



REPORT TO PLANNING COMMISSION

Hearing Date: November 12, 2012
File Number: 2012-7711

SUBJECT: **2012-7711 – JP DiNapoli Companies Inc. / Sequoia M & M LLC:** Application on a 15.4-acre site located at **505 North Mathilda Avenue** in an M-S-70% & M-S-100% Zoning District (APN: 165-42-002, 005 - 009).

Motion **Design Review** for a modification to a previously approved application (2012-7070) to allow a fifth story on Building "D" and the redevelopment of an additional parcel for parking area. The additional story results in a total of 643,897 square feet of building area, and the additional parcel reduces the Floor Area Ratio of the combined site from 99% to 96%.

Tentative Map and Use Permit to subdivide six industrial lots into four lots (individual buildings) and two common interest lots for parking, landscaping and amenities.

REPORT IN BRIEF:

Existing Site Conditions Office Buildings and Hotel

Surrounding Land Uses

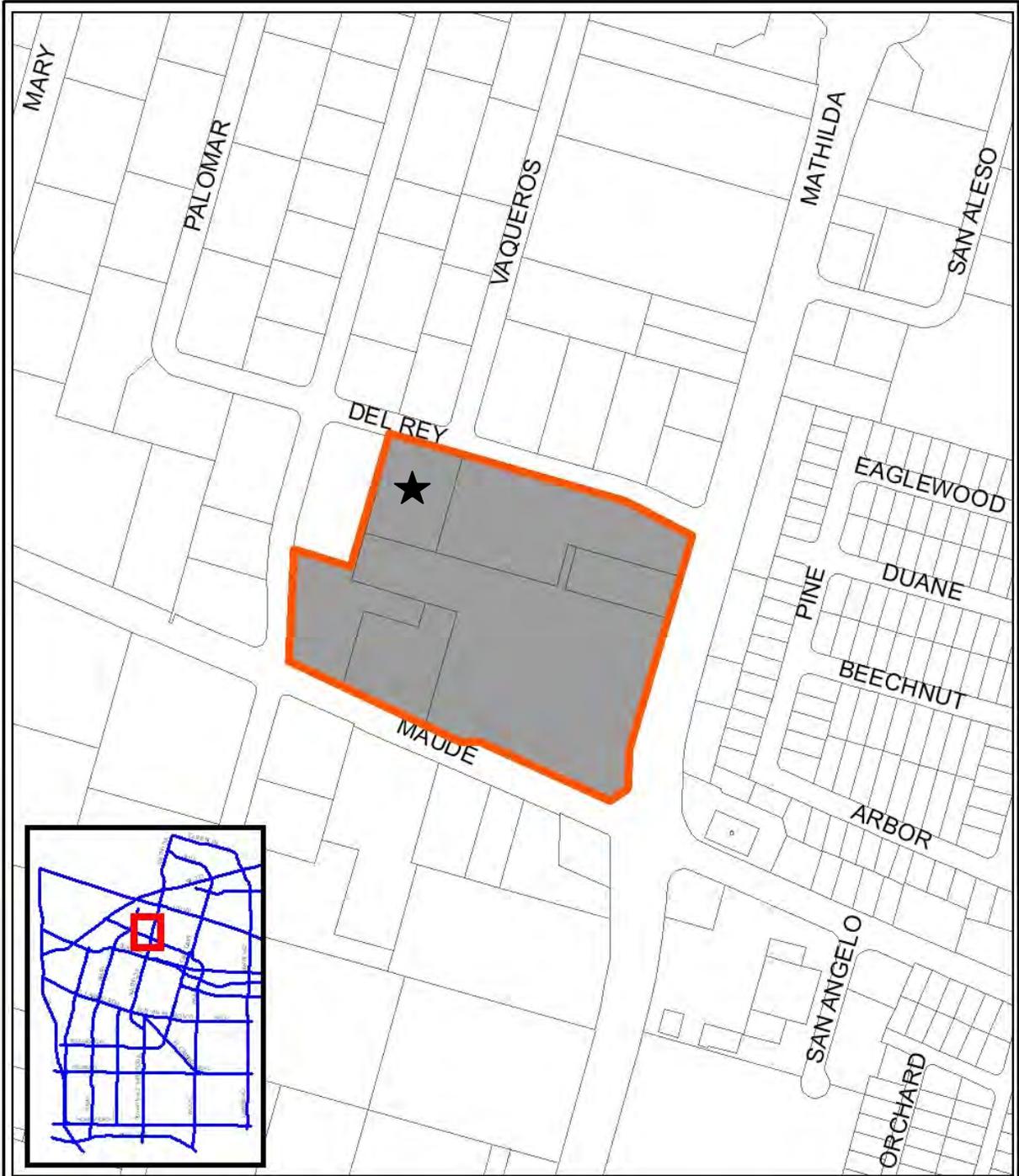
- North Industrial, R&D Office, Restaurant uses
- South Industrial, Gas Station & Auto Repair uses (across Maude Ave.)
- East Office, Hotel, Multi-Family Apartment uses
- West Industrial, R&D, and office uses

Issues Increased Development Area

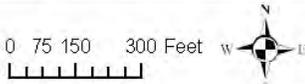
Environmental Status A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve the Mitigated Negative Declaration; approve the Design Review, Tentative Map and Use Permit with conditions.

VICINITY MAP



2012-7711
505 N. Mathilda Ave.
Design Review



PROJECT DATA TABLE

	EXISTING	APPROVED PROJECT (2012-7070)	PROPOSED	REQUIRED/ PERMITTED
General Plan	Industrial	Same	Same	Industrial
Zoning District	M-S-70% F.A.R. & M-S-100% F.A.R.	Same	Same	M-S-70% F.A.R. & M-S-100% F.A.R.
Lot Size (s.f.)	670,136	Same	Same	22,500 min.
Gross Floor Area (s.f.)	282,605	612,072	643,947	650,028
Lot Coverage (%)	37% (includes approved dev)	34%	Same as Approved	45% max.
Floor Area Ratio (FAR)	35% (550 Del Rey Ave.) 94% (including approved project site)	99% (over previously approved project area)	96% over entire project area	97% (70% of 53,710 & 100% of 616,428)
No. of Buildings	8	5 (4 office buildings + garage/amenity building)	5 (4 office buildings + garage/amenity building)	N/A
Distance Between Buildings (ft.)	35'	100'	100'	35' min.
Building Height (ft.)	18'	95' 6" (Buildings B & C) 73' 2" (Building D)	95' 6" (Buildings B & C) 83' 6" (Building D)	100 max. (as approved w/ change to zoning code.)
No. of Stories	1	6 (2 office buildings) 4 (1 office building) 3 (1 existing office building) 5 (parking garage)	6 (2 office buildings) 5 (1 office building) 3 (1 existing office building) 5 (parking garage)	8 max.
Setbacks (Facing Property)				
N. Mathilda Ave	25' – 95'	35' – 84'	Same as Approved	35' min.
W. Maude Ave.	34' – 58'	25' – 74'	Same as Approved	25' min.
Del Rey Ave.	67'	25' – 75'	Same as Approved	25' min.
N. Pastoria Ave	27' – 80'	25'	Same as Approved	25' min.
Landscaping				
Total Landscaping (s.f.)	124,849	250,082	258,732	123,286
% Based on Lot Area	18%	40.5%	38%	20% min.
% Based on Parking Lot	N/A	56.3%	56.3%	20% min.

	EXISTING	APPROVED PROJECT (2012-7070)	PROPOSED	REQUIRED/ PERMITTED
Frontage Width	15'	15'	Same as Approved	15' min.
Parking Lot Area Shading (%)	N/A	59%	58%	50% min. in 15 years
Parking				
Total Spaces	936	2,018	2,203	1,288 min. 2,575 max.
Standard Spaces	690	1,057	1,092	min.
Compact Spaces	229 (24%)	926 (46%)	1,076 (49%)	50% max.
Accessible Spaces	39	35	35	32
Covered Spaces	0	1,639	1,639	No min.
Aisle Width (ft.)	Unknown	26'	26'	26 min.
Bicycle Parking	0	110 (83 Class I, 27 Class II)	135 (101 Class I, 34 Class II)	108 min. (75% Class I, 25% Class II)
Stormwater				
Impervious Surface Area (s.f.)	546,719	454,306	507,310	No max.
Impervious Surface (%)	81.5%	73.7%	65.2%	No max.

BACKGROUND

Description of Proposed Project

The proposed project is for a modification to a previous Design Review (2012-7070) that was approved by City Council on June 19, 2012 for a 612,072 s.f. R&D office development, including two new six-story office buildings, one four-story office building, a five level parking structure and an amenity building- (. The proposal is to include an adjacent parcel located at 550 Del Rey Avenue for redevelopment into surface parking and to add a fifth story to the previously approved four-story R&D office building (Building "D") located along W. Maude Avenue. The site layout and design of the remaining buildings, parking structure, and amenity building would not be modified. Due to the size of the redevelopment and recent consideration of the project at public hearings, it was determined that the proposed modification warrants Planning Commission review.

The proposed fifth story adds a total of 31,875 square feet to Building D. The existing zoning of the additional parcel is MS-70% which enables approximately 37,956 floor area to be built; therefore, by incorporating the additional lot into the project, the project is not requesting additional floor area over what could be entitled under the current zoning. The existing 18,480 square foot building on the additional lot would be removed; therefore, a net increase of 13,395 of floor area is added to the overall development area (existing Del Rey Avenue building plus existing approved project). To support the overall floor area of the development, the additional parcel would be utilized for surface parking. As a result of the additional parcel and added floor area, the overall development is reduced from 99% to 96% FAR. The project also modifies the previously approved Tentative Map (2012-7544) that enabled individual building lots and common area by including the additional lot within the common lot.

Previous Actions on the Site

Previous planning applications for the site are summarized below:

File No.	Brief Description	Hearing/Decision	Date
7794	Futures Study (Industrial Re-Zoning)	City Council / Approved	10/5/1993
1998-1237	Miscellaneous Plan Permit and Design Review for a new 55% FAR three-story office building and site improvements (599 N. Mathilda Ave/Del Ray Ave)	Staff / Approved	5/10/1999
2001-0001 & 2001-0073	Design Review for a three-story office building and Rezone of two properties from M-S and M-S-70% FAR to M-S-55% FAR (510 N. Pastoria Ave. & 683 W. Maude Ave.)	City Council / Approved <i>(permit never exercised)</i>	2/8/2001
2012-7070	Design Review, Variance (Height) & Rezone (MS-100%) for the redevelopment of the site with three multi-story office buildings, parking structure, and amenity building.	City Council / Approved	6/19/12
2012-7544	Tentative Map & Use Permit to create individual building lots and common interest area lots.	Zoning Administrator / Approved	9/13/12

On June 19th, the City Council approved the redevelopment and rezoning (2012-7070) of the site by a 5-1 vote. The approved project allows for 612,072 square feet of R&D office development to be constructed and includes three new multi-story office buildings, a five level parking structure and a two-story

amenity building. An existing three-story office building will remain within the development area.

On September 13, 2012, a Tentative Map and Use Permit was approved, subsequent to a Zoning Administrative hearing on September 12, allowing the subdivision of the multi-parcel site into four individual building lots and two common lots for the use of common parking, amenity and landscape area.

EXISTING POLICY

The existing and proposed zoning is consistent with the General Plan land use designation of “Industrial” for the site.

General Plan Goals and Policies: The following are key goals and policies from the Land Use and Transportation Element of the General Plan which pertain to the proposed project:

Goal LT-6: Sustain a strong local economy that contributes fiscal support for desired City services and provides a mix of jobs and commercial opportunities.

Policy LT-6.2: Balance land use and transportation system carrying capacity necessary to support a vital and robust local economy.

Policy LT-6.4: Encourage sustainable industries that emphasize resource efficiency, environmental responsibility, and the prevention of pollution and waste.

Additional policies can be found in Attachment A, Recommended Findings.

Industrial Design Guidelines: The City’s Industrial Design Guidelines (1993) provide recommendations for site planning, architecture, and design. These guidelines are referenced in the discussion and analysis below.

DISCUSSION AND ANALYSIS

Present Site Conditions

The project site has been increased from a 14.2 acre to a 15.4 acre multi-parcel site through the inclusion of the additional parcel at 550 Del Rey Avenue. The development area is located at the northwest corner of N. Mathilda Avenue and W. Maude Avenue. The site is currently developed with:

- one three-story office building
- three two-story office buildings
- two one-story office buildings,
- one two-story motel, and
- a single-story concrete tilt-up building and two surface parking lots.

The proposal would demolish each of these buildings except the three-story office building located at 599 N. Mathilda Ave (facing Del Rey Ave). Existing site access consists of four driveways off Del Rey Avenue, two driveways off N. Mathilda Avenue, three off of W. Maude Avenue, and one off N. Pastoria Avenue. Minor modifications to the access points are discussed further in the report.

Overview of Development Proposal

Use: The proposal is to modify an approved project that consists of two new six-story office buildings (206,873 s.f. each) and one four-story office building (151,039 s.f.). An existing three-story R&D office building (73,425 s.f.) would remain. A 5,737 s.f. amenity building and five-level parking structure is included in the approved project to serve the new uses and tenants on-site. The new buildings would be considered Class A office buildings intended for R&D Corporate Office uses.

The approved total floor area is approximately 612,072 s.f. With the proposed modifications to allow a fifth story to the approved four-story building, the project would be approximately 643,947 s.f.

Floor Area Ratio: The previously approved project included a rezoning of the original project area to MS-100% FAR. Redevelopment was also approved at approximately 99% FAR. As a result of this modified proposal, the overall FAR would be reduced to approximately 96% FAR because land areas would be increased. The proposal does not request rezoning of the added parcel at 550 Del Rey Avenue, currently zoned M-S-70%. The additional floor area (31,875 s.f.) that is requested is within the amount that could be entitled under the current zoning. Although not requested in this proposal, approximately 6,081 s.f. would remain as possible future development area within the 70% FAR zoning. The proposal utilizes the entitled floor area from the additional parcel to achieve the added story on Building D which is currently zoned 100% FAR. As a result the project area includes two zoning districts (MS-100% and M-S 70%). Staff has included Conditions of Approval GC-17 that would restrict future development to not exceed 97.5% FAR of the total site area. This percentage is based on the combination of allowable F.A.R over the 15.38 acre site under the current zoning.

The additional square footage does not exceed the allowable 70% for the additional lot and therefore new development standards for projects exceeding 70% FAR area require LEED Gold with USGBC certification, Transportation Demand Management Program (TDM) and compliance housing mitigation standards would not apply if placed on the Del Rey parcel.

Green Building Standards: The additional floor on the Maude Avenue building project is part of the larger project with the LEED Gold requirement and is designed to meet LEED Gold with USGBC certification,

Development Reserve: Since the project does not request additional floor area over what could be entitled within the current zoning of the added parcel, there is no further deduction from the Development Reserve. Project 2012-7070 required the reduction of 194,577 s.f. from the reserve, as a result of the requested floor area and rezoning of the original project area.

Transportation Demand Management (TDM): Consistent with the previous approval, the project will be providing a TDM program as noted in the Conditions of Approval. The project is required to achieve a TDM goal of 20% total and 25% peak hour trip reductions with efforts to further reduce trip generation upon two years of full occupancy.

Housing Mitigation: The additional square footage is not subject to the requirement for housing mitigation as it does not exceed the allowable 70% FAR for the Del Rey parcel. The original project is subject to the requirement for all square footage above 70% allowable in the MS-100% FAR zone.

Design Review

Site Layout: The site layout remains largely unchanged from the approved project. Two six-story office buildings would be positioned along N. Mathilda Avenue with primary entrances at the corners facing an interior landscaped plaza. The modified five-story Building D (previously four-story) is proposed near the corner of W. Maude Ave. and N. Pastoria Ave. The primary entrance would also face the interior of the site and a separate landscaped plaza adjacent to the proposed parking structure. The five-level parking structure would be located at the center of the site. An amenity building is positioned at the western end of the parking structure facing the central plaza area between the six-story buildings. The added parcel at 550 Del Rey Avenue would be utilized entirely for surface parking to support the overall development and would be developed and landscaped to current code standards.

The vehicular access of the site would be modified by eliminating the driveways off N. Mathilda Avenue. Each of the driveways off of W. Maude Avenue and N. Pastoria Avenue would be reconfigured at the existing locations. As a result of the added parcel, one of the four existing driveways off Del Rey Avenue would be eliminated from the original project.

The plaza between the buildings has been designed to encourage pedestrian access from N. Mathilda Avenue. Other prominent site layout features include a water feature at the corner of Maude and Mathilda and a terraced planter

adjacent to the amenity building. Curved walls that may include future signage are positioned at the N. Mathilda Avenue street corners. Possible locations for public art are to be considered within the central plaza. The proposal includes significant landscape improvements and public sidewalk enhancements along the Mathilda Ave. and Maude Ave. frontages which are discussed further in the “Landscaping” section of the report.

(See Attachment D for site plans.) The following Guidelines were considered in analysis of the site design:

Industrial Design Guidelines (Site Design)	Comments
<i>A1. New development shall enhance the character of its surrounding area through quality architecture, and landscaping and appropriate site arrangement.</i>	The proposed plan enhances the site and surroundings through high-quality architecture and site design. The siting of the buildings allows for creative use of landscaping within centralized plaza areas and along the street. The location of the parking structure away from the street also allows for less surface parking and increased landscaping coverage.
<i>A2. New development in an area with an established character shall be compatible with its surrounding development in intensity, design, setback, building form, scale, material, and color and landscaping unless there are specific planning goals to change the character of an area.</i>	The proposed project is consistent with the developing character of sites similarly zoned to the north along N. Mathilda Avenue. The project continues the recent trend of Class A redevelopment within the Peery Park industrial neighborhood.
<i>B1. Site components such as structures, parking, driveways, and out-door functions shall be arranged and located to emphasize the aesthetically pleasant components of the site such as existing mature trees and views, or superior architectural features, and disguise its less attractive scenes such as service facilities, outside storage and equipment areas, and trash enclosures through placement and design of structure and landscaping.</i>	The proposal emphasizes a grand architectural presence along one of the City’s primary transportation corridors. The proposed plaza between the two new buildings on Mathilda Avenue encourages public access. The parking structure has been strategically placed at the center of the site to reduce its visibility. Pedestrian pathways have been designed to improve the overall connectivity and create an attractive campus environment.

Architecture: The proposal would not alter the architectural design of the approved project. The modification allows for a fifth story for Building D which is identical in form to taller approved Buildings B & C. As noted in the previous

project, the buildings would be considered Class A and constructed of a combination of glass and steel with aluminum and GFRC (glass fiber reinforced concrete) paneling. The buildings are uniquely designed with curvilinear form along the street frontages. The overall heights of each of the six-story buildings reach a peak of approximately 95’6” (as measured from top of curb) including roof screening. The four story buildings reach a peak of 83’ 6” to the top, including screening. The parking structures peak at 57’ 10” including the elevator tower. Solar panels which shade parking spaces on the roof extend the overall height up to approximately 65’.

Each building utilizes a similar form while mirroring each other on-site. The modern design utilizes angled glass pop outs at portions of the building’s façade and corners. Aluminum canopies at the corners have been provided at a pedestrian scale while integrating with the rest of the building.

The parking structure, which is setback considerably from the street, matches the office building with color and the use of aluminum panels and steel framing. Brushed stainless steel panels break up the mass along with concrete reveals. Solar panels on the roof also break up the expanse of the structure on the roof. The two-story amenity building positioned at the east side of the parking structure faces the central pedestrian plaza; it has a similar modern design as the office building. Aluminum paneling is designed above and around dual-pane tinted vision glass within the first level. A roof terrace is planned to be located on top of the amenity building (See Attachment D for architectural plans). The following Guidelines were considered in the analysis of the project architecture:

Industrial Design Guidelines (Building Design)	Comments
<i>B1. New buildings shall maintain diversity and individuality in style while improving aesthetic character of their surrounding area</i>	The proposed architectural style is distinctive and of high quality. The design will enhance the aesthetic character of the area which includes several newer Class A buildings. The proposal is consistent with nearby sites while using new forms and colors for variety.
<i>B2. Roof equipment shall be fully screened by parapets, roof screens or equipment wells.</i>	The proposed design includes a roof screen that is integrated into the form of the building and is composed of a combination of aluminum and GFRC panels on steel framing.

