

CEQA Checklist

Project Title	445 and 455 N. Mary Avenue
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Margaret Netto, Senior Planner
Phone Number	(408) 730-7628
Project Location	445 Mary Avenue Sunnyvale, CA 94086 (APN: 165-32-015)
Applicant's Name	DES Architects
Zoning	Peery Park Specific Plan - Innovation Edge (PPSP / IE)
General Plan	Peery Park
Other Public Agencies whose approval is required	Santa Clara County - Airport Land Use Commission

BRIEF PROJECT DESCRIPTION

The proposed project requires a Peery Park Plan Review Permit (PPRP) to allow redevelopment of an 8.42-acre existing office park with a 4-story office/R&D building totaling 172,649 square feet in floor area, with two levels of basement parking underneath, at the northeast corner of the project site and replace the existing two-story parking structure on the northwest corner of the project site with a new 4.5-story parking structure.

The project is in the Peery Park Specific Plan (PPSP) area. Development in this area is guided by the standards in the PPSP. The PPSP was adopted and the Environmental Impact Report (EIR) was certified by City Council on September 20, 2016. The City Council adopted a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP).

DETAILED PROJECT DESCRIPTION**Existing Site Conditions**

The 8.42-acre project site is located at 445 and 455 Mary Avenue close to the intersection of North Mary Avenue and Corte Madera Avenue. The immediate neighborhood is Encinal Park to the west, and office uses to the east, south and north which consist mostly of low-to mid-rise office and R&D campus/buildings. The site is currently used as a corporate office campus and consists of two buildings (4-stories), and one two level parking deck. This project proposes to construct a new 4-story office building at the surface parking area at the northeast corner of the site with two-levels of underground parking and a new 5.5 story parking structure. It will add 172,649 square feet of office space to the campus, for a total of 366,819 square feet, for a 100 percent Floor Area Ratio (FAR).

Surrounding Land Uses and Setting

The site is bounded by North Mary Avenue to the east, LinkedIn Buildings to the north, Corte Madera Avenue to the south and Encinal Park to the west. The surrounding uses are office and R&D buildings. The project site is in the northern part of the PPSP area. The PPSP was recently adopted to guide the transformation of the area into an innovative, cutting-edge workplace district.

On-Site Development

The project site would be developed with a four-story, 172,649-square foot office/R&D building on the northeast corner of the parcel. The building height would be 63' feet to the top of the mechanical screen. The main entrance to the building would face Mary Avenue with a secondary access facing the parking lot on the south side. An approximately 60'-6"-foot high, 4.5-level parking structure with partial subterranean parking would be located on the northeast corner. The new parking structure would provide 713 parking spaces. Combined parking for the entire site would be 1,211 parking spaces (existing surface parking -194, new surface parking -66, new basement parking -238, and parking structure -713).

A PPPRP is required for site and architectural review for new construction, additions or modifications of structures and property within the PPSP district. The proposed use are permitted by right and is consistent with the uses envisioned for the PPSP area; therefore, no conditional use permit is required for the project. The project is in FAR Zone 1 and categorized as a Tier 3 project in the PPSP, where sites may develop up to 100 percent FAR with the provision of both Defined and Flexible Community Benefits and City Council review and approval.

There are 235 trees on the project site (includes street trees), and 29 which are considered "protected". The trees proposed for removal are in poor health or within the proposed building footprints. The site is designed to preserve the existing mature Aleppo pine trees which define the streetscape along North Mary Avenue.

The project site would gain access from a full-access driveway on Corte Madera Avenue and a new right in—right-out driveway on N. Mary Avenue to be located 100 feet southwest of the existing N. Mary Avenue driveway. The project proposes new landscaping all around each of the structures.

Construction Activities and Schedule

On-Site Demolition and Construction: Construction activities include demolition of the existing two-story parking garage and construction of the 4-story office building and 4.5-level parking structure. Grading activity includes excavation for two levels of subterranean parking. The project

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 3 of 40

will be subject to the Sunnyvale Municipal Code requirements for construction noise and hours of construction contained in Chapter 16.08.030.

