



REPORT TO PLANNING COMMISSION

Hearing Date: May 13, 2013
File Number: 2013-7155

SUBJECT: **Irvine Company:** Application(s) for the development of 57 multi-family rental units (Stewart Village II), Vesting Tentative Map located at 975 Stewart Drive and modifications to the previously approved application for 955 Stewart (#2012-7381) in M-S/ITR/R-3/PD Zoning District (APN: 205-22-027&28):

Motion **Special Development Permit** to allow the development of 57 Dwelling Units at 975 Stewart Drive, relocation of parking and use of remaining Green Building Incentive dwelling units for 955 Stewart Drive (Planning Application 2012-7381);

Motion **Vesting Tentative Parcel Map** for the merger of two lots.

Motion **Mitigated Negative Declaration** for the Special Development Permit and Vesting Tentative Map.

REPORT IN BRIEF:

Existing Site Conditions Research and Development

Surrounding Land Uses

| | |
|-------|---------------------------------------|
| North | Residential/future public park |
| South | Research and Development |
| East | Research and Development |
| West | Research and Development (of Phase I) |

Issues Architecture and Neighborhood Compatibility

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

Staff Recommendation Approval with conditions

PROJECT DESCRIPTION

The proposed project is located at 975 Stewart Drive (see Attachment A-Map) and consists of demolishing the existing industrial structures and constructing three new residential buildings to accommodate 57 dwelling units, covered and uncovered parking, landscaping and other associated site improvements. The proposed development will be rental housing and designed in a similar architectural style as the approved first phase located on the adjacent lot at 955 Stewart Drive. The two projects will be combined with minor modifications to Phase I.

- **Special Development Permit**

A Special Development Permit (SDP) is required for projects within the PD Combining Zoning District for site and architectural review. An SDP also allows for deviations from Zoning Code requirements in exchange for superior design, environmental preservation or public benefit. In this case the applicant is requesting two related deviations: number of stories and building height (see Analysis discussion below). This SDP also modifies the site plan for Phase I (Planning Application 2012-7381) to allow reconfiguration of approximately 13 parking spaces. The findings for the SDP deviations have been included in the findings in Attachment C.

- **Vesting Tentative Map**

The proposed project requires a Tentative Map to merge two parcels for 955 Stewart and 975 Stewart to allow for future development of residential units on the site. The merger of the properties would allow the construction of buildings where property lines currently exist. The purpose of the Tentative Map is to entitle the project shown on the site plans, by displaying the location of lot lines for buildings, streets (public or private), etc. As indicated on the plans, a total of 57 residential units are proposed for site. The Vesting Tentative Map vests the developer's right to build the project for the life of the map. It also secures the approved project against future SMC changes by the City that might otherwise affect the project.

The Vesting Tentative Map is valid only in conjunction with the approved site map and approved Conditions of Approval. The Tentative Map Conditions of Approval are listed in Attachment B and the Tentative Map plans can be found in Attachment C.

BACKGROUND

On August 13, 2012, the Planning Commission approved a development proposal on the adjacent lot at 955 Stewart which included the construction of 186 dwelling units with a park dedication, the following table summarizes previous planning applications related to the project site.

| File Number | Brief Description | Hearing/Decision | Date |
|--------------------|---|-------------------------------|-------------|
| 2012-7381 | Special Development Permit and Vesting Tentative Map 186 Rental Units | Planning Commission/Approved | 8/13/2012 |
| 2011-7104 | Special Development Permit and Tentative Map for 161 Townhouse Units | Planning Commission/Approved | 6/13/2011 |
| 2010-7549 | Parcel Map | Zoning Administrator/Approved | 9/15/2010 |

ANALYSIS:

Architecture and Site Design

The proposed development will consist of three garden-style buildings (low-rise buildings designed around a courtyard with landscaped grounds) and three detached parking garage structures. The residential units will contain a mix of 1-bedroom and 2-bedroom flats varying in size of 755 square feet to 1,068 square feet. The garden-style buildings and detached parking structures are designed in an Early California Style of architecture, similar to the previously approved 186 units and include low-pitched gables, barrel tile roofs, arched plaster entrance surrounds, wood beam window lintels, Juliet balconies with wrought-iron railings, tile decks with wood corbels, and double-hung windows with louver shutters.

The proposed plans include many of the elements that we required as conditions of approval for Phase I, such as the alternative paving materials at pedestrian crossings and architectural elements at the pedestrian breezeways in in the middle of the buildings. Staff has included two design conditions to ensure that the building permit plans convey the appropriate architectural elements.

The site design has been developed to repeat the same residential pattern along Stewart Drive as the Phase I. Development of Phase II will require some modifications to the approved Phase I project including the relocation of the 5-bay detached parking structure and 8 uncovered parking spaces on the east side of building 2 to the new area on Phase II. The proposed merger of the lots and relocation of the detached parking will eliminate one of the deviations from Phase I for the right side setback. The additional third building (10) is located behind building 11 (see Attachment F). The applicant has developed the site design to provide pedestrian connections to the recreation area and park located in the northwest side of the site. In addition, the project will result in the elimination of one additional curb cut on Stewart Drive and the existing

monolithic sidewalks will be removed and reinstalled to provide a planter strip and detached sidewalk.

Development Standards

The proposed development complies with most of the applicable development standards as set forth in the Sunnyvale Municipal Code. The Project Data Table (Attachment B) summarizes the proposed project and relationship to applicable zoning standards, with code deviations noted.

- **Setbacks**

Due to the proposed lot merger a number of setback deviations from the Phase I project are eliminated. Once the lots are merged they will share periphery setbacks and the only setback deviation would be for Indian Wells, which was approved in Phase I.

- **Building Height and Number of Stories**

The proposed 3 story 39 feet high garden flats are taller than what is allowed by the Zoning Code. The proposed buildings are consistent with 3 story and 39 foot high garden flats approved in Phase I. The code allows up to three stories and 35 feet for townhouses and two stories and 30 feet for all others. The applicant is requesting a building height deviation of 9 feet and three stories to accommodate the proposed garden-style building. Staff finds that the requested deviation allows for a different housing product type in the area (flats as opposed to townhouses), which is consistent with approval for Phase I.

- **Parking**

The proposed project has been designed to accommodate covered and uncovered parking spaces per the code requirements. The parking required for Phase II is 57 covered spaces and 58 uncovered spaces. All parking can be accommodated on site. The development of Phase II will require the relocation of approximately 13 parking spaces located in the southeast corner of the Phase I site near Stewart Drive. The applicant has provided an exhibit (Attachment G), which illustrates the relocation of the parking spaces. Staff has include a condition requiring that Phase I parking should not be impacted during construction (Condition of Approval PS-4). The applicant will develop a construction phasing plan that may result in the initial construction of one of the new detached garages and some uncovered parking, before demolition of the existing covered and uncovered parking in the southwest corner can occur.

- **Landscaping and Tree Preservation**

The site currently has 6 protected trees and 3 street trees. Protected trees are those that measure 38 inches or greater in circumference when

measured at four and one-half feet from the ground. The preliminary landscape plans include removing all trees due to the amount of grading and project layout. In addition, the street trees are also proposed to be removed to provide a consistent residential streetscape in Stewart Drive. All trees will be replaced with 24-inch box trees at an 11:1 ratio for on-site trees and at a 2:1 ratio for the street trees.

- **Green Building Requirements**

The project is proposing to utilize the Green Building Incentive for a 5% density bonus, similar to Phase I. This requires that the project achieve 110 Build It Green Points, which would only provide an additional 2 units for Phase II. As demonstrated in the table below, Phase I did not utilize all allowable units based on the Green Building Incentive. For Phase II, the applicant will be using the remaining Green Building Incentive units from Phase I. Table 1 indicates the allowed and proposed density for Phase I and II and the amount of units allowed and used through the Green Building Incentive. This request is reasonable since the project site will be merged together with Phase I and number of Green Building Points has not changed since Phase I was adopted.

| Project | Base Units Allowed | 5% Green Building | Total Units Allowed | Units Proposed | Green Building Balance |
|---|---------------------------|--------------------------|----------------------------|-----------------------|-------------------------------|
| Phase I | 185 | 9 | 194 | 186 | 8 |
| Phase II | 46 | 2 | 49 | 57 | (7) |
| Total Green Building Incentive Units Remaining | | | | | 1 |

- **Trash and Recycling Access**

Trash and recycling pick-up will be provided for the site in centralized areas. They have been dispersed on the site to provide accessible locations. One trash enclosure for Phase I will be relocated into Phase II.

Environmental Review

An Environmental Impact Report (EIR) was previously prepared and certified in 2007 for the East Sunnyvale ITR Project in compliance with the California Environmental Quality Act (CEQA). Mitigation measures to address potential significant impacts were incorporated into the EIR and Mitigation Monitoring and Reporting Program (MMRP). As part of the proposed Industrial to Residential designation, significant and unavoidable impacts related to regional air quality and cumulative regional air quality were identified in 2007 and a Statement of Overriding Considerations was adopted at the time of certifying the EIR. These impacts will continue to be significant and unavoidable, but are not expected to increase as a result of the proposed project. This project does

not modify the previous EIR Findings and Statement of Overriding Considerations.