Industrial Design Guidelines (Building Design)	Comments
<i>B5. Main entrances of the buildings shall be well defined</i>	The main entrances of buildings which face the interior plaza and parking areas are well defined through the use of aluminum storefront canopies and glass features. Additional treatment to the landscaping and paved walkways also helps further define the building entrances.
<i>B6. New buildings shall have at least one major focal point and minor focal point. Focal points should be achieved through horizontal and vertical lines, change in material, change in color, changing the form and shape of a portion of the building, etc. Combining the main entrance and the focal points is encouraged.</i>	The curvilinear form of the building shape and treatment to the corners provide various focal points to the overall design. The horizontal and vertical form of the buildings is also broken up with the use of different materials and treatment.
<i>E1. A comprehensive material and color scheme shall be developed for each site.</i>	The proposed office building will be constructed of different forms of glass with steel framing along with aluminum panels. GFRC panels are also used at the corners and extend horizontally through portions of the building design. The proposed parking garage will be constructed mostly of precast concrete with similar accented aluminum and steel paneling as the rest of the buildings on-site.
<i>E3. Large expanses of high reflective surface and mirror glass exterior walls shall be avoided to prevent heat and glare impacts on the adjacent public streets and properties.</i>	The proposed office buildings will utilize tinted and spandrel glass along exterior facades. Mirror glass is not proposed. The project site is not adjacent to residential uses.

Landscaping: The proposed project will introduce a considerable amount of landscaping to the site over current conditions. Although the overall floor area of the site is increased, the amount of surface parking area is not significantly increased due the proposed parking structure located in the middle of the site. The structure allows for increased landscaping to be designed along the street frontages of the site which helps buffer the visibility of parking areas and add positively to the pedestrian experience. Additionally, the landscaping has been designed to accommodate plazas between the buildings and increased area for pedestrian connectivity throughout the site. The applicant’s most recent design has improved the pedestrian realm along W. Maude and N. Mathilda Avenue by

utilizing VTA guidelines to design the public sidewalks. The sidewalks will be widened and an integrated tree planting plan is also planned for this area. An eight-foot sidewalk is planned along N. Mathilda with a five foot planter strip that includes trees between the street and the sidewalk. Additionally, a double row of trees is planned along the private property side. Along W. Maude Avenue, a five-foot sidewalk and five-foot park strip is planned between the street and sidewalk. Trees will be planted continuously adjacent to the sidewalk on both sides. See Site Plan in Attachment D for more detail.

The project provides approximately 40% of the lot area as landscaping in compliance with current SMC requirements. The high percentage of landscaping will be located throughout the site and will include a variety of plant materials. There are 413 existing trees on-site, 160 of which are defined as protected by the SMC based on size. A total of 21 of those trees which are mostly located at the perimeter of the site will be retained. The applicant is also proposing to plant approximately 425 new trees within significantly upgraded landscaping. Staff recommends Condition of Approval BP-13f (Attachment B) requiring that any protected tree removed be replaced by a 36-inch box size tree. The proposal indicates compliance to the requirement for trees to provide a minimum 50% shading of parking and drive aisles within 15 years of planting. To ensure this requirement is met, staff has included Condition of Approval BP-13a. The following Guideline was considered in analysis of the project landscaping:

Staff has been working with the applicant to retain three large redwood trees located within at the northwest corner of the added parcel along the Del Rey Avenue frontage. In order to retain these redwoods, considered healthy and in good condition, it may be necessary to reconfigure the planned sidewalk and dedicate an easement on private property. Condition of Approval BP-15f requires that the site plan be modified, as necessary, to protect the three redwood trees at the northwest corner of the property along Del Rey Avenue.

Industrial Design Guidelines (Landscaping)	Comments
<i>A2. All areas not in use by structures, driveways, and parking spaces shall be properly landscaped.</i>	The project will significantly upgrade the current site landscaping while preserving existing mature trees where possible. All areas not utilized by structures, parking, and driveways will be landscaped with live plant materials, walkways, and patios.

Parking: Industrial and Corporation Office uses require a minimum of one parking space per 500 square feet of floor area and a maximum of one space per 250 square feet. The proposed project is consistent with this standard by providing approximately 1 parking space per 292 square feet of floor area. A

total of 564 surface parking spaces are provided in addition to the 1,639 spaces within the five-level parking structure (2,203 spaces total). As stated previously, site access is provided through multiple driveways along W. Maude Ave., Del Rey Ave., and Pastoria Ave. No vehicular access is provided along Mathilda Avenue for the new development. Staff recommends that access be removed from Mathilda Avenue to improve traffic flow along Mathilda Avenue. The proposed new driveways will be located similarly to the existing site driveways with minor reconfiguration.

Circulation: A Traffic Impact Analysis (TIA) was required for the original project due to the net increase in trip generation expected for the higher FAR that was proposed for the site. The TIA was amended to include the added floor area being requested. A more detailed discussion of trip generation and traffic analysis is provided in the Initial Study document (Attachment C, page 18). In addition, the applicant has submitted a Preliminary Transportation Demand Management (TDM) Program to further reduce vehicle trips.

Specific measures related to traffic mitigation include: roadway improvements along Mathilda Avenue to allow a lengthened right turn pocket; and, an extension to the left turn pocket along Pastoria Avenue. Furthermore, future dedication for a bike lane along Maude Avenue between Mathilda Avenue and Pastoria Avenue is required. Per VTA recommendations, bus stop duckout improvements are required. The Mitigation Measures have been incorporated as Conditions of Approval (Attachment B). No further mitigation measures are required as a result of the added floor area with the revised project.

TDM Program: The applicant has submitted a draft TDM Program prepared by Hexagon Transportation Consultants (Attachment F). The preliminary plan indicates a 20% reduction in daily vehicle and 25% reduction in peak hour trips. The TDM Plan would partially offset the proposed increase in density from the current maximum allowable floor area ratio (FAR) to the proposed FAR. The program proposes TDM measures including site design, a carpool/vanpool program, alternative work schedules, clean air vehicle parking, subsidized bicycle expenses, shower and clothes lockers, and ride matching assistance. The developer/property owner will initially provide a transportation coordinator who will be responsible for implementing the TDM program. Ultimately, the TDM Program will be managed by the building tenant(s).

Green Building: As noted in the previous proposal, the applicant will be seeking LEED Gold with certification. The preliminary checklist indicates that the project will exceed the minimum level for LEED Gold, which is 60 points, by targeting 71 points. Staff has included Condition of Approval GC-8 which requires green building measures to be implemented. The applicant is also

required to include in leases the need for all tenants to obtain LEED Gold certification for tenant improvements.

Tentative Map & Use Permit

In September, a Tentative Map and Use Permit was approved (2012-7544) by the Zoning Administrator that created individual legal lots around the footprint of each of four R&D office buildings, to create a common lot containing the parking structure and amenity building and to create a second common lot consisting of the remaining area on the site. With the requested modification, a revised Tentative Map is required to include the additional parcel that has been added to the project area. The additional 53,710 square feet will be utilized entirely as parking area and designated as part of the common lot.

Description of Tentative Map: The amended Tentative Map will result in a subdivision that will result in four individual (building footprint) lots and two common lots as shown in the table below.

Lot Name on Tentative Map	Common Name	Size (acres)
Parcel 1	Building A (existing building)	.633
Parcel 2	Building B	.946
Parcel 3	Building C	.946
Parcel 4	Building D	.877
Parcel 5	Parking Structure & Amenity Area (Common Lot)	2.668
Common Lot "A"	Common Parking Lot & Landscaping	9.056

Public Improvements: Public improvements are required consistent with the previous approval (2012-7070) with inclusion of the added parcel area.

Easements: Conditions of Approval require the reservation and abandonment of public/private easements. Such easements are located outside the building footprint areas and are not affected by the proposed subdivision.

Compliance with Development Standards

As conditioned, the proposed development meets SMC standards for the M-S 100% and M-S 70% zoning districts. The project complies with the Industrial Design Guidelines as discussed in the above sections. Conditions of Approval

require Conditions, Covenants, and Restrictions (CC&Rs) to be recorded addressing use and maintenance of the common areas and improvements.

Expected Impact on the Surroundings

The proposed project will include demolition of existing industrial and motel buildings. Short-term construction-related impacts will include increased noise and dust (see construction plan in Attachment C, page 3). These impacts are not expected to be significant as their proposed duration is short and there are no nearby sensitive uses such as residential. Long-term project impacts include increased building mass and height. As recommended by the Transportation Impact Analysis, staff has included mitigation measures to reduce impacts related to increased traffic to the site. The site plan and high-quality building design will improve the site and overall streetscape while minimizing negative impacts. The project is compatible in design to development in the surrounding Peery Park industrial area and may attract further interest for redevelopment opportunity.

Environmental Review

A Mitigated Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City guidelines (see Attachment C). An Initial Study determined that construction of the proposed project has the potential to result in significant effects on traffic, biological resources (possible disturbance of nesting birds) and cultural resources (possible discovery during excavation). Implementing mitigation measures during the construction phase will reduce these impacts to a less-than-significant level. Primary mitigation measures address traffic, which was previously discussed.

FISCAL IMPACT

The proposed project is anticipated to have a positive fiscal impact on the City. Redevelopment of the site as proposed will increase the assessed value of the property and is estimated to result in the City receiving an additional \$58,240 in property taxes annually. In addition, the proposed office building is designed to attract high-quality tenants such as corporate headquarters of technology companies. These tenants will have a positive economic impact by providing jobs and enhancing the image of the City. Total employees at this site are estimated to be 1,800 (vs. 800 potential employees with existing buildings). The businesses and the employees affect retail sales tax revenue by patronizing Sunnyvale businesses. There will be loss of Transient Occupancy Tax (TOT) averaging approximately \$10,000 per month over the past year and a half, due to removal of the motel. The office buildings are currently vacant; therefore, no loss of revenue will occur due to displaced tenants.

Transportation Impact Fee: Projects resulting in net new peak hour automobile trips are subject to a transportation impact fee (TIF). The TIF is estimated to be \$713,424.94 and must be paid prior to issuance of a building permit. The amount is subject to the fee schedule in place at the time of payment.

Housing Mitigation Fee: Industrial projects that exceed zoning thresholds are required to mitigate the demand for affordable housing created by the higher intensity development through payment of a Housing Mitigation Fee (SMC 19.22.035). Since the project would not be exceeding the standard FAR for the added parcel, the amount of the Housing Mitigation fee would not be increased from the previous project. The required fee for this development is estimated at \$1,587,524.50 (see Condition of Approval BP-11a, Attachment B).

PUBLIC CONTACT

Notice of Mitigated 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 • 93 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 Web site • 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 Web site

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings for the Use Permit with the recommended conditions. Recommended Findings and General Plan Goals are located in Attachment A.

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

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the Design Review, Vesting Tentative Map, and Use Permit with attached conditions.

2. Adopt the Mitigated Negative Declaration and approve the Design Review, Vesting Tentative Map, and Use Permit with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Design Review, Vesting Tentative Map, and Use Permit.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1: Staff recommends approval of the modified Design Review, Tentative Map and Use Permit to allow for an additional 31,875 s.f. and fifth story for Building D through the redevelopment of 550 Del Rey Avenue for the use of surface parking. The project would add only 13,395 square feet of building area over current conditions of the development area. The project further accommodates redevelopment of the site without any significant new impacts.

Reviewed by:

Reviewed by: Trudi Ryan, Planning Officer
Prepared by: Ryan M. Kuchenig, Associate Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Mitigated Negative Declaration
- D. Site and Architectural Plans
- E. Project Description from the Applicant
- F. Draft Transportation Demand Management Program
- G. Project Renderings

RECOMMENDED FINDINGS

Design Review

The City Council may approve any design review upon such conditions, in addition to those expressly provided in other applicable provisions of this code, as it finds desirable in the public interest, upon finding that the project's design and architecture will conform with the requirements of the "Citywide Design Guidelines" and/or "Industrial Design Guidelines."

As discussed in the body of the report, the proposed project meets the requirements of the requirements of the Industrial Design Guidelines."

Recommended Findings - Tentative Map

In order to approve the Tentative Map, the proposed subdivision must be consistent with the general plan. Staff finds that the Tentative Map is in conformance with the General Plan. However, if any of the following findings can be made, the Tentative Map shall be denied. Staff was not able to make any of the following findings and recommends approval of the Tentative Map.

1. *That the subdivision is not consistent with the General Plan.*

The design of the subdivision is consistent with the General Plan.

2. *That the design or improvement of the proposed subdivision is not consistent with the General Plan.*

The proposed improvements are consistent with the previously approved rezoning (2012-7070) and General Plan.

3. *That the site is not physically suitable for the proposed type of development.*

The site is physically suitable for proposed industrial development as conditioned.

4. *That the site is not physically suitable for the proposed density of development.*

The proposed improvements are consistent with the previously approved rezoning (2012-7070) and General Plan.

5. *That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

A Mitigated Negative Declaration was prepared to address the potential impacts of the development on the site. No additional environmental impacts will result from the proposed subdivision.

6. *That the design of the subdivision or type of improvements is likely to cause serious public health problems.*

A Mitigated Negative Declaration was prepared to address the potential impacts of the development on the site. No public health impacts will result from the proposed subdivision.

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.*

There are several public utility easements located on the subject site, but they are located outside the building footprint areas and are not affected by the proposed subdivision.

8. *That the map fails to meet or perform one or more requirements or conditions imposed by the "Subdivision Map Act" or by the Municipal Code*

The proposed subdivision is consistent with the Subdivision Map Act and the Sunnyvale Municipal Code. The subdivision creates legal lots bounded by the footprint of each office building on the site, as well as two common lots.

Staff was not able to make any of the findings above (B.1-8), and therefore recommends approval of the Tentative Map.

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element.

Policy LT-1.3 – *Promote integrated and coordinated local land use and transportation planning.*

Policy LT-7.1 – *Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.*

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

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project, as conditioned, provides for common ownership of the parking, landscaping and amenity facilities for the campus. Conditions of Approval further ensure Code standards are met and allow for the City's long-term goals for this industrial neighborhood. Further site upgrades enhance the accessibility of the site through traffic and VTA improvements.
2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because it does not provide for an increase beyond previously approved uses and will not have a negative impact on the neighboring properties.

General Plan Goals and Policies

Land Use and Transportation

Goal LT-6: *Supportive Economic Development Environment -Sustain a strong local economy that contributes fiscal support for desired City services and provides a mix of jobs and commercial opportunities.*

Action Strategy LT-6.3a *Support land use policies to achieve a healthy relationship between the creation of new jobs and housing.*

Housing

Policy HE-1.4 *Continue to require office and industrial development to mitigate the demand for affordable housing.*

Community Character

Goal CC-3 *Well Designed Sites and Buildings — Private Development: Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.*

Policy CC-3.1: *Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.*

ATTACHMENT B

DRAFT CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS NOVEMBER 12, 2012

Planning Application 2012-7711 505 North Mathilda Avenue

Design Review for a modification to a previously approved application (2012-7070) to allow a fifth story on Building "D" and the redevelopment of an additional parcel for parking area.

Tentative Map & Use Permit to subdivide six industrial lots into four lots (individual buildings) and two common interest lots. (A Modification to Previous Tentative Map & Use Permit approval 2012-7544)

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above, superceding previous project approvals (2012-7070 and 2012-7544). The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

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

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

GC-1. CONFORMANCE TO APPROVED PLANNING APPLICATION: All building permit drawings and subsequent construction and operation shall substantially conform to 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 Design Review, Tentative Map, and Use 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. PUBLIC IMPROVEMENTS: The developer is required to install all public improvements, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signage, etc. as required by the Director of Public Works. All public improvements shall be designed and constructed in accordance with current City standard details and specifications, and approved by the Department of Public Works. [COA] [PUBLIC WORKS]
- GC-4. DEFICIENT PUBLIC IMPROVEMENTS: Any and all existing deficient public improvements which are not in accordance to the latest City standards shall be upgraded to current City standards as required by the Director of Public Works, such as the existing underground double check detector assembly, the backflow preventer and its enclosures, and as identified on the off-site improvement plans. [COA] [PUBLIC WORKS]
- GC-5. PUBLIC IMPROVEMENTS: All public improvements must be completed prior to first building occupancy. [PUBLIC WORKS]
- GC-6. USES: The building is approved for use by industrial, corporate office, and research and development office uses. Medical offices and medical clinics are not permitted by this Design Review due to insufficient parking and changes to the traffic analysis that would be needed. Medical office and clinic uses require separate review and approval by the Director of Community Development. [COA] [PLANNING]
- GC-7. PARCEL MAP REQUIRED: This project is subject to, and contingent upon, the recordation of a Parcel Map prior to any permit issuance. All existing and proposed property lines, easements, dedications shown on the vesting tentative map are subject to City's technical review during the parcel map process. [COA] [PUBLIC WORKS]
- GC-8. GREEN BUILDING REQUIREMENTS:
a) **New Office Buildings:** The new buildings shall be constructed to meeting LEED Gold level and shall be submitted to USGBC for formal certification. All tenants will be required to obtain LEED

Gold level and shall submit to USGBC for formal certification of the tenant improvements.

- b) **Existing Building:** The existing building shall be certified LEED Gold (existing building program). The process for existing building certification shall commence no later than the start of the next lease; best efforts are required to achieve LEED Gold EB prior to that date. All new leases in the existing building shall obtain LEED Gold certification for tenant improvements. [COA] [PLANNING]

GC-12. SHADING STUDY:

A shading study shall be provided by the applicant and reviewed by staff to indicate shading impacts to the residential neighborhood to the east. If it is determined to be unacceptable, the project shall be review by the Planning Commission for review.

GC-13. EXISTING MONITORING WELLS:

Obtain and provide written approval of any well destruction along the project frontage and from Santa Clara Valley Water District (SCVWD) prior to encroachment permit issuance. [COA] [PUBLIC WORKS]

GC-14. ROADWAY GEOMETRY:

This tentative map is subject to approval of the roadway geometry to comply applicable Planning Permit 2012-7070 conditions. The parcel map and improvement plans shall be in compliance with City approved roadway geometry. Developer is responsible to pay and implement any relocation and modification of existing improvements.

GC-15. EASEMENTS:

Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project shall be recorded with the map or prior to occupancy for public easements (such as Emergency Vehicle Access Easement, Public Utility Easement, Public Sidewalk Easement, etc.) Quitclaim deed is required for abandonment of private easements) no permanent structures are allowed within any of the easement limits. [PUBLIC WORKS]

GC-16. PUBLIC IMPROVEMENTS:

All public improvements must be completed prior to first building occupancy. [PUBLIC WORKS]

GC-17. MAXIMUM DEVELOPMENT AREA:

The maximum FAR for the site shall not exceed 97.5% under the current M-S-70% FAR (1.23 acres) and M-S-100% FAR (14.15 acres) zoning for the site.

