

**REPORT TO PLANNING COMMISSION****Hearing Date:** August 26, 2013

File #: **2013-7353**
Location: **1221 Crossman Avenue** in a Moffett Park-Transit Oriented Development (MP-TOD) Zoning District (APN: 110-34-025)

Proposed Project: Major Moffett Park Design Review for redevelopment of an existing 15.5 acre R&D site with two new 7-story office buildings and amenities area totaling 541,214 square feet (80% FAR) and one 3-level parking structure.

Applicant/Owner Jay Paul Company

Environmental Review: Mitigated Negative Declaration

Staff Contact: Shétal Divatia, (408)730-7637, sdivatia@sunnyvale.ca.gov

REPORT IN BRIEF:

Existing Site Conditions Land use: R&D office buildings; General Plan: Industrial; Zoning: MP-TOD

Surrounding Land Uses

North	R&D/Office Building
South	Moffett Park Drive and 237
East	Office Building across Java Drive
West	Office Building across Innsbruck Avenue

Issues None

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

Staff Recommendation Approve with recommended Conditions of Approval

PROJECT DESCRIPTION

The project is a proposal to redevelop an existing 15.5 acre site containing three R&D office buildings of one and two-stories built at 23% FAR. The proposal is for two new 7-story Class A buildings and an amenities area at 80% FAR and one 3-level parking structure. The site is located in Moffett Park Specific Plan (MPSP) area with Moffett Park–Transit Oriented Development (MP-TOD) zoning district which allows 70% FAR. The proposed project will be seeking LEED Gold USGBC certification to utilize Sunnyvale’s Green Building Program, which allows for an additional 10% FAR as an incentive to achieve LEED Gold certification (Resolution 550-12). This allows for a total of 80% FAR allowed for the subject site.

The proposal is for a total of 541,214 square feet for the two new buildings (each building is 264,607 square feet) and a 12,000-square foot amenities area (fitness center) at 80% FAR. The project is served by 1,804 parking spaces of which 675 parking spaces are located in the parking structure.

The proposed office space will be leased and occupied by one or more tenant(s) whose identity and nature of business is not known at this time.

BACKGROUND

The project is located within the Moffett Park Specific Plan across from VTA Light Rail Station on Java Drive. The site is served by four streets, Java Drive to its north, Crossman Avenue on its east, Moffett Park Drive on its south and Innsbruck Drive on its west. The site is adjacent to two properties on its north.

The existing buildings are one- and two-story buildings that were built in 1981 at 23% FAR. Past planning permits for the site include sign permits, tree removal permits, and minor architectural alterations. Medtronix occupies one of the three buildings and the other two buildings have been vacant since 2012.

Moffett Park Specific Plan District: The project site is located within the Moffett Park Specific Plan – Transit Oriented Development (MP-TOD) zoning district and requires a Major Moffett Park Design Review Permit (MP-DR). The MP-TOD allows development intensity up to 70% FAR.

- **Moffett Park – Design Review (MP-DR)**

The proposed project meets the application completeness requirements set forth in SMC 19.29.110 to be processed as a Major MP-DR. The required findings for this permit are: A) The project attains the objectives and purposes of the MPSP; and B) Substantially conforms with the Moffett Park Design Guidelines set forth in Chapter Six of the MPSP. The Findings are addressed in Attachment C.

- **Green Building Program:** The project utilizes the City of Sunnyvale’s Green Building Program that allows an additional 10% FAR for LEED Gold with USGBC certification.

Planning Commission Study Session

A Planning Commission Study Session was held on June 24, 2013. During the session the Commissioners requested additional information or design modifications on the following subjects:

- *Architecture – also include curved planes on elevations facing the streets –* the proposed project includes minor changes to the elevations, but does not include curved planes on its street elevations (these appear only on the site interior)
- *Potential overuse of glass as a building material resulting in similar buildings in this neighborhood –* The project plans includes elevations of another project proposed by the applicant, which utilizes glass as a building material. Staff has included pictures of other office/R&D glass buildings in Moffett Park (Attachment H).
- *Need for additional landscaped areas –* The proposed site plan has been modified to include a larger common green area and the basketball court has been relocated to the top level of the parking structure.
- *Pedestrian access –* The project has an enhanced pedestrian access from Java Drive and Crossman Avenue and additional onsite pedestrian circulation is included in the project plans.
- *Locations of other developments in Moffett Park –* Staff has included a map showing projects in Moffett Park (Attachment G).

The proposal has since been modified and additional information is included as noted in order to address the Planning Commission's comments and concerns.

DISCUSSION:

Site Layout

The project site is one 15.53 acre lot. The site is across from Santa Clara Valley Transportation Authority's Light Rail Station on Java Drive. The site has frontages along four streets: Java Drive, Crossman Avenue, Moffett Park Drive and Innsbruck Drive. The proposed site design orients the two 7-story buildings towards Crossman Avenue and a 3-level parking structure in the rear of the site closer to Innsbruck Drive. The proposed site plan retains a majority of the existing landscaped frontages along the four streets. Some of the existing driveways will be maintained and some others are proposed to be relocated or removed. A focal pedestrian entrance is located between the two buildings facing Crossman Avenue.

The project includes a large green area between the two buildings and extends to the parking structure in the rear of the site. Other areas of the site are proposed to include surface parking and landscaping.

The buildings have entrances facing Crossman Avenue and from the interior parking areas. Service areas are located on the sides of the buildings and proposed to be screened from street views (Java Drive and Moffett Park Drive).

Architecture

The architectural style of the two buildings is contemporary and utilizes glass and metal colored mullions. The building envelope is comprised of a series of curving planes, floating fins, and sharp corners intended to lend interest and break the mass of the building. The curved elevations facing the central open space is intended to tie the two buildings with the central space. A variety of horizontal and vertical expression has been applied to the mullion style to differentiate planes while the glass building material is intended to bring lightness and a transparency to the design. At the roof line the penthouse is recessed with a translucent trellis element added to lighten the sense of mass at the roof line where a typical roof screen might appear heavy.

The composition of each elevation provides a series of views from different vantage points around the site, repeating elements such as the balconies, sunshades and mullion detail to tie the overall design. The two buildings with the same architectural style will appear different when viewed from adjacent streets and properties due to the orientation of the buildings on the site.

The buildings have entrances facing the streets and in the interior facing the parking areas to provide focal points.

The architectural style of the parking structure is intended to tie the parking structure with that of the R&D buildings while keeping a low-profile in terms of scale and style. The exterior of the structure will have painted concrete in horizontal and vertical planes, glass walls in straight and curved planes, ribbed metal columns and panels, green screens and openings. The elevation facing the interior of the site facing the buildings and the central green area contains the amenities area (fitness center) on a portion of the top (third) floor. This elevation relates the parking structure with the office buildings. This area includes a curved glass wall with metal colored mullions and a translucent roofline trellis element which is similar to the office buildings. The elevation (west elevation) facing Innsbruck Drive is more typical of a parking structure and contains horizontal concrete planes, punctuated by green screens and openings. The variety of planes, materials and forms is intended to provide visual interest and break the mass of the structure. The side elevations (north and south) include “glass fins” found on the elevations of the proposed R&D buildings.

Landscaping and Amenities

The project includes landscaping along its street frontages, common green area and the parking lot. Existing landscaped areas and some mature trees along Crossman Avenue are proposed to be retained. Existing parking lot landscaped areas containing trees and ground cover are proposed to be removed. New landscaping within the parking lot includes 4 feet wide landscaping strips containing ground cover and trees as noted in the Site Plan and Preliminary Landscape Plan. The project will also include landscaping along service yards

for the purpose of screening as noted in the proposed plans. The common green area includes a plaza and outdoor seating.

The project includes a 12,000-square foot amenities area (fitness center) to be located on the top level of the parking structure. Additionally, a basketball court is proposed to be located on the top level of the parking structure.

Tree Preservation: A tree survey report notes that the site has a total of 338 trees, of which 20 trees are located beyond the site's property lines, and therefore are street trees. The survey assesses the health and structural integrity of all trees and notes that 43 trees (13%) are in good condition, 216 trees (64%) are in moderate condition and 79 trees (23%) are in poor condition. Fifteen trees on Moffett Park Drive; 6 trees on Crossman Avenue, and 12 trees on Java Drive frontages are proposed to be saved. Most of the trees proposed for removal are in moderate or poor condition.

Development Standards

The proposed project complies with all of the Development Standards as set forth in the Sunnyvale Municipal Code (SMC 19.29.140) and is noted in Project Data Table (Attachment B). The project does not request any deviations from the required standards.

Off-site Improvements

Roadways: The site is served by four streets, is in close proximity to the VTA Light Rail Station on Java Drive and SR 237, is served by 7 VTA bus routes, 2 bus shuttle services and a Class II bike lane on Moffett Park Drive. A Traffic Impact Report for the proposed project was prepared. The study notes the following:

- The project would generate 3,686 net new daily trips with 512 net AM peak hour trips and 483 net PM peak hour trips.
- The study examined the project's impact on 19 street intersections and 10 freeway segments.
- The project will have a significant impact on the Mathilda Avenue/Moffett Park Drive intersection during AM and PM peak hours by further exacerbating the existing Level of Service (LOS) F at this intersection; and recommends that a Traffic Impact Fee (TIF) be collected by the City. (Condition of Approval BP-11-a).
- The project will cause a significant increase in traffic volumes (more than 1% of freeway capacity) on portions of SR 237 and US 101; and notes that a fair-share contribution towards freeway improvements be made (Condition of Approval BP-11 b).
- The required and proposed new bicycle lane on Crossman Avenue can be accommodated within the existing roadway on Crossman Avenue by reducing the number of travel lanes and requiring modifications to roadway and signal configuration (Condition of Approval EP-5).
- Proposed access driveways that are relocated from their current locations on Crossman Avenue and Innsbruck Drive are offset from existing

driveways across the site and pose a safety concern; and recommends that driveway locations line-up (Condition of Approval PS-2).

Sidewalks: Required sidewalks are proposed to be installed along 3 streets (Innsbruck Avenue, Moffett Park Drive and Crossman Avenue) and will connect with the existing sidewalk on Java Drive. Sidewalks will meander around trees to be saved and provide easements if necessary.

Key Code Provisions and Guidelines

The proposed project complies with all applicable code requirements as set forth in the Sunnyvale Municipal Code for Moffett Park Specific Plan (SMC 19.24.140). The Moffett Park Specific Plan Design Guidelines address site planning, architecture, landscaping and site amenities, sustainable design and green building techniques, and artwork in private development. The proposed project meets the guidelines and a detailed discussion is contained in the Findings section located in Attachment C.

