

ATTACHMENT 6

Project Title	Edwina Benner Plaza, 460 Persian Drive
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	George Schroeder, Associate Planner
Phone Number	(408) 730-7443
Project Location	460 Persian Drive Sunnyvale, CA 94089 (APN: 110-29-028)
Applicant's Name	MidPen Housing Corporation (Applicant); MP Edwina Benner Associates, L.P. (Owner)
Zoning	R-4/PD (High Density Residential/Planned Development)
General Plan	Industrial to Residential Medium-High Density
Other Public Agencies whose approval is required	None

BRIEF PROJECT DESCRIPTION

The proposed project is located on a 1.32-acre parcel and consists of a **Special Development Permit** to demolish a 24,014 square foot, one-story commercial building and construct a four-story, 66-unit affordable rental apartment building (65 affordable units and an onsite manager's residence), including a ground-level podium parking garage and associated site improvements.

DETAILED PROJECT DESCRIPTION

Surrounding Uses and Setting: The project site is located on the south side of Persian Drive, mid-block between Morse Avenue and Fair Oaks Avenue. Persian Drive runs parallel to the south side of California State Route 237 (SR-237), where an off-ramp to Fair Oaks Avenue is located to the northeast of the project site. An existing sound wall along the freeway terminates just to the west of the project site, leaving no sound wall along the project site's freeway frontage. The project site is located within the City's Tasman Crossing Industrial to Residential (ITR) General Plan district, and is zoned R-4/PD (High Density Residential/Planned Development). Many properties within Tasman Crossing have already transitioned to residential uses, including an east-adjacent high density (36 dwelling units per acre) condominium development at 470 Persian Drive (developed by KB Homes). The Tasman/Fair Oaks Area Pedestrian and Bicycle Circulation Plan applies to the development of properties in this ITR district by addressing pedestrian/bicycle circulation and sense of place improvements.

A one-story, multi-tenant commercial building is currently located onsite, which was developed around 1969. Prior to the existing development, the site was historically used as agricultural land.

Commercial businesses currently onsite include a market, specialty food store, personal service salons, a clothing store, and small commercial office uses. A parking lot is located on the north, west, and south sides of the building, and a landscape strip is located along the project's frontage on Persian Drive. The existing building has a zero lot line with the property to the east. An existing emergency vehicle access easement is located on the western half of the project site, through to the property to the south, and out to Morse Drive.

To the north of the project site and across Persian Drive is SR-237; to the east is a 47-unit, three-story condominium development that was completed in 2015. A community-serving place of assembly use, currently occupied by the Sunnyvale Hindu Temple and Community Center is located to the west and south. Bus and light rail transit service is provided by the Santa Clara Valley Transportation Authority (VTA) with stops located within 0.5 miles to the southeast of the project site. Transit service is accessible by pedestrians through existing sidewalks on Persian Drive, Fair Oaks Avenue, and Tasman Drive. An existing east-west Class II bicycle lane is located along the project frontage on Persian Drive. A shopping center and a commercially-zoned property are located within 0.5 miles of the project site at the intersection of Tasman Drive and Fair Oaks Avenue.

On-site Development: The proposed project includes the complete demolition of the existing commercial building and construction of a four-story, 66-unit, affordable apartment building, to be managed by MidPen Housing Corporation. One of the units would be reserved for the onsite manager. A total of 105,113 square feet of building area is proposed for the project. The proposed unit mix includes 30 one-bedroom units, 19 two-bedroom units, and 17 three-bedroom units. The average unit size is 794 square feet, with sizes ranging from 532 to 1,361 square feet. Resident amenities within the building include a bicycle parking room, computer room, learning center, community room with kitchen, and a fitness room. Common open spaces are provided in courtyards in the ground and second floors, and private open space for each unit is provided through patios or balconies. Each unit has 300 cubic feet of lockable storage space within the building, consistent with Sunnyvale Municipal Code (SMC) requirements. Solid waste and recycling service is provided through chutes on each floor that dispose into a central trash room within the parking garage.

A Special Development Permit (SDP) is required for the project's site and architectural review, since the site is located within a Planned Development combining district. Deviations from the Sunnyvale Municipal Code (SMC) may be considered by the Planning Commission with the SDP. The State Density Bonus Law (Government Code Section 65915-65918) allows consideration of up to three city code concessions since this project is a qualifying affordable housing project. Project concessions and deviations from the SMC include:

- Auto Parking – 87 spaces proposed when 102 are required, per Section 19.46.080;
- Lot Coverage – 55% proposed when up to 40% is allowed, per Section 19.32.020;
- Front Yard Setback – 20' proposed at the third floor, when a minimum of 25' is required, and 20' proposed at the fourth floor, when a minimum of 31.5' is required, per Section 19.34.050;
- East (Left) Side Yard Setback – 9' proposed, when a minimum of 18' is required, per Section 19.34.080;
- Other Landscaped Area – 182 square feet per unit proposed, when a minimum of 375 square feet is required, per Section 19.37.040; and
- Useable Open Space – 211 square feet per unit proposed, when a minimum of 380 square feet is required, per Section 19.37.040