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. PARKING AND CIRCULATION PLAN:
Submit a revised parking and circulation plan subject to review and approval by the Director of Community Development prior to submittal of a building permit. The parking and circulation plan shall include all striping and signage required to direct on-site vehicles. It is recommended that on-site striping and signage be in accordance with the latest CA MUTCD [COA] [PLANNING]
- PS-3. UNDERGROUND UTILITIES:
The applicant shall demonstrate that all project utilities including transformers can be placed underground in compliance with SMC requirements. Any modifications shall be submitted to the Director of Community Development for review through a Miscellaneous Plan Permit prior to submittal of building permit plans. [COA] [PLANNING]

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

- TM-1. PARCEL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:
The parcel map shall be substantially the same as the vesting tentative map. Any alteration of the conditionally approved vesting tentative map is subject to additional approval by the City prior to parcel map approval. [PUBLIC WORKS]
- TM-2. DEVELOPMENT FEES:
Development fees associated with the entire subdivision, including but not limited to utility frontage and/or connection fees, off-site improvement plan check and inspection fees, shall be paid prior to recordation of the parcel map or encroachment permit issuance whichever occurs first. [PUBLIC WORKS]

TM-4. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&Rs) (DRAFT REVIEW):

Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development and the City Attorney. Four (4) sets of the CC&Rs including all information required below shall be submitted to the Engineering Division of the Public Works Department for routing. In addition to requirements as may be specified elsewhere, the CC&R's shall include the following provisions:

- a) Membership in and support of an association controlling and maintaining all common facilities shall be mandatory for all property owners within the development.
- b) The owners association shall obtain approval from the Director of Community Development prior to any modification of the CC&R's pertaining to or specifying the City.
- c) The developer shall create Owner's Associations which comport with the state law requirements for Common Interest Developments. Conditions, Covenants, and Restrictions (CC&Rs) shall be recorded to address issues of common use and maintenance for the campus development.
- d) The Standard Development Requirements and Conditions of Approval included as part of the approved Planning Application, Permit #2012-7711, and associated map shall be incorporated into the CC&Rs as an exhibit or attachment. The included map shall clearly indicate all public/private easements as disclosure for property owners. The CC&Rs shall include a list of all attachments and/or exhibits.
- e) The CC&Rs shall contain language for Best Management Practices "Agreement to Maintain" pursuant to Sunnyvale Municipal Code 12.60.200.
- f) The CC&Rs recorded for the campus as a whole shall state that the amenities building must be maintained in common by all buildings in the campus and cannot be sold for separate ownership.
- g) The CC&Rs shall contain the following provisions:
 - i) The owners association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site.
 - ii) Property owners are prohibited from modifying drainage facilities and/or flow patterns unless reviewed and approval granted from the Public Works Department.
- h) The CC&Rs shall contain the following language:
 - i) "Right to Remedy Failure to Maintain Common Area. In the event that there is a failure to maintain the Common Area so that owners, lessees, and their guests suffer, or will suffer, substantial diminution in the enjoyment, use, or property

value of their Project, thereby impairing the health, safety and welfare of the residents in the Project, the City, by and through its duly authorized officers and employees, will have the right to enter upon the subject Property, and to commence and complete such work as is necessary to maintain said Common Area. The City will enter and repair only if, after giving the Association and Owners written notice of the failure to maintain the Common Area, they do not commence correction of such conditions in no more than thirty (30) days from the giving of the notice and proceed diligently to completion. All expenses incurred by the City shall be paid within thirty (30) days of written demand. Upon a failure to pay within said thirty (30) days, the City will have the right to impose a lien for the proportionate share of such costs against each lot in the Project.

- ii) It is understood that by the provisions hereof, the City is not required to take any affirmative action, and any action undertaken by the City will be that which, in its sole discretion, it deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
- iii) It is understood that action or inaction by the City, under the provisions hereof, will not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
- iv) It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law will be cumulative and not exclusive of the maintenance of any other remedy. In this connection, it is understood and agreed that the failure to maintain the Common Area will be deemed to be a public nuisance and the City will have the right to abate said condition, assess the costs thereof, and cause the collection of said assessments to be made on the tax roll in the manner provided by appropriate provisions of the Sunnyvale Municipal Code or any other applicable law.
- v) No Waiver. No failure of the City of Sunnyvale to enforce any of the covenants or restrictions contained herein will in any event render them ineffective.
- vi) Hold Harmless. Declarant, Owners, and each successor in interest of Declarant and said Owners, hereby agree to save, defend and hold the City of Sunnyvale harmless from any and

all liability for inverse condemnation which may result from, or be based upon, City's approval of the Development of the subject Property." [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

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. STORMWATER MANAGEMENT PLAN:

Submit four 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. The stormwater management plan for #2012-7070

- shall be updated to include the new parking lot area west of Building A. [COA] [PLANNING/PUBLIC WORKS]
- BP-5. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third party certification of the Storm Water Management Plan is required per the following document: “City of Sunnyvale – Storm Water Quality BMP Guidance Manual for New and Redevelopment Projects - Step 2B: Initiate Third Party Certification of Design Criteria”. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]
- BP-6. 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-7. RECYCLING AND SOLID WASTE ENCLOSURE:
The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:
- a) Match the design, materials and color of the parking garage building into which the enclosure will be integrated.
 - b) Be of masonry construction.
 - c) Provide screening of the enclosure interior through solid/opaque enclosure doors. [COA] [PLANNING]
- BP-8. 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-9. SOLID WASTE DISPOSAL PLAN:
A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-10. ROOF EQUIPMENT:
Roof vents, pipes, flues, and equipment shall be combined and/or collected together 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-11. FEES AND BONDS:
The following fees and bonds shall be paid in full prior to issuance of building permit:

- a) HOUSING MITIGATION FEE - If the City Council does not approve the requested rezone or if the zoning code is modified prior to issuance of building permits, a Housing Mitigation Fee of \$9.08 per square foot of floor area exceeding 70% FAR limitation is required. The required fee for this development would be estimated at \$1,587,524.50 fee, prior to issuance of a building Permit. (SMC 19.22). [SDR] [PLANNING]
- b) TRAFFIC IMPACT FEE - Pay Traffic Impact fee for the net new peak hour trips resulting from the proposed project estimated at \$713,424.94 that will be calculated prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- c) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the office building shells will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. (SMC 19.52.030) [SDR] [PLANNING]

BP-12. ART IN PRIVATE DEVELOPMENT:

- a) Publicly visible artworks shall be provided. The artwork shall be integrated into the building architecture or landscape and be designed specifically for this site to ensure a strong association with the site and context.
- b) An Art in Private Development application shall be submitted to the Director of Community Development, subject to review and approval by the Arts Commission, prior to issuance of a building permit. The Director of Community Development may accept a bond in lieu of an application for Art in Private Development; however, an application must be filed prior to occupancy of any new building.[COA] [PLANNING]

BP-13. LANDSCAPE PLAN:

Parking lot shading data shall be included in the landscaping plans.

- a) Parking lot landscaping shall comply with the requirement for 50% shading of parking areas and drive aisles within 15 years of planting.
- b) All areas not required for parking, driveways or structures shall be landscaped.
- c) Provide trees at minimum 30-foot intervals along the side and rear property lines, except where mature trees are located immediately adjoining on neighboring properties.

- d) Deciduous trees shall be provided along southern and western exposures where possible for passive solar heating and cooling purposes.
- e) At least ten percent (10%) of trees planted shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- f) Any “protected trees” (as defined in SMC 19.94) approved for removal shall be replaced with a specimen tree of at least 36-inch box size.
- g) Ground covers shall be planted so as to ensure full coverage eighteen months after installation.
- h) Landscaping plans shall demonstrate compliance with the water efficient landscaping requirements in SMC 19.37.
- i) Landscaping plans and stormwater management plans shall be developed in conjunction with each other to prevent conflicts.
- j) Decorative paving as shown on the approved site plans shall be retained as an integral landscaping feature of the final building permit plans.
- k) Backflow devices and other appurtenances shall include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located above ground. Screening shall consist of black metal mesh with rounded top covers (e.g. – “mailbox style”) and may also incorporate landscaping as additional screening. [COA] [PLANNING]

BP-14. LANDSCAPE MAINTENANCE PLAN:

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

BP-15. TREE PROTECTION PLAN:

Prior to issuance of a demolition permit, a grading permit or a building permit, whichever occurs first, obtain approval of a Tree Protection Plan from the Director of Community Development. The Tree Protection Plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.

- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) Overlay civil plans including utility lines to ensure existing tree root systems are not damaged during utility work.
- e) The tree protection plan shall be installed prior to issuance of any building, grading, or demolition permits, subject to on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans.
- f) The three existing redwood trees at the northwest corner of the property, along the Del Rey Avenue frontage, shall be preserved. If necessary, the sidewalk shall be reconfigured and an easement shall be dedicated to preserve the redwood trees. [COA] [PLANNING/CITY ARBORIST]

BP-16. FENCES AND WALLS:

Design, height, and location of any proposed fencing or walls shall be subject to review and approval by the Director of Community Development. [COA] [PLANNING]

BP-17. 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) 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-18. TRANSPORTATION DEMAND MANAGEMENT:

A final Transportation Demand Management (TDM) Program shall be submitted for review and approval by the Director of Community Development Prior to issuance of a building permit. The final TDM program shall incorporate the following:

- a) The program goals require an initial requirement for a minimum of a 20% reduction in total daily vehicle trips and a minimum of a 25% reduction in daily peak hour vehicle trips. The TDM program must include a good faith effort to achieve a minimum 25% reduction in total daily vehicle trips and 30% reduction in daily peak hour trips. The initial TDM program must also include an advocacy program to transit providers and business groups to provide services supporting reduced vehicle trips at this site.
- b) A formal review and evaluation of the TDM by the Director of Community Development is required two years after full occupancy. The program goals may be increased up to 25% total and 30% peak hour reductions based on performance of site and/or changes to the transit environment.
- c) A penalty clause shall be included for non-compliance with the TDM measures. Penalties shall vary with the level of compliance and shall be calculated based on the estimated cost per employee of implementing a successful TDM Program.
- d) All lease agreements with future tenants of the site shall note that the tenant is responsible for implementing and managing the TDM Program. [COA] [PLANNING]

BP-19. GREEN BUILDING:

Final plans shall incorporate a completed LEED green building checklist demonstrating the project design achieves a LEED Gold level verified by a qualified LEED consultant. [COA] [PLANNING]

BP-20. CITY STREET TREES:

The landscape plan shall including existing and proposed City street trees and shall be submitted for review and approval by the City

Arborist prior to issuance of building permit. [COA]
[ENGINEERING/CITY ARBORIST]

BP-21. PHOTOMETRIC PLAN:

Prior to issuance of a building permit submit a contour photometric plan for review and approval by the Director of Community Development. [COA] [PLANNING]

BP-22. LIGHTING PLAN:

Prior to issuance of a building permit, submit a detailed lighting plan for review and approval by the Director of Community Development. The plan shall include light fixture design, materials, and colors as well as information on photocell control, shielding, vandal-resistant covers, lighting type, and energy efficiency.

a) All lights in the upper floors of the office buildings (Levels 3 and higher) shall be on automatic timers so that lights turn off after workers leave each day.

b) To the extent feasible, interior lighting design shall minimize spill-over of light to residential areas during evening hours. One possible feature is mechanized window coverings on timers. Alternative design measures can be implemented. Specifications are subject to review and approval of the Director of Community Development.

BP-23. 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-24. BICYCLE SPACES:

Provide a minimum of 81 Class I bicycle parking spaces and a minimum of 27 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) or as approved by the Director of Community Development. [COA] [PLANNING]

BP-25. BICYCLE SUPPORT FACILITIES:

Indoor shower and locker facilities shall be provided for men and women consistent with the initial TDM plan and shall be subject to review and approval by the Director of Community Development prior to issuance of a building permit. [COA] [PLANNING]

BP-26. CARPOOL PARKING:

The plans submitted for building permits shall incorporate preferential parking spaces reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and

pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle. [COA] [PLANNING]

BP-27. MITIGATION MEASURE – BIOLOGICAL RESOURCES:

Final construction drawings shall incorporate all mitigation measures related to biological resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below. **MITIGATION MEASURE**

WHAT:

In conformance with Federal and State regulations regarding protection of raptors, the following CDFG protocols shall be completed prior to any development on the site to ensure that development does not disturb nesting raptors:

1. *Avoidance.* Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.

2. *Preconstruction/Pre-disturbance Surveys.* If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be conducted no more than seven days prior to the initiation of demolition/construction activities. During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation.

3. *Inhibit Nesting.* If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

WHEN:

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

WHO:

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

HOW:

The conditions of approval will require these mitigation measures to be incorporated into the project construction plans.
[COA] [PLANNING]

BP-28. **MITIGATION MEASURE – CULTURAL RESOURCES:**

Final construction drawings shall incorporate all mitigation measures related to cultural resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below.

MITIGATION MEASURE

WHAT:

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

2) In the event that subsurface cultural resources are encountered during approved ground-disturbing activities for a project area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described below. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

- Planning construction to avoid the archaeological site;
- Incorporating the site within a park, green space, or other open space element;

- Covering the site with a layer of chemically stable soil; or
- Deeding the site into a permanent conservation easement.

3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities. A data recovery plan and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the California Historical Resource Regional Information Center [CEQA Guidelines section 15126.4(b)]. In the event that subsurface cultural resources are otherwise encountered during approved ground-disturbing activities for a project area construction activity, work in the immediate vicinity shall be stopped and a qualified archaeologist retained to evaluate the finds following the procedures described above. If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.4(b) shall apply.

WHEN:

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

WHO:

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

HOW:

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

[COA] [PLANNING]

BP-29. MITIGATION MEASURE – AIR QUALITY:

Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under “Mitigation Measures” in the approved environmental document and as noted below. **MITIGATION MEASURE**

WHAT:

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

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

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

WHEN

These mitigation measures shall be converted into conditions of approval for the Design Review (DR) prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

WHO

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

HOW

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

BP-30. **MITIGATION MEASURE – TRAFFIC:**

Final construction drawings shall incorporate all mitigation measures related to cultural resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below.

MITIGATION MEASURE

Traffic Impact Fee (TIF):

WHAT

TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts of the proposed development. These TIFs will be used by the City as part of the ongoing study and upgrade of the City’s transportation systems including the Mathilda Avenue 101/237 intersection to offset the contribution of project-generated traffic on local roadways.

WHEN

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

WHO

The property owner/developer shall be solely responsible for payment of the TIF.

HOW

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

Turn Pockets:

WHAT

- 1) Implement a full width (min. 12 ft.) right turn lane on south bound Mathilda Ave. onto Maude Ave. for approximately 300 feet in length, excluding required taper length. Provide complete off-site improvement plans for City's review and approval. This project is required to provide adequate right-of-way along the west side of Mathilda Avenue, as needed and as identified on the off-site improvement plans. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 2) The existing southbound left turn pocket on Pastoria Avenue at Maude Avenue shall be restriped with extended length to 150 feet plus a 60-foot taper. Provide a signing and striping plan for City's review and approval as part of the off-site improvement plans and restripe accordingly.

WHEN

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

WHO

The developer will be solely responsible for implementation and maintenance of these conditions.

HOW

The conditions of approval will require these mitigation measures to be incorporated into the off-site improvement plans with details and implemented as part of the project's construction.

Pedestrian, Bicycles and Transit:

WHAT

- 1) A minimum of 81 Class I and 27 Class II bicycle parking spaces shall be provided for this project. Bike parking spaces shall be shown on the on-site plans and be approved by the City prior to building permit issuance. The bike parking spaces should be placed in accessible, secure, and well-lit locations near the building entrances.
- 2) To comply with the City's Bicycle Plan, provide a signing and striping plan for Maude Avenue (curb to curb) from Mathilda Avenue to Pastoria Avenue to demonstrate additional 5 feet bike lanes on both sides of Maude Avenue. The plan shall be submitted as part of the off-site improvement plans for City's review and approval. This project is required to provide adequate right-of-way along the north side of Maude Avenue, as needed and as identified on the signing and striping plan. This project is also required to implement the ultimate street curb location on the north side of Maude Avenue, including the northwest curb return at Mathilda Avenue and Maude Avenue. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 3) To comply with the City's Bicycle Plan, provide a signing and striping plan for the west side of Mathilda Avenue (west of the center median) from Del Rey Avenue to Maude Avenue to demonstrate additional 5 feet bike lanes on west side of Mathilda Avenue. The plan shall be submitted as part of the off-site improvement plans and subject to City's review and approval. This project is required to provide adequate right-of-way along the west side of Mathilda Avenue between Del Rey Avenue and Maude Avenue, as needed and as identified on the signing and striping plan. This project is also required to implement the ultimate street curb location for the west side of Mathilda Avenue from Del Rey Avenue to Maude Avenue. Any on-site private improvements in conflict with the right-of-way shall be modified during the plan review process.
- 4) Install a bus stop duckout in accordance with the current VTA design standards for the existing bus stop located on Mathilda Ave. just south of del Rey Ave. Install a minimum 10 feet by 55 feet Portland Cement Concrete (PCC) bus pad, a bus shelter, and a minimum 8 feet by 40 feet sidewalk adjacent to the bus stop.; Trees and landscape items should be placed at the back-of-walk or outside of the bus stop area.

WHO The developer shall implement these mitigations during the construction of the project.

HOW

The conditions of approval will require these mitigation measures to be incorporated into the off-site improvement plans and implemented as part of the project's construction.

HOW

The conditions shall be incorporated into the construction plans. The fees shall be paid to the City and the City shall implement the mitigation through City sponsored projects and programs.

Construction Impacts:

WHAT

The parking structure shall be constructed prior to or concurrently with new office buildings to avoid parking concerns.

All construction related materials, parking and equipment shall be stored on site unless approved in advance by the City's Engineering Division through an encroachment permit, and the public streets shall be kept free of construction debris.

WHEN

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

WHO

The developer shall be required to construct the improvements.

HOW

This mitigation measure shall be incorporated into the construction plans.

BP-31. **MITIGATION MEASURE – HAZARDOUS MATERIALS:**

Final construction drawings shall incorporate all mitigation measures related to hazardous materials as set forth under "Mitigation Measures" in the approved environmental document and as noted below. **MITIGATION MEASURE**

Site Management Plan

WHAT

The SMP should include the following:

- 1) Site control procedures to control the flow of personnel, vehicles and materials in and out of the Site.
- 2) Measures to minimize dust generation, storm water runoff and tracking of soil off-Site as well as to reduce the potential for the creation of preferential pathways (vertical or horizontal) for

chemicals of potential concern detected in ground water beneath the Site.

- 3) Geotechnical recommendations to excavate and re-compact loose fill that may have been placed into the UST excavation. If pockets of suspected contaminated soil are encountered in these areas, protocols should be provided to segregate “clean” soil from soil suspected to be contaminated.
- 4) If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternatives should be described.
- 5) Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- 6) Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during Site development activities.
- 7) Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- 8) Procedures to evaluate and document the quality of any soil imported to the Site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- 9) Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors.
- 10) Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- 11) Appropriate measures will be implemented to reduce soil vapor and ground water migration through trench backfill and utility conduits.
- 12) Protocols to pre-characterize/profile soil planned to be excavated during construction activities to evaluate cost effective disposal facilities and to obtain their acceptance of this material prior to grading activities.

Asbestos Containing Building Materials (ACBMs)

Due to the age of the on-Site structures, building materials may contain asbestos. ACBM is less likely to be present in the newer buildings.

- 1) If demolition, renovation, or re-roofing of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable ACBMs prior to building demolition or renovation that may disturb the ACBM.

Lead-Based Paint

The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the 510 North Pastoria Avenue and 683-685 West Maude Avenue buildings, lead-based paint may be present. If demolition is planned, the removal of lead-based paint isn't required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it should be removed prior to demolition.

- 1) Applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others.
- 2) Any debris or soil containing lead must be disposed appropriately.

Ground Water Monitoring Wells

Several ground water monitoring wells were observed at the Site that appeared to be those associated with off-Site spill incidents. These wells will either need to be appropriately abandoned or protected during redevelopment activities. The relocation of some wells may be required. This work should be coordinated with the parties responsible for the up-gradient spill incidents and the appropriate overseeing regulatory agencies.

- 1) Confirmation shall be obtained that all wells associated with the former on-Site Shell station LUST case have been appropriately destroyed under permit from the Water District.

WHEN

This mitigation shall be converted into conditions of approval for this Design Review (DR) prior to its final approval by the City's City Council. The conditions will become valid when the DR is approved and prior to building permit issuance. These permits are required prior to any demolition or construction on site.