Construction of the project is estimated to span 10-12 months. Demolition is anticipated to commence in summer of 2018. Demolition and site work will span approximately one- month. The remaining time will include construction of the buildings, on-site improvements and off-site improvements. Construction will not include deep pile foundations or pile driving, jackhammers or other extremely high noise-generating activities or significant vibration.

Off-site Improvements: Existing curb cuts and driveways off N. Mary Avenue and Corte Madera Avenue would be removed and new curb cuts, driveways, sidewalks and landscaping would be installed along all frontages as per City/Perry Park Specific Plan standards. Standard water, sewer, right-of-way and utility upgrades will be provided as required by the Municipal 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 **“Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR”** or **“New Significant Impact”** as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| ☐ Aesthetics and Visual Resources | ☐ Hazards & Hazardous Materials | ☐ Public Services |
| ☐ Air Quality | ☐ Land Use/Planning | ☐ Recreation |
| ☐ Cultural Resources & Historic Structures | ☐ Noise | ☐ Transportation, Circulation & Traffic |
| ☐ Greenhouse Gas Emissions | ☐ Population/Housing | ☐ Utilities & Infrastructure |
| | | ☐ Mandatory Findings of Significance |

CEQA Section 15168 - Program EIR.

(c) Use With Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

(4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR

(see checklist for further information):

Does the Project have additional potential environmental effects that were not covered in a Program EIR?

- ☐ Yes
☒ No

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

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 6 of 40

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 environmental effect on the environment that has not been considered in the Peery Park Specific Plan EIR, Mitigation Measures and Monitoring Plan ☒

I find that although the proposed project could have a significant effect on the environment not covered in the Peery Park Specific Plan Program EIR, 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 not covered in the Peery Park Specific Plan Program EIR, 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 not covered in the Peery Park Specific Plan Program EIR, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

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

Checklist Prepared By: Margaret Netto

Date: 03/29/18

Title: Senior Planner

City of Sunnyvale

Signature:

Environmental Checklist

This Environmental Checklist compares the environmental impacts that would result from the implementation of the proposed project to the impacts previously identified for the site under the implementation of the PPSP, to determine whether the proposed project's environmental impacts were adequately addressed in the PPSP EIR per CEQA Guidelines Sections 15162 and 15168, as described under *Section 3.0* above.

The checkboxes in the Environmental Checklist indicate whether the proposed project would result in environmental impacts, as described below:

- **Equal or Less Severity of Impact than Previously Identified in PPSP EIR** – The severity of the specific impact of the proposed project would be the same as or less than the severity of the specific impact described in the PPSP EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR** – The proposed project's specific impact would be substantially greater than the specific impact described in the PPSP EIR.
- **New Significant Impact** – The proposed project would result in a new significant impact that was not previously identified in the PPSP EIR.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the PPSP EIR, the checkbox for **Equal or Less Severity of Impact Previously Identified in PPSP EIR** is checked. Where the checkbox for **Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR** or **New Significant Impact** is checked, there are significant impacts that are:

- Due to substantial changes in the project (CEQA Guidelines Section 15162[a][1]);
- Due to substantial changes in circumstances under which the project will be undertaken (CEQA Guidelines Section 15162[a][2]); or
- Due to substantial new information not known at the time the EIR was certified [CEQA Guidelines Sections 15162(a)(3)].

A discussion of the project's impact under the thresholds identified for reach resource follows the checklist.

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 9 of 40

Aesthetics

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Have a substantial adverse effect on a scenic vista?	☒	☐	☐	<i>Section 3.1 Aesthetic and Visual Resources Impact AES-1</i>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☒	☐	☐	<i>Section 3.1 Aesthetic and Visual Resources Impact AES-4</i>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	<i>Section 3.1 Aesthetic and Visual Resources Impact AES-2</i>
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☒	☐	☐	<i>Section 3.1 Aesthetic and Visual Resources Impact AES-6</i>

Analysis

As discussed in the PPSP EIR, there are no designated scenic vistas or state-designated scenic highways in the project vicinity. The project site does not contain other scenic resources such as rock outcroppings or historic buildings.