As part of this project, a Mitigated Negative Declaration was prepared to evaluate the proposed project against recent air quality environmental threshold changes (see Attachment E for details). A GHG analysis has been performed for the proposed project and did not reveal any new significant impacts or increases in the severity of impacts previously identified in the 2007 EIR. In addition, to the GHG study, the applicant also conducted soils studies and an acoustical study. All outcomes of the studies have been incorporated as mitigation measures and all applicable measures from the 2007 EIR have been identified in the Conditions of Approval for the project.

FISCAL IMPACT

No fiscal impacts other than normal fees (such as Park In-lieu, Sense of Place, sewer and water connections, building permits) and taxes are expected.

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

| Notice of Negative Declaration and Public Hearing | Staff Report | Agenda |
|--|--|--|
| <ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 56 notices mailed to the property owners and tenants within 300 ft. of the project site | <ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library | <ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website |

CONCLUSION

Staff was able to make the required Findings based on the justifications for the Permit located in Attachment C and subject to the Recommended Conditions of Approval in Attachment D.

ALTERNATIVES

1. Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions.
2. Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with modified conditions.
3. Adopt the Mitigated Negative Declaration and deny the Special Development Permit and Vesting Tentative Map.

4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

RECOMMENDATION

Alternative 1: Adopt the Mitigated Negative Declaration and approve the Special Development Permit and Vesting Tentative Map with attached conditions.

Prepared by:

Shaunn Mendrin
Project Planner

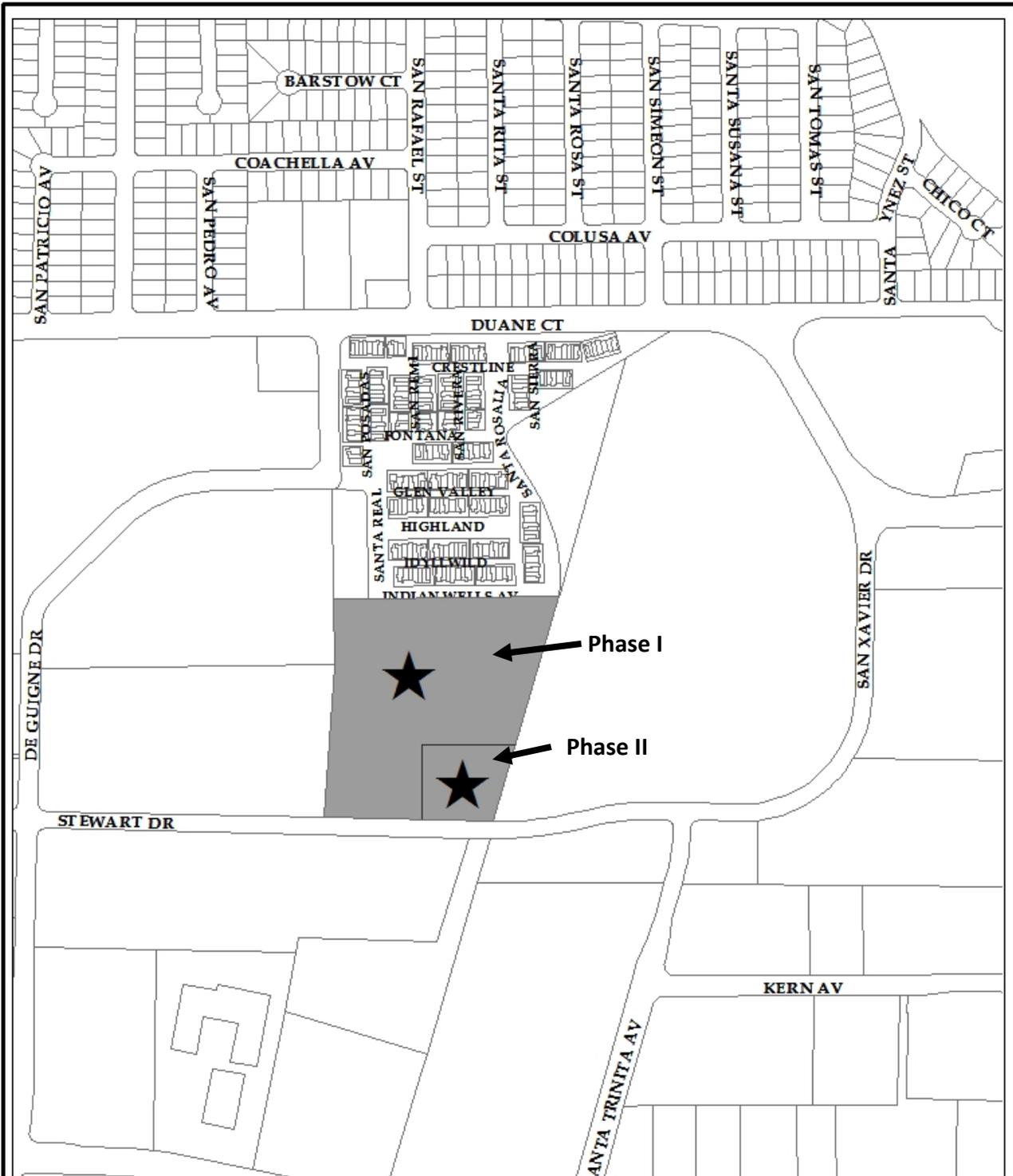
Reviewed by:

Trudi Ryan
Planning Officer

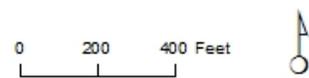
Attachments

- A. Vicinity Map
- B. Data Table
- C. Findings for Approval
- D. Conditions of Approval
- E. Mitigated Negative Declaration
- F. Project Plans
- G. Parking Relocation Diagram

VICINITY MAP



2013-7155
975 Stewart Dr. (APNs: 205-22-027, 028)
SPECIAL DEVELOPMENT PERMIT
PARCEL MAP



PROJECT DATA TABLE

| | EXISTING | PROPOSED | REQUIRED/ PERMITTED |
|---|--|--|--|
| General Plan | Industrial to Residential/ Medium Density | No Change | Industrial to Residential/ Medium Density |
| Zoning District | M-S/ITR/R-3/PD | No Change | Same |
| Lot Size (s.f.) | 84,506 | No Change <i>(418,176 when merged with Phase I)</i> | 8,000 min. |
| Gross Floor Area (s.f.) | N/A | 78,544 | No Max |
| Lot Coverage (%) | N/A | 36% | 40% max. |
| No. of Units | N/A | 57 | 57 max. (Including 5% Green Building Incentives for 975 and 955 Stewart combined) |
| Density (units/acre) | N/A | 28.93 (with Green Building Incentive) | 24 max. |
| Meets 75% min? | N/A | Yes | 35 min. |
| Bedrooms/Unit | N/A | 33 - 1 Bedroom 24 - 2 Bedroom | --- |
| Unit Sizes (s.f.) | N/A | 941-1,025 | N/A |
| Lockable Storage/Unit | N/A | 300 cu. ft. in garages and lockers | 300 cu. ft. min. |
| No. of Buildings On-Site | 3 | 3 Residential 3 Garages | --- |
| Distance Between Buildings (ft.) | N/A | 26 | 26 min. for 3 story |
| ★ Building Height (ft.) | N/A | 39 | 30 max. |
| ★ No. of Stories | N/A | 3 | 2 max. |
| Setbacks | | | |
| Front (ft.) | N/A | 20 | 20 min. |
| Right Side (ft.) | N/A | 28.5 | 20 min. |
| Left Side (ft.) | N/A | N/A | See Report Discussion |
| Rear (ft.) | N/A | N/A | |
| Landscaping (sq. ft.) | | | |
| Total Landscaping | N/A | 27,013 | 16,639 min. |

| | EXISTING | PROPOSED | REQUIRED/ PERMITTED |
|---------------------------------------|-----------------|-------------------------------------|---|
| Landscaping/Unit | N/A | 474 per unit | 425 min. |
| Usable Open Space/Unit | N/A | 400 per unit | 400 min. per unit |
| Frontage Width (ft.) | N/A | 20 Stewart Drive | 15 min. |
| Landscaping Buffer (ft.) | N/A | 28.5 | 10 min. |
| % Based on Parking Lot | N/A | 20% | 20% |
| Parking Lot Area Shading (%) | N/A | 74% | 50% min. in 15 years |
| Water Conserving Plants (%) | N/A | 80% | 80% min. |
| Parking | | | |
| Total Spaces | N/A | 57 Resident 58 Guest | 115 min. |
| Standard Spaces | N/A | 100% Resident 90% Guest | 90% min. |
| Compact Spaces/ % of Total | N/A | 5 Guest Spaces | 5 (10%) max. (unassigned) |
| Accessible Spaces | N/A | Per Building Code | Per Building Code |
| Covered Spaces | N/A | 1 per Garden Unit | 1 per Garden Unit |
| Aisle Width (ft.) | N/A | 26' | 24' min. ¹ |
| Bicycle Parking | N/A | 57 Secured in Garages 4- Class 2 | 14 Secured 4 racks per VTA standards |
| Stormwater | | | |
| Impervious Surface Area (s.f.) | 64,515 | 46,817 | None per zoning code |
| Impervious Surface (%) | 76% | 55% | None per zoning code |