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-34 MITIGATION MEASURE – HAZARDS & HAZARDOUS MATERIALS:

The project site is within one mile of an airport land use plan because of the site's proximity to Moffett Federal Air Field. The proposed project could have air traffic safety impacts if the height of the buildings resulted in interference with air traffic. The Federal Aviation Administration (FAA) is responsible for determining whether the project would result in a safety hazard for air traffic. The regulations address potential light, glare, and air emissions that could distract

aircraft operators. Based on the draft Airport Land Use Plan for Moffett Field, the proposed project would not interfere with air traffic result in any significant safety hazards for people residing or working in the project area. The draft airport land use plan is scheduled for review by the Santa Clara County Airport Land Use Commission on June 27, 2012. The following mitigation measures shall apply to the project.

WHAT

If the project is approved after adoption of the Airport Land Use Plan and conflicts with any adopted standards, the project is required to attain necessary clearance by the FAA prior to building permit issuance.

WHEN

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

WHO

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

HOW

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

BP-35. UNDERGROUND UTILITIES:

All utilities shall be placed underground, including boundary lines and transformers, in compliance with SMC requirements. The applicant shall provide a copy of an agreement with affected utility companies for undergrounding of any existing overhead utilities which are on-site or within adjoining rights-of-way prior to issuance of a building permit. [SDR] [PLANNING]

BP-36. UTILITY CONDUITS:

Install conduits along the project frontage for cable television, electrical and telephone lines in accordance with standards required by utility companies. Submit a conduit plan prior to issuance of a building permit. [COA] [PLANNING]

BP-37. FIRE PROTECTION WATER SUPPLY:

The water supply for fire protection and fire fighting shall be approved by the Department of Public Safety prior to issuance of building

permits. A fire hydrant will be required within 50 feet of the FDC on the same side of the street. [SDR] [DPS/FIRE PREVENTION]

BP-38. FIRE SPRINKLERS:

A fully automatic fire sprinkler system, fire alarm system, standpipes, and smoke control system are required. Trash enclosures located within 5 feet of building exterior walls or overhangs require fire sprinkler protection. [SDR] [DPS/FIRE PREVENTION]

BP-39. FIRE EXTINGUISHERS:

Provide the required number of approved fire extinguishers. [SDR] [DPS/FIRE PREVENTION]

BP-40. FIRE HYDRANTS:

Replace all fire hydrants on the project site and along the project frontages which are 30 years or older. [COA] [DPS/FIRE PREVENTION/PUBLIC WORKS ENGINEERING]

BP-41. FIRE ACCESS ROADS:

Provide fire access roads as required by Fire Prevention Services. On-site fire hydrants may be required along fire access roads and/or in parking lots. [SDR] [DPS/FIRE PREVENTION]

BP-42. KNOX BOX: A Knox (key) box will be required for site and building access in accordance with Fire Prevention guidelines. [COA] [DPS/FIRE PREVENTION]

BP-43. RADIO RETRANSMISSION:

Radio retransmission equipment may be required for emergency responder radio coverage. [COA] [DPS/FIRE PREVENTION]

BP-44. CONSTRUCTION FIRE ACCESS:

Prior to any combustible materials on-site, provide fire access drives and operational on-site fire protection systems. [SDR] [DPS/FIRE PREVENTION]

BP-45. FIRE PROTECTION PLAN:

Provide a written Fire Protection Construction Plan for review and approval by Fire Prevention Services prior to issuance of building permits. [SDR] [DPS/FIRE PREVENTION]

BP-46. ELECTRONIC PLANS:

Provide an electronic version of building permit plans to Fire Protection Services to assist with Fire Department "Pre-Fire Survey" maps. [SDR] [DPS/FIRE PREVENTION]

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

- EP-1. OFF-SITE LANDSCAPE PLANS:
Submit separate landscape plans that show existing and proposed City street trees, ground covers, irrigation system and other appurtenances or review and approval by the Public Works Department prior to issuance of the encroachment permit or map recordation, whichever occurs first. [COA] [PUBLIC WORKS]
- EP-2. STREET TREES:
Any mature existing street trees in healthy condition shall remain to the extent possible and shall be protected during construction. No utility trench shall be allowed within a 15' radius of an existing mature street tree. No street trees are to be planted within 10' of any sanitary sewer laterals. Any new street trees shall be a minimum 24" box size and species shall be Heritage Birch (*Betula Nigra*). [PUBLIC WORKS]
- EP-3. MATURE EXISTING STREET TREES:
All existing street trees in healthy condition shall remain to the extent possible and shall be protected during construction. No utility trench shall be allowed within a 15' radius of an existing mature street tree. Boring, air spade or other excavation method as approved by the City Arborist. [PUBLIC WORKS]
- EP-4. PUBLIC FIRE HYDRANTS:
Replace all fire hydrants along the project frontages with Clow 75. Public fire hydrants shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc. for a minimum of four feet. [COA] [DPS/FIRE PREVENTION/PUBLIC WORKS]
- EP-5. PUBLIC SIDEWALKS:
Install new public sidewalks along Pastoria Avenue and Maude where there are no existing sidewalks and where sidewalk location needs to be modified to accommodate a future bicycle lane and minimum five foot landscape strip between the curb and the sidewalk. Install root barriers according to the latest City standards. No decorative paving shall be installed in the public right-of-way. [COA] [PUBLIC WORKS]
- EP-6. PUBLIC SIDEWALK EASEMENTS:
Dedicate public sidewalk easements for all existing sidewalk and new sidewalk located on private property with separate instrument. [PUBLIC WORKS]

- EP-7. ABANDONMENT OF EXISTING FIRE SERVICE AND DOMESTIC WATER SERVICE:
The existing fire and domestic water service lines fronting the proposed parking lot west of Building “A” shall be abandoned in accordance with City standard abandonment notes. The re-use of any existing public facilities including, but not limited to, the following: SS, SD and Water facilities and appurtenances, are subject to City’s review and approval by City staff prior to their re-use. The contractor shall expose any existing utilities with City staff present and a determination in the field shall be made as to whether the existing public utilities will require replacement [COA] [PUBLIC WORKS]
- EP-8. RED CURB ZONE:
Install “No Parking Anytime” signage along Del Rey Avenue where red curb exists. [COA] [PUBLIC WORKS]
- EP-9. FIRE SERVICE LINE/DOUBLE CHECK DETECTOR ASSEMBLY:
Provide on-site looped fire service lines with two separate double check detector assemblies (DCDA) with separate fire service meter(s) to current City standard 21B and two separate service taps. Reuse of existing fire service and/or appurtenances is subject to City review and approval. [COA] [PUBLIC WORKS]
- EP-10. BACKFLOW PREVENTORS:
For domestic and irrigation water service lines, install new and/or upgrade existing backflow prevention devices in accordance with the City current standards and specifications. [COA] [PUBLIC WORKS ENGINEERING]
- EP-11. SEWER CLEANOUT:
Install new sanitary sewer cleanouts at the property lines for all existing and proposed sanitary sewer laterals. [COA] [PUBLIC WORKS]
- EP-12. WATER METERS:
Each building shall have its own independent and separate public radio-read water meter placed in the public right-of-way. Upgrade all existing water meters to radio-read disk-type. A separate irrigation water service tap and meter is recommended. [COA] [PUBLIC WORKS]
- EP-13. DRIVEWAY APPROACHES:
Install new driveway approach(es) per city standard detail 6C-2. No curb-return style driveways allowed.
- EP-14. ABANDONED DRIVEWAY APPROACHES:
All unused driveway approaches shall be replaced with curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]

- EP-15. UTILITY METER/VAULT AT DRIVEWAY APPROACH:
No existing or new utility meters or vaults shall be located within the new driveway approach areas. [COA] [PUBLIC WORKS]
- EP-16. UTILITY LINES:
The applicant is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All dry utilities (PG&E, Comcast, AT&T, 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 the public right-of-way or public utility easements. All existing utility lines (public or private) and/or their appurtenances not serving the project shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. [COA] [PUBLIC WORKS]
- EP-17. IMPROVEMENT PLANS:
Final approved public improvement plans shall be prepared on 24"X36", 4 mil mylars. [PUBLIC WORKS]
- EP-18. SIGNING AND STRIPING PLANS:
Submit a signing and striping plan in accordance to the latest CA MUTCD version. Any changed and/or damaged pavement markings shall be replaced with thermoplastic pavement markings. [PUBLIC WORKS]
- EP-19. PUBLIC STREETLIGHTS:
For public streetlights fronting the project site (seven total), remove and replace all existing High-Pressure Sodium (HPS) bulbs with new Light-Emitting Diode (LED) bulbs. [PUBLIC WORKS]
- EP-20. SANITARY SEWER ANALYSIS:
Submit a sanitary sewer analysis providing a summary of the overall project impact to the City's existing sanitary sewer system. This includes, but is not limited to, any incremental percentage increases that will result from the new project in comparison to the existing sewer demand. Mitigated improvements may be required depending upon the results of the analysis. [PUBLIC WORKS]
- EP-21. INCREMENTAL SEWER AND WATER FEES:
In addition to the fees required to be paid under conditionally approved #2012-7070, applicant shall pay an additional incremental sanitary sewer connection fee of \$53,897.68 and incremental water connection fee of \$3,243.21 prior to Building "D" permit issuance, due to a net increase in total square footage of 13,395 sf, for Building "D". The fee amount is based upon the fiscal year (FY) 2012-13 rate and is

subject to change if not paid within FY 2012-13. [COA] [PUBLIC WORKS)

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

- PF-1. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. COMPACT SPACES:
All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]
- PF-3. PARKING LOT STRIPING:
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]
- PF-4. IRRIGATION METERS:
To ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters may be installed prior to occupancy of the building. [COA] [PLANNING]
- PF-5. MITIGATION MEASURES:
Documentation indicating that all environmental mitigation measures have been satisfied shall be provided to the Director of Community Development prior to release of occupancy or utilities. Refer to the Mitigated Negative Declaration and Conditions of Approval BP-27 through BP-31 for detailed measures. [COA] [PLANNING]
- PF-6. GREEN BUILDING:
As soon as possible after construction of the project, the developer shall submit the project for LEED certification at a Gold level. The City shall be provided with documentation of the submittal and the final determination on certification. [COA] [PLANNING]

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

- DC-1. BLUEPRINT FOR A CLEAN BAY:
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]
- DC-2. TREE PROTECTION:
All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

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

- AT-1. RECYCLING AND SOLID WASTE:
All exterior recycling and solid waste shall be confined to approved receptacles and trash enclosures. The trash enclosure design shall be in accordance with City's latest guidelines available from Public Works Department. Submit a detailed trash enclosure plan which includes, but is not limited to, the following: complete enclosure dimensions, stress pad location and details, curb radii to verify adequate maneuverability of garbage vehicles, and proposed garbage truck route. Provide fire sprinklers for trash enclosures within five feet of buildings. [COA] [PLANNING/PUBLIC WORKS]
- AT-2. LOUDSPEAKERS PROHIBITED:
Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]
- AT-3. EXTERIOR EQUIPMENT:
All exterior materials, equipment and/or supplies of any kind shall be maintained within an approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]
- AT-4. UNENCLOSED STORAGE (PROHIBITED):
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-5. 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-6. PARKING LOT MAINTENANCE:

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

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

AT-7. BMP MAINTENANCE:

The project applicant, owner, landlord, or HOA 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. BMP RIGHT OF ENTRY:

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

AT-9. TRANSPORTATION DEMAND MANAGEMENT:

An annual monitoring report shall be submitted to the Director of Community Development in January of each year. The report shall demonstrate compliance with the approved TDM Program including measures implemented and data on trip reductions achieved. The yearly monitoring activities shall include traffic counts at all driveway entries/exits on non-holiday days in October/November of each year. If the TDM goals are not met in a given year, the property owners and/or tenant shall submit to the Director of Community Development proposed program modifications intended to achieve the required goals in future years. [COA] [PLANNING]



**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 **Design Review** and **Tentative Map** and **Use Permit** filed by **JP DiNapoli Companies, Inc.**

PROJECT DESCRIPTION AND LOCATION (APN):

FILE #: 2012-7711
Location: 505 N. Mathilda Ave (APNs: 165-42-002 & 165-42-005 – 009)
Proposed Project: **DESIGN REVIEW** for a modification to a previously approved application (2012-7070) to allow a fifth story on Building "D" and the redevelopment of an additional parcel for parking area. The additional story results in a total of 642,897 square feet of building area, and the additional parcel reduces the Floor Area Ratio of the combined site from 99% to 96%.
TENTATIVE MAP AND USE PERMIT to subdivide six industrial lots into four lots (individual buildings) and two common interest lots for parking, landscaping and amenities.
Environmental Review: Mitigated Negative Declaration
Staff Contact: Ryan Kuchenig, (408) 730-7431, rkuchenig@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, November 12, 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, November 12, 2012 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

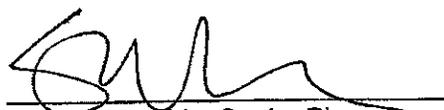
TOXIC SITE INFORMATION:

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

File#: 593

10/19/2012

Circulated On October 19, 2012

Signed: 
 Shaunn Mendrin, Senior Planner

Project Title	2012-7711 – Design Review for a modification to a previously approved application (2012-7070) to allow a fifth story on Building "D" and the redevelopment of an additional parcel for parking area. The additional story results in a total of 642,897 square feet of building area, and the additional parcel reduces the Floor Area Ratio of the combined site from 99% to 96%. Tentative Map and Use Permit to subdivide six industrial lots into four lots (individual buildings) and two common interest lots for parking, landscaping and amenities.
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Associate Planner
Phone Number	408-730-7431
Project Location	505-599 N. Mathilda Ave., 683 W. Maude Ave, 510 N. Pastoria Ave.
Applicant's Name	JP DiNapoli Companies, Inc.
Project Address	505-599 N. Mathilda Ave., 683 W. Maude Ave, 510 N. Pastoria Ave.
Zoning	MS (Industrial and Service) - 100% F.A.R. & MS (Industrial and Service) - 70% F.A.R.
General Plan	Industrial
Other Public Agencies whose approval is required	None

PROJECT AND INITIAL STUDY OVERVIEW

Brief description of the Project: The proposed project includes a modification to a previous project (2012-7070) that included the demolition of the existing 166,700 square foot office buildings and hotel with the redevelopment of the 14.15 acre site. The revised proposal would allow for a fifth story on a previously approved four-story building, commonly known as Building "D", for a total of 151,0389 s.f. and 643,947 for the entire campus. An adjacent parcel would be added to the project that would be utilized for surface parking and the existing 18,480 s.f. building would be demolished. The remaining two approved 6-story R&D office buildings, building, 5-level parking structure, amenity building and existing 3-story R&D office building would not be modified as

currently approved. As a result, the site would be developed at a 96% F.A.R. over the entire development area. The zoning of the original development area would remain as MS-100% while the new parcel would retain the M-S 70% F.A.R. zoning. The proposed development is seeking LEED Gold USGBC certification. The redevelopment is reviewed through a Design Review permit.

DETAILED PROJECT DESCRIPTION:

On-site Development: The revised proposed project involves demolition of seven of the eight existing office buildings, grading and site preparation, and construction of two six-story and one five-story steel framed office buildings. A new five-level parking structure will be located towards the center of the development. Existing mature trees located on the interior of the site will be removed during demolition. Certain mature perimeter trees will be retained and protected during construction to the extent feasible.

Off-site Improvements: The existing driveways and curb cuts along N. Mathilda Avenue will be removed, and existing curb, gutter, and sidewalk will be repaired or replaced as needed along each of the project frontages. Existing driveways along Maude Avenue, Pastoria Avenue and Del Rey Avenue will be modified to meet code. No other off-site improvements are proposed.

Construction Activities and Schedule: Demolition is proposed to begin as soon as possible after vacancy. The proposed construction schedule spans a total of 19 months for demolition, site preparation, and construction. Time estimates for specific construction phases are as follows:

- Demolition – 30 days
- Site Preparation – 14 days
- Grading – 31 days
- Building Construction – 300 days
- Paving – 12 days
- Architectural Coating – 24 days

Construction of the project will not involve pile driving or other extremely high noise-generating activities, with the exception of jack hammering which will occur only during constructions hours of the demolition phase.

Surrounding Uses and Setting: The project area encompasses six parcels that total approximately 15.38 acres. The primary address is 505 N. Matilda Ave; however, the project area also includes addresses along W. Maude Avenue and Del Rey Avenue. The site is bounded by N. Mathilda Ave. to the east, W. Maude Ave. to the south, Del Rey Ave. to the north and N. Pastoria Ave. to the west. The immediate neighborhood is composed of a mix of industrial, office, retail and restaurant uses. There are several sites north of the site along N. Mathilda Ave. which are zoned MS-70% as well as property zoned MS-100% further north. There are residential uses located east of the site behind a row of commercially zoned properties along N. Mathilda Ave.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

Checklist Preparer: Ryan Kuchenig

Date: October 18, 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
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, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan generalplan.lnSunnyvale.com
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map, Community Character and Land Use Chapters of the Sunnyvale General Plan
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"/>	General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan
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 checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale 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 Chapter of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
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
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
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"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://gcode.us/codes/sunnyvale/view.php?topic=19&frames=off

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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 in 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Moffett Field Air Installations Compatible Use Zones (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 checked="" type="checkbox"/>	<input type="checkbox"/>	Air Installations Compatible Use Zones (AICUZ) Study Map
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan 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"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org 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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org 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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees
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"/>	Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012), www.scv-habitatplan.org
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"/>	Community Character Chapter of the Sunnyvale General Plan, Sunnyvale Inventory or Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places

Planning		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
23.	Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description. Planned grading will disturb the site and may affect sub-surface resources if they exist.
24.	Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District. See discussion for information about school impacts.
25.	Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Environ Report, January 13, 2012
26.	Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Project Description Environ Report, January 13, 2012 AB 32
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 AB 32
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
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
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

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

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

4. Population and Housing (Less than Significant with Mitigation): The 643,947 s.f. of R&D office floor area for the site would be consistent with the zoning of M-S-100% FAR and MS-70% F.A.R. for the site. Although a higher standard FAR is established through rezoning, the project would have an impact to the City's Jobs/Housing balance. The new office square footage would create opportunities for new jobs and would cause a slight increase to the balance. The project is required to pay Housing Mitigation fees (\$9.08/sf.) for the new square footage proposed over 70% FAR levels for the site. Based on a preliminary calculation, the current fee for the site would be \$1,766,755.53. The Housing Mitigation fees are intended to mitigate potential new jobs by providing housing funds for the creation of new housing units. Therefore, the project would not induce substantial population growth and will mitigate potential job growth, therefore will not be inconsistent with the Sunnyvale General Plan.

The following mitigation measure shall apply to the projects:

- WHAT: The project would be required to pay Housing Mitigation fees (\$9.08/sf.) for the new square footage proposed over the current maximum F.A.R. for the site.
- WHEN: These mitigation measures shall be converted into conditions of approval for the project prior to its final approval by the City Council. The conditions will become valid when the permit is approved. Conditions will be applicable during the construction of the project.
- WHO: The developer shall be required to pay the mitigation fees and the City shall implement the mitigation through City sponsored housing creation programs.
- HOW: The fees shall be paid to the City and the City shall implement the mitigation through City sponsored housing creation programs.

10 & 12. Hazards and Hazardous Materials (Less than Significant with Mitigation): The project site is within one mile of an airport land use plan because of the site's proximity to Moffett Federal Air Field. The proposed project could have air traffic safety impacts if the height of the buildings resulted in interference with air traffic. The Federal Aviation Administration (FAA) is responsible for determining whether the project would result in a safety hazard for air traffic. The regulations address potential light, glare, and air emissions that could distract aircraft operators. Based on the draft Airport Land Use Plan for Moffett Field, the proposed project would not interfere with air traffic result in any significant safety hazards for people residing or working in the project area. Recent modifications to the building reduced the height of Buildings A & B so that FAA standards are met.

