry wall will include common walkways and landscaping. As previously discussed, hours of operation are generally limited to code defined daytime hours, with the exception of Fridays and Saturdays when the restaurant and drive-through are open until 11 p.m. Based on the orientation of the townhome buildings, limited drive-through hours and the new masonry wall, staff finds that noise impacts from the drive-through lane will be minimized.

Privacy Impacts: The proposed project may also be visible from the second and third-story windows of the adjacent townhomes. The new masonry wall provides 8 feet of privacy on the residential side and 11 feet of privacy on the Chick-fil-A side. As conditioned, proper tree species along the rear property line will be selected to allow for privacy screening. The masonry wall meets the minimum height requirement for walls separating commercial uses from residential uses. Therefore, staff finds that privacy impacts will be minimal.

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project with incorporated mitigation measures would not create any significant environmental impacts (see Attachment C, Initial Study). Impacts addressed in the initial study include air quality, noise, hazards and hazardous materials, and transportation.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected. Due to the decrease in building size (retail use), the project is not subject to transportation impact fees.

PUBLIC CONTACT

A neighborhood meeting was held by the applicant on November 29, 2011. Five residents and property owners attended the meeting and generally expressed support for the project.

Staff has also received several letters of support which are included in Attachment F. One of the letters is from SummerHill Homes, which is the developer of the future adjacent townhomes. The letter includes

recommendations to help reduce potential impacts to future residents, which are standard conditions that address concerns related to noise, privacy and light spillover and are already included in Attachment B. Opposition to the cross access easement is also mentioned in the report. However, staff has explained this requirement to SummerHill Homes after the letter was written and SummerHill has since retracted their opposition to the easement. In fact, a condition of approval for cross access easements was approved for the Summerhill hotel/townhome development. Another letter was received from the adjacent property owner to the east, stating concerns about odor, noise and traffic.

Planning Commission Study Session: A Planning Commission Study Session was held for the project on June 11, 2012. After reviewing the project, several Planning Commissioners expressed concern that a drive-through restaurant is a very automobile-oriented use and may not be appropriate in a Node in the Precise Plan for El Camino Real. Nodes are identified in the Precise Plan as key locations where pedestrian-oriented, mixed-use development might occur.

The Precise Plan also lists a number of challenges in achieving conceptual goals such as mixed-use development; one of those challenges is the number of small, individually-owned lots along El Camino Real. Without assembly of these parcels, larger pedestrian-oriented and mixed-use developments are not feasible. According to the applicant, surrounding property owners are not interested in selling or joining a redevelopment effort, so parcel assembly is not possible at this time. As a result, the Planning Commission may either allow the property owners to redevelop this site individually (which precludes a mixed-use development), or require them to wait until surrounding owners are willing to participate in a larger redevelopment effort.

Staff shares the Commissioners' concern about the auto-oriented nature of the use and its compatibility with the Node concept; however, staff is also concerned that it would be overly restrictive to prevent these property owners from re-investing in their property until adjacent owners agree to join them (which may not occur for decades if at all). In addition, the language in the Precise Plan does not prohibit drive-through uses or other auto-oriented uses; instead, it establishes site design guidelines for such uses to minimize their impacts.

The Planning Commission discussed pedestrian access between the site and the future townhomes on the south. Staff has recommended that the applicant contact the developer of the townhomes to discuss options for pedestrian access. The applicant noted that there is a significant grade difference between the properties which might limit options for a gate between the townhomes and this site. Staff also notes that the gate would open on to the proposed location for the drive-through lane which may make it difficult to find a safe location.

The Planning Commission discussed the architectural details of the project. It was stated that the western wall appeared to lack details, and that the building height appeared too high for the size of building. One comment suggested the brick wall around the front outdoor dining created a barrier to pedestrians.

The Commission requested a map of the entire area along with a streetscape that included the proposed hotel. The applicant is preparing this exhibit and expects to present it to the Planning Commission at the public hearing.

Other aspects of the Study Session discussion were covered in previous sections of this report, including landscape buffer, adjacent townhome orientation, trash enclosure, bicycle parking, and pavers to mark pedestrian circulation from the parking area to the building.

Staff has found the proposed project to be in compliance with adopted guidelines, and therefore recommends the property owners be permitted to move forward at this time. However, the Planning Commission may instead choose to deny the Special Development Permit and require the property owners to wait for the opportunity to propose a larger development or a development that is not automobile-oriented (see Alternative 3).

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 • 56 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

Discussion: Although the Precise Plan encourages the assembly of smaller parcels to accommodate larger mixed use development, a variety of factors currently make this infeasible. The proposed project generally meets adopted policies, and complies with development standards with the exception of two minor deviations (off-street loading and landscaped frontage strip). Staff finds that the deviations requested are reasonable to achieve a high quality project which adds positively to the El Camino Real streetscape. As conditioned, neighborhood impacts will also be minimized.

Findings and General Plan Goals: Staff is recommending approval for this project because the Findings (Attachment A) could be made.

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

ALTERNATIVES

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

RECOMMENDATION

Alternative 1.

Prepared by:

Noren Caliva
Project Planner

Reviewed by:

Trudi Ryan
Planning Officer

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans
- E. Letter from the Applicant
- F. Letters from Other Interested Parties
- G. Section Drawing
- H. Menu Board Specifications

RECOMMENDED FINDINGS

Special Development Permit

Goals and Policies that relate to this project are:

Grand Boulevard Initiative's Guiding Principles for El Camino Real

1. Target housing and job growth in strategic areas along the corridor.

The new restaurant provides additional job opportunities along the corridor.

2. Encourage compact mixed-use development and high quality urban design and construction.

Although mixed-use development is not currently feasible on this site, the required cross access easement for parking and circulation will assist in allowing these independent properties to function more as a unified center as they individually redevelop.

3. Create a pedestrian-oriented environment and improve streetscapes, ensuring full access to and between public areas and private developments

The project incorporates a site layout that positions the building and outdoor dining area close to the street, which helps to activate the street frontage. Landscaping and sidewalk improvements will create a more pedestrian friendly environment.

4. Develop a balanced multimodal corridor to maintain and improve mobility of people and vehicles along the corridor.

The proposed project includes pedestrian improvements along El Camino Real, and sufficient on-site vehicular circulation.

5. Manage parking assets.

The project provides adequate on-site parking. Parking spaces are generally tucked behind the building, which help to minimize the visual impact of parking along the street frontage.

6. Provide vibrant public spaces and gathering places.

The outdoor dining area along El Camino Real helps to enhance the vibrancy of the street.

7. Preserve and accentuate unique and desirable community character and the existing quality of life in adjacent neighborhoods.

The proposed use is compatible with the existing commercial neighborhood and, as conditioned, impacts to future adjacent residential neighbors are expected to be limited.

8. Improve safety and public health.

Redevelopment of the site will improve the safety and public health for the site and surrounding area.

9. Strengthen pedestrian and bicycle connections with the corridor.

Although the proposed drive-through restaurant use is primarily automobile-oriented, the project design includes pedestrian and bicycle facilities which are expected to help strengthen the pedestrian connection and encourage bicycling along El Camino Real. The building is situated near the front property line and includes a front patio to activate the streetscape. Additional pedestrian-oriented streetscape improvements are proposed as encouraged in the Precise Plan for El Camino Real. Bicycle parking is also provided in a prominent location at the front of the building.

10. Pursue environmentally sustainable and economically viable development patterns.

Based on the size of the proposed building, the project is not required to achieve a certain level of LEED points. However, the project will comply with the State's green building requirements, known as CALGreen.

Land Use and Transportation Element

Policy LT-4.1 *Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.*

Policy LT-4.2: *Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.*

Policy LT-4.11: *Recognize El Camino Real as a primary retail corridor with a mix of uses.*

Policy LT-4.13 *Promote an attractive and functional commercial environment.*

Community Design Sub-Element

Policy CC3.1: *Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for business, residents, and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.*

Precise Plan for El Camino Real – Policies and Design Guidelines

- Policy 3.2.3** *To maintain and enhance the capacity of the street to accommodate automobile and transit traffic, while providing improved facilities for bicyclists and pedestrians.*
- Policy 3.2.4** *To create a series of quality places which are valued by the people of Sunnyvale as attractive, functional and comfortable destinations.*
- Policy 3.2.5** *To ensure that properties are developed and operated in such a manner as to minimize their negative impacts upon adjacent residential areas.*
- Policy 3.2.6** *To design, develop and maintain the public right-of-way in a manner which creates a strong, positive image of the City of Sunnyvale for both residents and visitors.*
- Policy 3.2.7** *To require quality design, architecture and landscaping which incorporate sustainable design principles.*
- Policy 3.2.8** *To encourage development which supports the use of public transit.*
- Guideline 3.4.1** *Encourage a mixture of regional and community serving retail uses in accordance with the vision. Restaurant uses are encouraged. Free-standing restaurants under 3,500 square feet in size are discourage, unless incorporated into a larger building as part of a shopping center or strip commercial center.*
- Guideline 3.4.2** *Encourage creation and maintenance of properties large enough to accommodate significant retail or mixed use developments.*
- Guideline 4.1.6** *Minimize the impact of drive-through facilities on El Camino Real and the remainder of a project.*

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

Staff can make the finding that the project meets General Plan Policies, as listed above. The project is also consistent with most policies of the Precise Plan for El Camino Real. The new restaurant building will be more than 3,500 square feet in size and considered to have high quality design. The outdoor dining area along the street frontage, sidewalk upgrades, and other site improvements will add positively to the El Camino Real streetscape. The drive-through facility has been designed to minimize its impact on El Camino Real by locating it at the rear of the site behind the building and providing significant queuing space to avoid traffic impacts.

Although mixed use development is not currently feasible on this site, cross access easements between properties meet the intent of the Precise Plan to allow for more cohesive development in the vicinity. As a drive-through facility the project is not designed specifically to encourage the use of public transit, but is located near VTA bus stops and provides enhanced pedestrian connections and bicycle facilities which would be used by patrons who choose public transit. Furthermore, staff finds that the project is generally consistent with the “Grand Boulevard Initiative’s Guiding Principles for El Camino Real,” as described above.

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

Redevelopment of the site will greatly improve the visual appearance of the site over current conditions; and could promote further redevelopment within the surrounding area along El Camino Real. As conditioned, the project would result in minimal noise and visual impacts to the neighboring properties, including recently-approved townhomes along the rear property line.

ATTACHMENT B

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JUNE 25, 2012

Planning Application 2011-7635

550 W. El Camino Real

Special Development Permit for a new 4,400 sq. ft. fast food restaurant with a drive-through (Chick-fil-A).