1. Fire code requires 26 feet.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

RECOMMENDED FINDINGS

Special Development Permit

General Plan Goals and Policies:

- **Policy LT-2.1** Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.
 - **Policy LT-3.1** Provide land use categories for and maintenance of a variety of residential densities to offer existing and future residents of all income levels, age groups and special needs sufficient opportunities and choices for locating in the community.
 - **Policy LT-4.2** Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.
 - **Policy LT-4.4** Preserve and enhance the high quality character of residential neighborhoods.
 - **Policy LT-4.9** Allow industrial, residential, commercial, and office uses in the Industrial to Residential (ITR) Futures sites
 - **Policy CC-2.1** Maintain and provide attractive landscaping in the public right-of-way to identify the different types of roadways and districts, make motorists more comfortable and improve the enjoyment of residential neighborhoods.
 - **Policy HE-1.1** Encourage diversity in the type, size, price and tenure of residential development in Sunnyvale, including single-family homes, townhomes, apartments, mixed-use housing, transit-oriented development and live-work housing.
 - **Policy HE-4.2** Continue to direct new residential development into specific plan areas, near transit, and close to employment and activity centers.
1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. (*Finding Met*).

The proposed project meets the goals and policies of the General Plan as listed above by creating 57 residential units that promote housing goals for the community. The project also meets the policy for a minimum 75% of the allowable density for the zoning district. The proposed project will provide an addition of 57 dwelling units to the City's housing stock.

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

The proposed project maximizes the allowable density and proposes an alternative dwelling unit type for the immediate area. The project requires deviations in height and the number of stories due to the three-story garden-style structures. The conversion of the use to residential is consistent with the current General Plan land use designation and Zoning. The site layout adequately buffers the proposed development from adjacent uses by using uncovered parking areas and installing masonry fencing adjacent to nonresidential uses. The design of the project is considered high quality and will greatly improve the overall appearance of the area over current conditions.

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.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
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.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
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.
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

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

ATTACHMENT D

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS

Planning Application 2013-7155
975 Stewart Drive

Special Development Permit for the development of 57 residential rental units, relocation of 13 parking spaces from Phase I (955 Stewart, 2012-7381), Green Building Incentive and Vesting Tentative Map.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project. The 2007 East Sunnyvale EIR is incorporated into the COAs as Exhibit 1.

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

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. ENVIRONMENTAL MITIGATION MEASURES:

The project shall comply with all required mitigation and avoidance measures identified in the previously certified Environmental Impact Report (EIR) for the 2007 East Sunnyvale Industrial-to-Residential (ITR) Project as incorporated into the Conditions of Approval. [COA] [PLANNING] **Mitigation Measure**

GC-4. ON-SITE AMENITIES:

Swimming pools, pool equipment structures, play equipment, and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors. [COA] [PLANNING]

GC-5. BELOW MARKET RATE PROGRAM:

Any future subdivision resulting in the individual sales of the residential units will require the submittal of a Tentative Map application subject to review by the City and compliance with the City's Below Market Rate Housing Program and SMC 19.66. [SDR] [PLANNING]

GC-6. RECREATION FACILITIES:

If development of the project is phased, the common recreation facilities shall be installed in connection with the first phase of the development and included on the building permit plans for the first phase. [COA] [PLANNING]

GC-7. TEMPORARY TRAILERS:

Temporary sales trailer(s) on the site shall be subject to separate review and approval by the Director of Community Development. Plans for temporary trailers shall include the following:

- a) Trailers shall be placed on the premises not sooner than 15 days following the date of final project approval by the City and shall be removed no later than 30 days after the final unit is sold;
- b) Trailer entrances shall be oriented toward the nearest building;
- c) Area lighting shall be provided in the vicinity of temporary trailers. [COA] [PLANNING]

GC-8. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements

including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. [SDR] [PUBLIC WORKS]

GC-9. FINAL/PARCEL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a tentative map and recordation of a final/parcel map. All existing and proposed property lines, easements, dedications shown on the tentative map are subject to City's technical review and approval during the final/parcel map process prior to any grading or building permit issuance. [COA] [PUBLIC WORKS]

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

PS-2. REVIEW OF FINAL DESIGN:

Final architectural design, site design, exterior building materials, and color schemes are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-3. REQUIRED REVISIONS TO THE PLANS:

The project plans shall be revised to address the following items and shall be subject to review and approval by the Community Development Director.

- a) All windows shall be recessed a minimum of 2 inches from the building face.
- b) Only cast stone or dense foam trim may be used for trim elements. Alternatives may be proposed and subject to review by the Director of Community Development. [COA] [PLANNING]

PS-4. PARKING PHASING PLAN FOR PHASE 1:

The applicant shall provide a phasing plan to construct the 13 parking spaces from Phase I to Phase II prior to demolition of the existing parking located on Phase I. The phasing plan will be subject to review by the Director of Community Development prior to issuance of the building permit. [SDR] [PLANNING]

PS-5. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore

must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]

PS-6. ENVIRONMENTAL MITIGATION MEASURES:

Prior to submittal of building permit plans, provide documentation of compliance with all relevant environmental mitigation and avoidance measures required at this project stage (refer to the Mitigation Monitoring and Reporting Program for the 2007 East Sunnyvale ITR Project EIR and the 2011 EIR Addendum). [COA] [PLANNING]

Mitigation Measure

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:

The plans submitted for building permits 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 detailed written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

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

- BP-4. BLUEPRINT FOR A CLEAN BAY:
The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]
- BP-5. GREEN BUILDING:
The building permit plans shall demonstrate the project is designed to achieve a minimum of 110 points on BuildItGreen’s GreenPoint Rated Checklist. The GreenPoint Rated Checklist shall be included on plans. [SDR] [PLANNING/BUILDING]
- BP-6. 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. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for multi-family projects. [COA] [PLANNING]
- BP-7. RECYCLING AND SOLID WASTE ENCLOSURE:
The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The required solid waste and recycling enclosures shall:
- a) Match the design, materials and color of the main building;
 - b) Be of masonry construction;
 - c) Be screened from view;
 - d) All gates, lids and doors shall be closed at all times;
 - e) Shall be consistent with the approved Waste and Recycling Management Plan [COA][PUBLIC WORKS/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. WASTE & RECYCLING REPORTING FORM (CONSTRUCTION):
To mitigate the impacts of large projects on local waste disposal and recycling levels, construction weight/volumes, demolition waste weights/volumes, and recycling weights/volumes are to be reported to the City, per City’s “Waste & Recycling Reporting Form” (electronic copy available) or a similar chart approved by the City. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposal of materials generated, and forward a

complete report to the Department of Public Works, Solid Waste Division both periodically and at project completion. [COA] [PUBLIC WORKS]

BP-10. ROOF EQUIPMENT:

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roofs or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof (note shall be added on the elevations). [COA] [PLANNING]

BP-11. FEES AND BONDS:

The following fees shall be paid in full prior to issuance of building permit.