WHAT

If the project is approved after adoption of the Airport Land Use Plan and conflicts with any adopted standards, the project is required to attain necessary clearance by the FAA prior to building permit issuance.

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

WHO

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

HOW

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

14 & 15. Noise (Less than Significant) - The project may introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code noise regulations, this impact will be lessened to a less than significant level during construction. The project will not require pile driving.

17. Biological Resources (Less than Significant with Mitigation): The overall projects include the removal of several large trees and site grading. The site is currently developed and in active use, therefore the site is unlikely to have been occupied by burrowing owls (*Athene cunicularia*) which are present in some areas of Sunnyvale. Nesting raptors have not been specifically observed on the site, but there is a potential for raptors to establish nests in tall mature trees such as those on the project site. Although the discovery of nesting raptors on the site is not anticipated, the following mitigation measure has been included in the project to reduce the potential impact to a less than significant level.

WHAT: In conformance with Federal and State regulations regarding protection of raptors, the following CDFG protocols shall be completed prior to any development on the site to ensure that development does not disturb nesting raptors:

1. *Avoidance.* Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.

2. *Preconstruction/Pre-disturbance Surveys.* If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall

be conducted no more than seven days prior to the initiation of demolition/construction activities. During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation.

3. *Inhibit Nesting.* If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

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

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

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

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

- WHAT: 1) For projects involving substantial ground disturbance, the individual project sponsor shall be required to contact the California Historical Resources Information System (CHRIS) to determine whether the particular project is located in a sensitive area. Future development projects that the CHRIS determines may be located in a sensitive area--i.e., on or adjoining an identified archaeological site--shall proceed only after the project sponsor contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures.
- 2) If a significant archaeological resource is identified during grading, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:

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

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

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

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

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

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

The applicant provided an Air Quality and Greenhouse Gas Analysis for the redevelopment of the five parcels included in the proposal. The study was completed by Environ on January 31, 2012 and is available for review at the City of Sunnyvale's One-Stop Counter. The report concludes that the project will result in both one-time (construction related) and annual (operational-related) emissions. Environ's analysis indicates that the project does not exceed the thresholds of significance according to the current BAAQMD CEQA guidelines.

The Project's operational impacts and construction related impacts do not exceed any of the thresholds of significance for GHGs or CAP emissions. Additionally, the proposed Project would not be expected to contribute to a violation of carbon monoxide (CO) air quality standards. With respect to Project construction impacts on off-site sensitive receptors, the Project is below the significance thresholds (as shown in Table 3) with the Project condition that mitigation measures are applied to the construction equipment (as detailed in Attachment A, Table A3). The cumulative impact of Project construction and operation on off-site sensitive receptors when combined with contributions from roadway and stationary sources results in lifetime cancer risk, chronic hazard index (HI), and cumulative PM_{2.5} concentrations that are below the BAAQMD cumulative significance thresholds of 100, 10, and 0.8 microgram per cubic meter (µg/m³), respectively.

The following mitigation measures shall apply to the project:

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

1. Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences shall be kept damp at all times.
2. Cover all hauling trucks or maintain at least two feet of freeboard.
3. Pave, apply water at least twice daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
4. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
5. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (i.e., previously-graded areas that are inactive for 10 days or more).
6. Replant vegetation in disturbed areas as quickly as possible.
7. Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles.
8. Limit traffic speeds on the construction sites to 15 mph.
9. Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
10. During site demolition activities, removal or disturbance of any materials containing asbestos, lead paint or other hazardous pollutants will be conducted in accordance with BAAQMD rules and regulations (refer to Section 2.9, Hazards and Hazardous Materials).
11. A Disturbance Coordinator will be assigned to the project for the full duration of asbestos abatement, demolition activities, grading, excavation, and building construction. This coordinator will ensure that all air quality mitigation measures are enforced. In addition, the Disturbance Coordinator will respond to complaints from the public regarding air quality issues in a timely manner. The contact information for this Coordinator will be posted in plain view at the project site. The Coordinator will also be responsible for notifying adjacent properties of the demolition schedules.
12. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Disturbance Coordinator shall ensure that emissions from all construction diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately. Any equipment emitting dark smoke three minutes after start up is in violation of this measure.

13. Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were onsite.
14. Properly tune and maintain equipment for low emissions.

WHEN: These mitigation measures shall be converted into conditions of approval for the Design Review (DR) prior to its final approval by the City Council. The conditions will become valid when the DR is approved. Conditions will be applicable during the construction of the project.

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

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

33 & 34. Seismic Safety (Less than Significant): Per the Santa Clara County Geologic Hazard Zones maps, the project site is located in a liquefaction hazard zone. The Uniform Building Code contains a series of requirements to address safety issues regarding soil types. These standards must be met for a building permit to be issued. Through the City's implementation of the Uniform Building Code requirements for areas with potential for seismic activity, potential impacts related to liquefaction hazards will be less than significant and require no additional mitigation.

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: October 18, 2012

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections; streets, highways and freeways; pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City's Land Use and Transportation Element, Santa Clara County Transportation Plan, Traffic Study by Hexagon Transportation Consultants, Inc., dated August 27, 2012.
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). Traffic Study by Hexagon Transportation Consultants, Inc., dated August 27, 2012.
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan including the Land Use and Transportation Element.
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City and CA Standard Plans & Standard Specifications. Traffic Study by Hexagon Transportation Consultants, Inc., dated August 27, 2012.
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Bicycle Plan, VTA Bicycle Technical Guidelines, and VTA Short Range Transit Plan.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VTA Community Design and Transportation Manual
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Bicycle Plan, Pedestrian and Bicycle Opportunities Studies

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
access, or preclude future planned and approved bicycle or pedestrian circulation?					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., 38. and 39. Transportation (Less than Significant with Mitigation) – A Traffic Impact Analysis (TIA) has been prepared by Hexagon Transportation Consultants, Inc. on August 27, 2012. This study is attached to this Initial Study and is available for review at the City of Sunnyvale's One-Stop Counter.

The Hexagon Transportation Consultants Inc. report presents the results of the TIA and concludes there are no new significant impacts resulting from the projects, which cannot be mitigated to be less than significant. Although the project would not result in any significant traffic impacts, the project would be required to construct a number of improvements and to pay an impact mitigation fee. The anticipated Traffic Impact Fee (TIF) is approximately \$713,587.50. The TIFs will be used by the City as part of the ongoing study and upgrade of the City's transportation systems to offset the contribution of project-generated traffic on local roadways. The project would result in a less than significant traffic impact.

The following is the executive summary from the TIA:

According to ITE trip generation rates, the project would generate 594 trips during the AM peak hour and 541 trips during the PM peak hour. In accordance with Sunnyvale standards, the project would include a comprehensive transportation demand management (TDM) plan to reduce peak hour trips. VTA allows up to a 5% trip reduction for the project TDM plan that includes financial incentives, which will be included in the TDM plan for this project. The specific TDM plan trip reduction goal will be higher than 5%, but the traffic study conservatively uses the 5% reduction allowed by the CMP guidelines.

For the existing plus project scenario, trips that are generated by existing occupied uses can be subtracted from the gross project trip generation estimates. A trip generation survey was conducted by Hexagon on November 29, 2011 and August 8, 2012 to determine trips generated by the existing use on the project site. After the TDM reduction and existing use credit are applied, the proposed project would generate 496 net trips during the AM peak hour and 404 net trips during the PM peak hour comparing to the existing conditions. The trip distribution pattern for the proposed project was estimated based on existing travel patterns on the surrounding roadway system, the locations of complementary land uses, and previous traffic impact reports in the study area.

Background and cumulative conditions include full occupancy of the existing buildings on the site. The trips generated by the fully occupied existing buildings were estimated by applying ITE trip generation rates and were credited back under project conditions. After the TDM reduction and fully occupied existing building credits are applied, the proposed project is estimated to generate 315 net trips during the AM peak hour and 274 net trips during the PM peak hour.

1) INTERSECTION LEVEL OF SERVICE IMPACTS

The results of the level of service calculations show that, measured against City of Sunnyvale and CMP standards, all of the study intersections would continue to operate at acceptable levels of service under existing plus project conditions.

Under background no project and background plus project conditions, the intersection of Mathilda Avenue/Moffett Park Drive would operate at LOS F during both the AM and PM peak hours. The proposed project would not increase the critical delay or the critical V/C and therefore would not constitute an impact according to the CMP and City of Sunnyvale standards. The remaining signalized study intersections would operate at acceptable levels of service during the AM and PM peak hours under background plus project conditions.

Under cumulative conditions, two signalized intersections at Mathilda Avenue/Moffett Park Drive and Mathilda Avenue/SR 237 westbound ramps would operate at LOS F under both no project and with project scenarios during the AM and PM peak hours. The project would not cause a significant impact to either intersection under cumulative conditions. The findings of LOS F at these two intersections are consistent with the analysis of buildout of the City of Sunnyvale General Plan. The remaining 15 signalized study intersections would operate at acceptable levels (LOS B – LOS E) of service during the AM and PM peak hours under cumulative plus project conditions. In all cases, the LOS would remain the same. The City and VTA have initiated design and environmental study of the intersections of Mathilda Avenue at 101 and 237 to improve efficiency and traffic flow on Mathilda Avenue. The project is anticipated to improve LOS at this intersection and has been identified to provide immediate relief for north-south traffic flow on Mathilda Ave. and Mary Ave. A mitigation measure previously identified in both the *Moffett Park Specific Plan* and the *Citywide Deficiency Plan* is the Mary Avenue Extension. Currently, the extension's construction timeline is uncertain; therefore, the Mary Avenue extension is only assumed under the long-term cumulative analysis and it not assumed under Existing, Existing plus Project, Background, or Background + Project scenarios.

Near the project site, Route 54 will continue to operate as a Local Bus route.

2) FREEWAY SEGMENT EVALUATION

The project's impacts at nearby freeway segments were evaluated in accordance with CMP guidelines. Based on this analysis, the project would not add sufficient traffic to freeway segments to cause a significant impact. Therefore, no mitigation is required.

3) TURN POCKET ANALYSIS

At the intersection of Mathilda and Maude Avenue, the level of service calculations show that the queue length for the southbound right-turn movement would exceed the 75-foot length of the existing southbound right-turn lane.

Recommendation: The curb line on Mathilda Avenue along the project frontage includes various tapers and angles. The curb line could be straightened to provide a lengthened right-turn pocket to the northern existing driveway taper. By straightening the curb line, a right turn lane approximately 300 feet in length could be provided. This would allow the right turns to operate with less delay and shorter queues.

Left turn storage would be adequate except for the intersection of Pastoria Avenue/Maude Avenue. At this location, the estimated maximum vehicle queue for the southbound left-turn movement would exceed the existing vehicle storage capacity under existing and all project conditions during the PM peak hour. The total amount of westbound left-turn vehicle storage on Pastoria Avenue north of Maude Avenue is approximately 60 feet, which provides enough storage for about 2 vehicles. Based on existing traffic volumes, it is estimated that

the 95th percentile queue for the southbound left-turn movement is 4 vehicles during the PM peak hour. Under background with project and cumulative with project conditions, the 95th percentile queue for the southbound left-turn movement is 6 vehicles during the PM peak hour.

Recommendation: The left turn pocket could be extended by restriping Pastoria Avenue, which is 44 feet wide. The street width is sufficient for one travel lane in each direction plus the left turn lane. The left turn lane should be extended to a length of 150 feet plus a 60-foot taper.

4) UNSIGNALIZED INTERSECTION ANALYSIS

The study includes two unsignalized intersections: Pastoria Avenue/Del Rey Avenue and Mathilda Avenue/Del Rey Avenue. Both intersections would operate at LOS A for all the scenarios. After review of the level of service calculations, the minor street delays are generally acceptable. The northbound left turn movement would operate at LOS F during the PM peak hour, and the southbound left (U turns) would operate at LOS E. Both of these movements have very low traffic volume (less than 40 vehicles per hour). For this reason, a traffic signal would not be recommended at this intersection.

5) PEDESTRIANS, BICYCLES AND TRANSIT

The project's impact to pedestrian, bicycle and transit facilities was evaluated. Based on this analysis, the project would not create any adverse impact to any of these facilities. Bicycle lockers (Class I spaces) with a capacity for 99 bikes will be provided on the ground floor of the proposed parking garage. In addition, the site will include a total of 26 bike racks (Class II spaces) placed at convenient and well lit locations near building entrances. The proposed bicycle parking exceeds VTA's minimum bike parking standards. Based on the City's Bicycle Plan, the project will dedicate up to 5 feet of right-of-way along its frontage on Maude Avenue and Mathilda Avenue for the future provision of bike lanes. The project will also construct the curb line on the west side of Mathilda Avenue to accommodate addition of the bike lane and apply changes to the curb line on the north side of Maude Avenue as needed to provide the bike lane.

Recommendation: The existing bus stop for Route 54 at Mathilda Avenue and Del Rey Avenue will be a convenient connection to the Sunnyvale Transit Center and Caltrain Station for the proposed development. VTA recommends the following bus stop improvements: the bus stop should have a duckout or minimum 22 inch wide curb lane; there should be a minimum 10 feet by 55 feet Portland Cement Concrete (PCC) bus pad and a minimum 8 feet by 40 feet sidewalk adjacent to the bus stop; a bus shelter should be provided; trees and landscape items should be placed back-of-walk or outside of the bus stop area.

6) SITE ACCESS, CIRCULATION AND PARKING

Site access and on-site circulation were evaluated using commonly accepted transportation planning principles. This review was based on the project site plan dated November 21, 2011. Project parking was found to be in compliance with City of Sunnyvale standards. Site specific recommendations include:

- Because this site plan is conceptual, this study does not provide a complete analysis of site access and circulation. Prior to final design, the site plan should be reviewed by the City Division of Transportation and Traffic. Modifications to the project design may occur during the project permitting process.
- The driveway widths, radii and throat depth should be measured to confirm that they comply with City of Sunnyvale standards and are adequate to handle truck traffic. In order to ensure there would be sufficient sight distance at the project driveways, any landscaping, parking, and signage should be located in such a way to ensure an unobstructed view for drivers exiting the site.
- The drive aisle widths and garage ramp design are not shown on the conceptual plan. Prior to final design, the drive aisle widths should be reviewed for compliance with City standards. In addition, an

analysis of the adequacy of onsite circulation for trucks should be conducted. Loading areas should be provided for each building.

- The final construction phasing plan has not yet been completed. The project applicant plans to work with the City and the contractor to minimize the impact of the construction process. In order to minimize the impact in the existing parking areas at the adjoining site, the applicant plans for construction to be phased. The project applicant should submit a plan for parking phasing and construction staging onsite prior to commencement of construction.

Recommendation: Building entrances should be oriented toward Mathilda Avenue and pedestrian connections to the sidewalk should be provided

7) CONSTRUCTION IMPACTS

The project will have minimal construction impacts due to traffic and use of parking lots for construction related activity. The site will need to ensure garages are constructed prior to or concurrently with new office buildings to avoid parking concerns.

According to the project applicant, project construction would take approximately 21 to 24 months. The construction hours would be limited to the hours permitted under the City's ordinance. The construction phase of the project would result in approximately 100 to 200 construction staff onsite. The construction phase also would include approximately 20 to 30 daily truck trips. Overall, the trip generation from the project when completed and occupied would be far more vehicle trips than during the construction phase. Thus, any mitigation proposed under project conditions would be adequate to accommodate the construction phase.

All truck movements to and from the site during construction would be limited to City designated truck routes. Both Mathilda Avenue and Maude Avenue are appropriate streets for truck use. The uses surrounding the project site are primarily industrial. There are no residential or retail uses nearby. Heavy vehicle traffic is common near industrial uses and is generally considered acceptable. Based on a review of the street network, there are no movements that would require specific truck prohibitions during construction.

The final construction phasing plan has not yet been completed. The project applicant plans to work with the City and the contractor to minimize the impact of the construction process.

Recommendation: The project applicant should submit a plan for parking phasing and construction staging onsite prior to commencement of construction.

Mitigation Measures:

1) Transportation Impact Fee (TIF):

WHAT: TIF fees shall be paid pursuant to the adopted fee schedule and shall be used to mitigate impacts of the proposed development. These TIFs will be used by the City as part of the ongoing study and upgrade of the City's transportation systems including the Mathilda Avenue 101/237 intersection to offset the contribution of project-generated traffic on local roadways.

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

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

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

Based on the Hexagon Transportation Consultants, Inc. TIA, the following mitigation measures shall apply to the projects in addition to the Transportation Impact Fee listed above:

2) Turn Pocket:

WHAT: 1) The curb line on Mathilda Avenue shall be straightened to provide a lengthened right-turn pocket to the northern existing driveway taper. By straightening the curb line, a right turn lane approximately 300 feet in length will be provided.

2) The left turn pocket shall be extended by restriping Pastoria Avenue, which is 44 feet wide. The left turn lane should be extended to a length of 150 feet plus a 60-foot taper.

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

WHO: The developer shall be required to provide funding for the improvements and the City shall implement the mitigation through the City's Capital Improvement Program.

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

3) Pedestrian, Bicycles and Transit:

WHAT: 1) Bike parking spaces shall be shown on the approved plans and should be placed in accessible, secure, and well-lit locations near the building entrances.

2) Considering the City's Bicycle Plan to recommend the provision of bike lanes on Maude Avenue between Mathilda Avenue and Pastoria Avenue, a 5 feet of right-of-way along Maude Avenue frontage shall be provided to allow the City's future provision of the bike lanes.

3) The bus stop shall have a duckout or minimum 22 inch wide curb lane; there should be a minimum 10 inch by 55 inch Portland Cement Concrete (PCC) bus pad and a minimum 8 inch by 40 inch sidewalk adjacent to the bust stop; trees and landscape items should be placed back-of-walk or outside of the bus stop area.

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

WHO: The developer shall be required to provide funding for the improvements and the City shall implement the mitigation through the City's Capital Improvement Program.

HOW: The conditions shall be incorporated into the construction plans. The fees shall be paid to the City and the City shall implement the mitigation through City sponsored projects and programs.

4) Construction Impacts:

WHAT: The parking structure shall be constructed prior to or concurrently with new office buildings to avoid parking concerns.

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

WHO: The developer shall be required to construct the improvements.

HOW: This mitigation measure shall be incorporated into the construction plans.

41. Transportation (Less than Significant) - The proposed project will include sidewalks to provide pedestrian circulation around the entire site. Bicycle parking is required by the SMC and conditioned as part of the project approval consistent with VTA standards.

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date October 18, 2012

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
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
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code Project Description
46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Project Description
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 Noise Chapter of the Sunnyvale General Plan, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code
48. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

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

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

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

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

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: October 18, 2012

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

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 checked="" type="checkbox"/>	<input type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description Water Resources Sub-Element www.sunnyvaleplanning.com
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems: Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solid Waste Management Sub-Element of the Sunnyvale General Plan www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
<p>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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project Description

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

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

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

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

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

Responsible Division: Department of Public Safety

Completed by: Ryan Kuchenig

October 18, 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
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Project Description Hazardous Waste & Substances List (State of California) List of Known Contaminants in Sunnyvale
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Project description
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map Project description
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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"/>	Safety and Noise Chapter 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 with Mitigation): A Phase 1 (completed by Cornerstone Earth Group in December, 2011 was conducted for the original project site and on September 12, 2012 for the added parcel to the proposal at 550-552 Del Rey Avenue. Based on the chemical use of the Site and the reported hazardous materials releases in the vicinity, a Site Management Plan (SMP) should be developed to establish management practices for handling contaminated soil or other materials, if encountered during Site development activities.