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.
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GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. PERMIT EXPIRATION:

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

- GC-3. STORMWATER MANAGEMENT PLAN:
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-4. SIGNS:
Any proposed signage requires separate approval by the City prior to installation. [COA] [PLANNING]
- GC-5. COVENANT EASEMENT:
Prior to issuance of a building permit or map recordation whichever occurs first, a "Covenant of Easement" shall be recorded which provides reciprocal ingress/egress and parking access for adjacent commercially zoned properties within the 500 & 600 block of W. El Camino Real (between S. Mathilda Ave and Hollenbeck Ave.) in accordance with the goals and policies of the Precise Plan for El Camino Real. The site plan shall be modified to enable a logical drive aisle connection with neighboring properties to the west and east when redevelopment occurs at a future date. The site plan modification is subject to approval by the City prior to recordation of the subject Covenant of Easement. Access points between properties may be modified with mutual agreement between adjacent property owners and subject to approval by the Director of Community Development. [COA] [PUBLIC WORKS]
- GC-6. ENCROACHMENT PERMIT:
Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including traffic control plan per the latest CA Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed by the City's Engineering Division [SDR] [PUBLIC WORKS]

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

- PS-1. EXTERIOR MATERIALS REVIEW:
Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-2. LANDSCAPE PLAN:

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

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- d) Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
- e) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- f) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- g) A pedestrian walkway shall be provided from the back parking lot to the building.
- h) Appropriate directional signs and stop sign locations for the site to allow for safe pedestrian and vehicular circulation with minimal parking lot and landscaping disturbance.
- i) Water-efficient landscaping design.
- j) Appropriate evergreen tree species (24 inch box size minimum) along the rear property line, with the intent of providing privacy screening for adjoining residential uses.
- k) Appropriate street tree species, with the intent of providing cohesive street tree design along the El Camino Real street frontage. [COA] [PLANNING]

PS-3. PUBLIC IMPROVEMENTS:

The permittee shall submit the public improvement plans to the California Department of Transportation (Caltrans) for review and approval prior to issuance of any city permit. A Caltrans encroachment permit is required and a copy submitted to the city. [COA] [PUBLIC WORKS]

PS-4. REQUIRED REVIEW OF PROJECT PLANS:

The site and architecture plans are subject to review and approval by the Director of Community Development. Revised plans shall be submitted that address the following: incorporate architectural detailing on the west elevation to add detailing and to minimize the appearance of a blank wall.

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. NOTICE OF CONDITIONS OF APPROVAL:

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

BP-4. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]

BP-5. RECYCLING AND SOLID WASTE ENCLOSURE:

-
- The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The required solid waste and recycling enclosures shall:
- a) Match the design, materials and color of the main building.
 - b) Be of masonry construction.
 - c) Be screened from view;
 - d) All gates, lids and doors shall be closed at all times;
 - e) Shall not conflict with delivery/receiving areas;
- BP-6. 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-7. ROOF EQUIPMENT:
Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
- BP-8. MECHANICAL EQUIPMENT (EXTERIOR):
Detailed plans showing the locations of exterior mechanical equipment shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall be fully screened with minimal noise impacts to neighbors. [PLANNING] [COA]
- BP-9. EXHAUST AND OPENINGS:
The building permit plans shall clearly indicate the location of all exhaust equipment, doors and window and shall be subject to review and approval by the Director of Community Development.
- a) Filters are required on all exhaust equipment to minimize cooking odors. [COA] [PLANNING]
- BP-10. 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-11. STORM WATER 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-12. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a) 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-13. EXTERIOR LIGHTING PLAN:

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

-
- a) Sodium vapor (or illumination with an equivalent energy savings).
 - b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the El Camino Real side of the building and 8 feet in height on the south side of the building.
 - c) Provide photocells for on/off control of all security and area lights.
 - d) All exterior security lights shall be equipped with vandal resistant covers.
 - e) Wall packs shall not extend above the roof of the building.
 - f) Lights shall have shields to prevent glare onto adjacent residential properties. [COA] [PLANNING]
- BP-14. PHOTOMETRIC PLAN:
Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. [COA] [PLANNING]
- BP-15. COMPACT SPACES:
Specify compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]
- BP-16. EMPLOYEE PARKING:
The first three parking spaces adjacent to the driveway entrance shall be marked for employees only to minimize conflicts between vehicles backing out of the parking space and vehicles accessing the site. [COA] [PLANNING]
- BP-17. BICYCLE PARKING:
Provide one Class I (double sided bike locker) and two Class II (bike racks) per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]
- BP-18. GREASE INTERCEPTOR:
Install a grease interceptor of a size equal to or greater than the minimum size meeting the definition of "grease interceptor," as defined in the currently adopted edition of the Uniform Plumbing Code. [COA] [PUBLIC WORKS/BUILDING SAFETY]
- BP-19. SINK/WASHOUT:
Install a sink or washout area (to clean floor mats, container, equipment) that is connected to the grease interceptor prior to discharge to the sanitary sewer system. The sink or washout area shall be indoors or in a covered area outdoors. Pipe all grease generating equipment to the grease interceptor. [COA] [PUBLIC WORKS/BUILDING SAFETY]

BP-20. MITIGATION MEASURE (AIR QUALITY):

Final construction drawings shall incorporate mitigation measures as set forth under “Mitigation Measures” in the approved environmental document. [COA] [PLANNING]

WHAT: During project construction, the following measures shall be complied with, to the satisfaction of the City of Sunnyvale:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose materials off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District’s phone number shall also be visible to ensure compliance with applicable regulations.

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

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

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

BP-21. MITIGATION MEASURE (HAZARDS AND HAZARDOUS MATERIALS): Final construction drawings shall incorporate mitigation measures as set forth under "Mitigation Measures" in the approved environmental document. [COA] [PLANNING]

WHAT: During project construction, the following measures shall be complied with, to the satisfaction of the City of Sunnyvale:

1. A business risk tolerance evaluation shall be completed by Chick-fil-A to evaluate the need for vapor mitigation measures.
2. Test trenches or pits shall be completed to evaluate the presence of magnetic anomalies, which may be associated with underground storage tanks, piping, and/or buried metal objects.
3. Contingencies shall be put in place during construction and excavation activities to properly manage and dispose of any impacted soils encountered during site development activities.

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

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

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

IP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED IN THE IMPROVEMENT PLANS. IMPROVEMENT PLANS SHOULD BE SUBMITTED CONCURRENTLY WITH THE BUILDING PERMIT PLANS.

IP-1 STREETScape IMPROVEMENTS:

The following streetscape improvement shall be included in the improvement plans and shall be subject to review and approval by the Director of Public Works and the Director of Community Development prior to issuance of encroachment permit: [COA][PUBLIC WORKS]

- a) Streetscape elements shall be designed in accordance with the Precise Plan for El Camino Real Standards and Specifications of the City of Sunnyvale.
- b) Street trees shall be a minimum of 15 gallon or 24-inch box trees or as determined appropriate of a smaller size by the City arborist. Final selection of street tree species shall be approved by the City arborist.
- c) Backflow devices, water pipes, and other appurtenances (e.g. irrigation, standpipes, DCDAs) not placed underground are to include screening and covers as approved by the Director of Community

Development and City Engineer. Covers should be black, metal mesh with rounded top covers (i.e. – “mailbox style”), or equivalent.

IP-2 PUBLIC IMPROVEMENTS:

All Public Improvements shall be included in the building permit plan submittal, and shall be completed prior to issuance of certificate of occupancy (either temporary or final occupancies) for any structure. [COA][PUBLIC WORKS]

- a) Any existing deficient public improvements shall be upgraded to current City standards as required by the Director of Public Works. Obtain an encroachment permit with insurance requirements for all public improvements.
- b) Final approved public improvement plans shall be prepared on 24”x36”, 4 mil mylars.
- c) Record drawings (including street, sewer, water, storm drain, streetlight, traffic signal and interconnect, and off-site landscaping plans) shall be submitted to the City prior to occupancy release.
- d) This project requires connection to all City utilities or private utilities operating under a City franchise which provide adequate levels of service.
- e) The developer/owner is responsible for research on private utility lines (PG & E, telephone, cable, irrigation, etc.) to ensure there are no conflicts with the project.
- f) All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City.
- g) All lots/parcels shall be served by utilities, allowing each lot/parcel to function separately from one another.
- h) All proposed on-site drainage and sanitary sewer systems shall be privately owned and maintained unless otherwise approved by the City as public system(s). The fire and domestic water systems shall be privately owned and maintained beyond the meter.
- i) All utility plans (PG & E, telephone, cable TV, fiber optic, etc.) shall be submitted to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public utility easements.
- j) Install sanitary sewer service backflow valve as required by Building Division when the upstream manhole finished grade elevation is higher than the finished floor elevation where the fixture units exist.
- k) No trees are to be planted within 10' of laterals when the City maintains sanitary sewer mains and laterals up to the property line.

- l) Installation of new Radio Read meters will be required.
- m) The existing fire hydrant shall be upgraded to Clow-Rich 75.
- n) Fire service and domestic service shall be separate.
- o) Remove existing driveways and install new driveways to comply with ADA requirements as per city standard detail 9C.
- p) This project shall not cause any negative impact on the drainage pattern for adjacent properties. Provide adequate drainage modification on adjacent properties as needed with consent from adjacent property owners.
- q) Adequate drainage/erosion control shall be provided at all times during each phase of the development.
- r) Submit a traffic control plan with the off-site improvement plans for review and approval.
- s) A separate irrigation water meter with backflow prevention device shall be installed.
- t) The fire hydrant shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc for a minimum of 4 feet.
- u) All catch basins and storm drain inlet facilities shall be stenciled with the appropriate "No Dumping" message as supplied by the Public Works Department.

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

AT-1. HOURS OF OPERATION:

Hours of operation include Monday through Thursday, from 6 a.m. to 10 p.m. and Friday and Saturday, from 6 a.m. to 11 p.m. The drive-through shall only be open during the hours of operation.

AT-2. DELIVERY HOURS:

Delivery hours for the approved use shall comply with SMC 19.42.030:

- a) Delivery hours are limited to daytime (period from 7:00 a.m. to 10:00 p.m. daily) only.
- b) Nighttime delivery (period from 10 p.m. to 7:00 a.m. daily) is prohibited. [SDR] [PLANNING]

AT-3. NOISE:

Comply with Sunnyvale noise regulations. [SDR] [PLANNING]

AT-4. MENU BOARD SPEAKER:

The menu board shall be maintained at all times per manufacturer's specifications, to ensure compliance with noise regulations. [COA] [PLANNING]

AT-5. RECYCLING AND SOLID WASTE:

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

AT-6. 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-7. STORMWATER BMP MAINTENANCE:

The project applicant, owner, or landlord 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-8. STORMWATER BMP RIGHT OF ENTRY:

The project applicant, owner, or landlord 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]



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

File#: 543 5/30/2012

ATTACHMENT C
 Page 1 of 27
 File Number: 2011-7635
 No. 12-07

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

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

PROJECT TITLE:

Application for a **Special Development Permit** filed by **Chick-Fil-A**.