Redevelopment of the site would alter the visual character of the site, but it would not substantially degrade the visual character or quality of the site and its surroundings. Currently the site is developed with two-four story office buildings and a two-level parking structure. The existing parking structure will be demolished to construct a new 4.5 story parking structure and a new 4-story building with two levels of underground parking on the existing surface parking lot. The building heights proposed are within the maximum allowed in the PPSP and City's Zoning Code. The proposed architectural style is contemporary and is consistent with the vision and design guidelines described in the PPSP.

There are 235 trees on the project site (includes street trees), and 29 which are considered "protected". The trees proposed for removal are in poor health or within the building footprints. The site is designed to preserve the existing mature Aleppo pine trees which define the streetscape along North Mary Avenue. Consistent with the PPSP EIR, the project is subject to the City's Tree Preservation Ordinance and current Tree Replacement Policy. The project will not result in new or more significant impacts to aesthetics than disclosed in the PPSP EIR. (No New Impact)

The PPSP EIR concluded that the implementation of the PPSP would change the visual character of the PPSP area. Development consistency with the applicable design guidelines and development standards in the PPSP

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 10 of 40

would enhance the character and quality of the area and avoid significant, adverse changes in visual character.

Agricultural and Forestry Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

Analysis

The project site is not designated as farmland. It is developed, zoned and designated for urban development. The project would have no impacts on agricultural or forestry uses, and would not result in new or more significant impacts to agricultural or forestry resources than disclosed in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 11 of 40

Air Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	<i>Section 3.2 Air Quality Impact AQ-4</i>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	<i>Section 3.2 Air Quality Impact AQ-1</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☒	☐	☐	<i>Section 3.2 Air Quality Impact AQ-5</i>
d) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	<i>Section 3.2 Air Quality Impact AQ-5</i>
e) Create objectionable odors affecting a substantial number of people?	☒	☐	☐	<i>Section 3.2 Air Quality</i>

Analysis

The PPSP EIR concluded that the implementation of the PPSP would not conflict with or obstruct implementation of the 2010 Clean Air Plan because the projected growth is consistent with local and regional policies. The amount of development proposed by the project is included in the PPSP. In conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines and PPSP EIR, the project must implement mitigation measure MM AQ-1 and MM AQ-2 from the PPSP EIR to control dust and exhaust during construction and mitigate any potential air quality impacts. The PPSP EIR concluded that the buildout of the PPSP (construction and operation) would not result in significant odor impacts because standard construction requirements would minimize odors from construction activity and the planned land uses (included the proposed office and commercial uses) are not odor generating land uses such as agricultural uses, wastewater treatment plants, and landfills. The project would not result in new or more significant impacts to air quality than disclosed in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 12 of 40

Biology

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Have a substantial adverse effect 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 Wildlife or US Fish and Wildlife Service?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
c) 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?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant Arborist Survey and Tree Appraisal Report by David Babby, dated 06/21/16</i>

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 13 of 40

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

Analysis

The project area is fully developed, does not contain potential natural habitats (such as riparian corridors or wetlands) for any sensitive species identified as a candidate, sensitive or special status species and is not a wildlife corridor. Trees on the site, however, provide potential nesting habitat for raptors and migratory birds. Should active nests be present, tree removal and other construction activities could result in loss or abandonment of the nest and result in an impact to these species. As required by the Migratory Bird Treaty Act (MBTA), the following standard measures will be incorporated into the project conditions of approval and standard requirements to reduce potential impacts:

BIRD NESTING

Construction activities shall avoid the nesting season to the extent feasible.

- a) If construction would commence anytime during nesting/breeding season of native bird species (typically February through August in the region), a qualified biologist shall conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30 days prior to the start of construction activities. The survey shall determine if active raptor nests or other species protected by the Migratory Bird Treaty Act are present within the construction zone or within 250 ft. of construction for raptors and 50 ft. of the construction zone for other migratory birds. The survey area shall include all trees and shrubs within that zone that have the potential to support nesting birds.
- b) If active nests are found in areas that could be directly affected or are within 250 ft. of construction for raptors and 50 ft. for other migratory birds, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. Once the young have fledged, tree removal and other construction activities may commence.
- c) Any construction buffer zone must be implemented and maintained during construction activities.