- a) PARK IN-LIEU FEE – The required land dedication is .359 acres for the proposed 57 dwelling unit project. The applicant shall pay the Park In-Lieu Fee estimated at \$1,079,325.32 at building permit issuance and is subject to recalculation based on the adopted land values at time of building permit issuance. [SDR] [PLANNING]
- b) SENSE OF PLACE FEE – Pay Sense of Place fees for neighborhood pedestrian and streetscape improvements associated with industrial-to-residential transition. Sense of Place fees are estimated at \$1,071 per dwelling unit and shall be paid prior to issuance of a building permit. The final fee amount shall be calculated based on fee schedules in place at the time of payment. [COA] [PLANNING]
- c) TIF – A Transportation Impact Fee is not required since the project does not increase the existing peak hour trips. [SDR] [PLANNING]

BP-12. TRANSPORTATION IMPROVEMENT FEES (FAIR SHARE):

The developer shall pay a pro rata share of the cost of the transportation mitigations and improvements as identified in the 2007 East Sunnyvale ITR Project EIR traffic study recommendation pertaining to this development. [COA] [PUBLIC WORKS] **Mitigation Measure**

BP-13. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted for review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features and/or rooftop mechanical screens. [COA] [PLANNING]

BP-14. LANDSCAPE PLAN:

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

- a) All areas not required for parking, driveways, or structures shall be landscaped.
- b) Provide trees at minimum 30-foot intervals along all property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Deciduous trees shall be provided along southern and western building exposures where possible for passive solar heating purposes.
- d) For new tree selection, preference shall be given to California native species, and sizes selected shall be as large as appropriate for the proposed locations. At least ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size. Any “protected trees” (as defined in SMC 19.94) approved for removal shall be replaced with a specimen tree of at least 36-inch box size.
- e) Any City street trees to be removed, replaced, or installed shall be included on the landscape plan.
- f) Provide a 15-foot wide landscaped buffer along the property’s street frontages, except that the width may be reduced in limited locations as per the deviations granted and indicated on the approved project plans.
- g) Ground cover included in the landscape plans shall be planted so as to ensure full coverage eighteen months after installation.
- h) Decorative paving shall be provided as required by the Director of Community Development to distinguish entry driveways, pedestrian paths, pedestrian crossings, and common areas.
- i) Decorative paving shall be added at the Indian Wells entrance and at the two interior intersections near the Community Room building.
- j) Provide details for common area furnishing including tables, benches, grills, trash receptacles, etc. Common area furnishings shall be secured to the ground to prevent them from being moved (excepting recycling and solid waste containers located within approved enclosures).
- k) Design of all proposed fencing and walls shall be included in the landscape plans and shall comply with 19.37.080.

- l) The sidewalk along Stewart Drive shall be widened to allow for the addition of street trees adjacent to the curb to provide further separation from the public right of way. Alternatives may be proposed and subject to review and approval by the Director of Community Development.
- m) Patio and landscape walls shall not be higher than three feet. [COA] [PLANNING]

BP-15. LANDSCAPE MAINTENANCE PLAN:

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

BP-16. LANDSCAPE BUFFER:

Install and maintain a solid decorative masonry wall along the east, lines compliant with 19.37.080. Wall height shall be measured from the highest adjoining grade. Wall design shall be subject to review and approval by the Director of Community Development prior to issuance of building permits. Wherever the grade differential is one foot or higher, a concrete or masonry retaining wall shall be installed. The wall shall not impact the health of existing trees to be retained on the subject site or adjacent property. [SDR] [PLANNING]

BP-17. TREE PROTECTION PLAN:

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

- a) An updated 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). The inventory shall include trees proposed for removal as well as trees to remain.
- b) All existing trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) The Director of Community Development has discretion over the final list of trees to be removed.
- d) 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.

- e) Provide a plan showing overlay of Civil plans including utility lines with existing trees and provide measures to protect tree root systems as needed during utility installation.
- f) The measures specified in the tree protection plan shall be installed prior to issuance of any building or grading permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-18. CITY STREET TREES:

The Applicant shall install required street trees of *Platanus x acerifolia* 'Columbia' (common name London Plane Tree) species. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Director of Public Works. New street trees shall be 24-inch box size or 15 gallon size or larger and spaced a minimum of 35 feet apart. [SDR] [PLANNING/PUBLIC WORKS]

BP-19. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/PUBLIC WORKS]

BP-20. STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:

Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]

BP-21. STORMWATER MEASURES IN USABLE OPEN SPACES:

The preliminary Stormwater Management Plan includes bioretention basins which are located in usable open space areas. The design of bioretention basins including size, depth, layout, design of inlets/drains, and type of vegetation shall be developed to avoid impairing the usability of the areas for recreation. [COA] [PLANNING]

BP-22. 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) Stormdrain 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) Covered trash enclosures and/or receptacles.
- d) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to on-site vegetated areas is not a feasible option.
 - ii) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-23. EXTERIOR LIGHTING PLAN (ON-SITE):

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

- a) Sodium vapor, LED, or illumination with an equivalent energy savings. Lighting which provides true color representation is preferred.
- b) Pole heights to be uniform and compatible with the area. Light standards shall be of pedestrian scale and shall not exceed 8 feet in height on the periphery of the project.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Lights shall have shields to prevent glare onto adjacent residential properties.
- f) Lighting plans shall be developed to provide coverage of all parking areas, driveways, and building entrances for safety and security purposes. [COA] [PLANNING]

- BP-24. PHOTOMETRIC PLAN:
Prior to issuance of a building permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]
- BP-25. LIGHTING SPACING:
Install lights at a minimum of 50 feet intervals along all private streets. Final light spacing shall be subject to approval by the Director of Community Development with review of the exterior lighting plan and photometric plan. [COA] [PLANNING]
- BP-26. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):
A Parking Management Plan is required subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:
- a) All uncovered spaces shall be reserved as guest and unassigned residential parking spaces and shall remain unassigned.
 - b) A clear definition of “guest” as proposed by the property manager/homeowner’s association.
 - c) The property manager/homeowner’s association shall specify that at least 25% and up to 75% of unassigned spaces be reserved for guest use only.
 - d) Clearly indicate that the property manager/homeowner’s association shall not rent or sell unassigned spaces, except that a nominal fee may be charged for parking management.
 - e) Residents shall use their assigned parking spaces prior to using unassigned parking spaces.
 - f) Prohibit residents from parking RV’s, trailers, or boats on the property.
 - g) Notify potential residents of the number of parking spaces provided for each unit on-site as per the approved plans. [COA] [PLANNING]
- BP-27. 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-28. BICYCLE SPACES:
Provide a minimum of 4 Class II bicycle parking spaces or as approved by the Director of Community Development. Bicycle parking shall be dispersed in several common areas throughout the site and

shown on the plans submitted for building permits. Select high-quality decorative designs for bicycle racks. [COA] [PLANNING]

BP-29. WATER METERS:

Separate metering shall be provided for domestic and irrigation water systems. [SDR] [PLANNING]

BP-30. UNDERGROUND UTILITIES:

All proposed utilities shall be undergrounded. [SDR] [PLANNING/PUBLIC WORKS]

BP-31. FIRE PROTECTION:

Plans shall demonstrate compliance with the fire protection requirements in place at the time of building permit submittal as provided in Sunnyvale Municipal Code chapters 16.52, 16.53 and 16.54; California Fire Code; and Title 19 California Code of Regulations. The following details shall be included:

- a) The water supply for fire protection and firefighting shall be approved by the Department of Public Safety (508 CFC).
- b) A fully automatic fire sprinkler system is required. The fire sprinkler system shall be in accordance with NFPA 13, and CFC (16.52.270 SMC & Section 903 CFC).
- c) A fire alarm system is required for buildings meeting the requirements under Section 907.2.9 CFC.
- d) Install approved smoke detectors in accordance with the Sunnyvale Municipal Code (SMC 16.52.280).
- e) Fire hydrants are required every 300 feet. On-site fire hydrants are required along the fire access road. Building permit plans shall provide locations of existing City fire hydrants and any proposed on-site hydrants (508 CFC).
- f) Provide the required number of approved fire extinguishers (minimum size of 2A10BC) (CCR Title 19: 568).
- g) Fire access roads are required per the Sunnyvale Municipal Code and the published requirements for Fire Department Vehicle Access. Building permit plans shall demonstrate compliance with the approved Alternate Means agreement for fire access roads.
- h) Trash enclosures within 5 feet of building exterior walls or overhangs require fire sprinkler protection (304.3.3 CFC, 16.52.270 SMC). [SDR] [PUBLIC SAFETY-FIRE PREVENTION]

BP-32. FIRE PROTECTION PLAN:

Provide a written construction Fire Protection Plan (Section 1408 CFC) (Refer to Unidocs.org, Fire Prevention documents). [COA] [PUBLIC SAFETY-FIRE PREVENTION]

BP-33. GROUNDWATER AND SOIL CONTAMINATION:

Provide a written clearance from the California Regional Water Quality Board addressing groundwater and soil contamination identified in the 2007 East Sunnyvale ITR Project EIR. [COA] [PLANNING]

Mitigation Measure

BP-34. 2007 EAST SUNNYVALE EIR MITIGATION MEASURES:

The applicant shall comply with the following applicable Mitigation Measures from the 2007 East Sunnyvale Environmental Impact Report (see attached MMRP):

- LU-1: Construction Management Plan
- HYDRO-1: SWMPPP
- HYDRO-2: NOI
- HYDRO-3: BMP's – Construction related
- HYDRO-5: BMP's – Post Construction (addressed in the required Stormwater Management Plan)
- BIO-1,2 & 3: Burrowing Owls
- BIO-4: Raptor Survey
- HAZ-1: Oversight Agency
- HAZ-2: Vapor Barrier
- HAZ-3: Hazardous Material Licensed Contractor
- HAZ-4: Cleanup to applicable Federal, State and local standards
- HAZ-6: Storage Tanks (as applicable)
- HAZ-7: ACBMs
- HAZ-8: Closure of site for Hazardous Materials (as applicable)
- HAZ-9: Removal of underground structure (as applicable)
- HAZ-10: Appropriate Disposal of Fluorescent lights
- HAZ-11: Well location map
- HAZ-12: Environmental Professional
- AIR-2: BAAQMD emission reductions
- AIR-3: Construction vehicle exhaust mufflers
- AIR-4: Watering of construction area during grading
- AIR-5: Foundation and paving follow grading
- AIR-7: BAAQMD Dust Control Measures

- NOISE-3: Posting of construction information
- NOISE-4: Construction Plan
- NOISE-5: Limited Construction Hours
- NOISE-6: Utilize quiet air compressors
- NOISE-8: Designate Noise Coordinator
- CULT-2: Ground Disturbing Activities
- CULT-4: Archeological Monitoring
- CULT-5: Excavation Provisions
- CULT-6: Prehistoric or Native American finds [COA] [PLANNING]
2007 East Sunnyvale EIR Mitigation Measure

BP-35. AIR CONDITIONING SYSTEMS:

Since all windows and doors are required to be shut to achieve a dBA of 45 or less, ventilation or air-conditioning systems must be incorporated to provide a habitable environment for all habitable space. The building permit plans shall include air condition systems.