PROJECT DESCRIPTION AND LOCATION (APN):

FILE #: 2011-7635
Location: 550 W. El Camino Real (APN: 201-22-007)
Proposed Project: Special Development Permit for a new 4,400 sq. ft. fast food restaurant with a drive-through.
Applicant / Owner: Chick-Fil-A / G N D Properties Llc
Environmental Review: Mitigated Negative Declaration
Staff Contact: Noren Caliva, 408-730-7637
ncaliva@ci.sunnyvale.ca.us

WHERE TO VIEW THIS DOCUMENT:

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

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Monday, June 25, 2012**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

HEARING INFORMATION:

A public hearing on the project is scheduled for:

Monday, June 25, 2012 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 May 30, 2012

Signed: 
 Gerri Caruso, Principal Planner

Project Title	Special Development Permit for a new 4,400 square foot fast food restaurant with a drive-through
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Noren Caliva, Associate Planner
Phone Number	408-730-7637
Project Location	550 W. El Camino Real
Applicant's Name	Chick-fil-A
Project Address	550 W. El Camino Real Sunnyvale, CA 94086
Zoning	C-2/ECR (Highway Commercial/ El Camino Real Precise Plan)
General Plan	Retail
Other Public Agencies whose approval is required	None

DESCRIPTION OF THE PROJECT:

The project includes the redevelopment of an existing commercial property into a new fast food restaurant with a drive through.

DETAILED PROJECT DESCRIPTION:

On-site Development: The proposed project involves the demolition of an existing 8,292 square foot retail building currently occupied by Beacon Lighting and construction of a new 4,400 square foot fast food restaurant with a drive through for Chick-fil-A. The new building will be sited at the front of the property with parking and landscaping along the back and perimeter. Vehicles will access the site from a reconfigured driveway along El Camino Real, which will also feed into the drive through queuing lane.

Construction Activities and Schedule: Construction activities include demolition of the existing retail building and site and construction of the new restaurant building with associated site improvements. The project will be subject to the Sunnyvale Municipal Code requirements for noise and hours of construction contained in Chapters 19.42.0.0 and 16.08.030.

Surrounding Uses and Setting: The site is mainly surrounded by commercial uses to the east and west. To the north, across El Camino Real, is the County Courthouse. A recently-approved mixed use project will border the site along the south property line, where new townhomes will be constructed.

ATTACHMENT C

Page 3 of 27

Initial Study Checklist
Project Name: Special Development Permit for 550 W. El Camino Real
File #2011-7635
Page 2 of 26

Off-site Improvements: Standard water, sewer, right-of-way and utility connections/upgrades are locally available and will be provided as required by the Municipal Code. In addition, the existing sidewalk will be upgraded to comply with the El Camino Real Precise Plan.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

Checklist Preparer: Noren Caliva

Date: May 29, 2012

Title: Associate Planner

City of Sunnyvale

Signature


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

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

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14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-Element www.sunnyvaleplanning.com Project Description
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Noise Sub-element www.sunnyvaleplanning.com
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Plan Map Project Description
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	General Plan Map Project Description

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20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Preservation Sub-Element, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. Project Description
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com

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26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Project Description
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element Project Description
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Project Description
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Seismic Safety and Safety Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com
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

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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

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

2. Aesthetics (Less than Significant): The proposed redevelopment will alter the streetscape of the property from the surrounding area in comparison to the existing site. Staff's review of final development plans will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will add positively to the streetscape and will comply with the design guidelines contained in the El Camion Real Precise Plan. Therefore, aesthetic impacts will be less than significant.

15 & 16. Noise (Less than Significant) - The project may introduce short-term and temporary additional sources of noise to the project area during construction. In addition, the project will introduce noise sources as an operational aspect of the drive through restaurant. Through the City's implementation of the Municipal Code noise regulations, noise impacts will be less than significant. The project will not require pile driving.

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

26 & 28. Air Quality (Less than Significant) – The project would generate greenhouse gas emissions (GHGs) during construction (one-time related) and annually (operational related). An air quality and greenhouse gas analysis was performed by a consultant, Michael Brandman Associates, dated December 1, 2011. The greenhouse gas impact analysis found that the direct and indirect greenhouse gas emissions produced by the project will be less than significant. The air quality impact analysis also found that with implementation of the Sunnyvale Municipal Code construction requirements, Bay Area Air Quality Management regulations, and mitigations below, air quality impacts will be less than significant. The following mitigation measures are proposed:

WHAT: During project construction, the following measures shall be complied with, to the satisfaction of the City of Sunnyvale:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose materials off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes. Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.

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

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

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

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

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

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

35. Transportation (less than significant) – A transportation impact analysis was conducted by Hexagon Transportation Consultants, Inc., dated May 2, 2012, to identify potential traffic impacts related to the proposed project. The study found that the project would result in 73 AM net peak hour trips and 146 PM net peak hour trips, which would not significantly impact the intersections studied in the report, nor would the project significantly impact existing transit services, bicycle facilities, or pedestrian facilities. The study further found the proposed on-site circulation, drive through queuing and parking to be adequate. As required by the Municipal Code, the project will require payment of a transportation impact fee. Based on the study results, impacts will be less than significant.

Responsible Division: Planning Division

Completed by: Noren Caliva

Date: May 29, 2012

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

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

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

Responsible Division: Building Division Completed by: Noren Caliva Date: May 29, 2012

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

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

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

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

Responsible Division: Public Works Engineering Division Completed by: Noren Caliva Date: May 29, 2012

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

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

Responsible Division: Department of Public Safety

Completed by: Noren Caliva

Date: May 29, 2012

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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Public Safety – Hazardous Materials					
64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale

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

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:

67. Hazards and Hazardous Materials (Less than Significant) – Phase 1 and Phase 2 Environmental Site Assessments were completed by Giles Engineering Associates, Inc. on December 8, 2011. The Phase I report revealed no evidence of recognized environmental conditions with the property, but recommended further analysis based on the historic use of the adjacent properties as automobile repair and painting. The Phase II report was conducted to evaluate the potential for volatile vapors, impacted soil and/or impacted groundwater. The study found that concentrations of mercury, arsenic, barium, and selenium were within state background concentration levels. In addition, soil gas vapors were found but the risk of vapor intrusion for the structure was considered to be low. With implementation of the following mitigation measures, impacts will be less than significant:

WHAT: During project construction, the following measures shall be complied with, to the satisfaction of the City of Sunnyvale:

1. A business risk tolerance evaluation shall be completed by Chick-fil-A to evaluate the need for vapor mitigation measures.
2. Test trenches or pits shall be completed to evaluate the presence of magnetic anomalies, which may be associated with underground storage tanks, piping, and/or buried metal objects.
3. Contingencies shall be put in place during construction and excavation activities to properly manage and dispose of any impacted soils encountered during site development activities.

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

WHO: The property owner will be solely responsible for 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: Department of Community Service Completed by: Noren Caliva Date: May 29, 2012

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

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

Responsible Division: Department of Community Service Completed by: Noren Caliva Date: May 29, 2012

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

City of Sunnyvale General Plan:

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

City of Sunnyvale Municipal Code:

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

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

Specific Plans:

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

Environmental Impact Reports:

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

Maps:

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

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

H. Noise Sub-Element Appendix A 2010 Noise Conditions Map

Lists / Inventories:

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

Legislation / Acts / Bills / Resource Agency

Codes and Permits:

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

Transportation:

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

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

Public Works:

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

ENVIRONMENTAL CHECKLIST REFERENCE LIST

File#: 543

5/30/2012

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

H. Subdivision and Parcel Map Files

G. Transportation Impact Analysis, prepared by
Hexagon Transportation Consultants, Inc., dated
May 2, 2012

Miscellaneous Agency Plans:

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

Other:

Building Safety:

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

ATTACHMENT C
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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 4/09/12
- D. Air Quality and Greenhouse Gas Analysis Report, prepared by Michael Brandman Associates, dated December 1, 2011
- E. Phase I Environmental Site Assessment, prepared by Giles Engineering Associates, Inc., dated December 8, 2011
- F. Phase II Environmental Site Assessment and Soil Gas Survey, prepared by Giles Engineering Associates, Inc., dated December 8, 2011



3D Rendering - View 1
Sunnyvale, California

File Name: 10204 Sunnyvale CA 3D Render

4-6-12

C · R · H · O
Architecture · Interior Planning
166 South "C" Street Suite 200
Tustin, California 92780
714 832 1834
Fax 714 832 1015

ATTACHMENT D
Page 1 of 8



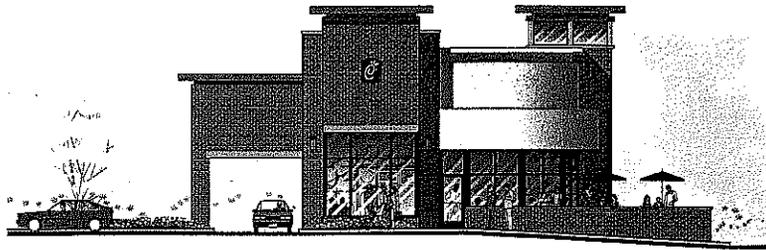
3D Rendering - View 2
Sunnyvale, California

File Name: 10264 Sunnyvale CA 3D Render

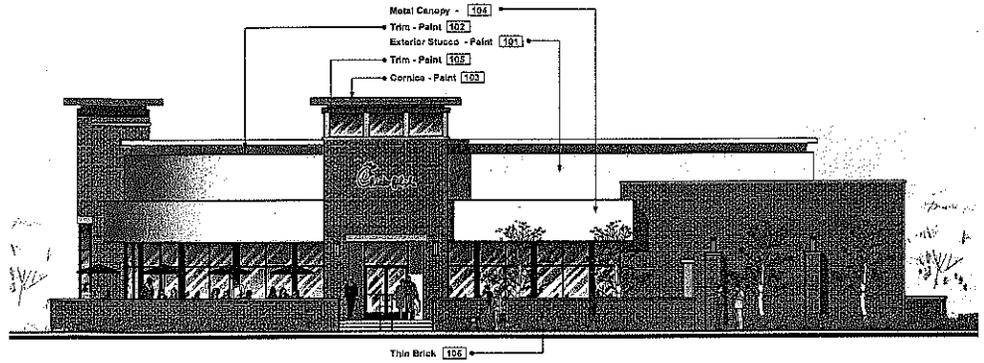
4-6-12

C · R · H · O
Architecture Interiors Planning
156 South "C" Street, Suite 200
Tustin, California 92680
714 832 8888
PAX 714 832 8888