The project, with the implementation of the above standard measure, would not result in new or more significant impacts to nesting birds than disclosed in the PPSP EIR. (No New Impact)

The primary biological resource onsite is trees. An arborist report was completed by David Babby, dated June 21, 2016. There are 235 trees on the project site (includes street trees), and 29 which are considered "protected". The trees proposed for removal are in poor health or within the building footprints. The site is designed to preserve the existing mature Aleppo pine trees which define the streetscape along North Mary Avenue. Consistent with the PPSP EIR, the project is subject to the City's Tree Preservation Ordinance and current Tree Replacement Policy. The project will not result in new or more significant impacts to trees than disclosed in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 14 of 40

Cultural Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☒	☐	☐	<i>Section 3.3 Cultural Resources Impact CR-2</i>
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☒	☐	☐	<i>Section 3.3 Cultural Resources Impact CR-4</i>
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☒	☐	☐	<i>Section 3.3 Cultural Resources Impact CR-3</i>
d) Disturb any human remains, including those interred outside of formal cemeteries?	☒	☐	☐	<i>Section 3.3 Cultural Resources Impact CR-4</i>

Analysis

The building on the project site is not considered a historic resource as defined by CEQA Section 15064.5. Existing historic resources within the PPSP area are Libby Tower and Mellow's Nursery and Farm, neither of which are on the project site.

While the project area does not contain any known archaeological resources, there is a potential for unknown buried archaeological resources to be encountered during redevelopment of the project area. The project site is located on a broad alluvial plain. The undifferentiated alluvial deposits within the project area date from the Holocene age and have been known to overlay archaeological material with sterile alluvium of varying depths. Given the similarity of these environmental factors, there is a moderate potential of identifying unrecorded Native American resources in the project area.

Consistent with the project-specific record research results by California Historic Resources Information System, dated 9/16/15, and the records search for the PPSP EIR, the project must implement mitigation measures MM CR-3, MM CR-4, MM CR-5 and MM CR-6 to reduce impacts to unknown, buried archaeological or paleontological resources to a less than significant level. With the implementation of these measures, the project would not result in new or more significant impacts than identified in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 15 of 40

Geology and Soils

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as described 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? (Refer to Division of Mines and Geology Special Publication 42.) ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant Project Geotechnical Report by Romig, dated 07/06/16</i>
b) Result in substantial soil erosion or the loss of topsoil?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant Project Geotechnical Report by Romig, dated 07/06/16</i>
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant Project Geotechnical Report by Romig, dated 07/06/16</i>

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 16 of 40

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant Project Geotechnical Report by Romig, dated 07/06/16</i>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

Analysis

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 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 building permits to be issued for the project.

As concluded in the PPSP EIR, the existing state and City building and grading regulations would reduce or avoid significant geology and soil impacts. The project does not propose the use of septic tanks or alternative wastewater disposal systems. The project would not result in new or more significant geology and soils impacts than identified in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 17 of 40

Greenhouse Gas Emissions

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	<i>Section 3.4 Greenhouse Gas Impact GHG-1</i>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	<i>Section 3.4 Greenhouse Gas Impact GHG-1</i>

Analysis

The development of the project (including demolition, construction and operation) would generate greenhouse gas emissions. The certified 2016 PPSP concluded that the buildout of the PPSP (which includes the development of the project) would result in significant and unavoidable greenhouse gas emissions. Consistent with the PPS EIR, the project shall implement the following mitigation measures from the PPSP EIR:

- MM AQ-1 Fugitive Dust Plan
- MM AQ-2 Construction-Related Emissions Reduction Plan
- MM GHG-1

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in a new or more significant greenhouse gas emissions. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 18 of 40

Hazards and Hazardous Materials

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Impact HAZ-2 Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
d) 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, will it create a significant hazard to the public or the environment?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 19 of 40

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
e) For a project located within 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, will the project result in a safety hazard for people residing or working in the project area?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Impact HAZ-3 Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☒	☐	☐	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by RPS, dated 02/26/18</i>