The proposed building would be four stories tall with a height of 53 feet from the street curb elevation on Persian Drive. The building has been sited and designed with the intent to attenuate noise and reduce visual impacts from SR-237. To help achieve this, a folded wall concept has been implemented into the front façade, in lieu of building a sound wall along the project's frontage. The project is located within a single structure at the ground floor, then separates into three vertical building pods beginning at the second floor, creating the visual effect of three separate buildings. The building pods are connected through elevated walkways at upper levels.

A new driveway on the west side of the project site (in approximately the same location as the existing) will provide vehicular access to Persian Drive. The driveway follows the limits of the existing emergency vehicle access easement, with unobstructed access to the property to the south through to Morse Avenue. Pedestrian walkways allow direct access from the building to the public sidewalk along Persian Drive, and direct access internally within the building, through the parking garage and between the different building pods.

All three existing trees on-site would be removed to accommodate the project. The project would include a planting buffer around the perimeter of the site and a landscape frontage strip, consistent with SMC requirements.

Construction Activities and Schedule: Construction activities include full demolition of the existing building and paving onsite and construction of a 66-unit affordable apartment building with associated on-site and off-site improvements. The project will be subject to the Sunnyvale Municipal Code requirements for construction noise and hours of construction contained in Chapter 16.08.030 of the SMC.

Construction of the project is estimated to span 18 months, which is typical for a project of this size. The project is anticipated to begin construction in March, 2017. Construction will not include deep pile foundations or pile driving.

Off-site Improvements: New sidewalks, street trees, and street lights will be installed in the public right-of-way, per standard specifications and the Tasman/Fair Oaks Area Pedestrian and Bicycle Circulation Plan. The new sidewalk would align with recently constructed sidewalks on the east and west sides of the project site. Standard water, sewer, right-of-way and utility upgrades will be provided as required by the Municipal Code.

To assist the project in obtaining State Affordable Housing and Sustainable Communities Program (AHSC) funding, the project may include the construction of a new offsite sidewalk not immediately along the project site, to be constructed by the City of Sunnyvale. The AHSC Program funds land-use, housing, and transportation projects to support infill and compact development that reduce greenhouse gas (GHG) emissions. The sidewalk would fill a gap in the pedestrian network along the south side of Persian Drive from Morse Avenue to the east to Borregas Avenue to the west. The sidewalk would provide a direct pedestrian connection to an existing pedestrian overcrossing over SR-237 near Borregas Avenue. The overcrossing leads to Moffett Park, a major employment district, and the sidewalk connection has the potential to reduce automobile trips to Moffett Park. If approved by the State, a grant would be provided to the City to construct the sidewalk. The proposed sidewalk construction is not expected to result in significant impacts to the environment as it would be constructed in the City's right of way in an existing landscape planter. Any potential tree removals would be mitigated by planting replacement trees consistent with the City's replacement standards. Moreover, a new sidewalk would enhance connectivity and safety and potentially reduce automobile trips.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

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

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

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

Checklist Prepared By: George Schroeder

Date: 12/21/2015

Title: Associate Planner

City of Sunnyvale

Signature:

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
1. Aesthetics - Substantially damage scenic resources, including, but not limited to trees, historic buildings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Land Use and Transportation Chapter 3, and Community Character Chapter 4 of the Sunnyvale General Plan www.sunnyvaleplanning.com
2. Aesthetics - Substantially degrade the existing visual character or quality of the site and its surroundings including significant adverse visual changes to neighborhood character	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Land Use and Transportation Chapter 3, and Community Character Chapter 4 of the Sunnyvale General Plan www.sunnyvaleplanning.com
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 checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, Land Use and Transportation Chapter 3, and Community Character Chapter 4 of the Sunnyvale General Plan www.sunnyvaleplanning.com
4. Population and Housing - Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) in a way that is inconsistent with the Sunnyvale General Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale General Plan Map, and Land Use and Transportation Chapter 3 of the Sunnyvale General Plan 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"/>	Land Use and Transportation Chapter 3, and Housing Chapter 5 of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
6. Population and Housing - Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Housing Chapter 5 of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
7. Land Use Planning - Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale General Plan Map www.sunnyvaleplanning.com
8. Land Use Planning conflict - With the Sunnyvale General Plan, Zoning Ordinance, San Francisco Bay Conservation and Development Commission (BCDC) area or related specific plan adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan, Title 19 (Zoning) of the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off
9. Transportation and Traffic - Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking Requirements (Section 19.46) in the Sunnyvale Municipal Code http://qcode.us/codes/sunnyvale/view.php?topic=19-4-19_46&frames=off Parking Demand Analysis by Nelson