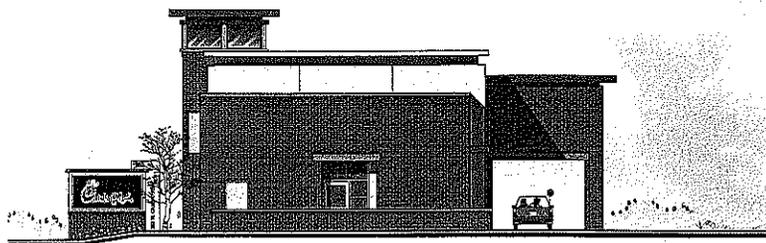
ATTACHMENT D
Page 2 of 8



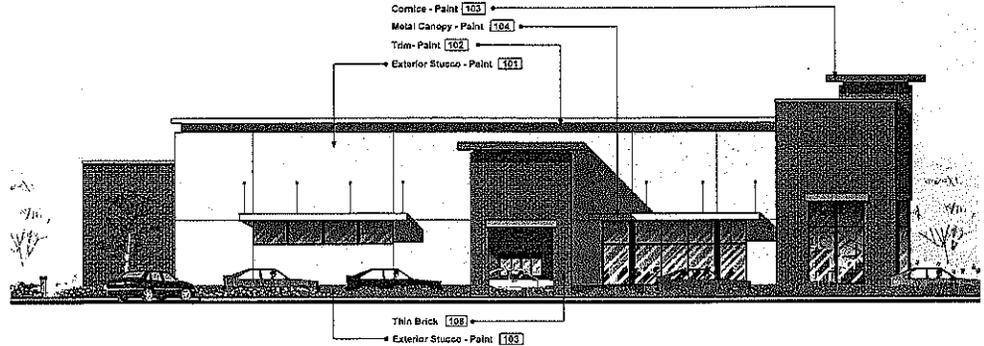
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



PRELIMINARY ELEVATIONS
Sunnyvale, California

File Name: 10204-ALL-4-9-12

4-9-12



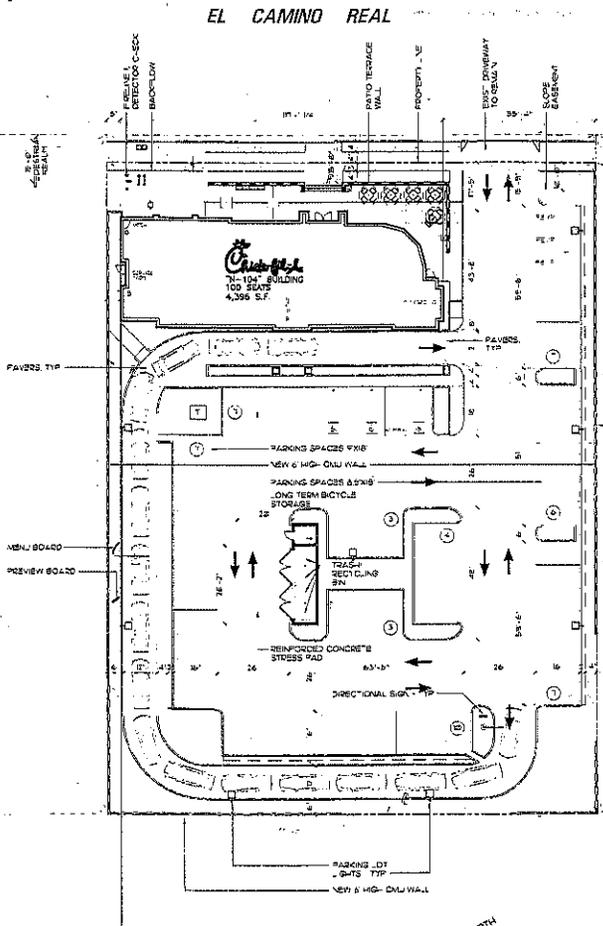
Note:
All roof top mechanical equipment shall be located in equipment well and screened from view by parapet walls.

COLOR AND MATERIAL LEGEND

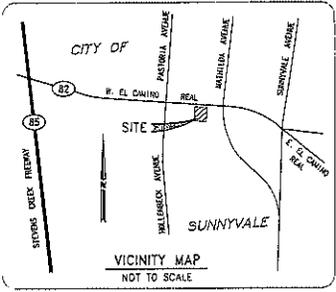
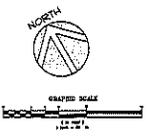
- 101 Paint - Sherwin Williams - #SW7020 "Answ Gray"
- 102 Paint - Sherwin Williams - #SW7031 "Mega Greige"
- 103 Paint - Sherwin Williams - #SW2823 "Rookwood Clay"
- 104 Paint - Sherwin Williams - #SW6281 "Swanky Gray"
- 105 Paint - Sherwin Williams - #SW6087 "Trusty Tan"
- 106 Thin Brick - H.C. Muddox Brick - Smooth Finish - "Dusty Rose"

C.R.H.O.
Architectural Planning
195 South "C" Street, Suite 200
Foothill, California 92303
714 832 1834
FAX 714 832 1910

ATTACHMENT D
 Page 3 of 8



1 PRELIMINARY SITE PLAN
1" = 20'-0"



Project Data:

LOT AREA:	42,187 S.F.	100%
BUILDING AREA:	4,400 S.F.	10.5%
LANDSCAPE AREA:	8,480 S.F.	20.1%
IMPERVIOUS AREA:	29,307 S.F.	69.4%
PARKING REQUIRED:	26 SPACES	
PARKING PROVIDED:	26 SPACES (INCLUDING 3 H.C. SPACES)	
BIKERACK PROVIDED:	2 BIKES	



Chick-fil-ly
5200 Buffington Rd.
Atlanta, Georgia,
30343-2895

Revised:	Mark	Date	By
△	2/27/11	8:00 AM	8/24/11
Mark	Date	By	
△	8/25/11	10:00 AM	8/25/11
Mark	Date	By	
△	02/15/12		
S-60			
C · R · H · O			
PROFESSIONAL REVIEW REQUIRED 100% COMPLETE 100% COMPLETE 100% COMPLETE 100% COMPLETE			
FSU 508N CA 104			
W. EL CAMINO REAL & MATHILDA AVE. SUNNYVALE, CA			
PRELIMINARY SITE PLAN			
Sheet	6	1-2011	
Project	10-204	2772	
Date	4/8/12		
SP-1			

ATTACHMENT D
 Page 4 of 8



Chick-fil-A

5200 Buffington Rd.
Atlanta, Georgia,
30349-2908

Revisions		
Work	Date	By
△	7-27-11	
△	10-07-11	
△	02-18-12	

Work	Date	By
△		

Work	Date	By
△		

S-P

C·R·H·O

Architect: *CRH*
475 South "C" Street, #202
Tulsa, Oklahoma 74106
711.622.1624
100 S.W. 10th St.