- **Building Height/Stories**

The proposed 7-story R&D buildings are 120 feet tall including mechanical equipment screen and the floating parapet above. A majority portion of the building will be 114 feet tall while the portion of the building with curved plane will be 120 feet tall. The proposed height is lower than the maximum 130 feet allowed for MP-TOD zoning district. Additionally, since the project is within 2 miles of the Moffett Federal Airfield, the proposal requires clearance from Federal Aviation Administration (FAA) (Condition of Approval BP-9).

- **Parking**

The MP-TOD zoning district requires a minimum of 1 parking space for 300 square feet of gross floor area and a maximum of 1 space for 250 square feet of gross floor area. The project proposes a parking ratio of 1 /293 square feet of gross floor area of the two buildings for a total of 1,804 parking of which 675 parking spaces are located in the parking structure and 1,129 parking spaces are surface parking. MPSP further notes that uses that provide a Transportation Demand Management (TDM) plan may reduce parking consistent with the provisions of the TDM plan. Staff notes that number of parking spaces could be further reduced by 40 spaces (1/300 square foot ratio).

Transportation Demand Management (TDM): The project requires a TDM plan to reduce daily and peak hour trips. The Moffett Park Specific Plan requires projects greater than 60% FAR to reduce total trips by 25% and peak hour trips by 30%. The proposed project is subject to this requirement and a TDM program shall be submitted as noted in Condition of Approval No. PS-5. The Traffic Impact Analysis (TIA) assumed a total of 7% trip reduction for transit proximity and the implementation of a TDM program.

- **Green Building Requirements**

The project proposes to utilize the City of Sunnyvale’s Green Building Program incentive that allows an additional 10% FAR for LEED Gold USGBC (US Green Building Council) Certification. The preliminary checklist indicates that the project will meet the minimum level for LEED Gold with 75 points. The applicant is also required to include in the leases the need for all tenants to obtain LEED Gold certification for tenant improvements (Condition of Approval GC-5).

ENVIRONMENTAL REVIEW

The Planning Department prepared and noticed an Initial Study for a Mitigated Negative Declaration for the project. A copy of the environmental review document was also available for public review at City Hall from August 2 to August 23, 2013. A copy of the Mitigated Negative Declaration is contained in Attachment F.

The project application included the following focused studies:

- Traffic Impact Analysis
- Air Quality and Green House Gas Technical Report
- Environmental Site Assessment (Phase I and II)
- Archeological and Cultural Resource Assessment
- Raptor and Burrowing Owl Survey
- Tree Survey
- Preliminary Sanitary Sewer Analysis

The Initial Study identified “Less than Significant with Mitigation Measures” on the following resources:

- Population and Housing
- Biological Resources
- Historical and Cultural (remains) Resources
- Transportation
- Hazards and Hazardous Material

Implementation of the mitigation measures will reduce these impacts to a less-than-significant level. Recommended mitigation measures are included in the Condition of Approval (Attachment D). Staff recommends that a Mitigated Negative Declaration, which includes mitigation measures, be adopted.

FISCAL IMPACT

Normal fees and taxes are anticipated for this project. The proposed project is anticipated to have a positive fiscal impact on the City. Additional fees include Traffic Impact Fee (\$1,776,626.19) and Housing Mitigation Fee (\$1,770,152.85) as noted in the Conditions of Approval (see Attachment D).

The Redevelopment of the site as proposed will increase the assessed value of the property and the City receiving additional monies annually. The proposed Class A R&D office buildings are designed to attract high quality tenants such as corporate headquarters of bio-tech or technology companies. These tenants will have a positive economic impact by providing jobs and enhancing the image of the City. Removal of the existing buildings could result in a minimal loss in revenue due to displaced tenant(s) as only one of the three buildings is currently occupied.

PUBLIC CONTACT

Notice of Mitigated Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 240 notices mailed to the property owners and residents 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

Moffett Park Design Review Findings: Staff was able to make the required Findings as noted in Attachment C.

Conditions of Approval: Staff has included the Recommended Conditions of Approval located in Attachment D.

ALTERNATIVES

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

RECOMMENDATION

Recommend Alternative 1 in accordance with the Findings in Attachment C and Conditions of Approval in Attachment D.

Prepared by:

Shétal Divatia
Project Planner

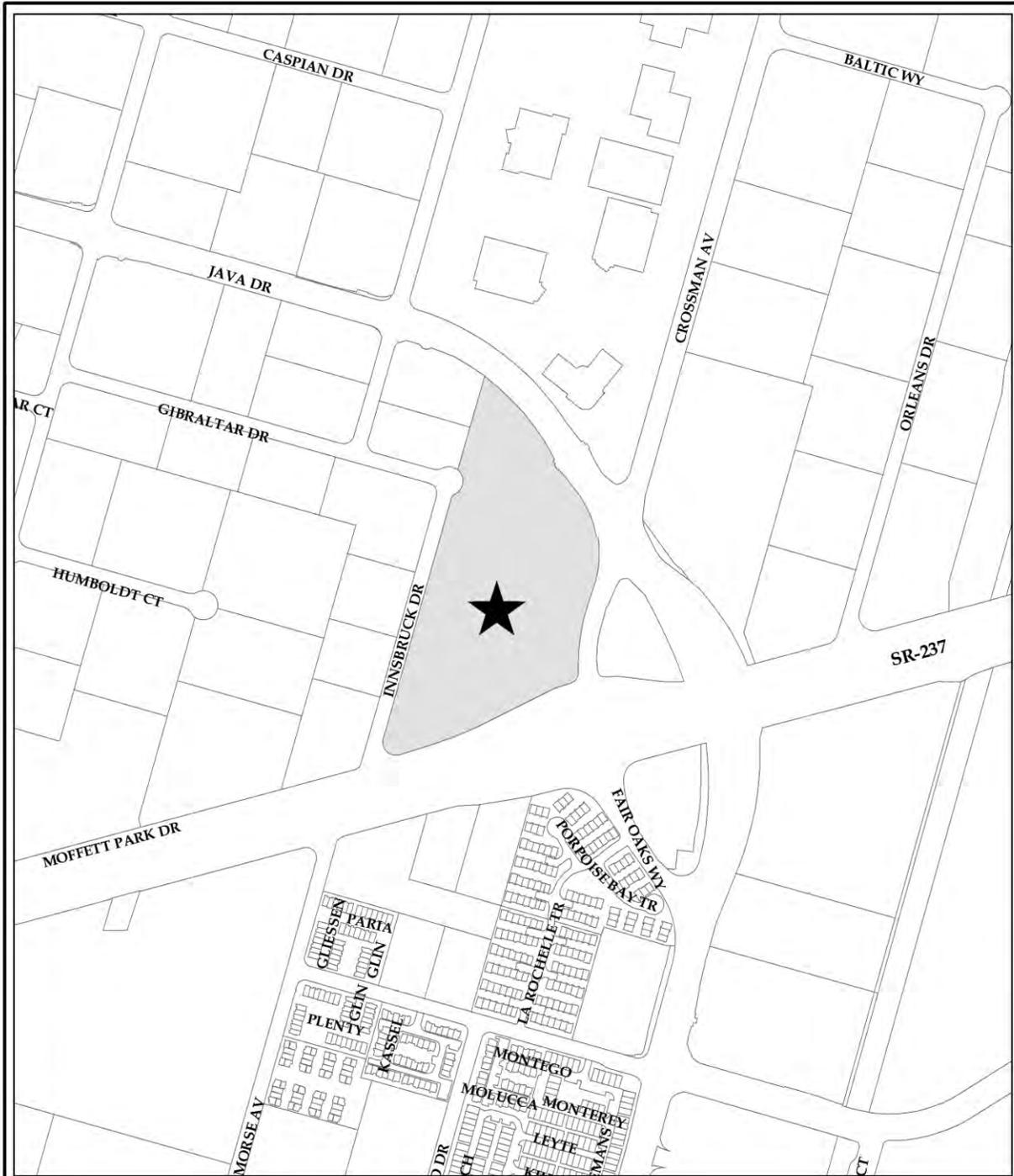
Approved by:

Trudi Ryan
Planning Officer

Attachments:

- A. Vicinity Map
- B. Data Table
- C. Recommended Findings
- D. Recommended Conditions of Approval
- E. Mitigated Negative Declaration
- F. Site and Architectural Plans
- G. Projects in Moffett Park
- H. Photos of glass office/R&D buildings in Moffett Park

VICINITY MAP



2013-7353
1221 Crossman Avenue (APN: 110-34-025)
Major Moffett Park Design Review

0 65130 260 Feet
[Scale bar]



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Moffett Park Specific Plan	Same	Moffett Park Specific Plan
Zoning District	MP-TOD	Same	MP - TOD
Lot Size (s.f.)	676,518	Same	22,500 min.
Gross Floor Area (s.f.)	3 bdlgs – Total: 159,226	2 R&D Bldgs.(264,607 s.f. each)+ amenities area(12,000s.f) Total Bldg. area:541,214 Parking Str.145,900 (2 L)	473,562 s.f. - (70%FAR) max.
Lot Coverage (%)	NA	21.8	45 max.
Floor Area Ratio (FAR)	23%	80%	70% max.(w/PC Hearing) +10% LEED Gold
No. of Buildings On-Site	3	2 R&D Bldgs. 1 Parking Str.	---
Distance Between Buildings	approx. 65'-80'	approx. 110'	---
Building Height (ft.)	NA	R&D Bldgs. 7 stories:120 Parking Str. 3 levels:43'6"	75/130 max.
No. of Stories	1-2	7	---
Setbacks (Facing Property)			
Front (ft.) - East	approx. 180'	91'10"	15' min.
Left Side (ft.) - South	approx. 145'	74'	20' min. combined
Right Side (ft.) - North	approx. 165'	67'11"	20' min. combined.
Rear (ft.) – West	approx. 180'	25'	min.
Landscaping (sq. ft.)			
Total Landscaping	NA	20%	20% min.
Frontage Width (ft.)	NA	18-80	15 min.
% Based on Parking Lot	NA	21	20 min.
Parking Lot Area Shading (%)	NA	51	50 min.
Water Conserving Plants (%)	NA	70	70 min.
Parking			
Total Spaces	NA	1,804 Surface: 1,129 Parking Str.: 675	1,764 min. – 2,117 max.
Universal Spaces	NA	1,768	min.
Accessible Spaces	NA	36	min.
Aisle Width (ft.)	NA	24	24 min.
Bicycle Parking	NA	96	91 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

RECOMMENDED FINDINGS

Moffett Park Design Review

Sunnyvale Municipal Code (SMC 19.29.110(d)(3)) requires the following findings be met:

- A) The project attains the objectives and purposes of the Moffett Park Specific Plan (MPSP), and
- B) Substantially conforms with the Moffett Park Design Guidelines set for in Chapter Six of the MPSP.