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 20 of 40

Analysis

A Phase I environmental site assessment was completed for the project site by RPS, dated 2/26/18. The study concluded that there is evidence of a recognized environmental condition in connection with the project site. Insignificant or no contaminant impact likely remains at the present time and RPS does not recommend further environmental investigation at this time. The project would not result in new or more significant impacts than identified in the PPSP EIR. (No New Impact)

The project site is within the Airport Influence Area for the Moffett Federal Airfield, as defined by the Moffett Federal Airfield Comprehensive Land Use Plan. The CLUP includes land use compatibility policies and standards, which forms the basis for evaluating the land use compatibility of individual projects with the Airfield and its operations. Santa Clara County Airport Land Use Commission (ALUC) staff has determined the project to be within the 65dBA CNEL noise contour and inside of the inner safety zone and turning safety zone and consistent with ALUC height policies as defined in the CLUP. An Avigation Easement is required to be dedicated to the United States Government on behalf of Moffett Federal Airfield, consistent with the CLUP. The project has also received a Determination of No Hazard to Air Navigation by Federal Aviation Administration, dated May 5, 2017. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 21 of 40

Hydrology and Water Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Violate any water quality standards or waste discharge requirements?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will 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 will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
f) Otherwise substantially degrade water quality?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 22 of 40

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
i) 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?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
j) Inundation by seiche, tsunami, or mudflow?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

Analysis

As discussed in the PPSP EIR, the project is required to comply with existing regulations to reduce water quality impacts to a less than significant level, including Municipal Code Section 12.60.155 regarding low impact development site design; City's building and grading standards; General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit Order 2009-009-DWQ); National Pollution Discharge Elimination System Permit; and SWPPP guidance. The project would not result in new or more significant hydrology and water quality impacts than identified in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 23 of 40

Land Use

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Physically divide an established community?	☒	☐	☐	Section 3.6 Land Use and Planning Impact LU-1
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	Section 3.6 Land Use and Planning Impact LU-2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☒	☐	☐	Section 3.6 Land Use and Planning Impact LU-3

Analysis

The redevelopment of the project site with office and commercial uses is consistent with the PPSP, the City's General Plan and Zoning Ordinance, and would not introduce a new land use to the area or divide an established community. The PPSP EIR concluded that implementation of the PPSP (including redevelopment of the project site with office) would be compatible with surrounding land uses and would not physically disrupt or divide adjacent established communities. (No New Impact)

The project is also subject to the CLUP, with which the ALUC has determined the project to be consistent by dedicating an avigation easement. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 24 of 40

Mineral Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☒	☐	☐	<i>Section 4.4 Areas Found Not to be Significant</i>

Analysis

The project site does not contain any known mineral sources. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 25 of 40

Noise

	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-2</i>
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-2</i>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-3</i>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-4</i>
e) For a project located within 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, will the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-5</i>
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	<i>Section 3.7 Noise Impact NOI-5</i>

Analysis

The proposed uses are not anticipated to be noise generating and there are no sensitive land uses in the immediate vicinity. The nearest sensitive land uses are the residences located on Corte Madera Avenue. The noise environment at the site and in the surrounding areas results primarily from vehicular traffic along N. Mary Avenue. Construction-related noise, however, is anticipated, as described in the PPSP EIR. Construction will not include deep pile foundations or pile driving or extremely high noise-generating activities or significant vibration. The applicant has stated that auger cast piles or drilled piers will be implemented instead per geotechnical recommendation. Consistent with the PPSP EIR, the project shall implement the following mitigation measures to reduce construction-related noise impacts:

- MM NOI-1 Additional Project Review

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 26 of 40

- MM NOI-4a Construction Noise Control Measures
- MM NOI-4b Pile Driving Noise-Reducing Techniques and Muffling Devices

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in new or more significant noise impacts. (No New Impact)

The ALUC has issued a determination that the project is consistent with the CLUP and is outside of the noise contours. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 27 of 40

Population and Housing

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) 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)?	☒	☐	☐	<i>Section 3.8 Population and Housing Impact PH-1</i>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	<i>Section 3.8 Population and Housing Impact PH-1</i>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	<i>Section 3.8 Population and Housing Impact PH-1</i>