FSU 508N CA 104

W. EL CAMINO REAL & MATHILDA AVE.
SUNNYVALE, CA

FLOOR PLAN

6

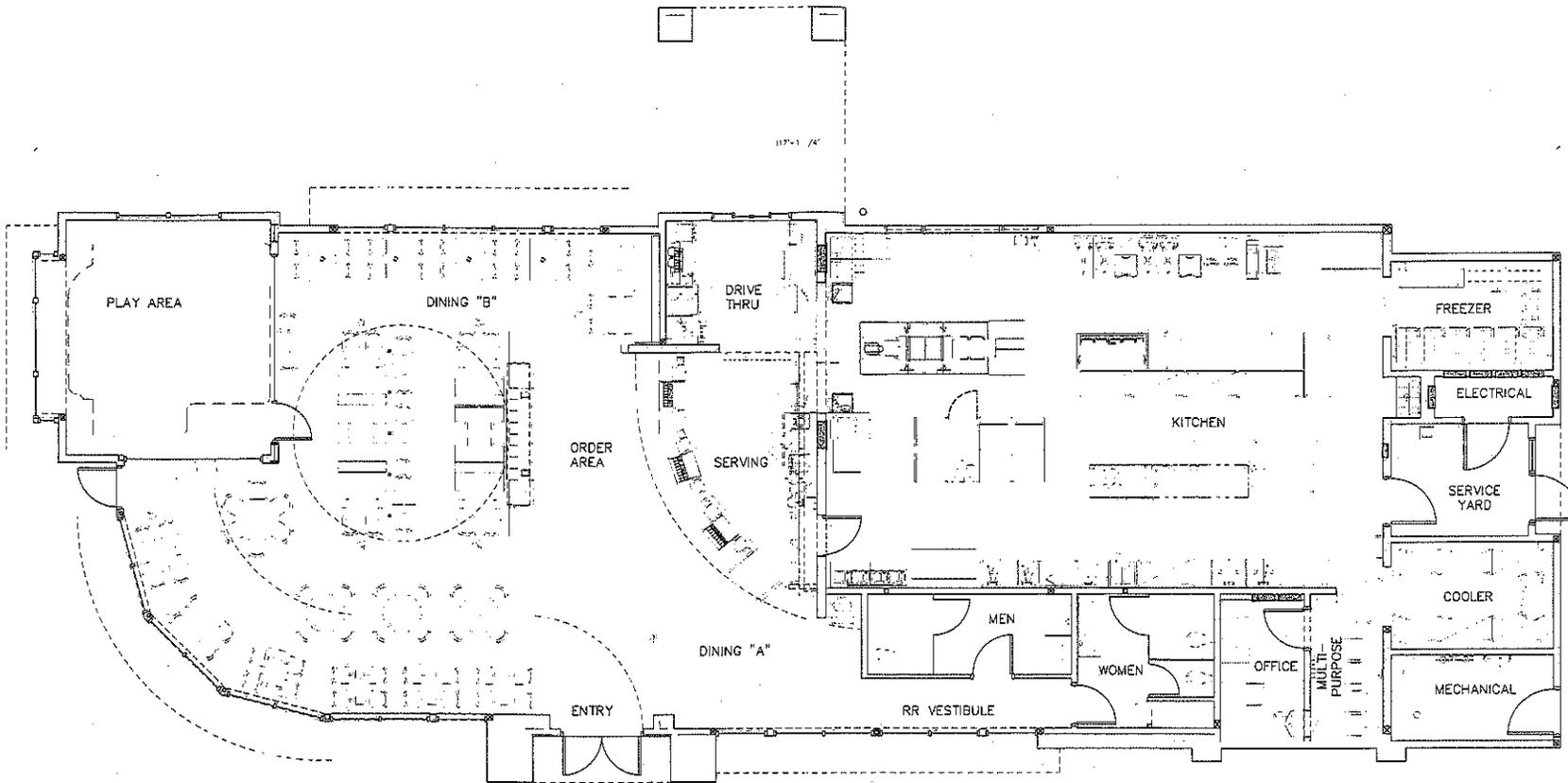
1-2011

10-204

2772

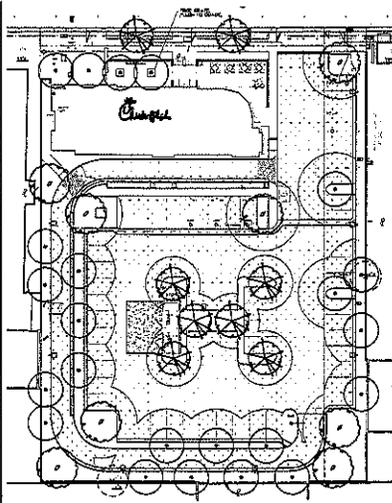
4/9/12

A-II



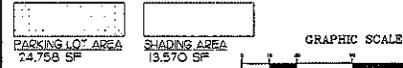
1 PRELIMINARY FLOOR PLAN

ATTACHMENT
Page 5 of 8
D

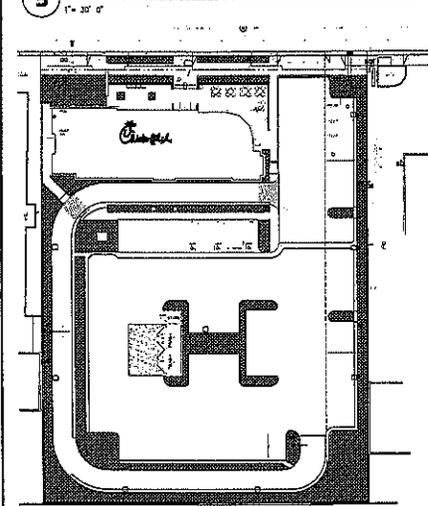


PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WATER USE PER 100 SQ. FT.
X					EXISTING TREE TO BE REMOVED	
					VARIES SEE PLAN FOR 2 REMOVE AND DISPOSE	
	CERIS OCCIDENTALIS	WESTERN REDBUD	24" BOX	8	STANDARD	MEDIUM
	COELARTEERIA SPINATA	CHINESE PLAINS TREE	24" BOX	6	STANDARD	MEDIUM
	PIRUS CALIFORNIANA	BURGESS PEAR	24" BOX	23	STANDARD	MEDIUM
SHRUBS / GROUND COVERS						
⊙	ABELIA EDWARD GOUJER COMPACTA	COMPACT ABELIA	5 GALLON	75	3'-6" O.C.	MEDIUM
⊙	BALUS MICROPHYLLA JAPONICA	JAPANESE BOXWOOD	5 GALLON	30	2'-6" O.C.	MEDIUM
⊙	CISTUS SUNSET	RODGROSE	5 GALLON	140	3'-0" O.C.	LOW
⊙	COPRODIA CEPHEUS VISTA VERDE	MIRROR PLANT	5 GALLON	51	3'-0" O.C.	MEDIUM
⊙	DODONAEA VISCOSEA PURPURA	PURPLE HORSEBEE	5 GALLON	9	4'-0" O.C.	LOW
⊙	ESCALONIA PRAESENS	PINK ESCALONIA	5 GALLON	63	4'-0" O.C.	MEDIUM
⊙	GAZANIA 'BURGUNDY'	BURGUNDY GAZANIA	PLANTS	1,002 SF.	12" O.C.	MEDIUM
⊙	LEPTOSPERMUM SCOPARIUM 'LUBY GLOW'	NEW ZEALAND TEA TREE	15 GALLON	1	AS SHOWN	MEDIUM
⊙	SALVIA LEUCANTHIA	MEXICAN BUSH SAGE	5 GALLON	45	4'-0" O.C.	LOW
VINES						
▽	JASMINUM POLYANTHUM	NON	15 GALLON	2	TRAIN TO WALL	MEDIUM



3 SHADING PLAN



WATER EFFICIENCY LEGEND



2 HYDROZONE MAP

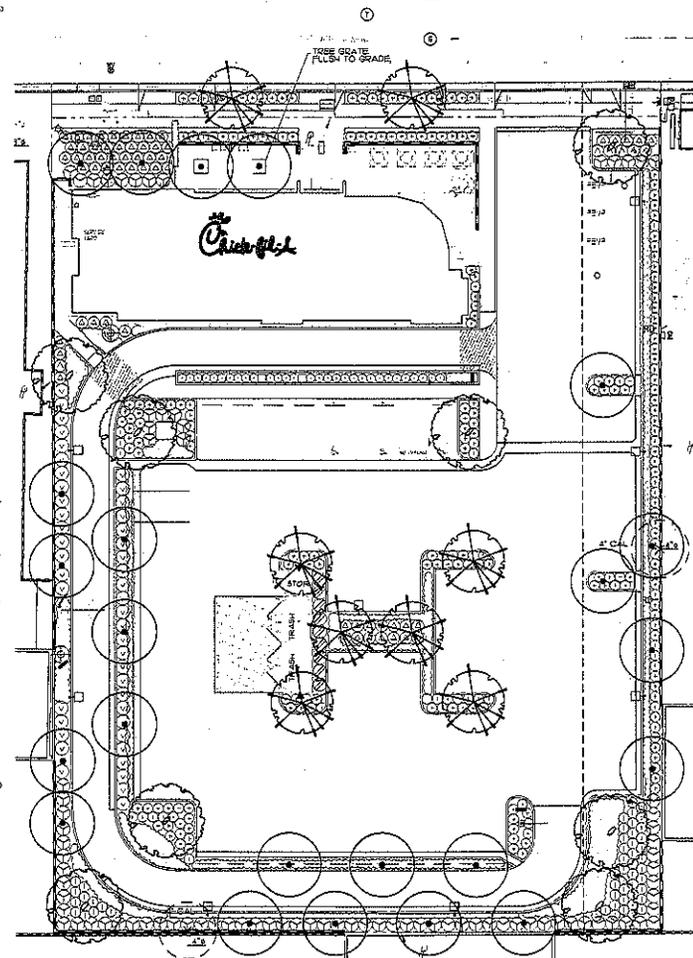


PLANTING NOTES

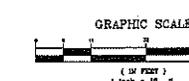
- CONTRACTOR IS TO REVIEW PLANS, VERIFY SITE CONDITIONS AND PLANT QUANTITIES PRIOR TO INSTALLATION. CONFLICTS BETWEEN THE SITE AND THESE PLANS OR WITHIN THESE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO LANDSCAPE INSTALLATION. ANY DEVIATIONS FROM THE PLANS OR SPECIFICATIONS IS TO HAVE WRITTEN APPROVAL.
- ALL TREES AND SHRUBS SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF 'AMERICAN NURSERY AND LANDSCAPE ASSOCIATION' STANDARDS.
- THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTED AREAS BY MEANS OF CONTINGUOUS WATERING, PRUNING, RAISING TREE BOLLS WHICH SETTLE BELOW GRADE, FERTILIZING, APPLICATION OF SPRAYS WHICH ARE NECESSARY TO KEEP THE PLANTINGS FREE OF INSECTS AND DISEASES, WEEDING, COLLAR, MOWING, NESSORING, EDGING, AND/OR OTHER OPERATIONS NECESSARY FOR PROPER CARE AND 'KEEP'. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AS SPECIFIED ABOVE FOR A PERIOD OF NINETY (90) DAYS.
- LANDSCAPE ARCHITECT SHALL APPROVE PLANT MATERIAL PLACEMENT BY CONTRACTOR PRIOR TO INSTALLATION.
- FERTILIZER FOR ALL GROUND COVER AREAS SHALL BE AS SPECIFIED WITHIN THE SPECIFICATIONS.
- ANY AND ALL TREES PLANTED WITHIN 5' A SIDEWALK, STREET, PUBLIC UTILITY ASSESSMENT OR WALL SHALL BE PLANTED WITH A ROOT BARRIER TO REDUCED ROOT GROWTH PER MANUFACTURER'S SPECIFICATIONS.
- FINISH GRADE TO BE 2" BELOW TOP OF CURB OR SIDEWALK FOR GROUND COVER AREAS.
- ALL PLANTER AREAS TO BE ROTOTILLED AND AMENDED WITH SOIL PREPARATION PER SPECIFICATIONS NO DEVIATIONS ARE ALLOWED.
- ALL PLANTING AND IRRIGATION ON THIS PROJECT TO MEET OR EXCEED CITY OF SUNNYVALE LANDSCAPE GUIDELINES, STANDARDS AND AGENCY REQUIREMENTS.
- ALL PLANTER AREAS SHALL BE TOP DRESSED WITH 2" MINIMUM MULCH COVER PER PLANS AND SPECIFICATIONS AS APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL PLANTING SHALL BE IRRIGATED WITH LOW VOLUME SPRAY HEADS, DUBLERS AND/OR DRIP EMITTERS CONNECTED TO AUTOMATIC REMOTE CONTROL VALVES AND FED INTO AN AUTOMATIC IRRIGATION CONTROLLER.

LANDSCAPE CALCULATIONS

LOT AREA:	0.7685 ACRES (42,187 SF)	
SHRUB AREA:	8,290 SF	
TURF AREA:	0 SF	
CFR LANDSCAPE AREA:	204 8,290 SF	
REQUIREMENT	REQUIRED	PROPOSED
TREE QUANTITIES		
1 TREE/300 SF (MIN 15 GALLON)	27	39
8,290 / 300 = 27.6 TREES		
PARKING LOT SHADING		
80% SHADE AT 15 YEARS (MIN 10 GALLON)	504	54.6%
24,758 X .504 = 12,379 SF	12,379 SF	13,570 SF
MINIMUM PLANT SIZES		
TREES - 15 GALLON		
SHRUBS - 5 GALLON		



THIS WORKING DRAFT IS FOR YOUR INFORMATION ONLY. THE USER ACCEPTS THAT THE USER CANNOT BE HELD RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR. THE USER WILL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR.