Objectives and Purpose of Moffett Park Specific Plan

Objective:

- *Diversify and strengthen the economic opportunities and fiscal health of the city.*
- *Contribute positively to the city’s regional prominence and community character.*
- *Promote smart growth and sustainable development.*

Purpose:

- *Protect and promote the public health, safety, peace, comfort and general welfare;*

The project, as conditioned, redevelops a vacant site by constructing two 7-story office R&D buildings and a 3-level parking structure and attains the objectives and purpose noted above.

and,

The proposed project substantially conforms with the Moffett Park Design Guidelines as noted below:

MPSP - Design Guidelines.

Basic Design Principle	Comments
Site Planning	
<i>1. Building placement near the front setback line especially on Java Drive to encourage a more pedestrian environment and urban character.</i>	The proposed buildings are located close the street frontages with a majority of the parking in the interior of the lot. Building 2 is setback approximately 68 feet from Java Drive to address this design requirement.
<i>2 Buildings located on corner parcels should be placed at or near the setback lines to encourage strong pedestrian connection to the street.</i>	The proposed buildings although not located at the 25-foot front setback line include elements such as pedestrian entryways, pedestrian plaza, landscaping and artwork to

	enhance the project’s pedestrian connection to the streets.
<i>3. Buildings near transit stations should orient their main entrances toward the stations and provide pedestrian connections</i>	The project as conditioned will have its building entrances towards the Java Light Rail station and includes a pedestrian connection with the crosswalk on Java Drive. The project will also include new sidewalks on three street frontages and provide better pedestrian connections for this industrial neighborhood to the transit station.
<i>4. When multiple buildings are proposed for a site, they should be grouped to provide functional open spaces, plazas, and courtyards with strong pedestrian links.</i>	The proposed three buildings are grouped around a common open space between them and are connected with pathways and utilizes the green space appropriately.
<i>5. Loading areas and service yards should be located to the rear of the site and completely screened from view</i>	The loading and service yards although not located in the rear or interior portion of the site shall be completely screened from view with the use of screening walls and landscaping.
Architecture	
<i>1. Large scaled elements of undifferentiated mass should not appear bulky and monotonous through use of appropriate design techniques.</i>	The proposed architectural style with the use of glass, variation of planes, including curved planes and projections is intended to reduce the appearance of bulk and monotony of the two 7-story office buildings.
<i>2. Corner buildings shall place prominent architectural features and detailing at the corner of the buildings adjacent to the streets to provide a strong entry feature.</i>	The proposed site plan with pedestrian entryways, landscaping, potential location of art work and the proposed architecture of the two buildings will enhance the corner of Java Drive and Crossman Avenue.
<i>4. Architectural design and detailing should be consistent on all elevations of the building and between different buildings within the same complex.</i>	Although the design technique proposed for the two buildings does not include the same elevation on all its four sides; but includes adequate variation of detail and form on each of its sides to provide interest and movement to enhance its visual appeal.
<i>5. The use of varied materials and colors is generally encouraged. Materials should be of high quality and</i>	The proposed office buildings utilizes two types of glass and metal colored mullions; and the parking structure

<p><i>should relate to each other in logical ways.</i></p>	<p>includes these materials and painted concrete. All of the proposed materials are of high quality and logically relate to each other to enhance the architectural design of the buildings.</p>
<p><i>6. Roof forms shall be consistent with the design theme of the building and should continue all the way around the building to complete the design.</i></p>	<p>The proposed roof includes a projection over the mechanical penthouse on a portion of the roof and forms an architectural element that enhances the proposed asymmetrical architectural style of the buildings.</p>
<p><i>7. Parapet walls and equipment screen walls shall be treated as an integral part of the building design.</i></p>	<p>The proposed roof extension above the rooftop mechanical penthouse is an integral part of the building design.</p>
<p><i>8. Accessory structures shall be architecturally compatible with the primary structures on the site.</i></p>	<p>The parking structure containing the amenities area on the top floor includes design style and materials similar to the office buildings and effectively ties the architecture of all three buildings on the site.</p>
<p><i>9. Art in private development requirement may allow integration of art projects into building design, features and materials.</i></p>	<p>The applicant has indicated a potential location for art in the common green area between the two buildings to allow integrations of this requirement into the building and site design.</p>
<p>Landscaping and Site Amenities:</p>	
<p><i>1. Landscaping shall serve a variety of purposes and designed to serve multiple needs.</i></p>	<p>The project as conditioned, retains existing frontage landscaped areas and trees to the extent feasible; the common green space provides a focal point for the site, the landscaping strips in the parking lot will shade the parking lot, pedestrian walkways, defines pedestrian and vehicle circulation, screens services areas, the vertical green screens on the parking structure walls softens the appearance of structure, provides visual interest and contrast, provides for recreational space, and satisfies storm water runoff and infiltration BMP requirements.</p>
<p><i>2. When appropriate, landscape design should be coordinated with adjacent uses.</i></p>	<p>The project site retains existing landscape on its periphery including portions adjacent to neighboring</p>

	properties on its north which includes similar R&D office uses.
<i>3. Existing trees shall be incorporated to the extent feasible into the site designs of new buildings.</i>	The project as conditioned will save as many trees that are in good health to the extent feasible.
<i>4. Outdoor recreation and eating areas for employees are strongly encouraged.</i>	The project includes a large common green area, an amenities area (most like a gym) and a basketball court to encourage indoor and outdoor recreation.
<i>5. Parking lot design shall allow for phased implementation as necessitated by on-site demand.</i>	The project does not include phased development.
<i>6. Window design shall, in addition to considering such issues as energy efficiency and aesthetic appeal, strive to provide for high levels of day lighting for office type uses.</i>	The proposed Gold LEED USGBC certification, and as conditioned, will include a curtain wall via interior shades which in addition to providing uniformity for aesthetic appeal will also allow for high levels of day lighting. Tenants will also be required to maintain LEED Gold levels.
<i>7. Indoor and outdoor materials should contain a high percentage of recycled content or rapidly renewable resources and produced in the region, when available to satisfy the required utility or aesthetic.</i>	The project will be LEED Gold certified and the preliminary LEED checklist notes utilization of some recycled content (10-20%), regional materials (10%) and certified wood.
<i>8. Interior design is encouraged to provide high levels of indoor environmental quality that provides for long term benefits to employees' health and productivity through the use of low-emitting materials and efficient ventilation methods.</i>	The proposal includes the interior of the building to also be LEED compliant. The project seeks to improve indoor air quality through the use day lighting via curtain walls with interior shades, incorporating materials that do not emit gases containing harmful chemicals, air filtration, and improved ventilation standards.
<i>9. Existing building materials shall be salvaged or reused for new construction or recycled when feasible.</i>	The preliminary LEED checklist for the project will include diverting construction waste management (50-75%)
Art in Private Development	
<i>Provide art in private development for sites greater than two acres. A variety of mediums are encouraged for artwork.</i>	The project as conditioned will include art in private development. The artist and the artwork will be reviewed by the City's Arts Commission. Artwork shall be installed prior to Final Permit.

Green Building Program

City Council approved a Resolution #6/13 in September 2012 to modify Sunnyvale's Green Building Program to allow an increase by an additional 10% FAR for projects achieving LEED Gold with USGBC certification.

The proposed project with 75 points on the Green Building checklist aims to achieve the USGBC certification to allow for the additional 10% FAR above the 70% FAR allowed by the MP-TOD zone.

ATTACHMENT D

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS 8/26/2013

Planning Application 2013-7353 1221 Crossman Avenue

Major Moffett Park Design Review for redevelopment of an existing 15.5 acre industrial site with two new 7-story office buildings and an amenities area totaling 541,214 s.f. (80% FAR) and one parking structure

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

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

GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.
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GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. PERMIT EXPIRATION

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

The project may request up to two separate one-year extensions prior to expiration of the approval. The applicant may entitle the project for a total of seven years inclusive of the original approval and extension time periods with a minimum payment of 25% of the traffic impact fee. [SDR/COA] [PLANNING]

GC-3. INDEMNITY:

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

GC-4. STORM WATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]

GC-5. GREEN BUILDING REQUIREMENTS:

The new office buildings shall be constructed to meet LEED Gold level and shall be submitted to USGBC for formal certification. All tenants will be required to obtain LEED Gold level and shall submit to USGBC for formal certification of the tenant improvements. [COA] [PLANNING]

GC-6. PUBLIC IMPROVEMENTS:

The developer is required to install all public improvements as required by Sunnyvale Municipal Code (SMC) section 18.08, including but not limited to: curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signal/signs, striping, street lights, etc.) prior to occupancy as required by the Director of Public Works. All public improvement plans shall be submitted to and be approved by the Department of Public Works per Sunnyvale Municipal Code (SMC) section 13.08.60. All public improvements shall be installed per City's design standards pursuant to SMC section 18.12 unless otherwise approved by the Director of Public Works. [SDR] [PUBLIC WORKS]

GC-7. 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. Storage of all construction related materials, parking and equipment must take place on-site and the public streets must be kept free of debris. [SDR] [PUBLIC WORKS]

GC-8. MAXIMUM DEVELOPMENT AREA:

The maximum FAR for the site shall not exceed 80% (MP-TOD 70% plus 10% Green Building Program for LEED Gold USGB Certification). [COA] [PLANNING]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.**PS-1. 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-2. REQUIRED REVISIONS TO PROJECT PLANS [COA] [PLANNING]:

1. Submit a modified site plan for review and approval by the Planning Director of Community Development prior to submittal of a building permit. The modifications shall include:
 - a) Explore and examine various options to relocate the proposed access driveways on Innsbruck Drive and Crossman Avenue to address alignment with existing driveways across the streets to address traffic safety concerns noted in the Transportation Impact Analysis. Submit a Final design for the approval by City's Traffic and Transportation Division.
 - b) Submit a detailed pedestrian and truck circulation plan for the project for approval by City's Traffic and Transportation Division.
2. Reduce the amount of parking spaces provided (1,804) by 40 spaces that are currently provided for the amenities area (fitness center) which also maintains the 1/300 s.f. parking ratio for the office buildings with 1,764 spaces.
3. To reduce potential hazards to birds, explore and implement minor building modifications that do not compromise LEED Gold certification.