Analysis

The PPSP EIR concluded that the development of the PPSP (which includes development of the proposed project) would not induce substantial population growth in the City. The project site does not contain housing units; therefore, it would not displace existing housing or residents. The project would not result in new or more significant impacts to population and housing than identified in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 28 of 40

Public Services

	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental 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: Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?	☒ ☒ ☒ ☒ ☒	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐	<i>Section 3.9 Public Services Impact PH-1-3</i> ☐ ☐ ☐ ☐ ☐
b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☒	☐	☐	<i>Section 3.9 Public Services Impact PH-1-3</i>
c) 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?	☒	☐	☐	<i>Section 3.9 Public Services Impact PH-1-3</i>

Analysis

The PPSP concluded that buildout of the PPSP (which includes the proposed project) would not significantly affect fire, police and emergency medical response time and coverage ability or service. (No New Impact)

Pursuant to Senate Bill 50 (SB 50), and as discussed in the PPSP EIR, the payment of developer fees to the Sunnyvale School District and Fremont Union High School District would fully mitigate impacts to schools to a less than significant level. The project shall pay the appropriate SB 50 fees. The project, therefore, would not result in new or more significant school impacts than identified in the PPSP EIR. (No New Impact)

As discussed in the PPSP EIR, it is anticipated that during the workday, employees in the PPSP area would use new open space areas rather than existing parks near the PPSP area due to the proximity of these new facilities to their jobs. The project includes configuring over 20% of the site as open space or landscaping. The

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 29 of 40

PPSP EIR concluded that the impacts from the buildout of the PPSP (which includes the development proposed by the project) on local and regional parks would be less than significant. The project would not result in new or more significant impacts to park and recreational facilities than identified in the PPSP EIR. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 30 of 40

Transportation, Circulation, and Traffic

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 31 of 40

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
e) Result in inadequate emergency access?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☒	☐	☐	Section 3.10 Transportation Traffic Impact Analysis was prepared by Wood Rogers dated April 2018

Analysis

A Traffic Impact Analysis was prepared by Wood Rogers dated April 2018. The report notes that the number of net new project trips anticipated to be added to the roadway system surrounding the project site, based on the data published in the Institute of Transportation Engineer's (ITE) Trip Generation 9th Edition, are 221 net trips in the AM peak hour and 203 net trips in the PM peak hour. The study analyzed the traffic impacts of the proposed development at 12 intersections in the vicinity of the project site during the AM and PM peak hour traffic conditions. The analysis indicates, measured against both the City of Sunnyvale and Valley Transportation Authority (VTA) significance standards, all the study intersection will continue to operate at acceptable levels of service with and without the proposed project under existing and background scenarios. Therefore, it is anticipated that the existing roadway system can accommodate the incremental increase in the trips. No traffic impacts are anticipated. (No New Impact)

The traffic analysis for this project tiered off of the cumulative analysis completed for the Peery Park Specific Plan. On September 20, 2016, City Council adopted a Statement of Overriding Considerations for the Peery Park Specific Plan's significant and unavoidable impacts related to transportation and certified the EIR and Mitigation Measures and Monitoring Report (MMRP). As identified in the PPSP EIR, the project shall implement the following mitigation measures related to transportation, circulation and traffic impacts:

- **MM T-1** Construction Impact Mitigation Plan
- **MM T-2a** Third Westbound Left-Turn Lane at the intersection of Mary Avenue and Central Expressway
- **MM T-2b** County of Santa Clara Expressway Plan 2040 Fee
- **MM T-3** Valley Transportation Authority Valley Transportation Plan 2040 Fee
- **MM T-6a** Transportation Management Agency
- **MM T-6b** Transportation Impact Fee

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in new or more significant transportation, circulation and traffic impacts. The project would not result in new or

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 32 of 40

more significant impacts to transportation than disclosed in the PPSP EIR and will be required to pay their fair share for mitigation measures identified in the PPSP EIR. (No New Impact)