1 PRELIMINARY LANDSCAPE PLAN



Chapel
5200 Burlingame Rd.
Atlanta Georgia,
30349-2898

Revisions:
Work Date By
Work Date By
Work Date By

Seal

C-R-H-O
Houston, Texas, Florida
145 South W. Wood St.
Tulsa, California 92790
714 832-1934
FAX 632-9110


Houston Associates
Landscape Architecture
145 South W. Wood St.
Tulsa, Oklahoma 74106
918 485-1411
FAX 918 485-1412

FSU S08N CA 104

W. EL CAMINO REAL
& MATHILDA AVE.
SUNNYVALE, CA

PRELIMINARY
LANDSCAPE
PLAN

6
1-2011

10-204
2772
2/16/12
MDM

1-24

4

ATTACHMENT D
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PROJECT DESCRIPTION

ATTACHMENT E
Page 1 of 2

Proposed Chick-fil-A
550 West El Camino Real
Sunnyvale, CA

▪ Existing Conditions

The site is an approximately 0.97 acre parcel currently occupied by a Beacon Lighting retail store that will be demolished to accommodate the new Chick-fil-A development. It is west of the intersection of W. El Camino Real and Mathilda Ave.

▪ Proposed Development

Chick-fil-A is proposing to develop a new, 4,350 sq.ft. Chick-fil-A restaurant with patio seating and drive thru service. In response to the Preliminary Review Committee comments, the site plan and elevations have been considerably modified to address Staff concerns, meet the Development Standards, and provide a more pedestrian oriented design.

▪ Project Data

Building area: 4,350 sq.ft.

Seating: 104 seats inside; 20 patio seats

Building Height: 25 ft.

Parking: 58 spaces are provided. Based on the Zoning Code ratio of 1 space for every 75 sq.ft. of floor area, 58 spaces are required. A bike rack and bike storage are also provided for customers and employees.

Drive thru queuing: An isolated drive thru lane, located completely on site, is provided with sufficient stacking for a minimum of (17) cars. The extensive drive thru queue will prevent cars from stacking out onto El Camino Real.

Pedestrian Orientation: In keeping with the City's goal of establishing a "Grand Boulevard" atmosphere along El Camino Real, the building has been oriented adjacent to the street frontage with an entrance facing El Camino Real and ample patio seating along the frontage.

Building Design: A high quality, articulated building design utilizing a variety of materials, colors, and finishes is proposed. See attached elevations.

Landscaping: 20% of the overall site will be landscaped as required by the Zoning Code.

Loading: There is not adequate turning radius for a full size delivery truck with a trailer to navigate the site; therefore, Chick-fil-A deliveries will be made by a smaller WB-40 truck (45.5 ft. in length) that will be parked adjacent to the trash enclosure. This will insure that there is no impact on El Camino Real and/or loss of parking or access during deliveries. Deliveries will be coordinated to avoid conflict with trash removal service.

Operations

Chick-fil-A is a 'quick service' restaurant with drive thru service, specializing in chicken sandwiches, nuggets and tenders, salads and other assorted side dishes and soft drinks. This project will have indoor and patio seating as well as an indoor play area for children (within the base building footprint) as is typical with freestanding Chick-filA restaurants. Alcohol is not served.

Every Chick-fil-A location is run by an "owner/operator" whose sole job is to run and operate that location's business.

Store Hours:

Monday thru Thursday: 6 a.m. to 10 p.m.
Friday & Saturday: 6 a.m. to 11 p.m.
Sunday: Closed

Employees: Approximately 15 employees per shift

LEED and sustainability aspects of construction and operations

- Energy Management Controls for efficient HVAC and Lighting
- Energy Star Rated Equipment
- Single ply roof membrane that exceeds LEED solar reflectivity requirements (87.5% initial reflectivity, 95% emittance).
- LED lighting in building signage
- Low-E glass storefront systems
- Drought tolerant landscaping and water efficient irrigation
- Recycling practices during demolition, construction, and on going during operations.
- Nationwide Company goal of drive thru wait times under 3 minutes to minimize emissions in addition to providing quick and accurate customer service.

SummerHill HomesSM

777 California Avenue
Palo Alto, CA 94304
Tel: (650) 857-0122
Fax: (650) 857-1077

FEB 02 2012

PLANNING DIVISION

Ryan Kuchening
City of Sunnyvale
Planning Department
456 W. Olive Avenue
Sunnyvale, CA 94088

Re: 550 W. El Camino Real - Chick Fil A application

Dear Ryan:

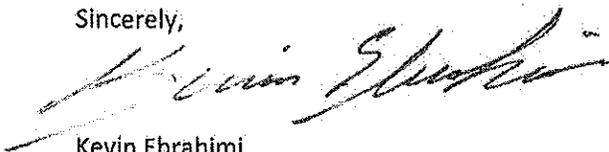
While we do not object to a Chick Fil A restaurant at the subject site, we request that the City takes steps to ensure that the drive-through restaurant is designed and operated in a manner such that it doesn't negatively impact our property and our future residents unduly. We make the following suggestions on ways to minimize the restaurant's impact:

- Scrubbers or other means in the exhaust vents to ensure that odors are managed and minimized
- Ensuring all lighting near our joint property line is directed downwards only and that no light spills over the property line
- Roof top equipment is shielded from view from our property as we will have three story townhomes adjacent to the subject property
- Ensuring that they install enough sizable (24" box) evergreen trees along our joint property line so that the impact of cars lining up in drive-through; i.e. exhaust, lights and noise, etc. , is minimized

Lastly, we believe that a cross access between our residential community and the Chick Fil A restaurant would not be appropriate and we are not supportive of providing for such access. Such access would generally be welcomed, appropriate and useful for a larger sized shopping center. Whereas in this case the limited function of a restaurant and in particular the limited space available for circulation does not make this a viable option.

Thank you for ensuring that our concerns are taken into consideration in the project's conditions of approval.

Sincerely,



Kevin Ebrahimi
Director of Development

CC: Katia Kamangar
Deb Kerr

Noren Caliva - We MUST approve the Chick-fil-A in Sunnyvale near El Camino and Mathilda

From: "Sylvanus "Sol" Bent III" <
To: <hhom@ci.sunnyvale.ca.us>, <NCaliva@ci.sunnyvale.ca.us>
Date: 2/26/2012 6:32 PM
Subject: We MUST approve the Chick-fil-A in Sunnyvale near El Camino and Mathilda
CC: , <cfasunnyvale@gmail.com>

ATTACHMENT _____
Page _____ of _____

Dear Hanson and Noren,

My name is Sylvanus and I'm writing you today to urge you to support and approve Chick-fil-A building a location near the Mathilda and El Camino intersection.

I have lived in the city of Sunnyvale for the past 4 years (though I have lived here in the South Bay / Peninsula area since the late 90s). My family and I moved from Durham, NC when parents began working at Apple and I've been here ever since.

I absolutely love life here in the bay area which is why I've chosen to stay in the area after college (despite the high cost of living / housing). Last year, I moved to the Cherry Orchard complex on El Camino & Mathilda, got married and couldn't be happier with my life.

While I have enjoyed life here, if there is one thing I miss about Durham it is Chick-fil-A. When I think of Chick-fil-A I think of two things:

1. The best tasting chicken / chicken sandwich (it's not even close)
2. Great customer service!

Taste / Quality of Food

If you have ever had Chick-fil-A the food speaks for itself. If you think this is just another fast food place, you are selling them short. You may have had a chicken sandwich from McDonald's, Wendy's, Burger King, Jack n the Box, Carl's Jr. etc....but saying that chicken from the aforementioned group is representative of Chick-fil-A would be like saying that Jack n the Box has good Chinese food. Interestingly, McDonald's tried to compete with Chick-fil-A by introducing the "Southern Style Chicken Sandwich" and "Sweet Tea" but the quality and taste of the food is a poor representation of what a good chicken sandwich and good seasoned chicken should taste like.

Customer Service

Chick-fil-A is a leader in the industry when it comes to customer service. In every Chick-fil-A I've been to, every employee from manager to the cashier is friendly, helpful and welcoming in a way that distinguishes Chick-fil-A from their competitors. An example of a small thing I've noticed is that often when I've eaten at a Chick-fil-A the team members or manager would walk around and greet / chat with the customers and even offer to clear my tray or get me a re-fill on my drink. It's a small token, but it makes customers feel good about their patronage of Chick-fil-A. They have a different company/store culture that makes them feel much more a part of the community. Visit a Chick-fil-A and visit a Jack n the Box and you will quickly see the difference.

Revitalizing the Sunnyvale Downtown Area

I've read that there used to be a Chick-fil-A in the town and country mall here in Sunnyvale almost 40 years ago and given the state of the stalled down-town Sunnyvale mall/project and the general economic

Saratoga Rd. Five Guys has been an absolute hit and people from neighboring cities continue to come to Sunnyvale to eat there. Five Guys is a draw and gives a foot traffic boost to the surrounding businesses. In this economy this is exactly what we need!

I hope to hear from you soon and I can't wait to hear the good news that the city has approved the Chick-fil-A location. In this economy, when a quality corporation is asking to transform unused or poorly used space into a new retail location that will bring money to the area...it is an obvious "no-brainer". If you have the city of Sunnyvale's best interest in mind, you will approve the project and urge Chick-fil-A to begin construction as soon as possible.

Sincerely,

Sylvanus Bent III

Noren Caliva - Potential Chick-fil-A in Sunnyvale

From: Melanie Barker
To: <hhom@ci.sunnyvale.ca.us>, <NCaliva@ci.sunnyvale.ca.us>
Date: 1/31/2012 12:21 PM
Subject: Potential Chick-fil-A in Sunnyvale

Hello Mr. Hom and Ms. Caliva,

I am a Sunnyvale resident, currently living in the Cherry Orchard apartment complex. I understand that the city will soon be deciding on the approval for a new Chick-fil-A restaurant near my home. I'm writing to you to express my hope that the city will approve the restaurant. I moved to Sunnyvale almost two years ago from Florida, where we had many Chick-fil-A restaurants and I miss having one nearby. Whenever I'm traveling for business, I always make a point of stopping at one of their restaurants if there's one in the area I'm visiting.

As I'm sure you're aware, their restaurants are always closed on Sunday. While this can be an inconvenience to their customers, I've always appreciated that this meant that all of their employees have a guaranteed weekend day off, which is a benefit that I imagine new employees won't have at McDonald's or Wendy's until they've worked there for some time.

I've also had the chance to see what devotion this chain inspires in their fans. It's very similar to the attitude that people have toward In-N-Out. I have a good friend who regularly attends their weekly family night with his two young sons; I'm always seeing pictures on Facebook of the fun craft or activity that his kids were able to do this week. He's also a big fan of saving money and he loves the value that the family night food specials offer. I've had coworkers who would stop by Chick-fil-A on Saturday and purchase two chicken sandwiches so they could take one home to have Sunday while the restaurant was closed. Personally, I'm a big fan of their grilled chicken sandwich and fruit cup. I think their fruit cup is the best fast-food one out there and the whole meal can be had for under 350 calories. Given all the focus on healthy eating these days, I'm sure you can appreciate the value of having a fast and convenient option.