PS-3. EXTERIOR MATERIALS REVIEW:

- i) Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-4. ENVIRONMENTAL MITIGATION MEASURES:

- Prior to submittal of building permit plans, provide documentation of compliance with all relevant environmental mitigation measures noted in the Initial Study of the Mitigated Negative Declaration. [COA] [PLANNING]
- i) Population and Housing PH1 – Housing Mitigation Fee
 - ii) Biological Resources BR1 – Avoidance, Preconstruction Pre-disturbance Survey for nesting birds; and Inhibit Nesting if necessary.
 - iii) Historic and Cultural Resources (remains) HCR1 – Core Sampling Program, and procedures noted if significant archaeological resource is identified.
 - iv) Traffic Impact T1 – Traffic Impact Fee and fairshare contributions
 - v) Hazards and Hazardous Materials – Removal of existing chemical and hazardous waste materials stored at the site.

TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):

The applicant shall submit a TDM Plan to include a Trip Reduction Program that results in a reduction of at least: 25% total average daily trips; and, 30% peak hour trips as calculated from the estimated total trip generation utilized in the Transportation Impact Analysis for the project (not including trip reduction credits or credits for previous uses). The TDM plan shall:

- a. Be approved by the Director of Community Development and Director of Public Works, or designees.
- b. Include statements of the number of allowable average daily and peak hour trips;
- c. Include an annual monitoring requirement based on actual driveway counts by a city authorized consultant;
- d. Include a penalty for non-compliance with the targeted reductions. Said penalty shall be based on a documented calculation of the value per employee of TDM measures proposed in the TDM Plan
- e. Be adjusted, subject to the same approvals, if targeted reductions are not met;

The applicant shall submit a TDM Plan to include a Trip Reduction Program [COA] [PLANNING]

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

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. 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 75 points on US Green Building's Rated Checklist for Gold certification. This Checklist shall be included on plans. [SDR] [PLANNING/BUILDING]

BP-6. SOLID WASTE MANAGEMENT DESIGN PLAN:

A detailed recycling and solid waste design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of a building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines. [COA] [PUBLIC WORKS/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 or similar sturdy construction;
- c) Be screened from view;
- d) All gates, lids and doors shall be closed at all times;
- e) Provide fire sprinklers for trash enclosures within five feet of buildings. [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. CLEARANCE FROM FEDERAL AVIATION ADMINISTRATION (FAA).

If required by the FAA, the project will obtain No Objection/Clearance Certificate.

BP-10. ROOF EQUIPMENT:

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

BP-11. FEES, BONDS & PAYMENTS:

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

- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips and project's impact on Mathilda/Moffett Park

intersection, estimated at \$1,776,629.19, prior to issuance of a Building Permit. (SMC 3.50). [SDR] (MND MITIGATION MEASURE) [PLANNING]

- b) TRANSPORTATION MITIGATION FAIR SHARE CONTRIBUTION – Mitigate project’s traffic impact on freeway segments by paying VTA a fairshare contribution of \$1,162,042 which is to be utilized towards freeway HOT lane improvement.
- c) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$1,770,152.85, prior to issuance of a Building Permit. (SMC 19.22). [SDR] (MND MITIGATION MEASURE) [PLANNING]
- d) ART IN PRIVATE DEVELOPMENT - Post Art in Private Development bond estimated at \$671,105, prior to issuance of a Building Permit. [SDR] [PLANNING]
 - (i) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the development project will be required prior to issuance of a building permit. The bond will not released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [PLANNING] [SDR]

BP-12. ART IN PRIVATE DEVELOPMENT REVIEW:

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

BP-13. MECHANICAL EQUIPMENT (EXTERIOR):

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

BP-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 (MPP). The landscape plan shall include the following elements:

- (1) All areas not required for parking, driveways or structures shall be landscaped.
- (2) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.

- (3) Deciduous trees shall be provided along northern exposures for passive solar heating purposes.
- (4) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- (5) 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.
- (6) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- (7) Decorative paving as proposed in preliminary landscape plan.

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 permit. [COA] [PLANNING]

BP-16. TREE PROTECTION PLAN:

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

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all ‘protected trees’ by a certified arborist, using the latest version of the “Guide for Plant Appraisal” published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) 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-17. STORMWATER MANAGEMENT CALCULATIONS:

Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]

BP-18. 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 a building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/PUBLIC WORKS]

BP-19. 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-20. BEST MANAGEMENT PRACTICES - STORMWATER:

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

- a. Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d. Covered trash, food waste, and compactor enclosures.
- e. Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
- f. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
- g. Dumpster drips from covered trash and food compactor enclosures.
- h. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
- i. Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
- j. Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-21. CITY STREET TREES:

If required, the landscape plan shall including street trees and shall be submitted for review and approval by the City Arborist prior to issuance of building permit. [COA] [ENGINEERING/CITY ARBORIST]

BP-22. BICYCLE SPACES:

Provide a minimum of 91 bicycle parking spaces or as approved by the Director of Community Development. Minimum of 75% of the bicycle parking spaces shall be secured spaces. Bicycle parking shall be dispersed in several common areas throughout the site and shown on the plans submitted for building permits. [COA] [PLANNING] [PUBLIC WORKS]

- BP-23. BICYCLE SUPPORT FACILITIES:
Indoor shower and locker facilities shall be provided for men and women and shall be subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-24. CARPOOL PARKING:
A total of (NUMBER OF PARKING SPACES) preferential parking spaces shall be reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle. [COA] [PLANNING]
- BP-25. WATER METERS:
Separate metering shall be provided for domestic and irrigation water systems. [SDR] [PLANNING]
- BP-26. FEDERAL AVIATION ADMINISTRATION (FAA) CLEARANCE.
If required by the FAA, the project shall obtain a No Objection/Clearance Certificate from the FAA. [COA] [PLANNING]

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

- EP-1. IMPROVEMENT AGREEMENT:
Execute an Improvement Agreement and provide improvement securities and/or cash deposits as outlined in the Improvement Agreement. [COA] [PUBLIC WORKS]
- EP-2. 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 encroachment permit issuance. Applicant shall pay an incremental water connection fee of \$78,148.56 and an incremental sanitary sewer connection fee of \$1,220,846.77 prior to encroachment permit issuance. [COA] [PUBLIC WORKS]
- EP-3. PUBLIC IMPROVEMENTS:
All public improvements shall be completed prior to first building occupancy, unless otherwise approved by the City. [COA] [PUBLIC WORKS]
- EP-4. PUBLIC AND PRIVATE EASEMENTS:
Quitclaim the existing 10' PG&E easements previously recorded under Book G318 Page 116 prior to the parking structure/amenities building permit issuance. If the existing PG&E facilities are still required, a new PG&E easement deed shall be recorded. Dedicate adequate public sidewalk easements as necessary to accommodate the required sidewalk dimension [COA] [PUBLIC WORKS]
- EP-5. ROADWAY RECONFIGURATION:

The applicant is responsible to design and build the following roadway improvements as noted in the TIA. The applicant shall submit a reconfigured roadway (Crossman Avenue) to include bicycle lanes in each direction, one automobile travel lane in each direction and modifications to the traffic signal at two intersections (Crossman Avenue/ Moffett Park Drive and Crossman Avenue/Java Drive) to accommodate the new geometric configuration. The design shall also eliminate the pork chop island at the southwest corner and reduce the corner radius to improve pedestrian crossing and control right turning traffic from eastbound Java Drive to southbound Crossman Avenue to also be controlled by a traffic signal.

EP-6. SANITARY SEWER ANALYSIS:

Submit a focused sanitary sewer analysis identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

- A) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day;
- B) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline and/or subsequent downstream mainline as needed. Any 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 as part of the off-site improvement plans. Sewer flow data may be required as needed. [COA] [PUBLIC WORKS]

EP-7. SANITARY SEWER CLEANOUT:

Install new sanitary sewer cleanouts at the right-of-way line. [COA] [PUBLIC WORKS]

EP-8. CITY STORM DRAIN (PUE) EASEMENT:

The improvements plans and hydraulic calculations for the storm drain relocation shall be reviewed and approved by the Department of Public Works prior to encroachment permit issuance. Developer shall complete the new storm drain relocation and record a 15' wide City Storm Drain Easement prior to removal of the existing storm drain facilities. The removal of the existing storm drain facility and vacation of the existing 10' wide public utility easement (PUE), previously recorded under Book C414, Page 379 shall be completed prior to building permit issuance for the proposed parking structure/amenities building and building 2. Developer shall comply with California Streets and Highways Code for proper PUE vacation abandonment procedures. [COA] [PUBLIC WORKS]

EP-9. STORM DRAIN TRIBUTARY PATTERN:

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 off-site improvement plan check process. [SDR] [PUBLIC WORKS]

EP-10. DRAINAGE AND EROSION CONTROL:

Adequate drainage/erosion control shall be provided at all times during each phase of the development per the Stormwater Management Plan (SWMP),

Stormwater Pollution Prevention Plan (SWPPP), and BMP's. [COA] [PUBLIC WORKS]

- EP-11. PUBLIC WATER SERVICE REQUIRMENTS:
Provide a separate domestic water service connection for each new building including, but not limited to, three new water meters and three new double check detector assemblies. Provide a dual fire water service connection for the entire site including, but not limited to, two double check detector assemblies. Domestic water meter sizing calculations shall be submitted for review and approval by Public Works Department during public improvement plan review. Connect new irrigation water line to existing reclaimed water system. A separate irrigation meter with backflow prevention device shall be installed. [COA] [PUBLIC WORKS]
- EP-12. LANDSCAPE AND IRRIGATION SYSTEM IN PUBLIC RIGHT-OF-WAY:
All landscape and irrigation systems within the proposed parkway strips shall be connected to the water system and metered to the property owner. Any landscaping proposed within a public utility easement is subject to approval by the Director of Public Works and Director of Community Development. [COA] [PUBLIC WORKS]
- EP-13. PUBLIC FIRE HYDRANTS:
The public fire hydrants shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc. for a minimum of 4 feet. [COA] [PUBLIC WORKS]
- EP-14. ON-SITE WET UTILITIES:
All on-site wet utilities (water, sanitary sewer, storm drain) not designated for public use shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the property line. [COA] [PUBLIC WORKS]
- EP-15. UTILITY PROVIDERS:
Contact the utility companies (PG&E, Comcast, AT&T) for their review/approval requirements and/or procedures for site development. Record separate instruments for utiity easements as needed, prior to any building occupancy. [COA] [PUBLIC WORKS]
- EP-16. UTILITY MODIFICATIONS AND RELOCATION:
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-17. UTILITY CONFLICTS:
The developer/owner is responsible for research on private utility lines (PG & E, telephone, cable, irrigation, etc.) to ensure there are no conflicts with the project. [COA] [PUBLIC WORKS]
- EP-18. UTILITY PLANS FOR PUBLIC WORKS REVIEW:
All utility plans (PG&E, telephone, cable TV, fiber optic, etc.) shall be submitted to the Public Works Department for review and approval prior to

the issuance of any permits for utility work within public right-of-way or public utility easements. [COA] [PUBLIC WORKS]