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					Nygaard, dated December 14, 2015
10. 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, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ , Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off Noise Assessment by RGD Acoustics, dated December 17, 2015
15. Noise - Exposure of persons to or generation of excessive ground borne vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Noise Assessment by RGD Acoustics, dated December 17, 2015
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Noise Assessment by RGD Acoustics, dated December 17, 2015
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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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"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
19. Biological Resources - Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
20. Biological Resources - Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Arborist Report by HortScience, Inc., dated July 21, 2015
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"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Character Chapter 4 of the Sunnyvale General Plan, Sunnyvale Inventory of Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	California Health and Safety Code Section 7050.5(b), CEQA Guidelines Section 15064.5(e) Project description California Historical Resources Information System (CHRIS) Letter, dated September 8, 2015
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School

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significant environmental impacts, in order to maintain acceptable performance objectives?					District and Santa Clara Unified School District.
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds AB 32 Project Climate Action Plan CEQA Checklist Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
27. Air Quality - Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale Climate Action Plan 2014 AB 32 Project Climate Action Plan CEQA Checklist Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
28. Air Quality - Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
29. Air Quality - Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
30. Air Quality - Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter

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					7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
31. Seismic Safety - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 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"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety - Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

1. Aesthetics – Scenic Resources (Less Than Significant) – The proposed project site is located within an urban area of mixed uses (industrial, commercial, and residential) that has no designated scenic resources. The project would result in the removal of all the existing trees on-site. In accordance with Chapter 19.94 of the SMC, the project will provide replacement trees onsite as well as street trees along the Persian Drive frontage. The replacement of trees and landscaping onsite and along the street frontages would improve the visual/aesthetic character of the area. Therefore, the proposed project would have a less than significant impact on scenic resources at the project site.

2. Aesthetics – Visual Character (Less Than Significant) - Construction of the proposed project will alter the visual character of this site by transitioning the site from a commercial to a residential use by placing a four-story residential building on a site currently containing a one-story commercial building, pavement, and unpaved areas. The proposed project is subject to the Citywide Design Guidelines, and the design of the building and site layout will be in general conformance with the adopted design guidelines. The proposed multi-family residential development and related landscaping improvements will be visually compatible with the surrounding neighborhood consisting of similar residential development. The proposed building would maintain similar scale but will be one story taller than nearby buildings. The City’s implementation of the City-Wide Design Guidelines and staff’s review of final development plans, which will be submitted for final Building Permit review, will ensure that the final design of the project is consistent with the plans reviewed by the Planning Commission. The project will not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, impacts would be less than significant.

3. Aesthetics - Lighting (Less Than Significant) - There is no lighting plan available for the project site at this time. Lighting on the project site will be reviewed by Planning staff prior to issuance of building permits, and will be reviewed for consistency with the City's policies and City-Wide Design Guidelines to reduce light and glare, and to ensure it will not adversely affect the visual quality of the area or create a substantial new source of light or glare.

4. Population and Housing (Less Than Significant) – The General Plan designation for the project site allows for industrial to residential transition with medium-high density and the Zoning designation allows up to 36 dwelling units per acre or 48 units. The SMC allows a density bonus of up to 35% above the maximum allowable density, or 17 additional units, for affordable housing projects meeting the State Density Bonus Law definitions. The City's Green Building Program also allows a five percent increase in units, or one additional unit, with additional green building measures, which the project is proposing. The maximum allowable number of units under the base zoning, with density bonus and green building provisions is 66, which is the same as the proposed number of units. Therefore, the project will not induce substantial population growth in a way that is inconsistent with the General Plan or Zoning.

9. Transportation and Traffic – Parking (Less Than Significant) – A minimum of 102 total parking spaces (1.55 spaces per unit) is required per Sunnyvale Municipal Code (SMC) Section 19.46.080. The proposed project would include a total of 87 parking spaces (1.32 spaces per unit) which are mostly located within a podium parking garage on the ground floor of the project. The parking deficit of 15 parking spaces is requested as a concession under the State Density Bonus Law (Government Code Section 65915-65918). The applicant is requesting the concession, since the proposed bedroom mix and reduced parking ratio will qualify the project for additional state funding. The law allows consideration of up to three city code concessions for affordable housing projects that include at least 30 percent of the total units for lower income households or at least 15 percent for very low income households, which the project exceeds. A parking management plan is required for the management of assigned and unassigned spaces within the development.