Thanks for taking the time to read my email; I hope it helps convince you that Chick-fil-A would be a positive asset to our community.

Melanie Barker

Sunnyvale, CA 94087

Noren Caliva - Fwd: Chic filet

From: Hanson Hom
To: Caliva, Noren; Ryan, Trudi
Date: 2/2/2012 11:47 AM
Subject: Fwd: Chic filet

Hanson Hom
Director of Community Development
City of Sunnyvale
P.O. Box 3707
456 W. Olive Avenue
Sunnyvale, CA 94088-3707
408-730-7450

 Save the environment. Please don't print this email unless you really need to. 

>>> On 2/1/2012 at 10:42 PM, '

Hello my name is alisa barnhart I live in sunnyvale in the cherry orchard apartments. I would Like to send my support for chick filet. I hope you will consider. Thank you
Sent from my Verizon Wireless 4GLTE smartphone

Noren Caliva - 550 W. El Camino Real meeting on June 25, 2012

From: nazanin daftari
To: "ncaliva@ci.sunnyvale.ca.us" <ncaliva@ci.sunnyvale.ca.us>
Date: 6/18/2012 8:14 AM
Subject: 550 W. El Camino Real meeting on June 25, 2012

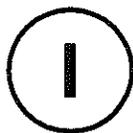
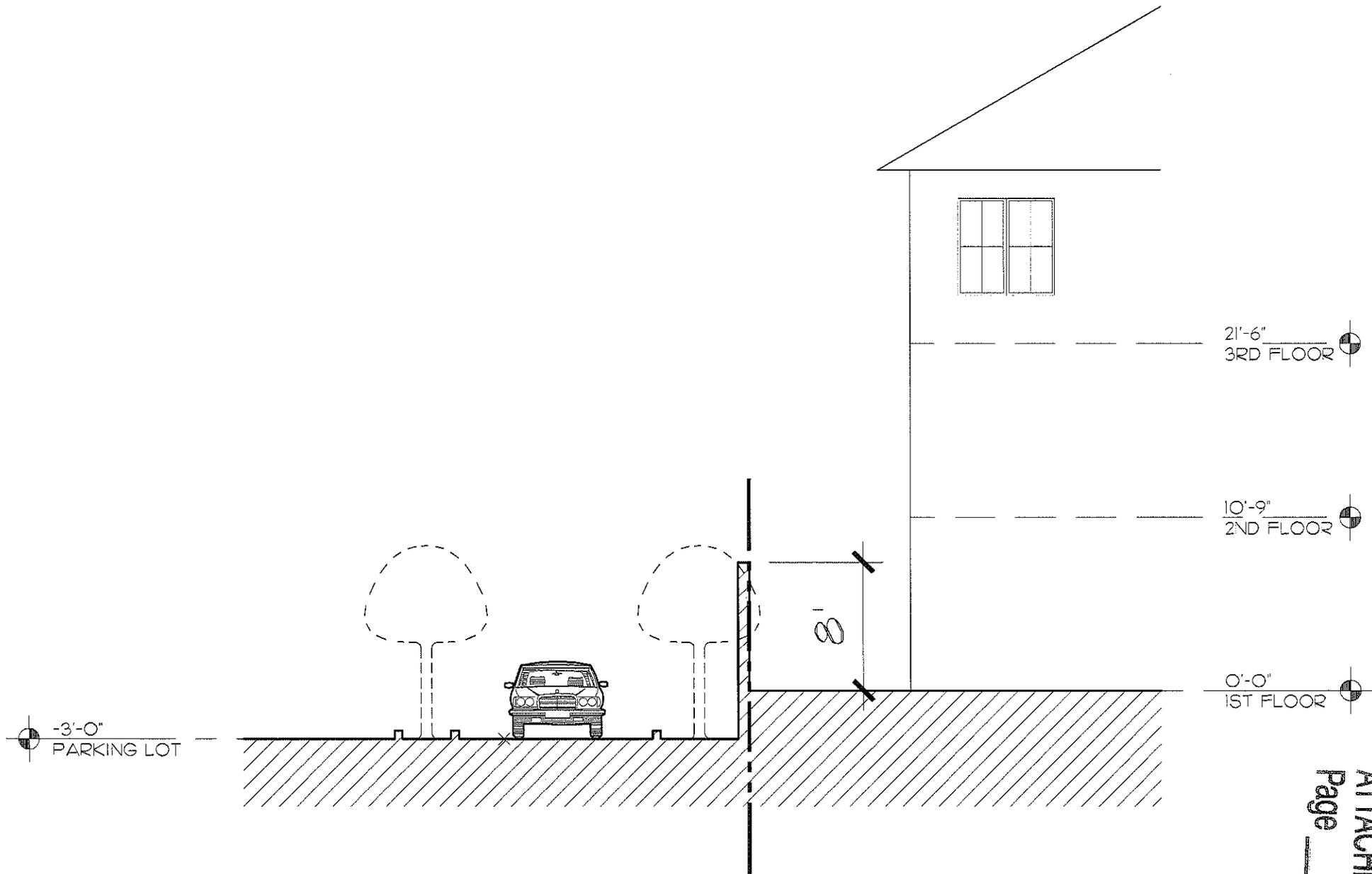
Dear Ms. Caliva,

My name is Nazanin Daftari and I am the owner of 500 W. El Camino Real. I am leaving town this week and I will be back in the middle of July. Unfortunately I can't attend this meeting. I have couple of concerns regarding this development, and I would appreciate if you could address them in the meeting on my behalf.

- 1 This is going to be a fast food establishment, I am concerned about the strong smell of fried chicken and burned oil. How are they going to solve this?
- 2 Being right next to this property, I am concerned about the driveway and the traffic that will create, not to mention the level of noise pollution. I do not understand why they chose to have both the "in" and "out" traffic from the same driveway. They could at least make a one way entrance from one side and one way exit from the other side of the property. That way the level of noise and traffic would be equally distributed for both adjacent properties. According to their present proposal, I will get all of it, and I don't like that.
- 3 I have tenants in my property, and I am concerned about the security of their inventory. I like to have a fence between our properties before they start the project or at least for them not to destroy any existing fence or barrier until the end of the project.

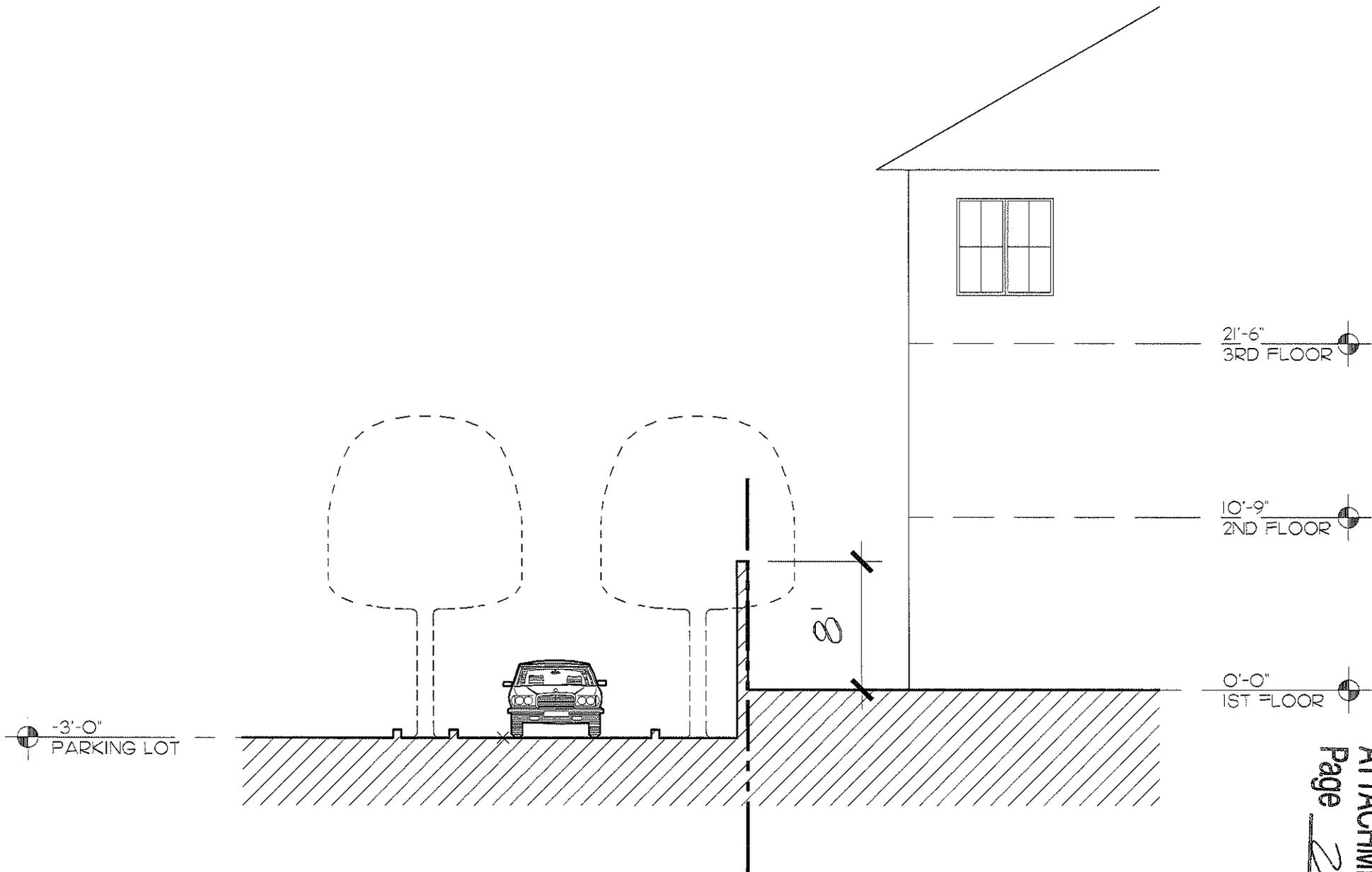
Thank you so much. I will contact you when I return from my trip.