EP-19. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of any existing City utility service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary and as required by Public Works Department. [COA] [PUBLIC WORKS]

EP-20. ABANDONMENT OF UTILITIES:

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. [COA] [PUBLIC WORKS]

EP-21. REQUIRED STREET SECTIONS: Remove existing and install new curb and gutter with 1' wide gutter along the entire project frontage streets. Provide the following new street sections along the project frontage:

- (a) Crossman Avenue: and minimum 5' wide sidewalk with meandering around existing mature trees;
- (b) Moffett Park Drive: Provide a new attached 7' wide sidewalk where existing redwood trees exist to the east of driveway. Provide a new detached 6' wide sidewalk with 4' wide landscape strip and 1' wide gutter to the west of the driveway.
- (c) Innsbruck Drive: Provide a new 6' wide detached sidewalk with a 4' wide landscape strip.
- (d) Hand excavation around existing trees will be required in order to accommodate this requirement. [COA] [PUBLIC WORKS]

EP-22. CURB RAMP REQUIREMENTS:

Install truncated domes for the curb ramp at the end of the existing sidewalk on Java Drive per ADA requirements. Install two new City standard curb ramps per City detail 13C-2 at the northwest and northeast corners of the Crossman Avenue and Moffett Park Drive intersection. Install new curb ramps per City standard detail 13C-1 at the northwest and northeast corners of the Moffett Park Drive and Innsbruck Avenue intersection. [COA] [PUBLIC WORKS]

EP-23. DRIVEWAY IMPROVEMENTS:

Unused driveway approaches shall be replaced with standard curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

EP-24. STREETLIGHT PLAN AND REQUIREMENTS:

Provide a photometric analysis across the project street frontage to ensure that the proposed streetlights are in compliance with the City's current roadway lighting design criteria. Provide a luminaire schedule and calculation summary. An additional loading analysis may be required depending on the results of the photometric analysis.

- a) Submit a separate streetlight plan for review and approval by Public Works Department, showing the removal and replacement of all conduits, conductors, pull boxes and other streetlight equipment for the streetlights. Identify the power source for any proposed new streetlights. [COA] [PUBLIC WORKS]
- EP-25. STREETLIGHT FIXTURES:
Remove all existing HPS street light fixtures and replace with new LED fixtures on Moffett Park Drive and Innsbruck Drive. [COA] [PUBLIC WORKS]
- EP-26. SIGNING AND STRIPING PLANS
Provide a complete signing and striping plan with a new 6' wide bike lane on Crossman Avenue and re-striping of the existing bike lane on Moffett Park Drive. The crosswalk connecting to the VTA Crossman Station shall be re-striped with the public improvement plans. [COA] [PUBLIC WORKS]
- EP-27. VALLEY TRANSPORTATION AUTHORITY (VTA):
This project may require approval and/or permits from VTA. For the bus stop on Java Drive, notify VTA if relocation of the bus stop is required during construction. [COA] [PUBLIC WORKS]
- EP-28. CALTRANS NOTIFICATION:
For the three existing Caltrans traffic signal pullboxes along Crossman Avenue, the developer shall notify Caltrans about their facilities due to potential impacts during construction. [COA] [PUBLIC WORKS]
- EP-29. CITY STREET TREES:
If required, the applicant shall install required street trees, where feasible, of Pistacia Chinensis (common name Chinese Pistachio) species along Innsbruck Drive and Fraxinus (common name Evergreen Ash) species along Moffett Park Drive. 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 [SDR] [PLANNING/PUBLIC WORKS]
- EP-30. CLEARANCE FOR STREET TREES FROM SS LATERALS:
No trees are to be planted within 10' of laterals when the City maintains sanitary sewer mains and laterals up to the property line. [COA] [PUBLIC WORKS]
- EP-31. REQUIRED UTILITY TRENCH CLEARANCE WITHIN STREET TREE:
No utility trench shall be allowed within 15' radius of an existing mature street tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature street trees. Consult with the City Arborist prior to adjusting locations of utility lines. [COA] [PUBLIC WORKS]
- EP-32. RECORD DRAWINGS:
Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

EP-33. IMPROVEMENT PLAN MYLARS:

Final approved public improvement plans shall be prepared on 24"x36", 4 mil mylars. [COA] [PUBLIC WORKS]

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

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. COMPACT SPACES:

All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]

PF-3. PARKING LOT STRIPING:

All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

PF-4. IRRIGATION METERS:

For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]

PF-5. PUBLIC STREET REPAIR:

Any changes to or deficiencies in the public streets fronting to project site as a result of project construction are to be rectified at the expense of the developer. [COA] [PUBLIC WORKS]

PF-6. COMPLETION OF PUBLIC IMPROVEMENTS:

Complete all required public improvements including but not limited to sidewalks, roadway improvements, streetlights, and utilities prior to first building occupancy. [COA] [PUBLIC WORKS]

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

DC-1. BLUEPRINT FOR A CLEAN BAY:

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

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

DC-3. 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]

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

AT-1. DELIVERY HOURS:

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

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

AT-2. RECYCLING AND SOLID WASTE:

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

AT-3. SOLID WASTE RECYCLING MANAGEMENT:

Waste and recycling services 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 private 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-4. LOUDSPEAKERS PROHIBITED:

Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]

AT-5. EXTERIOR EQUIPMENT:

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

AT-6. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]

AT-7. PARKING LOT MAINTENANCE:

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

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

AT-8. UNENCLOSED USES:

Any modification or expansion of unenclosed uses are subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-9. UNENCLOSED STORAGE (REVIEW REQUIRED):

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]

AT-10. UNENCLOSED STORAGE (PROHIBITED):

Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]

AT-11. UNENCLOSED STORAGE:

Unenclosed storage area(s) shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall be subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-12. BMP MAINTENANCE:

The project applicant, owner, landlord, or HOA, must properly maintain any structural or treatment control best management practices to be implemented in the project, as described in the approved Stormwater Management Plan and indicated on the approved building permit plans. [SDR] [PLANNING]

AT-13. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or HOA, shall provide access to the extent allowable by law for representatives of city, the local vector control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm

water treatment best management practices contained in the approved Storm Water Management Plan.[SDR] [PLANNING]

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

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



Document No.: 696
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CRO Order Number:
Fee Total: 0.00

REGINA ALCOMENDRAS, County Clerk – Recorder
by Veronica Aguirre, Deputy Clerk – Recorder, *VA*

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

- 1. LEAD AGENCY: City of Sunnyvale
- 2. PROJECT TITLE: Application for a Design Review
- 3. APPLICANT NAME: DES Architects PHONE: 408-730-7452
- 4. APPLICANT ADDRESS: 122]Crossman Avenue, 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

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

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

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

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

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

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

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

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

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

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

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



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

File Number: 2013-7353
No. 13-15

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

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

PROJECT TITLE:

Application for a **Design Review** filed by **DES Architects**.

PROJECT DESCRIPTION AND LOCATION (APN):

File #: 2013-7353
Location: 1221 Crossman Avenue
Proposed Project: Major Moffett Park Design Review for the redevelopment of an existing industrial site with two new 7-story office buildings totaling 541,214 square feet floor area resulting in 80% floor area ratio and one parking structure.
Environmental Review: Mitigated Negative Declaration
Staff Contact: Shetal Divatia, (408) 730 – 7452, sdivatia@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, August 26, 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, August 26, 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 July 30, 2013

Signed: 
Andrew Miner, Principal Planner

CITY OF SUNNYVALE

Project Title	Moffett Gateway Project Number 2013-7353
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Shétal Divatia, Associate Planner
Phone Number	408-730-7637
Project Location	1221 Crossman Avenue APN: 110-34-025
Applicant's Name	Jay Paul Company
Project Address	1221 Crossman Avenue, 480 Java Avenue, 441 Moffett Park Drive Sunnyvale, CA 94089
Zoning	Moffett Park -Transit Oriented Development (MP-TOD)
General Plan	Industrial
Other Public Agencies whose approval is required	Federal Aviation Administration (FAA)

Description of the Project:

The proposed project redevelops a 15.5 acre industrial site located within the boundaries of the Moffett Park Specific Plan (MPSP). The project includes demolition of three existing R&D buildings, built in 1981, with a total of 159,226 square feet in building area. The project includes construction of two new 7-story (120 foot tall), office/R&D buildings serviced by a 3-level parking structure with an amenities area on the top level.

The proposed project has a total of 541,214 square feet of floor area resulting in 80% FAR (Floor Area Ratio). The site is zoned Moffett Park – Transit Oriented Development (MP-TOD) which allows for 70% FAR through the granting of access to development reserve or use of transfer of development rights (TDR) through issuance of a major MP-DR (SMC 19.26.060). The proposed project will be seeking LEED Gold USGBC certification to utilize Sunnyvale's Green Building Program, which allows for an additional 10% FAR as an incentive to achieve LEED Gold certification (Resolution 550-12). The proposed project will be reviewed through Major Moffett Park Design Review Permit (SMC 19.29.110).

Background:

The proposed project is located within the boundaries of the Moffett Park Specific Plan (MPSP). The City of Sunnyvale adopted the 1,100-acre MPSP in the spring of 2004. The MPSP contemplates build-out of high-tech corporate campus style of projects over a 20-year timeframe. In 2003, the Sunnyvale City Council certified the program-level MPSP Environmental Impact Report. As part of the EIR, it was found that there were significant unavoidable environmental impacts resulting from the proposed MPSP. The Council opted to make statements of overriding consideration for these unavoidable impacts, and deemed them to be acceptable in view of the significant economic and social benefits which the approval of the MPSP would make possible.