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. [COA] [PLANNING] **Mitigation Measure**

BP-36. NOISE:

Based on the type of construction and the exterior noise levels, sound-rated windows are required to achieve the interior noise standard of DNL 45 dB. Specifics of the sound rating of windows by location have been provided in the noise consultant's report. Sound rated windows of high quality (with STC rating of 29-34) would be required for all units facing noise sources as indicated in the report.

The applicant shall submit a letter from an acoustical engineer stating the building permit plans are in conformance with the report.

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. [COA] [PLANNING] **Mitigation Measure**

BP-37. EMERGENCY RESPONSE PLAN:

The applicant shall prepare an Emergency Response Plan for the subject site. The draft plan shall include the elements defined in the Mitigated Negative Declaration and be submitted for review and approval prior to issuance of building permit for any residential unit. [COA] [PLANNING] **Mitigation Measure**

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

EP-1: CURB, GUTTER, AND SIDEWALK:

Remove the existing attached sidewalk along the Stewart Drive project frontage and install a 5' detached sidewalk with a 5' landscape strip. A continuous root barrier shall be installed along new sidewalk when adjacent to a City trees per City standard details and specifications. [COA] [PUBLIC WORKS]

EP-2: WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) in private streets and private drives shall be privately owned and maintained. For water lines, install public master water meter(s) in the public right-of-way. For each public master water meter installation, install a double check detector assembly. For private sanitary sewer and storm, install a manhole or cleanout at the right-of-way line. Install a separate irrigation meter with a backflow prevention device. [COA] [PUBLIC WORKS]

EP-3: UTILITY PROVIDERS:

Contact the utility companies for their review/approval requirements and/or procedures for site development and existing easement vacation/removal. [COA] [PUBLIC WORKS]

EP-4: COMPLIANCE WITH STANDARD REQUIREMENTS:

This project shall comply with all required improvements, design standards and standard details and specifications. [SDR] [PUBLIC WORKS]

EP-5: UTILITY ABANDONMENT/RELOCATION

All existing utility lines and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the City. Developer is required to pay for all changes or modifications

to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the park strip area, caused by the development. [COA] [PUBLIC WORKS]

EP-6: RECORD DRAWINGS:

Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to permit sign-off. [COA] [PUBLIC WORKS]

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

TM-1. UTILITY EASEMENTS:

Dedicate public utility easements on-site as required by utility providers. Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with the map or with separate instruments prior to occupancy. Quitclaim Deed is required for abandonment of private easements. No permanent structures are allowed within any of the easement limits. [COA] [PUBLIC WORKS]

TM-2. DEVELOPMENT PERMIT:

Execute a Development Permit and provide improvement securities and/or cash deposits as outlined in the Development Permit prior to map recordation. [COA] [PUBLIC WORKS]

TM-3. DEVELOPMENT FEES:

Development fees associated with the project, 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 map. [COA] [PUBLIC WORKS]

TM-4. PUBLIC IMPROVEMENTS:

All public improvements shall be completed prior to first building occupancy, unless otherwise approved by the City prior to map recordation. [COA] [PUBLIC WORKS]

TM-5. COMPLIANCE WITH SUBDIVISION REQUIREMENTS:

Comply with all applicable Sunnyvale Municipal Code requirements as outlined in Title 18: Subdivisions. [SDR] [PUBLIC WORKS]

TM-6. DRIVEWAY IMPROVEMENTS:

Remove existing driveways on Stewart Drive and replace it with new curb, gutter, and sidewalk in accordance with City standards. [COA] [PUBLIC WORKS]

TM-7. STREETLIGHTS:

All existing streetlights on project frontage shall be upgraded to LED's. Provide a photometric analysis across 955 and 975 Stewart Drive to ensure that the existing streetlights (with LED's) are in compliance with the City's streetlight design guidelines, i.e., to achieve an average illuminance equal to or above 0.9 fc, and average-to-minimum uniformity ratio equal to or below 4.0. Provide a luminaire schedule and calculation summary. If the photometric analysis indicate the streetlights are not in compliance, the following items are required.

- Install new streetlights and/or relocate existing streetlights (with LED's) in accordance with the City's standard details and specifications, including staggering and spacing requirements.
- Install new conduits, pull boxes and conductors along 955 and 975 Stewart Drive between pull boxes as determined by the City.
- Provide a table showing the loading analysis and voltage drop calculations including the number of conductors and identified size of new conduits (based on NEC code regulations).

TM-8. STREET AND UTILITY MAINTENANCE:

All internal private streets and drives, and all on-site wet utilities (water, sanitary sewer, storm drain) are to be privately owned and privately maintained in accordance with the provisions stipulated in the CC&R's. [SDR] [PUBLIC WORKS]

TM-9. SANITARY SEWER:

An updated project-level sanitary sewer analysis is required during the plan check process to confirm that the project discharge system (such as the points of discharge and discharge rate) is consistent with the analysis stipulated in the 2007 East Sunnyvale ITR Project EIR. Any changes to or deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer. [COA] [PUBLIC WORKS]

TM-10. DOMESTIC AND FIRE FLOW WATER:

An updated project-level domestic and fire flow water analysis is required during the plan check process to confirm that the project water system is consistent with the analysis stipulated in the 2007

East Sunnyvale ITR Project EIR. Any changes to or deficiencies in the existing water system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer. [COA] [PUBLIC WORKS]

TM-11. STORM DRAINS:

The project is required to follow the existing storm drain tributary pattern. Any changes or deviations would require additional analysis and be subject to approval by the Director of Public Works during the plan check process. [SDR] [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. PARKING LOT STRIPING:

All parking lot striping, guest spaces, and compact spaces shall be striped per the approved building permit plans (in conformance with the City's parking lot design guidelines) prior to occupancy. [COA] [PLANNING]

PF-3. ENVIRONMENTAL MITIGATION MEASURES:

Prior to release of occupancy or utilities, provide documentation of compliance with all relevant environmental mitigation and avoidance measures required at this project stage (refer to the Mitigation Monitoring and Reporting Program for the 2007 East Sunnyvale ITR Project EIR and the 2011 EIR Addendum). This shall include furnishing results of acoustical tests demonstrating the finished units achieve the required interior noise standards, as well as any other studies or analyses required to demonstrate all mitigation measures have been satisfied. [COA] [PLANNING] **Mitigation Measure**

PF-4. EMERGENCY RESPONSE PLAN:

The applicant shall prepare an Emergency Response Plan for the subject site. The draft plan shall be submitted for review and approval prior to issuance of building permit for any residential unit. [COA] [PLANNING] **Mitigation Measure**

- PF-5. NOISE:
The applicant shall provide a letter of compliance from the Noise consultant indicating that the structures have achieved the required noise requirements. [COA] [PLANNING]
- PF-6. PARKING MANAGEMENT PLAN:
The applicant shall submit a final Parking Management Plan to the Planning Division prior to final inspection. [COA] [PLANNING]
- PF-7. PUBLIC STREET REPAIR:
Any changes to or deficiencies in the adjacent public streets as a result of project construction are to be rectified at the expense of the developer. [COA] [PUBLIC WORKS]
- PF-8. COMPLETION OF PUBLIC IMPROVEMENTS:
Complete all required public improvements including but not limited to sidewalks, roadway improvements, streetlights, and signals prior to occupancy. [COA] [PUBLIC WORKS]

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

- DC-1. FIRE ACCESS:
Prior to any combustible construction or materials on-site, provide fire access drives and operational on-site fire protection systems if applicable (Chapter 14 CFC). [SDR] [PUBLIC SAFETY-FIRE PREVENTION]
- DC-2. BLUEPRINT FOR A CLEAN BAY:
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]
- DC-3. TREE PROTECTION:
All tree protection measures shall be maintained, as indicated in the tree protection plan, including irrigation, 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 enclosures. [COA] [PLANNING]
- AT-2. SOLID WASTE RECYCLING MANAGEMENT:
Waste and recycling services for residential uses shall be maintained under a master account held by the applicant, owner or landlord. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [PUBLIC WORKS]
- AT-3. EXTERIOR EQUIPMENT:
Exterior equipment shall be maintained within approved enclosure areas. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]
- AT-4. 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-5. STORMWATER MEASURES IN USABLE OPEN SPACES:
Any bioretention basins which are located within usable open space areas shall be maintained to ensure the stormwater treatment measures do not impair usability of the area. [COA] [PLANNING]
- AT-6. PARKING MANAGEMENT:
On-site parking management shall conform to the approved parking management plan. [COA] [PLANNING]
- AT-7. PARKING LOT MAINTENANCE:
The parking lot shall be maintained in accordance with the approved plans and as follows:
- a) Garage spaces shall be maintained at all times so as to allow for parking of vehicles.
 - b) Clearly mark all assigned, guest, and compact spaces. This shall be specified on the building permit plans and completed prior to occupancy.