Nazanin



INITIAL PLANTING

1/8" = 1'-0" (CHICK-FIL-A SUNNYVALE, CA)



2

AFTER 5 YEARS MATURITY

1/8" = 1'-0" (CHICK-FIL-A SUNNYVALE, CA)



Customer Driven

Memo

Re: Drive-Thru Sound Pressure Levels From the Menu Board or Speaker Post

The sound pressure levels from the menu board or speaker post are as follows:

1. Sound pressure level (SPL) contours (A weighted), were measured on a typical HME SPP2 speaker post. The test condition was for pink noise set to 84 dBA at 1 foot in front of the speaker. All measurements were conducted outside with the speaker post placed 8 feet from a non-absorbing building wall and at an oblique angle to the wall. These measurements should not be construed to guarantee performance with any particular speaker post in any particular environment. They are typical results obtained under the conditions described above.
2. The SPL levels are presented for different distances from the speaker post:

Distance from the Speaker (Feet)	SPL (dBA)
1 foot	84 dBA
2 feet	78 dBA
4 feet	72 dBA
8 feet	66 dBA
16 feet	60 dBA
32 feet	54 dBA

3. The above levels are based on factory recommended operating levels, which are preset for HME components and represent the optimum level for drive-thru operations in the majority of the installations.

Also, HME incorporates automatic volume control (AVC) into many of our Systems. AVC will adjust the outbound volume based on the outdoor, ambient noise level. When ambient noise levels naturally decrease at night, AVC will reduce the outbound volume on the system. See below for example:

Distance from Outside Speaker	Decibel Level of standard system with 45 dB of outside noise without AVC	Decibel level of standard system with 45 dB of outside noise with AVC active
1 foot	84 dBA	60 dBA
2 feet	78 dBA	54 dBA
4 feet	72 dBA	48 dBA
8 feet	66 dBA	42 dBA
16 feet	60 dBA	36 dBA

50-55 acceptable noise.

If there are any further questions regarding this issue please contact HME customer service at 1-800-848-4468.

Thank you for your interest in HME's products.

Drive-Thru Sound Levels

Some municipalities have adopted regulations aimed at controlling the acoustic noise levels in residential and (or) commercial areas. These regulations are of particular importance to drive-thru operators because the drive-thru is viewed as a source of noise. The noise originates both from the vehicles themselves and from the drive-thru communications system. This white paper addresses common questions related to sound from the communications system.

Note: Because every site is different and each municipality has its own regulations, HME is unable to make specific recommendations for compliance or give any assurance that any particular system configuration will comply with any given regulations. Statements made in this paper should be taken as general guidelines, but to ensure compliance, the site planner should retain the services of a qualified acoustic consultant equipped to make the necessary measurements.

In the drive-thru, the primary source of sound other than the vehicles is often the drive-thru communications system. Outbound audio includes the order taker's voice and any sound provided by the message repeater. The outbound audio is delivered by the speaker and must be loud enough to be clearly heard by the customer over the noise of the customer's vehicle, any local traffic and other ambient background noises in the area. However, if it is too loud, the sound can be objectionable to neighbors or even violate specific regulations.

HME base stations are equipped with a feature known as Automatic Volume Control or "AVC" which can be used to reduce the outbound sound pressure level based on ambient noise. When AVC is active, the outbound level is reduced to a level that is 15 dB above the ambient noise level at the speaker post microphone, but it never increases the level above what would be heard with AVC turned off. This feature can considerably reduce the SPL during quiet periods and may help in satisfying local requirements.

Sound levels are measured in units of dB SPL and usually include a frequency variable weight referred to as "A Weighting". For this reason, the units are frequently written as "dBA SPL" and that notation will be used throughout this paper. The sound pressure level from a speaker decreases as the distance away increases. However, it can be difficult to predict how much reduction will actually occur. For a single point sound source like an alarm bell hanging in air, the SPL drops approximately 6 dB every time the distance from the source doubles. Thus if one starts one foot away, the level will be 36 dB lower when one is 64 feet away. Unfortunately, speakers are neither single point sources nor are they hanging in air. Rather, speakers are mounted in a variety of different type enclosures. Further, the building, the ground and even other cars in proximity all effect the sound's direction and decay rate. All of this tends to make the sound more directional and the decay rate less predictable.

This paper provides some "typical" measurements taken outdoors under specific circumstances. These measurements can be used as a guide for what levels might occur in a drive-through installation. These measurements were taken using "pink noise", a type of noise frequently used for acoustic testing, at levels simulating the loudest speech expected from an order taker.

All typical measurements provided here were taken using the following equipment:

- Base station: HME ION IQ set to factory default levels
- Communicator: HME COM6000
- Speaker: HME SP10
- Speaker post: Texas Digital model 107150

Drive-Thru Sound Levels

AVC Operation

AVC measures the ambient noise level in the drive-thru and adjusts the outbound level down so that it is **never more than 15 dB above the ambient noise level**. This is particularly useful at night when there is less traffic on surrounding streets and fewer cars in the drive-thru. It may also be useful in situations where the regulations do not specify specific sound pressure levels, but use terms like "reasonable" or "sufficient". Because AVC adjusts continuously, it ensures that the outbound level is high enough to be heard by the customer whatever the conditions may be.

As an example, if the ambient noise level is 47 dBA, AVC will adjust the outbound level to approximately 62 dBA at a position about 1 ft from the speaker. Given this condition, the SPL will be below the ambient noise level less than 20 ft away from the post.

Since AVC adjusts based on the noise level measured at the speaker post, a noisy vehicle will drive the outbound level up. Thus, the use of AVC will not guarantee that the SPL is below any particular level for all vehicles or conditions. However, it will keep the outbound level from becoming excessively loud.

Guidelines

HME cannot make specific recommendations, but here are some general things that can be done to minimize issues:

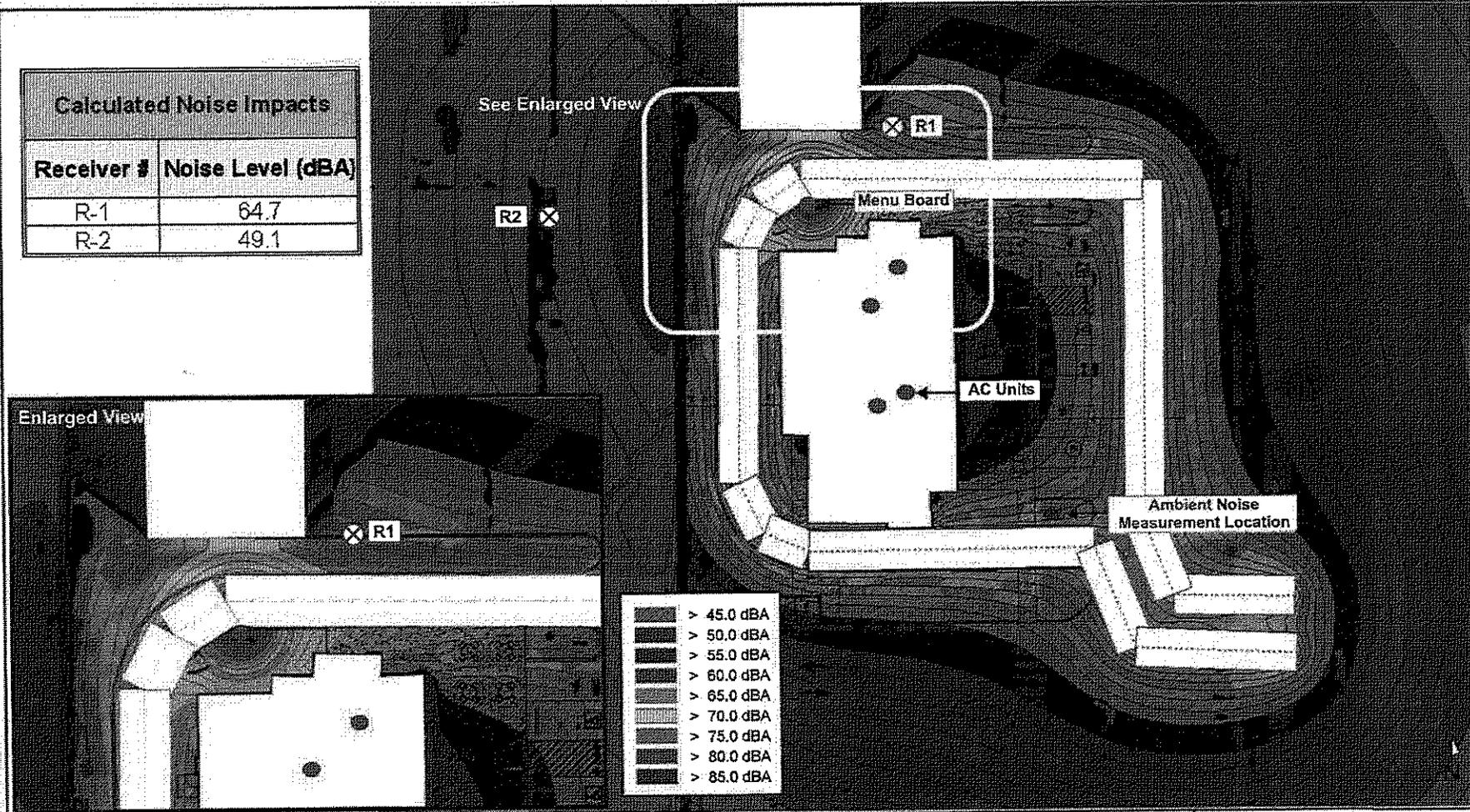
Do

- Place the speaker post where vehicles can get close to it. This allows the outbound level to be kept to a minimum.
- Use brick or concrete walls to isolate the installation from adjacent residences. These walls make good barriers, but must be high enough that sounds do not easily go over them.
- Adjust the outbound level to the minimum necessary to be clearly heard by customers
- Use AVC in situations where noise abatement is an issue to further reduce outbound levels during quiet periods.

Don't

- Face the speaker post toward busy streets. This increases the ambient noise level and makes it necessary to use higher outbound levels.
- Place the speaker post on a curve in the lane. Curves force vehicles to be further away from the post, which results in higher outbound level requirements and makes it difficult for order takers to hear customers.
- Face the speaker post or the drive-thru lane at adjacent residences. Remember that the highest sound levels are likely to be directly opposite the post and off the front of vehicles.
- Turn the outbound level up higher than necessary.
- Rely on vegetation to reduce sounds. Plants have rather limited impact on sound levels.

Calculated Noise Impacts	
Receiver #	Noise Level (dBA)
R-1	64.7
R-2	49.1



- > 45.0 dBA
- > 50.0 dBA
- > 55.0 dBA
- > 60.0 dBA
- > 65.0 dBA
- > 70.0 dBA
- > 75.0 dBA
- > 80.0 dBA
- > 85.0 dBA

Ellar Associates, Inc.
 539 Encinitas Boulevard, Suite 206
 Encinitas, California 92024
 760-753-1865

Site Plan Showing Noise Contours and Receiver Locations
 Job # B11010N1

Figure 3