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

- Air Quality - Future area source and vehicular emissions under the proposed Moffett Park Specific Plan may result in operational air quality impacts.
- Traffic and Circulation –
Freeway Operations: Implementation and subsequent build-out of the MPSP would not impact any additional study freeway segments beyond those impacted under General Plan 2020 Conditions. However, the implementation and subsequent build-out of the MPSP would increase the severity and level of significance of impacts along several freeway segments that would be significantly impacted under General Plan 2020 conditions.

Expressway Conditions: There were no feasible mitigations measures to reduce the level of service impacts at the Central Expressway and Oakmead Parkway and the Central Expressway and Bowers Avenue intersections (both located within the City of Santa Clara).

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

- Housing and Population - The proposed General Plan Amendment would not allow for the future construction of residential units in the MPSP area. However, the intensity of future industrial and commercial development that could be facilitated under the proposed MPSP would generate a substantial number of jobs and would indirectly induce population and housing growth throughout the region.
- Cumulative Growth Impacts - Full build-out of the MPSP, along with other foreseeable development in the area will have an overall cumulative impact on the region, affecting air quality, transportation and the jobs/housing ratio.

Surrounding Uses and Setting:

The project site is comprised of one large 15.53 acre lot. The site is across from Santa Clara Valley Transportation Authority's Light Rail Station on Java Drive. The site has frontage along three streets, Java Drive on the northeast, Crossman Avenue on the east, Moffett Park Drive on the south, and Innsbruck Avenue on the west side. The southern portion of the site is visible from State Route 237 across Moffett Park Drive. The surrounding area mainly consists of R&D office buildings. Property across from the site on Java Drive is developed at 70% FAR by NetApp. Several other properties along Java Drive have been redeveloped at similar densities in the MPSP-TOD zoning district. A mobile home park and several high and medium density residential developments are located beyond the site, south of State Route 237.

Detailed Project Description:

On-site Development: The proposed project involves demolition of three existing R&D office buildings, grading and site preparation, and construction of two seven-story steel framed office buildings totaling approximately 541,000 square feet. A new three-level parking structure, with an amenities area on the third level, will be located towards the rear of the site with access from Innsbruck Drive on the west. A majority of existing mature trees located on the interior of the site will be removed during demolition. Certain mature perimeter trees will be retained and protected during construction to the extent feasible.

Off-site Improvements: Some of the existing driveways and curb cuts will be maintained and some others will be relocated or removed. The existing driveways along Java Drive and Moffett Park Drive will continue to remain. The existing driveway on Crossman Avenue will be relocated further north, to a new driveway that will serve as the primary driveway to the project; and a new driveway from Innsbruck Drive will directly serve the parking structure. New sidewalk and associated improvements/modifications will be constructed on Crossman Avenue and Moffett Park Drive, and the existing sidewalk and curb on Java Drive will be repaired if needed.

The existing travel lanes on Crossman and the traffic signal light configuration and timing will be modified to accommodate the revisions to the travel lanes and the new bike lanes along Crossman Avenue. The new bike lanes will connect with the existing bike lanes along the other segments of Crossman Avenue and to the existing bike lane along Moffett Park and Java Drives. The new bike lane with Crossman Avenue will be located within the existing right-of-way. The intersection lane configurations at Crossman Avenue and Moffett Park Drive as well as Crossman Avenue and Java Drive will also be partially modified.

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

Demolition	1 Month (20 workdays)
Site Preparation	2 Months (40 workdays)
Grading	1 Month (20 workdays)
Building Construction	13 Months (260 days)
Paving	1 Month (20 workdays)
Architectural Coatings	2 Months (40 days)
Overall Duration	18 Months (360 workdays)

Some of the activities that will occur during demolition and construction will create extremely high noise-generating activities (jack hammering and pile driving). The estimated time frame for this demolition work is 20 workdays and this construction work for another 20 workdays. This high intensity noise will occur only during construction hours for the project, which are limited by City code.

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.

Shétal Divatia

Date: July 26, 2013

Title: Associate Planner

City of Sunnyvale

Signature:



Shétal Divatia for

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"/>	<ul style="list-style-type: none"> Sunnyvale General Plan Map, Community Character and Land Use and Transportation Chapters of the Sunnyvale General Plan generalplan.inSunnyvale.com
2. Aesthetics -Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Land Use and Transportation Chapter of the Sunnyvale General Plan, General Plan Land Use 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off
10. For a project located in the Moffett Field AICUZ or an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Moffett Field Air Installations Compatible Use Zones (AICUZ), Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> There are no private airstrips in or in the vicinity of Sunnyvale Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Air Installations Compatible Use Zones (AICUZ) Study Map
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
15. Noise -Exposure of persons to or generation of excessive groundborne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Project Description: Removal of trees and structures & Biological Impact Assessment – Raptor and Burrowing Owl Survey by Albion Environmental Inc.

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"/>	<ul style="list-style-type: none"> Raptor and Burrowing Owl Survey by Albion Environmental Inc. in April-May 2013 at the Site.
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"/>	<ul style="list-style-type: none"> Raptor and Burrowing Owl Survey by Albion Environmental Inc in April-May 2013 at the Site
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Project Arborist Report by Arbor Resources in March 2013
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"/>	<ul style="list-style-type: none"> Raptor and Burrowing Owl Survey by Albion Environmental Inc, in April-May 2013
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> 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 Archeological and Cultural Assessment for the Project by WSA
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"/>	<ul style="list-style-type: none"> Project description. Planned grading will disturb the site and may affect sub-surface resources if they exist. Project archeological study and cultural resource survey. Archeological and Cultural Assessment for the Project by WSA

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"/>	<ul style="list-style-type: none"> 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines 2011 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"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines 2011 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"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines AB 32
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines 2011 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"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines 2011 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"/>	<ul style="list-style-type: none"> Project Air Quality & GHG Tech. Report by Environ BAAQMD CEQA Guidelines 2011 Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

4. Population and Housing (Less than Significant with Mitigation): The proposed 541,214 square foot of R&D office floor area is consistent with the MPSP – TOD zoning for the site. The new office square footage would create opportunities for new jobs and would slightly affect the City's Jobs/Housing balance. The project is required to pay Housing Mitigation fees (\$9.27/sf. above the base floor area ratio (50%)) for the new square footage proposed over 50% FAR levels for the site. Based on a preliminary calculation, the current fee for the site would be \$1,881,392.85. The Housing Mitigation fees are intended to mitigate potential new jobs by providing housing funds for the creation of new housing units. Therefore, the project would not induce substantial population growth and will mitigate potential job growth, therefore will not be inconsistent with the Sunnyvale General Plan. The following mitigation measure shall apply to the project.

MITIGATION MEASURE PH1

WHAT: The project would be required to pay Housing Mitigation fees (\$9.27/sf.) for the new square footage proposed over the current maximum F.A.R. for the site.

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

WHO: The developer shall be required to pay the mitigation fees and the City shall implement the mitigation through City sponsored housing creation programs.

HOW: The fees shall be paid to the City and the City shall implement the mitigation through City sponsored housing creation programs.

10 & 12. Moffett Federal Airfield (Less than Significant): The project site is over a mile from an airport land use (Moffett Federal Air Field) located to the west. The Federal Aviation Administration (FAA) is responsible for determining whether the project would result in a safety hazard for air traffic. The regulations address potential light, glare, and air emissions that could distract aircraft operators. Based on the Comprehensive Land Use Plan (CLUP) for Moffett Field and review by the County ALUC (Airport Land

Use Commission) staff, the proposed project would not interfere with land use regulations and height limitations at this site. This site is not located within any safety zones or airport related noise contours. The proposed project's height of 120 feet is not in conflict with height limits for Moffett Federal Air Field for the site. Additionally, ALUC staff has suggested an avigation easement be provided to the County of Santa Clara which will be included as a Condition of Approval for the Project.

14 & 15. Noise (Less than Significant): The project will introduce short-term and temporary additional sources of noise to the project area during construction. Through the City's implementation of the Municipal Code (SMC 16.08.030) noise regulations, this impact will be lessened to a less than significant level during construction. Construction hours are limited to 7 a.m. to 6 p.m. on Monday through Friday; 8 a.m. to 5 p.m. on Saturday and no construction on Sunday. The project site is in an R&D/Office neighborhood with 237 on its south with multifamily residential on the other side of 237.

17. Biological Resources (Less than Significant with Mitigation): The project includes removal of several large trees and three structures at the site. A site survey was conducted by a qualified wildlife biologist in April and May of 2013. No nesting burrowing owls or other raptors were found at the site. The survey also noted that other bird species other than burrowing owls and raptors may be nesting in the project area. All native nesting birds are protected under the Migratory Bird Treaty Act of 1918. The following mitigation measure has been included in the project to ensure that there is no potential impact on the raptor and owl environ at the time of demolition and construction.

MITIGATION MEASURE BR1:

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

1. *Avoidance.* Construction activities should be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds in Santa Clara County extends from April 1st through August 31st.
2. *Preconstruction/Pre-disturbance Surveys.* If demolition and/or construction are to occur between April and August, then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. This survey shall be conducted no more than seven days prior to the initiation of demolition/construction activities. During this survey, the ornithologist shall inspect all trees and other potential habitats (e.g., shrubs, ruderal grasslands, buildings) within and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist, in consultation with CDFG, shall determine the extent of a construction-free buffer zone to be established around the nest (typically 250 feet for raptors and 50-100 feet for other species) to ensure that no nests of species protected by the MBTA or California Fish and Game Code will be disturbed during project implementation.
3. *Inhibit Nesting.* If vegetation is to be removed by the project and all necessary approvals have been obtained, potential nesting substrate (e.g., bushes, trees, grass, burrows) that are scheduled to be removed by the project shall be removed before the start of the nesting season (prior to April 1st), if feasible, to help preclude nesting. This will preclude the initiation of nests in this vegetation and prevent the potential delay of the project due to the presence of active nests in these substrates. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading.

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

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

HOW: The conditions of approval will require these mitigation measures to be incorporated into the project construction plans and provide necessary reports to the City prior to construction.

22 & 23. Historic and Cultural Resources (*remains*) (Less than Significant with Mitigation): The proposed project includes grading and land disturbance for the new buildings and parking structures. An Archeological and Cultural Resources assessment for the site has been prepared by William Self Associates Inc. in May 2013. The study elaborates on the context of the site and provides mitigation measures to reduce the potential impact to less than significant levels. The results of the archeological sensitivity study and records search indicate a high potential for encountering significant cultural resources within the project area. Following mitigation measures shall apply to this project.