- c) Maintain all parking lot striping and marking.
 - d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and guests. [COA] [PLANNING]
- AT-8. UNENCLOSED STORAGE PROHIBITED:
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-9. VEHICLE SALES, LEASING, AND RENTAL PROHIBITED:
The sales, leasing, or rental of vehicles or trailers are prohibited on the subject property. [COA] [PLANNING]
- AT-10. OFF-STREET PARKING:
Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]
- AT-11. RECREATIONAL VEHICLE STORAGE PROHIBITED:
Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels, and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]
- AT-12. STREET AND UTILITY MAINTENANCE:
The project applicant, owner, or landlord must properly maintain all internal private streets and drives and all wet utilities (water, sanitary sewer, storm drain) on the site. [SDR] [PUBLIC WORKS]
- AT-13. BMP MAINTENANCE:
The project applicant, owner, landlord, or homeowners association 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-14. BMP RIGHT OF ENTRY:
The project applicant, owner, landlord, or homeowners association 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 stormwater treatment best management practices contained in the approved Stormwater Management Plan. [SDR] [PLANNING]

AT-15. FIRE DEPARTMENT ACCESS:

A Knox system (key switch) shall be provided and maintained for all locked gates in accordance with Fire Prevention requirements. [COA]
[PUBLIC SAFETY-FIRE PREVENTION]

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

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Santa Clara County Clerk – Recorder’s Office
State of California



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CEQA DOCUMENT DECLARATION

REGINA ALCOMENDRAS, County Clerk – Recorder
by **Laura Luna, Deputy Clerk – Recorder,** *[Signature]*

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Sunnyvale
2. PROJECT TITLE: Application for a Parcel Map and Special Development Permit
3. APPLICANT NAME: Irvine Company PHONE: 408-730-7429
4. APPLICANT ADDRESS: 975 Stewart Drive, Sunnyvale, CA 94086
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 21 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|---|-------------|----------------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 2,995.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,156.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,018.50 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE) Fish & Game Code §711.4(e) | \$ 50.00 | \$ <u>0.00</u> |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

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

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

- | | | |
|---|--------|------------------|
| <input checked="" type="checkbox"/> NOTICE OF PREPARATION <input type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|---|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____
9. TOTAL RECEIVED..... \$ 0.00

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

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

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

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

File#: 17996 4/12/2013



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

File Number: 2013-7155
No. 13-10

**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 **Parcel Map** and **Special Development Permit** by **Irvine Co.**

PROJECT DESCRIPTION AND LOCATION (APN):

FILE #: 2013-7155
Location: 975 Stewart Dr. (APN: 205-22-027 & 28)
Proposed Project: **Parcel Map** to merge two lots into one lot
Special Development Permit to allow 57 multi-family apartments on an existing industrial site
Applicant / Owner: Irvine Co / 955-995 Stewart Drive Llc
Environmental Review: Mitigated Negative Declaration
Staff Contact: Shaunn Mendrin, (408) 730-7429, smendrin@sunnyvale.ca.gov

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, May 13, 2013**. 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, May 13, 2013 at 8:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

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

Circulated On April 12, 2013

Signed: 
Gerri Caruso, Principal Planner

| | |
|--|---|
| Project Title | Stewart Village II: Application (#2013-7155) for a Vesting Tentative Parcel Map and Special Development Permit to allow the construction of 57 residential rental dwelling units on an existing industrial site. |
| Lead Agency Name and Address | City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707 |
| Contact Person | Shaunn Mendrin, Senior Planner |
| Phone Number | 408-730-7429 |
| Project Location | 975 Stewart Drive , between Lawrence Expressway and Duane Drive |
| Applicant's Name | Irvine Company |
| Project Address | 975 Stewart Drive |
| Zoning | MS/ITRR3 |
| General Plan | Industrial to Residential Medium Density |
| Other Public Agencies whose approval is required | None |

DESCRIPTION OF THE PROJECT: The project consists of the following two permit types:

1. Vesting Tentative Parcel Map to merge the existing two parcels together and create an approximately 9.60 acre parcel; and
2. Special Development Permit application to allow the construction of 57 residential rental dwelling units; and

DETAILED PROJECT DESCRIPTION:

On-site Development 975 Stewart Drive (Phase II): Industrial Research and Development. The site is currently developed with one industrial building and surface parking and landscaping. The proposed project would result in the demolition of the existing building, parking and landscaped areas and the regrading of the site for the construction of 57 residential units. This project is an extension of the approved project located at 955 Stewart Drive (Phase I), which is currently under construction. The 955 Stewart project includes the construction of 186 dwelling units, community room, parking, landscaping and a .62 acre public park. Environmental review for 955 Stewart Drive was completed on August 13, 2012 under Planning Application 2012-7381.

Construction Activities and Schedule: Construction is anticipated to take approximately 14-18 months and could begin this fall or as late as 2018.

Surrounding Uses and Setting: The subject site is located within the East Sunnyvale Industrial to Residential Area, bounded by Lawrence Express Way and De Guigne Drive and Stewart Drive

and East Duane Avenue. A residential development constructed by the applicant is currently under construction to the north and west of the site. Industrial uses are located to the east and south.

Off-site Improvements: The project will be required to provide sidewalk improvements and other "sense of place" improvements along Stewart Drive which will result in the removal of the existing street trees.

Previous Environmental Review: The subject site was evaluated in 2007 (East Sunnyvale ITR FEIR) to allow the conversion of the site from Industrial to Residential. The proposed project is consistent with the FEIR and all applicable Mitigation Measures shall be incorporated into the Conditions of Approval for the project. See Mitigation Monitoring and Reporting Program (Attached, Exhibit 1). A Mitigated Negative Declaration was completed for the development located at 955 Stewart Drive (Phase I) and was approved by the Planning Commission on August 13, 2012.

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: Shaunn Mendrin, AICP

Date: 4/11/13

Title: Senior Planner

City of Sunnyvale

Signature:



| Planning | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|--|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|--|
| 1. Aesthetics -Substantially damage scenic resources, including, but not limited to trees, historic buildings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sunnyvale General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan generalplan.ln.sunnyvale.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 checked="" type="checkbox"/> | <input 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 type="checkbox"/> | <input checked="" type="checkbox"/> | Land Use and Transportation Chapter of the Sunnyvale General Plan, General Plan Map www.sunnyvaleplanning.com |
| 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://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off |
| 9. Transportation and Traffic - Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off |

| Planning | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|---|--------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| 10. For a project located the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Moffett Field Air Installations Compatible Use Zones (AICUZ), Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com ; CLUP Moffett Air Field |
| 11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | There are no private airstrips in or in the vicinity of Sunnyvale |
| 12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Air Installations Compatible Use Zones (AICUZ) Study Map Comprehensive Land Use Plan (CLUP) |
| 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 checked="" type="checkbox"/> | <input 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 Noise Study |
| 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 |
| 17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Project Description Project Plans General Plan |

| Planning | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|---|--------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| 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"/> | Project Description Project Plans SWMP General Plan |
| 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"/> | Project Description Project Plans SWMP General Plan |
| 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 Tree Survey |
| 21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project Plans Project Description |
| 22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 |
| 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. East Sunnyvale ITR FEIR. |

| Planning | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|---|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|--|
| 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. |
| 25. Air Quality - Conflict with or obstruct implementation of the <u>BAAQMD</u> air quality plan? How close is the use to a major road, hwy. or freeway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | BAAQMD CEQA Guidelines Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com |
| 26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | GHG Analysis April 11, 2013 BAAQMD CEQA Guidelines 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"/> | GHG Analysis April 11, 2013 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 checked="" type="checkbox"/> | <input type="checkbox"/> | GHG Analysis April 11, 2013 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 checked="" type="checkbox"/> | <input type="checkbox"/> | GHG Analysis April 11, 2013 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 checked="" type="checkbox"/> | <input type="checkbox"/> | BAAQMD CEQA Guidelines Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com |
| 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 |

| Planning | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|--|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|--|
| 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 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:

2. Aesthetics (Less than Significant) - The proposed project will result in the transition of the site from an industrial use to a residential use. The proposed project is subject to the City-Wide Design Guidelines and the design of the structures and site layout will be in general conformance with the adopted design guidelines. The project has been designed to be continue the approved three-story buildings approved at 955 Stewart Drive. The City’s implementation of the City-Wide Design Guidelines and staff’s review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not degrade the visual character or quality of the site and its surroundings. As a result, the impacts will be less than significant.