Site Management Plan

WHAT: The SMP should include the following:

- 1) Site control procedures to control the flow of personnel, vehicles and materials in and out of the Site.
- 2) Measures to minimize dust generation, storm water runoff and tracking of soil off-Site as well as to reduce the potential for the creation of preferential pathways (vertical or horizontal) for chemicals of potential concern detected in ground water beneath the Site.
- 3) Geotechnical recommendations to excavate and re-compact loose fill that may have been placed into the UST excavation. If pockets of suspected contaminated soil are encountered in these areas, protocols should be provided to segregate "clean" soil from soil suspected to be contaminated.
- 4) If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternatives should be described.
- 5) Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- 6) Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during Site development activities.
- 7) Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- 8) Procedures to evaluate and document the quality of any soil imported to the Site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- 9) Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors.
- 10) Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- 11) Appropriate measures will be implemented to reduce soil vapor and ground water migration through trench backfill and utility conduits.
- 12) Protocols to pre-characterize/profile soil planned to be excavated during construction activities to evaluate cost effective disposal facilities and to obtain their acceptance of this material prior to grading activities.

Asbestos Containing Building Materials (ACBMs)

Due to the age of the on-Site structures, building materials may contain asbestos. ACBM is less likely to be present in the newer buildings.

- 1) If demolition, renovation, or re-roofing of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable ACBMs prior to building demolition or renovation that may disturb the ACBM.

Lead-Based Paint

The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the 510 North Pastoria Avenue and 683-685 West Maude Avenue buildings, lead-based paint may be present. If demolition is planned, the removal of lead-based paint isn't required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it should be removed prior to demolition.

- 1) Applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others.
- 2) Any debris or soil containing lead must be disposed appropriately.

Ground Water Monitoring Wells

Several ground water monitoring wells were observed at the Site that appeared to be those associated with

off-Site spill incidents. These wells will either need to be appropriately abandoned or protected during redevelopment activities. The relocation of some wells may be required. This work should be coordinated with the parties responsible for the up-gradient spill incidents and the appropriate overseeing regulatory agencies.

- 1) Confirmation shall be obtained that all wells associated with the former on-Site Shell station LUST case have been appropriately destroyed under permit from the Water District.

WHEN: This mitigation shall be converted into conditions of approval for this Design Review (DR) prior to its final approval by the City's Planning Commission. The conditions will become valid when the DR is approved and prior to building permit issuance. These permits are required prior to any demolition or construction on site.

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

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

Responsible Division: Planning

Completed by: Ryan Kuchenig

Date: October 18, 2012

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

67. Hazards and Hazardous Materials (Less than Significant with Mitigation): A Phase 1 (completed by Cornerstone Earth Group in December, 2011 was conducted for the original project site and on September 12, 2012 for the added parcel to the proposal at 550-552 Del Rey Avenue. Based on the chemical use of the Site and the reported hazardous materials releases in the vicinity, a Site Management Plan (SMP) should be developed to establish management practices for handling contaminated soil or other materials, if encountered during Site development activities.

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- 1) Site control procedures to control the flow of personnel, vehicles and materials in and out of the Site.
- 2) Measures to minimize dust generation, storm water runoff and tracking of soil off-Site as well as to reduce the potential for the creation of preferential pathways (vertical or horizontal) for chemicals of potential concern detected in ground water beneath the Site.
- 3) Geotechnical recommendations to excavate and re-compact loose fill that may have been placed into the UST excavation. If pockets of suspected contaminated soil are encountered in these areas, protocols should be provided to segregate "clean" soil from soil suspected to be contaminated.
- 4) If excavation de-watering is required, protocols to evaluate water quality and discharge/disposal alternatives should be described.
- 5) Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- 6) Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during Site development activities.
- 7) Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be determined.
- 8) Procedures to evaluate and document the quality of any soil imported to the Site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.

- 9) Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors.
- 10) Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (e.g., the potential for corrosion).
- 11) Appropriate measures will be implemented to reduce soil vapor and ground water migration through trench backfill and utility conduits.
- 12) Protocols to pre-characterize/profile soil planned to be excavated during construction activities to evaluate cost effective disposal facilities and to obtain their acceptance of this material prior to grading activities.

Asbestos Containing Building Materials (ACBMs)

Due to the age of the on-Site structures, building materials may contain asbestos. ACBM is less likely to be present in the newer buildings.

- 2) If demolition, renovation, or re-roofing of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable ACBMs prior to building demolition or renovation that may disturb the ACBM.

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The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the 510 North Pastoria Avenue and 683-685 West Maude Avenue buildings, lead-based paint may be present. If demolition is planned, the removal of lead-based paint isn't required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it should be removed prior to demolition.

- 3) Applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others.
- 4) Any debris or soil containing lead must be disposed appropriately.

Ground Water Monitoring Wells

Several ground water monitoring wells were observed at the Site that appeared to be those associated with off-Site spill incidents. These wells will either need to be appropriately abandoned or protected during redevelopment activities. The relocation of some wells may be required. This work should be coordinated with the parties responsible for the up-gradient spill incidents and the appropriate overseeing regulatory agencies.

- 1) Confirmation shall be obtained that all wells associated with the former on-Site Shell station LUST case have been appropriately destroyed under permit from the Water District.

WHEN: This mitigation shall be converted into conditions of approval for this Design Review (DR) prior to its final approval by the City's Planning Commission. The conditions will become valid when the DR is approved and prior to building permit issuance. These permits are required prior to any demolition or construction on site.

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.

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

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

City of Sunnyvale General Plan:

Sunnyvale General Plan Consolidated in (2011)
generalplan.InSunnyvale.com

- Community Vision
- Land Use and Transportation
- Community Character
- Housing
- Safety and Noise
- Environmental Management
- Appendix A: Implementation Plans

City of Sunnyvale Municipal Code:

- Title 8 Health and Sanitation
- Title 9 Public Peace, Safety or Welfare
- Title 10 Vehicles and Traffic
- Title 12 Water and Sewers
- Chapter 12.60 Storm Water Management
- Title 13 Streets and Sidewalks
- Title 16 Buildings and Construction
 - Chapter 16.52 Fire Code
 - Chapter 16.54 Building Standards for Buildings Exceeding Seventy –Five Feet in Height
- Title 18 Subdivisions
- Title 19 Zoning
 - Chapter 19.28 Downtown Specific Plan District
 - Chapter 19.29 Moffett Park Specific plan District
 - Chapter 19.39 Green Building Regulations
 - Chapter 19.42 Operating Standards
 - Chapter 19.54 Wireless Telecommunication Facilities
 - Chapter 19.81 Streamside Development Review
 - Chapter 19.96 Heritage Preservation
- Title 20 Hazardous Materials

Specific Plans:

- Downtown Specific Plan
- El Camino Real Precise Plan
- Lockheed Site Master Use Permit
- Moffett Park Specific Plan
- 101 & Lawrence Site Specific Plan
- Southern Pacific Corridor Plan
- Lakeside Specific Plan
- Arques Campus Specific Plan

Environmental Impact Reports:

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

Maps:

- General Plan Map
- Zoning Map
- City of Sunnyvale Aerial Maps
- Flood Insurance Rate Maps (FEMA)
- Santa Clara County Assessor's Parcel
- Utility Maps
- Air Installations Compatible Use Zones (AICUZ) Study Map
- 2010 Noise Conditions Map

Legislation / Acts / Bills / Resource Agency Codes and Permits:

- Subdivision Map Act
- San Francisco Bay Region
- Municipal Regional Stormwater NPDES Permit
- Santa Clara County Valley Water District Groundwater Protection Ordinance
- Section 404 of Clean Water Act

Lists / Inventories:

- Sunnyvale Cultural Resources Inventory List
- Heritage Landmark Designation List
- Santa Clara County Heritage Resource Inventory
- Hazardous Waste & Substances Sites List (State of California)
- List of Known Contaminants in Sunnyvale
- USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.htm
- The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Guidelines and Best Management Practices

- Storm Water Quality Best Management Practices Guidelines Manual 2007
- Sunnyvale Citywide Design Guidelines
- Sunnyvale Industrial Guidelines
- Sunnyvale Single-Family Design Techniques
- Sunnyvale Eichler Guidelines
- Blueprint for a Clean Bay
- Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams
- The United States Secretary of the Interior's Guidelines for Rehabilitation
- Criteria of the National Register of Historic Places
- Santa Clara Valley Habitat Conservation Plan (under development, expected adoption date mid-2012)

Transportation:

- California Department of Transportation Highway Design Manual
- California Department of Transportation Traffic Manual
- California Department of Transportation Standard Plans & Standard Specifications

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

Public Works:

- Standard Specifications and Details of the Department of Public Works
- Storm Drain Master Plan
- Sanitary Sewer Master Plan
- Water Master Plan
- Solid Waste Management Plan of Santa Clara County
- Geotechnical Investigation Reports
- Engineering Division Project Files
- Subdivision and Parcel Map Files

Miscellaneous Agency Plans:

- ABAG Projections 2010
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines

Building Safety:

- California Building Code,
- California Energy Code
- California Plumbing Code,
- California Mechanical Code,
- California Electrical Code
- California Fire Code
- Title 16.52 Sunnyvale Municipal Code
- Title 16.53 Sunnyvale Municipal Code

- Title 16.54 Sunnyvale Municipal Code
- Title 19 California Code of Regulations
- National Fire Protection Association (NFPA) standards

Additional Project References:

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans dated 9/17/12
- Field Inspection
- Project Site Plan dated 9/17/12
- Project construction schedule
- Project Draft Storm Water Management Plan
- Project Tree Inventory by Ray Moneau,, January, 2012 & September, 2012
- Project Tree Preservation Plan
- Project Green Building Checklist
- Project LEED Checklist
-

Other

- Traffic Impact Analysis by Hexagon Transportation Consultants, Inc., dated August 27, 2012.
- Air Quality and Green House Gas report by Environ, dated September 17, 2012.
- Phase 1 Study performed by Cornerstone Earth Group in December, 2011 and September, 2012

Public Works:

- Standard Specifications and Details of the Department of Public Works
- Storm Drain Master Plan
- Sanitary Sewer Master Plan
- Water Master Plan
- Solid Waste Management Plan of Santa Clara County
- Geotechnical Investigation Reports
- Engineering Division Project Files
- Subdivision and Parcel Map Files

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- ABAG Projections 2010
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines

Building Safety:

- California Building Code,
- California Energy Code
- California Plumbing Code,
- California Mechanical Code,
- California Electrical Code
- California Fire Code
- Title 16.52 Sunnyvale Municipal Code
- Title 16.53 Sunnyvale Municipal Code

- Title 16.54 Sunnyvale Municipal Code
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- Phase 1 Study performed by Cornerstone Earth Group in December, 2011 and September, 2012

Attachment D
for report 2012-7711
is provided as a separate
file on the website version
due to the large size
of the file.

Project Description – 505 Mathilda Avenue & 550 Del Rey Avenue, Sunnyvale, CA

LinkedIn is scheduled to occupy the original project approved for 505 Mathilda Avenue, totaling 612,072 SF. In order to meet LinkedIn's need for increased space, JP Dinapoli wishes to expand the site to include 550 Del Rey Avenue. The previously approved project, which involved the consolidation of 5 parcels (APN # 165-42-005, 006, 007, 008 & 009) located at the north-west corner of N. Mathilda and W. Maude Avenues, totaled approximately 14.151 acres. With the inclusion of 550 Del Rey, (APN #165-42-002), the total site area increases by 1.233 acres to approximately 15.384 acres.

The existing 18,480 SF building located on the site will be demolished and replaced with parking in support of adding an additional floor to the previously approved Building 'D'. The total square footage of Building D, as a 5-story building, will increase by 31,875 SF to 151,039 SF, bringing the total project to 643,947 SF. This includes the 73,425 SF building at Mathilda Ave currently occupied by LinkIn. New construction will total 570,522 SF. All other aspects of the project remain the same as previously approved.

Zoning for 550 Del Rey Ave. allows 70% FAR or 37,956 SF. This is 19,116 SF more than the existing 18,480 SF building. Since 31,875 SF will be added to Building D with the additional floor, the overall project FAR will be reduced from 99.3% to 96%. The net additional square footage is approximately 13,395 SF.



HEXAGON TRANSPORTATION CONSULTANTS, INC.

ATTACHMENT F
Page 1 of 21

Mathilda R&D Campus TDM Plan

Prepared for:

The DiNapoli Companies

August 27, 2012

Hexagon Office:

111 W. St. John Street, Suite 850

San Jose, California

Hexagon Job Number: 11GB29

Document Name: Mathilda R&D Campus TDM Plan.doc

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Areawide Circulation Plans Corridor Studies Pavement Delineation Plans Traffic Handling Plans Impact Fees Interchange Analysis Parking Studies
Transportation Planning Neighborhood Traffic Calming Traffic Operations Traffic Impact Analysis Traffic Signal Design Travel Demand Forecasting



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1. Introduction

Transportation Demand Management (TDM) is a combination of services, incentives, facilities, and actions that reduce single-occupant vehicle (SOV) trips to help relieve traffic congestion, parking demand, and air pollution problems. The purpose of TDM is to promote more efficient utilization of existing transportation facilities, and to ensure that new developments are designed to maximize the potential for sustainable transportation usage. At a minimum, the proposed TDM measures for the Mathilda Research and Development Campus outlined below are expected to achieve a 20 percent reduction in daily vehicle trips (928 trips) and a 25 percent reduction in peak-hour vehicle trips (165 AM peak hour trips and 149 PM peak hour trips).

**Table 1
Trip Generation for 505 N. Mathilda Avenue**

Land Use	Size	Units	Daily Rate	Daily Trips	AM Peak Hour			PM Peak Hour					
					Pk-Hr Rate	In	Out	Total	Pk-Hr Rate	In	Out	Total	
Proposed Use													
Research and Development Center ^{/a/}	642.9 ^{/b/}	ksf	7.21	4,638	1.03	547	112	659	0.93	90	508	597	
TDM Reduction (20% of daily; 25% of peak-hour)				-928		-137	-28	-165		-22	-127	-149	
Total Site-Generated Trips				3,711		410	84	494		67	381	448	

Notes:

/a/ Institute of Transportation Engineers, Trip Generation, 8th Edition. Research and Development Center (760).
/b/ Includes both proposed new buildings and an existing building to be renovated.

The TDM Plan would partially offset the proposed increase in density from the current maximum allowable floor area ratio (FAR) to the proposed FAR. The 20 percent daily and 25 percent peak-hour trip reduction goals set forth in this TDM Plan are ambitious given the constraints associated with the project site and the TDM goals established for other comparable developments in the vicinity. Furthermore, the trip reduction goals exceed the 5 percent TDM trip reduction assumed in the site's Traffic Impact Analysis (TIA), which is intended to present a conservative evaluation of potential project impacts.

2. Project Description

The project site is located at 505 N. Mathilda Avenue at the northwest corner of Maude Avenue. The project site and surrounding study area are shown on Figure 1. The project consists of 569,472 square of new building space, which will replace 185,180 square feet of office space and a hotel currently on the site. The project also includes retention and renovation of a building with 73,425 square feet. Thus, the total project size is 642,897 square feet of research & development (R&D) campus.

The project site would include surface parking and a 5-level parking garage with a total of 2,206 parking spaces including 35 handicapped accessible spaces, 71 reserved carpool/vanpool spaces, and 143 parking spaces for clean fuel vehicles, 12 of which will include charging outlets. It also will contain bike racks near each building entrance for a total of 26 bikes and bike lockers within the parking garage for secure storage of up to 126 bikes. The site has access to Mathilda Avenue, Maude Avenue, Pastoria Avenue, and Del Rey Avenue. The proposed site plan is shown on Figure 2.