MITIGATION MEASURE HCR1:

WHAT:

- 1) At least one prehistoric site has been previously recorded in the project area (Building 3) and therefore it is recommended that core sampling program be conducted in this area (Site P-43-000421) that will be subject to subsurface impacts.
 - a) In the event, cultural material is identified in the core samples, an analysis shall be conducted to assess the material's nature and depositional integrity.
 - b) If dateable cultural material is recovered (i.e. obsidian, charcoal, etc.) samples should be taken for later temporal analysis (hydration, radiometrics, etc.). At the conclusion of the field effort, a professional shall prepare a report that describes the results of the archaeological coring program. The report will provide recommendations about the areal extent, dept, integrity and potential significance of buried cultural deposits using eligibility criteria for the California Register of Historical Resources, and will include an assessment of the impacts to buried cultural deposits that may result from project construction.
 - c) If buried cultural deposits are determined to be potentially significant, a mitigation plan shall be prepared. If archaeological materials are determined to be present, appropriate Department of Parks and Recreation's 523 archaeological site forms for submission to the Northwest Information Center, shall be provided.
- 2) If a significant archaeological resource is identified during grading, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation may be accomplished by:
 - Planning construction to avoid the archaeological site;
 - Incorporating the site within a park, green space, or other open space element;
 - Covering the site with a layer of chemically stable soil; or
 - Deeding the site into a permanent conservation easement.
- 3) When in-place mitigation is determined by the City to be infeasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies

must be submitted to the California Historical Resources Regional Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archaeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities.

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

WHEN: The core sampling would occur after demolition of the building 3 and prior to beginning of the project excavations.

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

HOW: The conditions of approval require these mitigation measures to be incorporated into the construction plans. The results of the core sampling shall be provided to the City prior to commencing construction.

25, 26, 29; and 30. Air Quality (Less than Significant): The Bay Area Air Quality Management District (BAAQMD) 2011 CEQA Guidelines thresholds of significance provide that a development project would not have a significant cumulative impact if: 1) the project can be shown to be in compliance with a qualified Climate Action Plan, 2) project emissions of CO₂ equivalent greenhouse gases (CO₂e (carbon dioxide equivalent)) are less than 1,100 metric tons per year, or 3) project emissions of CO₂ equivalent greenhouse gases are less than 4.6 metric tons per year per service population (residents plus employees). The City of Sunnyvale does not have a Climate Action Plan at the time of the writing of this Initial Study.

The applicant provided an *Air Quality and Greenhouse Gas Analysis* for the proposed project. The study was completed by Environ International Corporation in July, 2013, and is available for review at the City of Sunnyvale's One-Stop Counter. The report concludes that the project will produce both, one-time (construction related) and annual (operational-related) emissions. Environ's analysis indicates that the project does not exceed the thresholds of significance according to the current BAAQMD CEQA guidelines. A summary of the estimated excess life time cancer risks, chronic and acute non-cancer HIs (Hazard Index) and PM_{2.5} (Fine Particulate Matter less than 2.5 Micrometers in Aerodynamic Diameter) concentrations for each of the source types listed at the project's MEISR (Maximally Exposed Individual Sensitive Receptor). The estimated cumulative cancer risk is 65 in one million which is below BAAQMD 2011 CEQA significance threshold of greater than 100 in one million. The chronic noncancer HI is 0.10 which is below BAAQMD 2011 CEQA significance threshold of greater than 10. The estimated PM_{2.5} concentration is 0.61 µg/m³, which is below the BAAQMD 2011 CEQA threshold of greater than 0.8 µg/m³.

In addition, City of Sunnyvale's Building permit requires BAAQMD (J-Permit) prior to demolition or new construction to ensure that these standards are met at all times. Based on the above information, the project is expected to have less than significant impact on the air quality and GHG gases in the surrounding environment.

Responsible Division: Planning Division

Completed by: Shétal Divatia

Date: 07/26/2013

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 non-motorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> City's Land Use and Transportation Element, Santa Clara County Transportation Plan, and AASHTO: A Policy on Geometric Design of Highways and Streets. Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Santa Clara County Congestion Management Program and Technical Guidelines (for conducting TIA and LOS thresholds). Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.
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"/>	<ul style="list-style-type: none"> Project Description Moffett Field Air Installations Compatible Use Zones (AICUZ),
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"/>	<ul style="list-style-type: none"> City State Standard Plans & Specifications. Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.
39. Conflict with adopted policies, plans, or programs regarding public transit or non-motorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Project Description Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road non-motorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for non-motorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> Project Description Sunnyvale Bicycle Plan Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.

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"/>	<ul style="list-style-type: none"> Project Description Sunnyvale Bicycle Plan Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.
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"/>	<ul style="list-style-type: none"> Project Description Transportation Impact Analysis-1221 Crossman Avenue prepared by Hexagon Transportation Consultants dated July 17, 2013.

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

35 & 36. Transportation (Less than Significant with Mitigation): The Traffic Impact Analysis (TIA) prepared by Hexagon Transportation Consultants evaluated the impacts of the project on the road network surrounding the project site. The TIA examined 19 key intersections and 10 freeway segments (along State Route 237 and U.S. 101) that were expected to be directly affected by the Moffett Gateway project. The evaluated intersections are located along Java Drive/Fair Oaks Avenue, Moffett Park Drive, Crossman Avenue, Mathilda Avenue, and Maude Avenue. Eighteen of the nineteen key intersections are currently controlled by traffic signals.

According to the study, the project is expected to generate approximately 4,080 daily vehicle trips, with 564 trips during the morning peak period (7 a.m. to 9 a.m.) and 536 trips during the afternoon peak period (4 p.m. to 6 p.m.). The actual increase in traffic volumes, from just the increase in building square footage and considering the percentage of trips that will be provided by Transportation Demand Management measures and the use of public transit as well as other non-automobile options, is expected to be 2,360 trips, 336 trips, and 310 trips, respectively. General Plan Policy LT-5.1 sets an operating goal for the citywide road network of Level of Service (LOS) "D" or better. Level of Service "D" is characterized with increased congestion and potentially longer delays at signalized intersections. The different analyses in the TIA indicated the following:

Existing Conditions plus the Proposed Project

Measured against the City of Sunnyvale's and VTA's level of service standards, the project is not expected to have significant impacts at any of the study intersections under Existing plus Project conditions; therefore, no mitigation is required.

Background Conditions plus Proposed Project

Based on the City of Sunnyvale's and VTA's impact criteria the project is expected to have a significant impact at the intersection of Mathilda Avenue and Moffett Park Drive. Level of Service (LOS) "F" is expected to occur during both the AM and PM peak periods. To address the project's fair share of the impacts to the area's traffic, the payment of the City Traffic Impact Fee will be required (See Mitigation Measure TR1).

Cumulative Conditions plus the Proposed Project

Measured against the City of Sunnyvale's and VTA's level of service standards, the project is not expected to have significant impacts at any of the study intersections under Cumulative Conditions (General Plan Land Use and Transportation Build-Out Scenario). Therefore, no further mitigation is required.

MITIGATION MEASURE TR-1:

WHAT: The payment of the adopted Traffic Impact Fee to address the potential impacts to the Citywide road network created by increased traffic volumes associated with the Moffett Gateway project.

WHEN: Prior to the issuance of the first building permit.

WHO: The property owner will be solely responsible for implementation of this mitigation measure.

HOW: Payment of Traffic Impact Fee to the City of Sunnyvale.

The Moffett Gateway project will also result in additional traffic impacts to the freeway system. Both State Route 237 and U.S. 101 near the project site will potentially be affected. According to the TIA, the project will result in significant impacts to freeway traffic volumes (increase in excess of 1%) on some of these freeway segments. Impacts to the statewide freeway system are addressed by elected State officials and government agencies. Funding of improvements is handled through the prioritization of project and the identification of program funding by Federal, State, and local governments. No further mitigation is required.

40. Transportation (Less than Significant): The Moffett Gateway project will generate additional demand on existing transit services in the area, which can be accommodated by the existing supply. Transit impacts are considered significant if the proposed project conflicts with existing or planned transit facilities or generates potential transit trips and does not provide adequate facilities for pedestrians and bicyclists to access transit routes and stops. The proposed Project is also expected to generate additional bicycle trips as well. The project will provide both on-site bicycle amenities. The on-site amenities include bicycle storage and changing facilities. The off-site amenities include the provision of bike lanes along Crossman Avenue between Moffat Park Drive and Java Drive. No significant impacts are anticipated.

Responsible Division: Planning Division

Completed by: Shétal Divatia

Date: 07/26/2013

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"/>	<ul style="list-style-type: none"> FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com, California Building Code, Title 16 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"/>	<ul style="list-style-type: none"> FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com, California Building Code, Title 16 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"/>	<ul style="list-style-type: none"> 1995 ABAG Dam Inundation Map www.abag.ca.gov, California Building Code, Title 16 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> Safety and Noise Chapter of the Sunnyvale General Plan, www.sunnyvaleplanning.com California Title 16 of the Sunnyvale Municipal Code. Project Environmental Site Assessment – Phase 1 and 2 prepared by Citadel; and Geotechnical Investigation by Romig Engineers
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"/>	<ul style="list-style-type: none"> Title 16 of the Sunnyvale Municipal Code

Further Discussion if “Less Than Significant” with or without mitigation is as follows:

46. Geology and Soils (Less than Significant): The proposed project will have a significant amount of grading intended to clear the existing site prior to construction. During the time the existing topsoil is exposed there is a potential for erosion and loss of soil. There is no surface run-off anticipated during construction and no long-term run-off expected after construction. This aspect of the project will be less than significant with the implementation of Sunnyvale’s Municipal Code 12.60, Storm Water Quality Best Management Practices, Regional Water Quality Boards C.3 permit requirements, and the Blueprint for a Clean Bay.

47. Geology and Soils (Less than Significant): The project site is not located in an area with any active faults, but may experience strong seismic ground shaking in the event of an earthquake. The California Building Code contains a series of building code requirements to address safety issues regarding seismic shaking, flooding, and soil types. In addition, Title 16.62 of the Sunnyvale Municipal Code requires a series of measures for provisions to reduce flood-related hazards to buildings. These standards are suggested by the Federal Emergency Management Agency and required by code by the City of Sunnyvale. These standards must be met for a building permit to be issued. A stormwater management plan has been provided for the project by the applicant.