14. Noise (Less than Significant with Mitigation) - The project may introduce short-term temporary sources of noise to the project area during construction. Through the City’s implementation of the Municipal Code’s construction regulations and the Bay Area Air Quality regulations, this impact will be lessened to a less than significant level during construction.

The new residential units will be located within close proximity to existing Industrial uses which may result in higher levels of existing noise. The applicant’s consultant prepared a noise study prepared by Charles M Salter Associates (dated May 16, 2012), which analyzed the existing exterior noise levels at the adjacent site, both short term and long term, over a period of 48-hours, between 22nd and 26th of May 2012. Charles M Salter Associates has reviewed the proposed development for 975 Stewart Drive, dated April 11, 2013. The memo indicates that since the building are the same three-story type as the adjacent development, then they will be subjected to the same noise issues and resulting mitigations. The study and memo are available for review at the City of Sunnyvale’s Community Development Department, Monday through Friday between 8:00 a.m. and 5:00 p.m.

When determining if noise generated from adjacent streets and surrounding uses is at acceptable levels for a project, the Noise Sub-Element of the General Plan is typically applied to projects. The Sub-Element requires noise exposure levels between 60 and 75 dbA as “Conditionally Acceptable”, subject to an analysis of the necessary noise reduction requirements. Inclusion of required noise-mitigation features in the design will be necessary. The mitigation measures must be capable of reducing the interior noise levels due to exterior sources to 45 db or less.

As discussed in the noise study, the average dBA of noise measured at different locations on the site ranged between 59-78 dBA, including both short-term and long-term measurements. These noise levels were used to determine the mitigation to meet the City's maximum noise goals. Based on acoustical measurements, the future noise levels at the proposed setback of the homes would range from DNL 60 dBA to 70 dBA. All of these measured noise levels would be considered "conditionally acceptable" per the City's Noise Element. Residences facing Stewart Drive. The following noise-reducing measures would be required to comply with City's interior noise standards and to reduce the impact to a less than significant level.

This could be accomplished through the following mitigation measures:

WHAT: 1) Based on the type of construction and the exterior noise levels, sound-rated windows are required to achieve the interior noise standard of DNL 45 dB. Specifics of the sound rating of windows by location have been provided in the noise consultant's report. Sound rated windows of high quality (with STC rating of 29-34) would be required for all units facing noise sources as indicated in the report (figure 1 of the March 5, 2013 memo).

2) Since all windows and doors are required to be shut to achieve a dbA of 45 or less, ventilation or air-conditioning systems must be incorporated to provide a habitable environment for all habitable space.

WHEN: These mitigations shall be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. The applicant shall submit a letter from an acoustical engineer stating the building permit plans are in conformance with the report.

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.

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 East Sunnyvale FEIR and 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) – The 2007 East Sunnyvale FEIR found that there is the potential for Burrowing Owls and Raptors to be located with the plan area. Generally, Burrowing Owls locate in undisturbed landscape; however, there have been instances where they have used stairwells and secluded architectural elements for nesting areas on vacant buildings. Raptors generally locate within taller trees for nesting areas. The breeding and nesting period for both Burrowing Owls and Raptors is generally between January through August. The 2007 East Sunnyvale FEIR identified mitigations for potential impacts to Burrowing Owls and Raptors if construction is to occur during this time. The mitigations in 2007 East Sunnyvale FEIR will apply to this project and therefore are a less than significant impact, since the project applicant will be required to conduct a reconnaissance survey if construction or tree removal is anticipated to occur between January through August.

20. Biological Resources (Less than Significant) – The proposed project will result in the removal of numerous protected trees on the site. A Tree Inventory and Evaluation was conducted on February 14, 2013, which surveyed 27 trees and found that 6 trees are "protected trees" per the City Zoning Code. Tree removal is reviewed through the Special Development Permit process and replacement trees are required to be planted

as part of the approval. The replacement trees will be appropriately located on the site and will provide the required amount of landscaped area and shading per the Zoning Code. Therefore, this is a less than significant impact.

23. Historic and Cultural Remains (Less than Significant with Mitigation) – The proposed project includes grading and land disturbance for improvements associated with the tentative parcel map. Although the East Sunnyvale FEIR indicated that there were no recorded archeological sites for the subject site, there still remains the possibility of discovery of Native American remains and that disturbance would result in a significant impact unless mitigated. Therefore, the following mitigation measure have been included to reduce the 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) To make an adequate determination in these particular instances, the archaeologist shall conduct a preliminary field inspection to: (1) assess the amount and location of visible ground-surface, (2) determine the nature and extent of previous impacts, and (3) assess the nature and extent of potential impacts. Such field inspection may demonstrate the need for some form of additional subsurface testing (e.g., excavation by auger, shovel, or backhoe unit), or, alternatively, the need for on-site monitoring of subsurface activities (i.e., during grading or trenching).

3) If a significant archaeological resource is identified through this field inspection process, 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.

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

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

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

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

WHEN: These mitigations shall be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP 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.

26. Air Quality (Less than Significant) – Operational GHG emissions were modeled for the Phase I project and found to exceed the “Bright-Line” Threshold of 1,100 metric tons (MT) of equivalent carbon dioxide (CO₂e) per year. In accordance with the significance thresholds used in the analysis, the evaluation predicted the GHG emissions per capita and compared those to a threshold of 4.6 annual MT of CO₂e per capita. This was computed by dividing the modeled emissions from the project by the number of new residences. The per capita emissions for Phase I would be 3.85 MT CO₂e /year. This was below the GHG significance threshold of 4.6 MT CO₂e /year established by BAAQMD.

Phase II of the project would result in lower GHG emissions than Phase I, since the project would have fewer residences. As a result, there would be less traffic and less energy usage. However, the rate of traffic generation and energy usage would be similar to that of the Phase I development, which is typical of new in-fill construction of multi-family residences. As a result, the GHG emissions per capita are expected to be about 3.85 MT CO₂e /year. This would be below the GHG significance threshold of 4.6 MT CO₂e /year established by BAAQMD. In addition, the GHG emissions are likely to be less than the “Bright-Line” Threshold of 1,100 MT per year. Phase I of the project was modeled to emit 1,574 MT per

28. Air Quality (Less than Significant) –The project would have emissions below the significance thresholds adopted by BAAQMD for evaluating impacts related to ozone and particulate matter. Therefore, the project would not contribute substantially to existing or projected violations of those standards. Carbon monoxide emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as attainment for the standard. There is an ambient air quality monitoring station in San Jose that measures carbon monoxide concentrations. The highest measured level over any 8-hour averaging period during the last 3 years is less than 2 parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. The project would generate a small amount of traffic (less than 100 trips during the busiest hour) and intersections affected by the projects have traffic volumes less than the BAAQMD screening criteria and thus would not cause a violation of an ambient air quality standard or have a considerable contribution to cumulative violations of these standards.

29. Air Quality (Less than Significant) – The project would be too small to have significant air pollutant emissions during construction and operation. In their 2011 update to the *CEQA Air Quality Guidelines*, the BAAQMD identified the size of land use projects that could result in significant air pollutant emissions. For construction impacts, the multi-family project size was identified at 240 dwelling units. For operational impacts, the project size was identified at 451 dwelling units. Since the project proposes 57 multi-family units, it is concluded that emissions would be below the BAAQMD significance thresholds for both construction exhaust and operational emissions. In addition, the project would replace an existing use that produced operational emissions. Thus, the project would not result in project-specific impacts for any criteria pollutant and would not have a considerable contribution to cumulative criteria pollutant impacts.

30. Air Quality (Less than Significant) – Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. Construction activity would generate dust and equipment exhausts on a temporary basis. Nearby sources of air pollutant emissions are not anticipated to adversely affect new residents, which are considered sensitive receptors.

Project Construction Activity

Construction activity is anticipated to involve demolition of the existing two buildings and residential building construction. The project size is well below the screening criteria developed by BAAQMD to identify the potential for significant construction emissions. Those thresholds primarily address the potential for emission to adversely affect regional air quality. However, localized emissions of dust or equipment exhaust could affect nearby sensitive land uses. Impacts would be similar, but less, than those predicted for Phase I.