The project has been reviewed by the City Fire Prevention Division and Transportation Division and does not contain design features that will substantially increase hazards or result in inadequate emergency access. The project will not result in a change to air traffic patterns. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 33 of 40

Utilities and Service Systems

Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☒	☐	☐	Section 3.11 Public Services Impact UT-1
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	Section 3.11 Public Services Impact UT-2
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	Section 3.11 Public Services Impact UT-2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	Section 3.11 Public Services Impact UT-2
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	Section 3.11 Public Services Impact UT-5
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☒	☐	☐	Section 3.11 Public Services Impact UT-6
g) Comply with federal, state and local statutes and regulations related to solid waste?	☒	☐	☐	Section 3.11 Public Services Impact UT-7

Analysis

The PPSP EIR concluded that buildout of the PPSP (which includes the proposed project) would likely require improvements to the existing water and wastewater system as applicable. Consistent with the PPSP EIR, the project shall pay the Peery Park Infrastructure Fees (mitigation measures MM UT-1 and MM UT-2) to ensure

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 34 of 40

adequate financing for funding of water and wastewater infrastructure improvements. The project, therefore, would not result in a significant impact to the water or wastewater system with the implementation of the mitigation measures identified in the PPSP EIR. (No New Impact)

Mandatory Findings of Significance

	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) 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?	☒	☐	☐	☐
b) 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 past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☒	☐	☐	☐

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 35 of 40

	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

Analysis

Implementation of the identified mitigation measures in this environmental checklist and compliance with applicable policies and regulations, the proposed project would not result in new or more significant impacts than identified in the PPSP EIR. The project will be subject to the PPSP EIR MMRP. (No New Impact)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 36 of 40

WHEN: These mitigations shall be incorporated by reference into conditions of approval (Attachment 5) for the Peery Park Conditional Use Permit and the Peery Park Plan Review Permit) prior to its final approval by the City's Planning Commission. The conditions will become valid when the application is approved and prior to building permit issuance.

WHO: The project applicant or property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

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

Responsible
Division:

Planning Division

Completed
by:

Margaret Netto

Date: 3/29/18

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 37 of 40

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 Climate Action Plan 2014

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
 - o Chapter 16.52 Fire Code
 - o Chapter 16.54 Building Standards for Buildings Exceeding Seventy –Five Feet in Height
- Title 18 Subdivisions
- Title 19 Zoning
 - o Chapter 19.28 Downtown Specific Plan District
 - o Chapter 19.29 Moffett Park Specific plan District
 - o Chapter 19.39 Green Building Regulations
 - o Chapter 19.42 Operating Standards
 - o Chapter 19.54 Wireless Telecommunication Facilities
 - o Chapter 19.81 Streamside Development Review
 - o Chapter 19.96 Heritage Preservation
- Title 20 Hazardous Materials

Specific Plans:

- Peery Park Specific Plan 2016

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
- Peery Park Specific Plan 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
- 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)

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 38 of 40

- List of Known Contaminants in Sunnyvale
- USFWS / CA Dept. F&G Endangered and Threatened Animals of California
<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>
- The Leaking Underground Petroleum Storage Tank List
www.geotracker.waterboards.ca.gov
- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.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

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 39 of 40

Miscellaneous Agency Plans:

- ABAG Projections 2013
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines 1999 Thresholds

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

ATTACHMENT 6

Check list for Conformance with PPSP - EIR

Project Name: 445 and 455 N. Mary Ave.

File #2016-7607

Page 40 of 40

OTHER :

Project Specific Information

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans dated 1/31/18
- Project Construction Schedule
- Project Draft Storm Water Management Plan dated 1/31/18
- Project Arborist Survey and Tree Appraisal Report by David Babby, dated 06/21/16
- Project Phase 1 Environmental Site Assessment by RPS, dated 02/26/18
- Project Traffic Impact Analysis by Wood Rogers, dated 4/18
- Project Airport Land Use Commission Consistency Determination letter by Santa Clara County Airport Land Use Commission, dated 3/30/18
- Project Determination of No Hazard to Air Navigation by Federal Aviation Administration, dated 5/5/17
- Project Geotechnical Report by Romig, dated 07/06/16