Mathilda R&D Campus TDM Plan

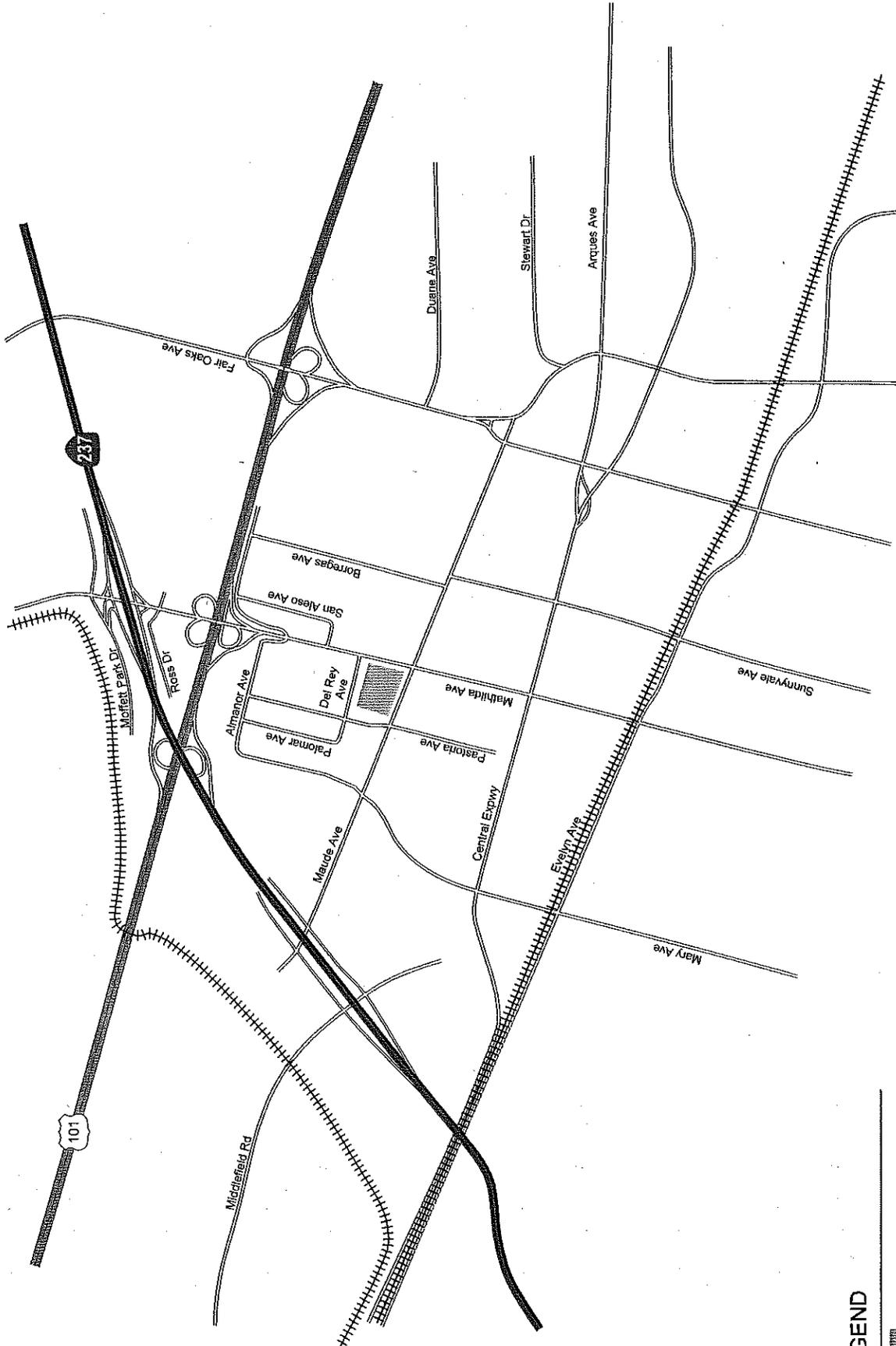


Figure 1
 Site Location

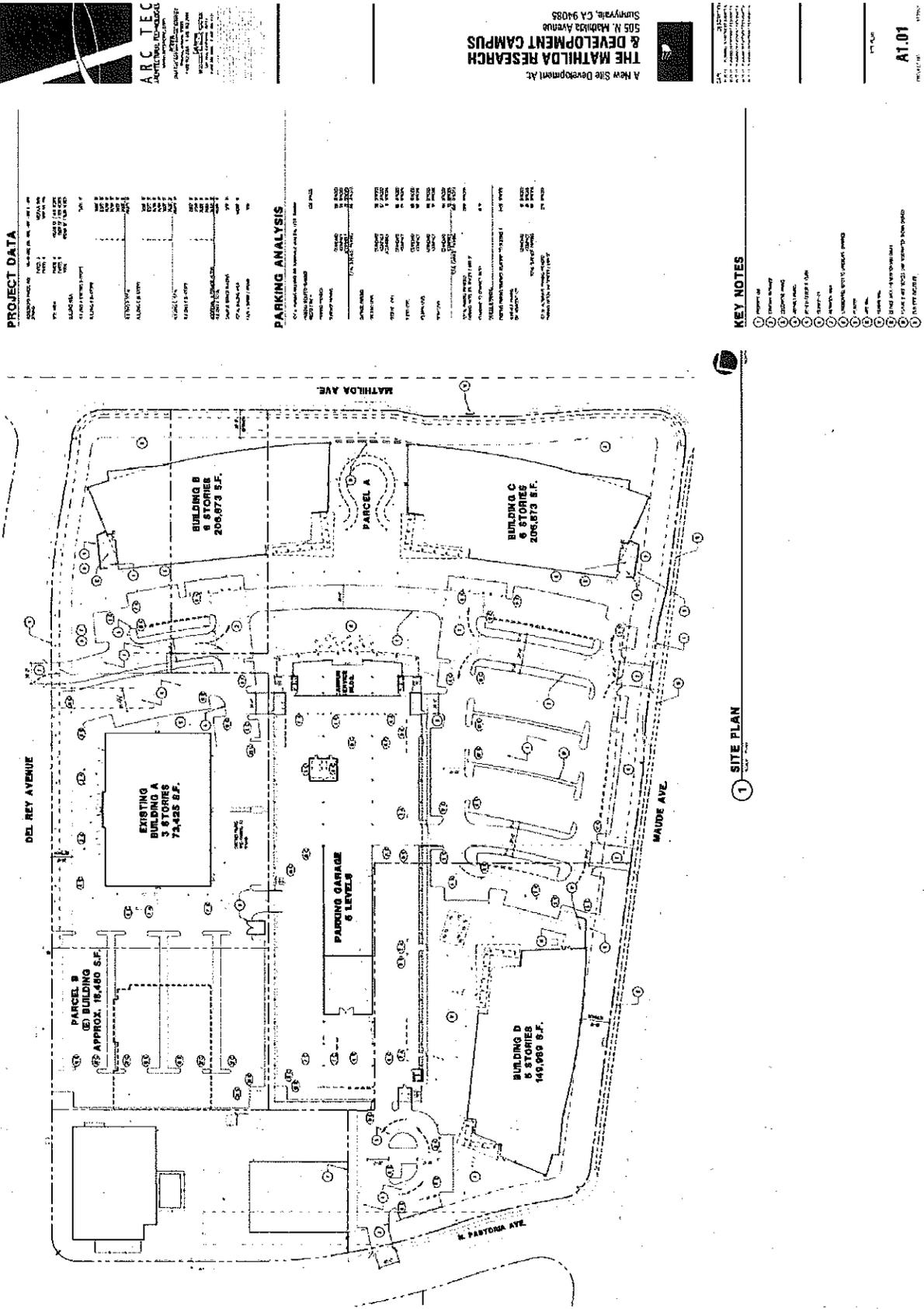
LEGEND

-  = Site Location
-  = Caltrain
-  = Light Rail

Figure 2
Site Plan



Maude R&D Campus TDM Plan



3.

Transportation Facilities and Services

Transportation facilities and services that support sustainable modes of transportation include commuter rail, light rail transit (LRT), buses and shuttle buses, bicycle facilities, and high-occupancy vehicle (HOV) lanes. This chapter describes existing and planned facilities and services near the 505 N. Mathilda Avenue site. Figure 3 presents the existing bus and rail services.

Commuter Rail

Caltrain provides commuter rail service between San Francisco and San Jose, with limited service to Gilroy during commute hours. The closest Caltrain station to the project site is the Sunnyvale Station. During the morning peak period from 6:00-9:00 AM, the Sunnyvale Station is served by three baby bullet (express) and six limited-stop northbound trains with headways between five and forty-two minutes. A total of four southbound trains, two local-stop and two limited-stop, serve the Sunnyvale Station in the AM peak period with headways between 30 and 65 minutes. In the afternoon peak period between 4:00 and 7:00 PM, the station is served by two baby bullet, five limited-stop, and one local-stop southbound trains with headways between four and thirty-four minutes. There are two limited-stop northbound trains with 60 minute headways during the PM peak period.

The Sunnyvale Station is located approximately one mile south of the project site. Although this distance is beyond what most commuters would be willing to walk, it is a reasonable distance for biking. However, as described below, there are limited bike facilities connecting the Sunnyvale Station to the project site. The station has 15 bike racks and 75 bike lockers available for reservation. While there are no Caltrain shuttles that connect to the Sunnyvale Station, Caltrain riders can connect to the project site via VTA bus route 54, which has a transit stop directly adjacent to the project site. The Sunnyvale Caltrain station includes a Park-and-Ride lot with 439 spaces. Daily and monthly parking permits may be purchased from four ticket vending machines available at this station.

The next stop to the north is the Mountain View Station. Although it is located nearly 4 miles to the west of the project site, it is accessible via the Mary Moffett Shuttle. The Mountain View Station is served by local-stop, limited-stop, and baby bullet trains with a higher frequency of trains than the Sunnyvale Station.

Caltrain Shuttle

There are no shuttle routes that run directly adjacent to the project site. However, the Mary Moffett Shuttle has a stop approximately one-third mile west of the site at Mary Avenue and Maude Avenue and another stop approximately one-half mile north of the site at Mathilda Avenue and Almanor Avenue. The shuttle

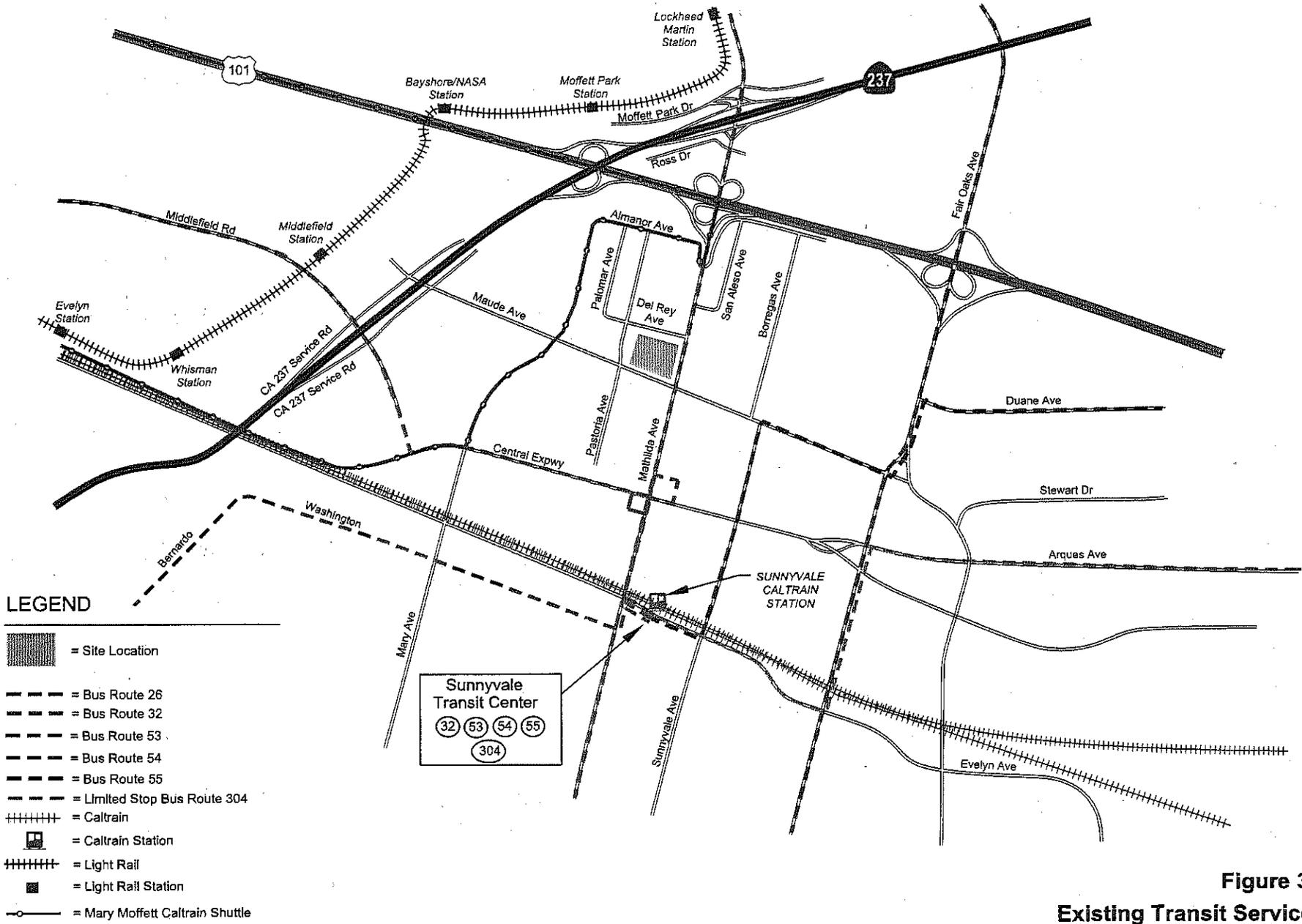


Figure 3
Existing Transit Service

runs between the Mountain View Caltrain Station and the Mary-Moffett area during commute hours. The shuttle operates four trips in the AM peak period and four in the PM peak period, coordinated with local, limited, and baby bullet service. It is funded jointly by the Bay Area Air Quality Management District, Peninsula Corridor Joint Powers Board, Sun Microsystems, and the Moffett Park Business & Transportation Association. The shuttle is free for all Caltrain passengers.

Light Rail Transit

The Santa Clara Valley Transportation Authority (VTA) currently operates the 42.2-mile light rail transit (LRT) system extending from south San Jose through downtown to the northern areas of San Jose, Santa Clara, Mountain View, Milpitas, Campbell, and Sunnyvale. Service operates 21 hours per day, every 15 minutes during much of the day, and carries over 30,000 riders on an average weekday. The closest LRT station to the project site is the Lockheed Martin LRT Station, located 1.4 miles north of the project site. The Lockheed Martin station is served by VTA bus route 54 to and from the project site.

VTA Bus Routes

Route 54 provides service between the Sunnyvale/Lockheed-Martin Transit Center and De Anza College including service to the Sunnyvale Caltrain Station. Within the study area, Route 54 operates along Mathilda Avenue with 30-minute headways during commute hours. There are bus stops directly adjacent to the project site at the southwest corner of the Mathilda /Del Rey intersection and at the northeast corner of the Mathilda/ Maude intersection. There is no shelter or bench for transit riders waiting at the Mathilda/Del Rey stop. The Mathilda/Maude stop has a bench but no shelter. There is no bus duck-out at either stop, so buses temporarily block one lane of travel when stopped.

Public transit improvements in this area have been recommended in the Valley Transportation Plan 2035. VTA is considering improvements to Express Bus and Limited Stop Bus routes serving Moffett Park. Near the project site, Route 54 will continue to operate as a Local Bus route.

HOV Lanes

High Occupancy Vehicles (HOV) lanes, also known as diamond or carpool lanes, restrict use to vehicles with two or more occupants (carpool, vanpool, and buses), motorcycles, and ILEVs (subcategory of clean-fuel vehicles that have essentially no fuel vapor emissions) during the morning (5:00 AM to 9:00 AM) and evening (3:00 PM to 7:00 PM) commute periods. HOV lanes are present on both of the freeways nearest the project site, US 101 and State Route 237.

US 101 extends northward through San Francisco and southward through Gilroy. Access to and from the project study area is provided via its interchange at Mathilda Avenue. US 101 is an eight-lane freeway (three mixed-flow lanes and one HOV lane in each direction) in the vicinity of the site.

SR 237 is a four to six-lane freeway in the vicinity of the project site that extends west to El Camino Real (Route 82) and east to I-880 in Milpitas. East of Mathilda Avenue, SR 237 has two mixed-flow lanes and one HOV lane in each direction. West of Mathilda Avenue, SR 237 has two mixed-flow lanes in each direction.

HOV lanes are also found on the portions of the following south bay roadways: I-280, SR 85, SR 87, I-880, Central Expressway, Lawrence Expressway, Montague Expressway, San Tomas Expressway, and Capital Expressway.

The VTA is implementing the Silicon Valley Express Lanes Program that ultimately will convert 180 miles of existing HOV lanes to High Occupancy Toll (HOT) lanes or express lanes. The project will allow solo drivers the option to use the lanes for a fee. Tolls will vary throughout the day based on congestion levels to help maintain level of service and free-flow conditions. The current toll price will be displayed on electric signs above the lanes. Fees from solo drivers will be collected electronically using the FasTrak electronic toll collection technology. All eligible carpool vehicles including clean air vehicles with applicable decals, motorcycles, and transit buses will continue to use the lanes free of charge. Similar to HOV lanes, the express lanes will be separated from mixed-flow lanes by a painted buffer. The express

lanes are expected to increase efficiency of the roadway and create a revenue stream that can be reinvested into facility maintenance and transit enhancement.

The first phase of express lanes on SR 237 at the connector to I-880 is scheduled to open later this month (March 2012). Phase II of the SR 237 Express Lane Project is expected to be implemented by 2015. Express lanes on US 101 are anticipated to be complete by 2016.

Bicycle Facilities

Bicycles are an important component of the City's transportation network. The City of Sunnyvale's bikeways are classified as Class I, Class II, or Class III facilities, as follows:

- Class I Bikeway – bike paths within exclusive right-of-way, sometimes shared with pedestrians
- Class II Bikeway – bike lanes for bicycle use only that are striped within the paved area of roadways
- Class III Bikeway – bike routes are shared with motor vehicles on the street. Class III bikeways may also be defined by a wide curb lane and/or use of a shared use arrow stencil marking on the pavement, known as a "sharrow"

Existing and future bicycle facilities near the project site are shown on Figure 4. According to the City of Sunnyvale Bicycle Map and the Santa Clara Valley Transportation Authority (VTA) Bikeways Map, there are numerous bike lanes and City-signed bike routes in the vicinity of the project site (see Figure 3). The following roadways contain bike lanes:

- Borregas Avenue, between Ahwanee Avenue and Maude Avenue
- Maude Avenue, between Pastoria Avenue and CA237 Service Road
- Mary Avenue, between Almanor Avenue and Maude Avenue
- Almanor Avenue, between Mary Avenue and Vaqueros Avenue

The existing bicycle network provides a nearly complete route for bicyclists traveling between the project site and the Middlefield LRT Station. However, there are no existing bicycle facilities leading from the project site to the nearest transit stations, the Sunnyvale Caltrain Station and the Lockheed Martin LRT Station. The City of Sunnyvale 2006 Bicycle Plan shows that it may be possible to add bike lanes on the segment of Mathilda Avenue between Maude Avenue and California Avenue by restriping. However, in order to add bike lanes to the segment of Mathilda Avenue north of Maude Avenue adjacent the project site and the segment of Mathilda Avenue south of California Avenue would require roadway widening. The proposed project will grant a five-foot easement along the site frontage on the west side of Mathilda Avenue to facilitate future bike lanes. However, the construction of bike lanes will not commence until additional right-of-way and/or roadway widening can be completed along both sides of Mathilda Avenue.

Likewise, the City of Sunnyvale has determined that adding bike lanes to the segment of Maude Avenue between Pastoria Avenue and Mathilda Avenue would require widening Maude Avenue along both the north and south sides. The proposed project will dedicate the necessary right-of-way along the site frontage on the north side of Maude Avenue to facilitate future bike lanes. However, the construction of bike lanes will not commence until additional right-of-way and/or roadway widening can be carried out along the south side of Maude Avenue. Other bike CIP projects in the immediate vicinity of the project listed in the Bicycle Plan include the addition of shared lane markings on Pastoria Avenue from Almanor Avenue to Hermosa Drive and the introduction of speed management or a bicycle boulevard on Del Rey Avenue between Pastoria Avenue and Mathilda Avenue. The City of Sunnyvale is also investigating extending Mary Avenue over US 101 and SR 237 to the Moffett Park area. The extension would provide a bicycle connection (either bike lanes or an exclusive bike path) to the Moffett Park LRT Station.

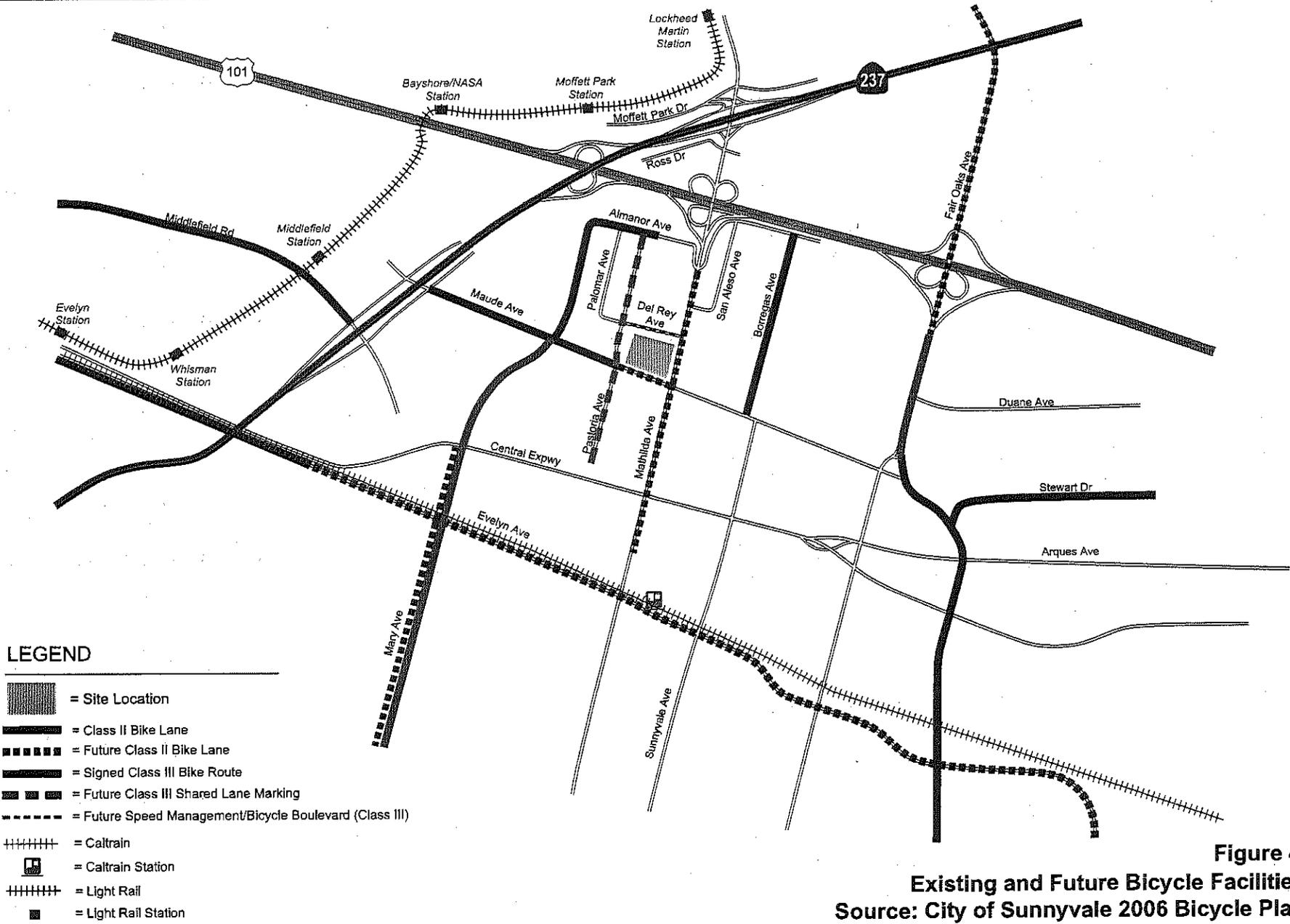


Figure 4
Existing and Future Bicycle Facilities
 Source: City of Sunnyvale 2006 Bicycle Plan

ATTACHMENT F
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Pedestrian Facilities

The project is located in an older industrial area, and there are many nearby streets without sidewalks. Sidewalks are lacking on Del Rey Avenue (northside), Pastoria Avenue (both sides), and Maude Avenue (northside). Furthermore, the unsignalized intersection of Pastoria Avenue and Del Rey Avenue does not have crosswalks. Sidewalks are located on both sides of Mathilda Avenue adjacent to the project site. The signalized intersection of Mathilda Avenue and Maude Avenue includes crosswalks and curb ramps on all legs. The existing pedestrian facilities provide a safe walking route between the project site and the nearest VTA Route 54 bus stops. Sidewalks, crosswalks and curb ramps are also provided on the walking route from the Sunnyvale Caltrain Station and the Lockheed Martin LRT Station.