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known Toxic Air Contaminant (TAC). As indicated under Impacts 2 and 3, these emissions would not be considered to contribute substantially to existing or projected air quality violations. The BAAQMD has not developed any procedures or guidelines for identifying these impacts from temporary construction activities where diesel particulate matter emissions are transient. They are typically evaluated for stationary sources (e.g., large compression ignition engines such as generators) in health risk assessments over the course of lifetime exposures (i.e., 24 hours per day over 70 years). Diesel exhaust poses both a health and nuisance impact to nearby receptors.

A health risk assessment of construction impacts was conducted for Phase I. The Phase I assessment modeled TAC concentrations at planned new residences near the project and predicted impacts in terms of excess cancer risk, annual fine particulate matter (PM_{2.5}) concentrations and non-cancer impacts (expressed as a Hazard Index). This assessment found less than significant community risk impacts, as cancer risk was found to be well below the threshold of significance. Phase II would be constructed about 300 feet or further from the residences evaluated under Phase I. However, it is possible that some Phase I dwelling units could be occupied during construction of Phase II. In this case, the setback between Phase I and Phase II would be similar to that of Phase I and the new off-site residential development that was evaluated. There would be driveways or access roads between the building construction areas and the residential areas of Phase I. As a result, similar impacts found for Phase I with respect to construction TAC emissions are anticipated for Phase II.

To reduce construction impacts associated with fugitive dust, the project should incorporate the BAAQMD-recommended mitigation measures that serve as “Best Management Practices” for reducing PM₁₀ emissions from construction. These were outlined in our letter regarding Phase I air quality impacts.

Project Operation

Similar to the 955 Stewart project, this residential project is not considered a source of TAC or PM_{2.5} emissions. As a result, the project operation would not cause emissions that expose sensitive receptors to

unhealthy air pollutant levels. Because the project would not be a source of TACs, it would not contribute cumulatively to unhealthy exposure to TACs.

This project would include new sensitive receptors. A review of the area conducted for Phase I indicates that there are no major roadways within 1,000 feet of the site that could adversely affect new residences. Stationary sources of air pollution were identified near the site. All except two sources within 1,000 feet of the project site were identified to have maximum reported risks or $PM^{2.5}$ concentrations below the BAAQMD thresholds. The exceptions were emergency diesel generators at Fry's Electronics and Advanced Micro Devices (AMD) that were predicted to cause potentially significant cancer risk. Therefore, a more detailed analysis of the two diesel-powered emergency generators that were found to potentially affect the site was conducted. This analysis involved obtaining facility emissions data and using the U.S. EPA SCREEN3 model with screening meteorological assumptions to model DPM concentrations at the project residences that would be closest. Cancer risk computations were then applied to the modeled DPM concentrations to predict excess cancer risk caused by the facilities. Modeling of these two generators confirmed that the cancer risk associated with their emissions would be less than the 10 in one million cancer risk threshold for the Phase I residences. The highest single source affecting the project site would have a cancer risk of less than 4 in one million, a hazard index of less than 0.01, and an annual $PM_{2.5}$ concentration of less than $0.01 \mu g/m^3$. The Cumulative risk was also found to be well below the BAAQMD thresholds.

With the exception of the generator at Fry's Electronics Store, all of the stationary sources are further from Phase II residences than Phase I. So their impacts to Phase II residences would be less. The Fry's generator would be about 300 feet from the closest Phase II residences (compared to 445 feet or further for Phase I). The excess cancer risk predicted for this source at Phase I was 3.74 chances per million. Using the BAAQMD's Distance Adjustment Multiplier Tool for Diesel Internal Combustion (IC) Engines, the adjusted risk at 300 feet would be 5.96 per million. It should be noted that this is a screening-level calculation. Modeling of the source with a more complex dispersion model (e.g., AERMOD) and hourly meteorological data would likely indicate a lower impact, especially since the generator operation is limited to 50 hours per year for routine testing that only occurs during daytime conditions. In this case, single- and cumulative-source impacts would be below the thresholds used to evaluate community risk.

33. Seismic Safety (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. Current California Building Code requirements ensure that structures are designed to address seismic concerns through additional geotechnical design. The building permit plans will be reviewed by the City for conformance with the California Building Code. This will ensure that the seismic safety issues will be reduced to a less than significant level.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

| Transportation | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|--|--------------------------------|--------------------------------|--------------------------|-------------------------------------|--|
| 35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |
| 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"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |
| 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"/> | General Plan Project Plans |
| 38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | General Plan Project Plans |
| 39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |
| 40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |

| Transportation | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|---|--------------------------------|--------------------------------|--------------------------|-------------------------------------|--|
| 41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |
| 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"/> | City's Land Use and Transportation Element, Santa Clara County Transportation Plan Congestion Management Program, Institute of Transportation Engineers (ITE) Trip Generation Manual 8th Edition Transportation Impact Study Project Plans |

Further Discussion if “Less than Significant” with or without mitigation: The proposed project is consistent with the density indicated within the East Sunnyvale ITR FEIR and all applicable mitigations will be applied to the project approval. None required.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

| 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 |
| 46. Geology and Soils -Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual |
| 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:

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 California Building Code requirements for areas with potential for seismic activity, this aspect of the project will be reduced to a less than significant level.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

| 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"/> | Environmental Management Chapter of the Sunnyvale General Plan |
| 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 Environmental Management Chapter of the Sunnyvale General Plan |
| 51. Utilities and Service Systems: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project Description Environmental Management Chapter of the Sunnyvale General Plan |
| 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 Environmental Management Chapter of the Sunnyvale General Plan |
| 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 Environmental Management Chapter of the Sunnyvale General Plan |
| 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"/> | Environmental Management Chapter of the Sunnyvale General Plan |
| 55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit |

| Engineering | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|--|--------------------------------|--------------------------------|--------------------------|-------------------------------------|--|
| 56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org |
| 57. Hydrology and Water Quality - Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project description Environmental Management Chapter of the Sunnyvale General Plan |
| 58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | RWQCB, Region 2 Municipal Regional Permit, Stormwater Quality BMP Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com |
| 59. Hydrology and Water Quality -Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams www.valleywater.org City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects |
| 60. Utilities and Service Systems: Comply with federal, state, and local statues and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Environmental Management Chapter of the Sunnyvale General Plan |
| 61. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Environmental Management Chapter of the Sunnyvale General Plan |

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

| 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: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

| Public Safety – Hazardous Materials | Potentially Significant Impact | Less than Sig. With Mitigation | Less Than Significant | No Impact | Source Other Than Project Description and Plans |
|--|--------------------------------|--------------------------------|-------------------------------------|-------------------------------------|--|
| 64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Project description |
| 65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project description |
| 66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Project Plans MND for Stewart Village I East Sunnyvale ITR FEIR |
| 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:

Item 64. Hazards and Hazardous Materials (Less than Significant, with Mitigation) – According to the City’s Hazardous Materials Coordinator, existing sites in the area that are used for industrial uses can be permitted for hazardous materials. Based on type of existing uses, there is a potential for these uses to pose a significant risk to future residents. To ensure the safety of future residents at 975 Stewart Drive, an Emergency Response Plan will be required. The required Emergency Response Plan will reduce the potential significant impact to less than significant with the following mitigation measure:

WHAT: The applicant shall develop an Emergency Response Plan for the future residents at the site. The plan shall include the following components:

- Introduction
- Response Plan Guidelines
- Emergency Team Definition
- Emergency Response Plan

- Specific Emergency Response Procedures
- The plan shall be reviewed and updated annually.

WHEN: These mitigations shall be converted into conditions of approval for this Special Development Permit prior to its final approval by the City's Planning Commission and included in the CCRs associated with the development. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The applicant shall draft and submit the mitigation measure for review and approval of the Director of Community Development. The property owner will be solely responsible for implementation and maintenance of the mitigation measures.

HOW: These mitigation measures will be required to be completed prior to building permit issuance and may be combined with the same plan for 955 Stewart Drive.

Item 67. Hazards and Hazardous Materials (Less than Significant, with Mitigation) – The site was identified as having the potential for soil and ground water contamination in the 2007 East Sunnyvale EIR. The adopted EIR included several mitigation measures to reduce the potential impacts to a less than significant level (see Exhibit 1). These mitigations have been included in the Conditions of Approval for the project and attached as Exhibit.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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:

69. & 70. Recreation (Less than Significant) The project will generate an increase in the use of existing park facilities, but this impact is less than significant because the project will comply with the City’s Park Dedication requirement, providing park land for dedication.

Responsible Division: Planning Division

Completed by: Shaunn Mendrin

Date: 4/11/13

ENVIRONMENTAL SOURCES

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
- Comprehensive Land Use Plan (CLUP)
- 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

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- 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.html
- 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

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

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OTHER :

Project Specific Information

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans dated 2/27/13
- Field Inspection
- Project construction schedule
- Project Draft Storm Water Management Plan
- Project Build it Green Checklist
- Arborist Report dated 2/14/13
- Project Noise Memo dated 3/5/13
- Noise Study dated 5/16/12
- 2007 East Sunnyvale ITR MMRP