Responsible Division: Building Division

Completed by: Shétal Divatia

Date: 07/26/2013

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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> • 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"/>	<ul style="list-style-type: none"> • 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> • 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"/>	<ul style="list-style-type: none"> • 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 statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • 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"/>	<ul style="list-style-type: none"> • Project description • Environmental Management Chapter of the Sunnyvale General Plan

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

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

Responsible Division: Public Works Completed by: Shétal Divatia Date: 07/26/2013

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"/>	<ul style="list-style-type: none"> • 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"/>	<ul style="list-style-type: none"> • California Building Code • SMC Section 16.52 Fire Code

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

Responsible Division: Department of Public Safety

Completed by: Shétal Divatia

Date: 07/26/2013

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"/>	<ul style="list-style-type: none"> Environmental Site Assessment Report Phase I & II by Citadel Environmental Services, Inc.
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"/>	<ul style="list-style-type: none"> Environmental Site Assessment Report Phase I & II by Citadel Environmental Services, Inc.
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"/>	<ul style="list-style-type: none"> Sunnyvale Zoning Map Environmental Site Assessment Report Phase I & II by Citadel Environmental Services, Inc.
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Environmental Site Assessment Report Phase I & II by Citadel Environmental Services, Inc.
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"/>	<ul style="list-style-type: none"> Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

Further Discussion if “Less Than Significant” with or without mitigation:

64. Hazards and Hazardous Materials(Less than Significant without Mitigation) –An *Environmental Assessment Report* was prepared for the site by Citadel Environmental Services, Inc. in September 2012, which notes that the site currently has some chemicals and hazardous waste materials stored near two of the three buildings. These materials are stored in an appropriate manner and are proposed to be removed by an appropriate waste contractor prior to any demolition activities. Additionally, the Phase 2 report related to subsurface conditions notes that concentrations of VOCs (volatile organic compounds) are either below detection limits or found at low concentrations. Detections of compounds in soil gas were uniformly below commercial ESLs (environmental screening levels) and CHHSLs(California Human Health Screening Limits), where established. The soil gas data do not indicated significant groundwater VOC contamination at the site. To ensure that the existing hazardous materials are removed from the site in a safe and appropriate manner, the following mitigation measure is required:

Mitigation Measure HM1

WHAT: A Hazardous Materials Plan shall be developed to remove existing on-site hazardous materials in a safe and appropriate manner. The removal of the materials shall be conducted in accordance with the Plan and by a certified professional to ensure that this activity is completed in an appropriate manner.

WHEN: A Hazardous Material Plan shall be submitted to the City for review and approval prior to Demolition or Grading Permit. The removal of hazardous materials shall be completed prior to demolition or grading permit.

WHO: The applicant is solely responsible to complete this activity in accordance with the Plan.

HOW: The City of Sunnyvale will ensure that removal is completed as noted in the Plan by the applicant prior to issuing a Demolition or Grading Permit.

Responsible Division: Planning Division

Completed by: Shétal Divatia

Date: 07/26/2013

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
69. Public Services Parks? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com
70. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> 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"/>	<ul style="list-style-type: none"> Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

Responsible Division: Planning Division

Completed by: Shétal Divatia

Date: 07/26/2013

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City of Sunnyvale General Plan:

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

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

City of Sunnyvale Municipal Code:

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

Specific Plans:

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

Environmental Impact Reports:

- Futures Study Environmental Impact Report
- Lockheed Site Master Use Permit Environmental Impact Report

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

Maps:

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

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

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

Lists / Inventories:

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

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- 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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7/31/2013

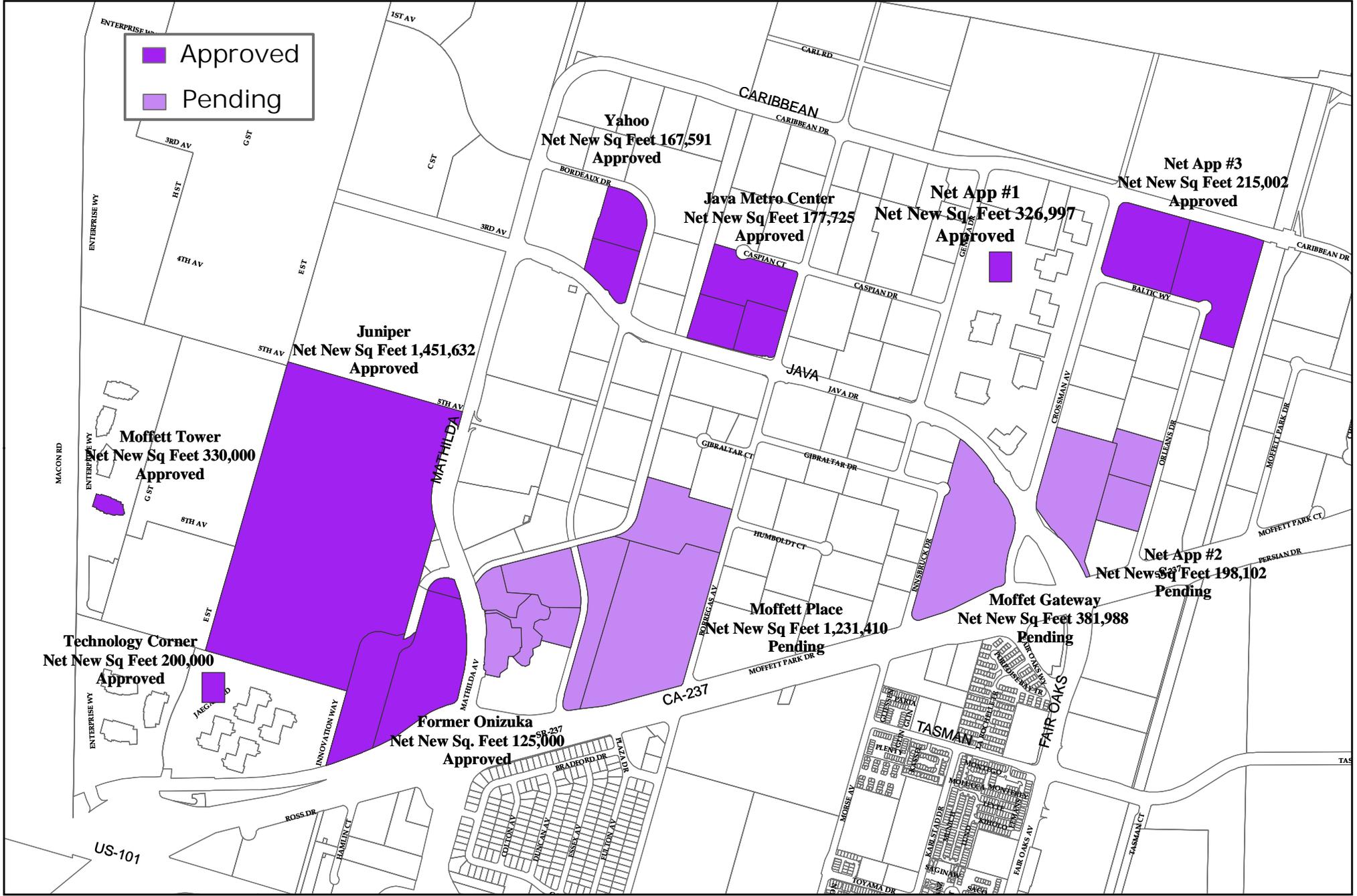
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OTHER :

Project Specific Information

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans, dated 06/19/2013
- Project Traffic Impact Analysis, prepared by Hexagon Transportation Consultants, dated 07/13/2013
- Project Green House Gas and Air Quality Analysis, prepared by ENVIRON, dated 07/2013*
- Project construction schedule
- Project Draft Storm Water Management Plan
- Project Tree Inventory, prepared by Arbor Resources, dated 03/11/2013
- Project Tree Preservation Plan, dated 03/2013
- Project LEED Checklist, dated 04/24/2013
- Project Geotechnical Reports, prepared by Romig Engineers dated 04/2012
- Project Environmental Site Assessment Report - Phase 1, prepared by Citadel Environmental Services, dated 09/27/2012;
- Project Environmental Site Assessment Report - Phase 2, prepared by Citadel Environmental Services, dated 12/20/2012
- Project Archaeological and Cultural Resources Assessment, prepared by WSA, dated 05/29/2013
- Project Biological Resources Assessment – Raptor and Burrowing Owl Survey, prepared by Albion Environmental, Inc, dated 05/13/2013
- Project Preliminary Sanitary Sewer Analysis, dated 04/24/2013

Approved
 Pending



Moffett Park Specific Plan
Projects

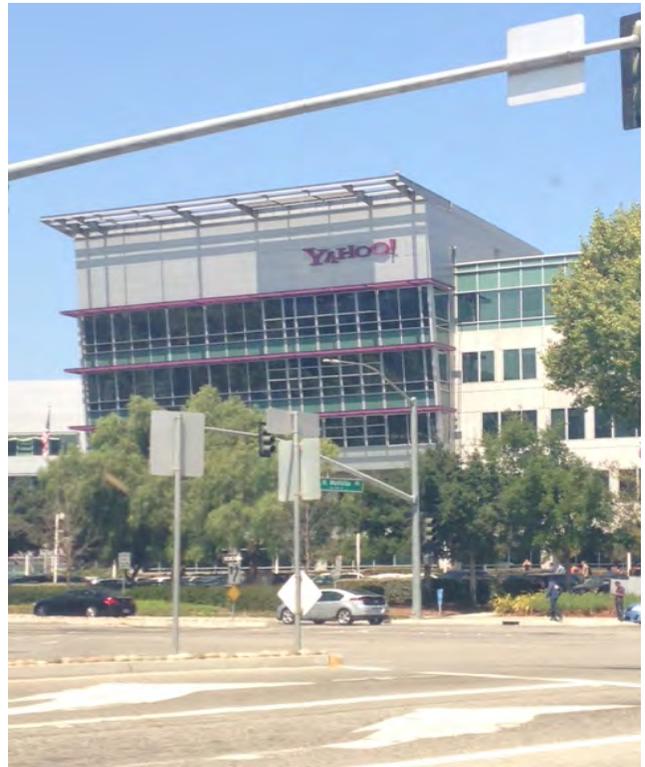
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Photos Of Glass Office/R&D buildings in Moffett Park
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Photos Of Glass Office/R&D buildings in Moffett Park
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Photos Of Glass Office/R&D buildings in Moffett Park
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