4. Proposed TDM Measures

The TDM measures to be implemented for the 505 N. Mathilda Avenue Research and Development Campus include site and design measures related to the infrastructure and physical attributes of the site and the proposed building. Such transit-oriented design measures have been incorporated in the project site plans. Additional measures involve programs and services that promote sustainable modes of transportation. These measures include programs that would be created and implemented by tenants. Because the project is a speculative development with a yet unknown tenant(s), specific TDM program components will be included in lease agreements or other instruments to ensure their implementation.

Building Design and Layout

Building Entries

To encourage walking and transit use, building entries should be oriented toward plazas, parks, and adjacent roadways with pedestrian facilities to minimize the walking distance to nearby transit stops. The proposed new buildings nearest to Mathilda Avenue, Buildings B and C, have entrances oriented towards a central amphitheater with pedestrian connections to Mathilda Avenue. Additional entries are oriented towards the central campus services building, which will include a café and exercise facilities. Building entries also are provided on the north side of Building B with a connection to Del Rey Avenue and on the south side of Building C with a connection to Maude Avenue.

Building A has an entrance on each side of the building. The entry on the north side includes a connection to Del Rey Avenue while the entry on the south side includes internal connections to the campus services building, the central amphitheater, and Mathilda Avenue. The east and west entries to Building A are oriented toward surface parking areas. Decorative paving will delineate crosswalks that connect the sidewalk at the east entrance to the entry paving on the north side of the campus services building.

Building D has three entrances. The entrance on the northwest corner has a direct connection to Pastoria Avenue, while the entrance on the northeast corner has internal connections to the campus service building, the central amphitheater, and Mathilda Avenue. A third entry is provided on the east side of Building D. A pedestrian connection will link this entrance to Maude Avenue.

Building Setbacks

The proposed new buildings are located close to Mathilda Avenue and Maude Avenue with only a narrow strip of landscaping between the buildings and the street. Locating the building near sidewalks and bus stops encourages walking and transit use. Conversely, locating parking between the roadway and the building encourages driving.

Building Wiring

The proposed buildings will include fiber optic wiring to facilitate telecommuting. Telecommuting is an effective TDM strategy that enables employees to work from home or a neighborhood telecenter eliminating or reducing the number of commute trips to the project site. The building infrastructure will support a high level of telecommuting. Details regarding implementation of a telework program will be determined by the future tenant(s), which are unknown at this time.

Parking Design and Management

Parking Supply

The Mathilda Research and Development Campus will include a total of 2,214 parking spaces, which equates to a parking ratio of 1 space per 290 square feet (s.f.) of gross floor area. The City of Sunnyvale's parking code permits a range of 1 space per 250 s.f to 1 space per 500 s.f. The proposed parking supply is within the allowed range and 358 spaces less than the maximum parking allowed by Code. When combined with companion TDM measures, reduced parking discourages drive-alone commuting by limiting an abundance of easy and convenient parking options.

Parking Location and Configuration

The site plan shows that all parking facilities will be located in the rear of the proposed buildings. The parking location will minimize the walking distance to sidewalks and bus stops, thus promoting walking and transit use.

Carpool/Vanpool Parking

The project site plan shows a total of 71 parking spaces designated for carpools and vanpools (approximately 3.2 percent of the total parking spaces). The carpool spaces are located in surface parking areas near building entrances and in convenient, premium garage locations to incentivize carpooling. Preferential parking spaces provide a prominent visual message to employees and the community that alternative transportation is valued. If the spaces are underutilized, they may be made available to single-occupant vehicles after peak commute times.

Clean Air Vehicle Parking

The project site plan shows a total of 143 parking spaces designated for clean air vehicles (approximately 6.4 percent of the total parking spaces). The clean air spaces are located in surface parking areas near building entrances and in convenient, premium garage locations. Vehicle charging stations will be available at selected spaces.

On-Site Amenities

The proposed project will include services that otherwise would require a separate trip before, after, or during work hours. The following amenities will be included at the Mathilda Research and Development Campus:

- Cafeteria or café
- Fitness center
- Lobby shop or vending facilities with newspaper, sundries, snacks, stamps, transit passes

Transit Elements

Bus Stop Enhancements

The proposed project will work with VTA to enhance the existing bus stop located along the project frontage at the southwest corner of Mathilda Avenue and Del Rey Avenue. Improvements will include the addition of a bench and passenger shelter to enhance the comfort of transit passengers.

Subsidized Transit Passes

JP DiNapoli Companies will require their tenant(s), through lease agreements or other vehicles, to provide their employees with financial incentives to utilize public transit when commuting to and from the project site. Consistent with the VTA guidelines for TDM trip reductions, the transit subsidy will be equivalent to the monthly maximum transit subsidy allowable under current federal legislation (\$125 per employee per month as of March 2012). There are several ways that employers can provide this subsidy. One option is for the employer to fund a pre-tax salary payroll deduction for transit passes through a voucher program (Commuter Check or similar program). Employers receive a payroll tax savings as a benefit of this program. Another option is for employers to purchase transit passes and provide them to employees free of cost (or discounted by the monthly maximum transit subsidy allowable). These programs make transit a more attractive alternative and support the City of Sunnyvale's transit policies included in the General Plan.

Pedestrian Design Elements

The proposed site plan includes convenient direct pedestrian connections to the surrounding external streets. In addition, walkways are incorporated within the campus to enable employees to walk between different buildings on the site. Clearly defined pedestrian walkways and crossings link the campus services building with all other buildings on site, encouraging employees to use on-site amenities rather than making a separate trip before, after, or during work hours. The internal walkways and connections to sidewalks along adjacent roadways will minimize walking distances, provide direct routes to transit stops, and facilitate safe, convenient access by pedestrians.

Bicycle Amenities

Bicycle Parking

The site will include a total of 26 bike racks (Class II spaces) placed at convenient and well lit locations near building entrances. In addition, bicycle lockers (Class I spaces) with a capacity for

126 bikes will be provided on the ground floor of the proposed parking garage. Applying VTA's recommended standard of one bicycle space per 6,000 square feet of office space to the size of the proposed project yields a minimum requirement of 107 bicycle spaces. Thus, the total proposed bicycle parking supply of 152 spaces exceeds the standards recommended by VTA. For office uses, VTA recommends 80 long-term (Class I) bicycle parking spaces (75 percent of the recommended 107 spaces) and 27 short-term (Class II) bicycle parking spaces (25 percent of the recommended 107 spaces). The proposed bicycle parking meets or exceeds VTA's minimum standards.

Showers and Clothes Lockers

The site will include shower facilities and lockers and/or changing facilities in the campus services building and/or Buildings B and C in accordance with LEED gold standards. These facilities will be available to all employees of the development free of charge. The showers and lockers will encourage employees to walk or bicycle to the site.

Bicycle Network

The project will dedicate up to five feet of right-of-way along the site frontage on the north side of Maude Avenue necessary for the future addition of bike lanes between Mathilda Avenue and Pastoria Avenue. Bike lanes will be constructed when the necessary right-of-way along the south side of Maude Avenue is obtained. Likewise, the project will grant a five-foot easement along the site frontage on the west side of Mathilda Avenue to facilitate the future roadway widening necessary to add bike lanes.

Subsidized Bicycle Expenses

JP DiNapoli Companies will require their tenant(s), through lease agreements or other vehicles, to subsidize bicycle expenses for employees that bike to and from the project site. Employers will reimburse employees up to \$20 per month (\$240 per year) for qualified bicycle commuting expenses. The program will be implemented as a pre-tax payroll deduction program (through Commuter Check or similar program) or administered directly by the employer. Employees who receive the bicycle commuter benefit are not eligible to receive another qualified transportation fringe benefit (i.e. transit pass or vanpool benefit).

Bicycle Resources

The following resources are available to bicycle commuters through 511.org:

- Free Bike Buddy matching
- Bicycle maps
- Bicycle safety tips
- Information about taking bikes on public transit
- Location and use of bike parking at transit stations
- Information on Bike to Work Day
- Tips on selecting a bike, commute gear, and clothing
- Links to bicycle organizations

Carpool and Vanpool Programs

Ride Matching Assistance

The 511 RideMatch service provides an interactive, on-demand system that helps commuters find carpools, vanpools or bicycle partners. The Transportation Coordinator, described further below, in conjunction with the future tenant(s) contacts(s), will promote the on-line 511 service to employees. This free car and vanpool ridematching service helps commuters find others with

similar routes and travel patterns with whom they may share a ride. Registered users are provided with a list of other commuters near their employment or residential ZIP code along with the closest cross street, email, phone number, and hours they are available to commute to and from work. Participants are then able to select and contact others with whom they wish to commute. The service also provides a list of existing car and vanpools in their residential area that may have vacancies. In addition, tenant(s) may provide private ride matching assistance to their employees to match co-workers making the same drive via 511 services. Ride matching assistance is also available through a number of peer-to-peer matching programs, such as Zimride, which utilize social networks to match commuters.

Subsidized Vanpool Expenses

JP DiNapoli Companies will require their tenant(s), through lease agreements or other vehicles, to subsidize the cost of vanpools used to commute to and from the project site. As permitted under Section 132(F) of federal tax code, as amended by TEA-21, Title IX, Section 910, employers will fund a pre-tax salary payroll deduction for qualified vanpool costs (up to \$125 per employee per month as of March 2012). This commuter tax benefit will be provided through participation in the Commuter Check voucher program or similar program.

Carpool/Vanpool Incentives

Carpool. Track. Win!

This 511 Regional Rideshare Program offers a variety of rewards to encourage non-solo driving options. Currently, through August 31, 2012, 511 Rideshare is offering registered carpoolers a chance to win \$100 in grocery gift cards, or an iPod Shuffle and a \$10 iTunes gift card. Users must track their work trips in a trip diary and log a minimum of eight carpool trips per month to be entered into the monthly drawing. Users who track commutes for three months and logged a minimum of eight carpool trips each month have a chance to win the grand prize, a \$500 grocery gift card. The availability of future carpool rewards that may be offered after the Mathilda Research and Development Campus is complete is uncertain and will depend upon program funding.

You Pool, We Pay!

The Peninsula Traffic Congestion Relief Alliance offers a carpool incentive program called "You Pool, We Pay!" The program is open to employees at the Mathilda Research and Development Campus who live in or commute through San Mateo County. When employees form a new carpool with two or more people over the age of 18, or add a new member to an existing carpool, all carpool participants will receive a \$60 gas card.

Vanpool Formation Incentive

The 511 Regional Rideshare Program provides up to \$500 in gas cards to new vanpool that meet certain eligibility requirements and complete three to six consecutive months of operation. The gas cards are awarded on a first-come, first-served basis, until funds are exhausted.

Vanpool Seat Subsidy

The 511 Regional Rideshare Program also offers a vanpool seat subsidy in the form of gas cards. The seat subsidy will provide \$100 per month, with a limit of three months per van during the program year, to help cover the fare of a lost participant. The gas cards will be offered to eligible vans on a first-come, first-served based until the funds are exhausted.

Vanpool Participant Rebates

Commuters who live in or commute through San Mateo County can receive a rebate from the Peninsula Traffic Congestion Relief Alliance (the Alliance) to try vanpooling. The Alliance will pay half of the cost of a new vanpool participant's seat, up to \$100 per month. New vanpools that operate for at least six months can receive a one-time rebate of \$500, paid to the vanpool driver (rotating drivers may share the bonus).

Alternative Work Schedule Infrastructure

The Mathilda Research and Development Campus will include the following infrastructure to support future tenant(s) that choose to implement an alternative work schedule:

- Heating, cooling, and ventilation systems will be available for extended schedules.
- Security services will be provided to support extended schedules.
- Access to buildings and parking garage will be available to employees working outside of regular business hours.

The implementation of alternative work schedules will be determined by the future tenant(s), which are unknown at this time.

Transportation Resources**Transportation Coordinator**

JP DiNapoli Companies will provide a Transportation Coordinator who will be responsible for implementing the TDM program. The Transportation Coordinator will provide the following services and functions:

- Conduct baseline survey and annual status report detailing employee commute methods and submit to Sunnyvale Planning Department.
- Catalog all existing incentives that encourage employees to utilize alternative transportation programs and aggressively market programs to employees.
- Develop and maintain liaison with designated tenant contacts, neighboring employment centers, regional and local ridesharing programs.
- Manage preferential parking programs.
- Provide information and resource materials on the full range of transportation choices available to employees of the development.
- Provide up to date transit maps and schedules.
- Provide new tenant information packets at the time of move-in. The packet will include information about carpool/vanpool programs, public transit services, the Commuter Check program, ride matching services, and bicycle maps.
- Post materials on commute alternatives on an informational kiosk.
- Evaluate survey results to evaluate potential program modifications that would enhance the use of sustainable modes of transportation.

If the site is ultimately leased or sold to a single employer, the lease/sale agreement will require the future tenant to provide a Transportation Coordinator for the site so that the TDM program can be tailored to the specific employer's needs. If multiple employers occupy the site, JP DiNapoli Companies, or the subsequent property management group, will continue to provide a Transportation Coordinator that will interface with each tenant on site.

New Tenant Employee Information Packet

The Transportation Coordinator will provide transportation information packets to all new tenants for distribution to employees commuting to the Mathilda Research and Development Campus. This packet will include information about preferential parking programs, ride matching services, VTA and Caltrain maps and schedules, transit planning resources, a description of commuter tax benefit programs (Commuter Check), and a bicycle map. In addition, the Transportation Coordinator will distribute a similar information packet to all new employees subsequently hired or transferred to the site.

Kick-Off Event

The most opportune time to change commute behavior from drive alone automobile usage is during relocation to a new employment site. Because a travel routine has not yet established, the commuter will be more receptive to trying an alternative mode and be more likely to commit to the alternative mode. The Transportation Coordinator will be responsible for hosting a commute alternative kick-off event/celebration upon 50 percent occupancy of the Mathilda Research and Development Campus. The event will highlight transit and trip-planning services, rideshare matching, and other commute opportunities at the site. Transportation service providers (such as VTA and Caltrain), ride match services (511 and Zimride), and bicycle advocates (from the Silicon Valley Bicycle Coalition and the City of Sunnyvale Bicycle and Pedestrian Advisory Commission) will be invited to set-up exhibit booths. A similar event will be held upon 80 percent occupancy to reach out to new commuters to the site and increase awareness of the program.

Commuter Information Center

The Transportation Coordinator will be responsible for the creation and maintenance of bulletin boards and/or kiosks located in central locations with commuter information including transit system maps, schedules, carpool/vanpool matching services, and bicycle maps. Timely information also may be posted such as fliers advertising upcoming events (e.g. Bike to Work Day), vanpool seat vacancies, updates on nearby roadway construction projects, summer driving tips, and spare the air day alerts.

Trip Planning Resources

511 Transit Trip Planner

Online transit trip planning services are available to the greater San Francisco Bay Area through 511.org. Users enter their starting and ending points and either the desired starting or ending trip time. The service can build an itinerary that best suits the user's preference for fastest trip, fewest transfers, or less walking.

511 Mobile

Many popular features from 511.org can be accessed using smart phones or mobile devices. With 511 Mobile, commuters can:

- Receive real-time transit departure predictions
- Plan a public transit trip
- Check real-time traffic conditions on the live traffic map
- Get current driving times for the most popular routes in the Bay Area

Dadnab

Dadnab.com enables Bay Area commuters to get transit directions by text message. Users send a text message with their origin, destination, and optional departure or arrival time and Dadnab replies with a detailed itinerary listing what buses or trains to take, stop locations, and times.

Try Transit Program

The Alliance offers a Try Transit Program that provides a limited number of free transit tickets on BART, SamTrans, Caltrain, VTA, Dumbarton Express or M Line. The program is available to people over 18 years of age who live or work in San Mateo County and have not used public transportation to commute to work. The program is a one-time offer limited to one transit ticket per person.

511 Carpool Calculator

The 511 Carpool Calculator is a 511-sponsored online calculator that determines the cost of commuting by driving alone. Users input commute details such as the number of miles traveled to and from work, vehicle mileage, fuel cost, parking costs, and bridge tolls. The tool then calculates the solo commuting costs and vehicle CO2 emissions and the potential savings by adding carpool partner(s). The Transportation Coordinator and/or tenant contacts will include links to this calculator in periodic management bulletins and email correspondence to employees.

Monitoring and Reporting

The purpose of the TDM Plan is to reduce vehicle trips and lessen the parking issues, traffic congestion, and vehicle emissions associated with the Mathilda Research and Development Campus. Regular monitoring will be necessary to ensure that the implemented TDM measures are effective and achieving the stated 20-percent daily trip reduction and 25 percent peak-hour trip reduction goals. The program will be evaluated annually to assess the actual level of trip reduction achieved at the site and to identify any adjustments to the program necessary to ensure the TDM measures are successful.

Annual Driveway Counts

The Transportation Coordinator will work with an independent consultant to conduct 24-hour traffic counts by hour at each of the site driveways. The counts will be conducted using mechanical tube counters on a typical mid-week day. The traffic volumes at each individual driveway will be summed to tabulate the total daily and peak-hour vehicle trips generated by the site. The results of the driveway counts will be compared to the trip targets set forth in Table 1.

Annual Commute Surveys

As a supplement to the driveway counts, the Transportation Coordinator will administer an annual commute survey to measure the number of employees commuting by alternative modes. Employees who do not respond to the survey will be assumed to be driving alone. In addition to obtaining quantitative data on the mode split, the survey will provide qualitative data regarding employee perceptions of the alternative transportation programs. The commute surveys will provide additional detail regarding the actual travel modes not available in the driveway counts alone. The survey results will measure the relative effectiveness of individual program components relative to other components and facilitate the design of possible program enhancements.

Annual Summary Report

As required by the City of Sunnyvale, the Transportation Coordinator will use the driveway count data and employee commute survey results to prepare an annual TDM summary report to be submitted to the City. The report will document the effectiveness of the TDM Plan in achieving the goal of 20 percent reduction in daily trips and 25 percent reduction in peak-hour trips. The current

year mode split and driveway volumes will be compared to the previous survey results to determine progress and the effectiveness of current strategies.

If the driveway counts and TDM survey data indicate that the trip reduction goal is not being achieved, additional TDM measures may be implemented. Enhancements to the TDM program may include additional programs or services listed in the City of Sunnyvale's TDM Tool Kit or other TDM initiatives proposed by the employer(s) based on site specific conditions and/or the availability of newly developed technologies or programs that discourage single-occupant auto trips to the site. The TDM summary report will describe any planned modifications to the TDM program intended to ensure compliance with the trip reduction targets established for this project.





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Building "0"



Building D ; Parking structure



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Building "C"



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Buildings B & C



Central Plaza view



Buildings B: C



Parking ; Amenities structure