Recent amendments to the State Density Bonus Law through Assembly Bill 744 prohibits cities from imposing a parking ratio in excess of 0.5 spaces per bedroom for a project that includes the maximum percentage of affordable units specified in the law, that is located within 0.5 miles of a major transit stop, and there is unobstructed access from the project site to the transit stop. The project qualifies for the reduced parking ratio of 0.5 spaces per bedroom (60 total required spaces) since a major transit stop is located within 0.5 miles of the project site (Fair Oaks Station, VTA light rail) and there is a complete sidewalk network that provides seamless access to transit. Therefore, the project qualifies for the parking reduction under AB 744, and the proposed parking supply would exceed the standard of 0.5 spaces per bedroom.

As a conservative measure, a parking study was conducted by Nelson Nygaard, dated December 14, 2015. The study is available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. The study analyzed the projected parking demand by conducting field parking counts at similar projects within Sunnyvale, as well assessing field parking data from existing transit-oriented residential development in the Bay Area. The study found that the proposed parking supply is expected to be adequate to address typical peak residential parking demand since the parking supply is more than the surveyed number of occupied parking spaces per unit in similar projects (0.5 to 1.1 spaces per unit). Therefore, the proposed parking supply is expected to have a minimal impact on the environment.

14-16. Noise (Less than Significant/Less than Significant with Mitigation) – A noise study was prepared by RGD Acoustics, dated December 17, 2015. The study is available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. The study evaluated existing and future noise conditions in order to determine interior and exterior noise impacts to future residents of the development, as well as short-term construction-related impacts to surrounding residents. The study noted that SR-237 is the major existing noise source at the project site with DNL's (Day-Night Level, or cumulative noise exposures occurring over a 24-hour day) ranging from 69 to 73 dBA.

Exterior Noise: The Safety and Noise Chapter of the Sunnyvale General Plan specifies that exterior noise exposures should attempt to achieve a limit of 60 dB DNL for multi-family residential exteriors, such as common recreational areas, rear yards, patios and large balconies and decks. Additionally, the General Plan references State Noise Guidelines that indicate that all residential land uses with exterior noise levels of 60-75 dBA DNL are “conditionally acceptable.” Moreover, the U.S. Department of Housing and Urban Development (HUD) considers exterior noise levels up to 65 dBA DNL as “acceptable.” The study notes that many exterior areas of the project are within 60 dBA since the project has been designed to mitigate exterior noise through building orientation, landscape design, and small, localized noise barriers. However, there are exterior areas that would exceed a DNL of 60-65 dBA without any mitigation, specifically at the east/west edges of the second floor courtyards; first floor courtyard seating area; balconies and patios for units near Persian Drive. In order to reduce exterior noise impacts to a less than significant level, the following mitigation measures are required:

MITIGATIONS – Exterior Noise

WHAT:

- (1) At least 4-foot tall solid railings shall be installed on the east and west edges of the second floor courtyards as specified in the project noise study.
- (2) The location of the seating area at the first floor courtyard shall be provided directly behind the front portion of the building, as specified in the project noise study.
- (3) At least 4-foot tall solid balcony railings shall be installed in unit balconies and patios closer to Persian Drive, as specified in the project noise study.

WHEN: The mitigations shall be incorporated into conditions of approval for the Special Development Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

Interior Noise: The California Code of Regulations (Title 24), administered during the Building Permit process, limits interior noise levels to 45 dB DNL with doors and windows closed. The project has been designed so that there are only three residential units along the north elevation closest to Persian Drive and SR-237. The study notes that the project can meet the interior noise requirement of DNL 45 dBA through the use of sound-rated windows. Preliminary calculations indicate that 17 units would require sound-rated windows (STC ratings up to 36), while other windows can use standard dual glazed construction, provided that windows are closed for noise control at the occupant’s discretion. Therefore, these units would require an air conditioning or ventilation system, particularly a fully ducted fresh air system, in order to provide a habitable environment and meet State Building Code ventilation requirements. In order to mitigate interior noise impacts to a less than significant level, the following noise reduction measures are required:

MITIGATIONS – Interior Noise

WHAT:

- (1) Sound-rated windows shall be provided for the units specified in the project noise study. Prior to building permit issuance, the project noise consultant shall review the construction plans and provide a letter to confirm that the STC ratings are adequate to achieve an interior noise level of DNL 45 dBA.

- (2) An air conditioning or ventilation system, particularly a fully ducted fresh air system, shall be provided in order to provide a habitable environment and meet State Building Code ventilation requirements

WHEN: The mitigations shall be incorporated into conditions of approval for the Special Development Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

Construction-Related Noise: SMC Section 16.08.030 places restrictions on time of construction activity to minimize nuisance to neighboring properties but does not include noise limits generated by construction. However, these short-term noise levels have the potential to disturb residences living nearby during the course of demolition and construction, which is anticipated to span 18 months. Per the applicant's Preliminary Construction Plan, construction will not include deep pile foundations or pile driving. Through the implementation of the current Sunnyvale Municipal Code construction noise regulations, standard conditions of approval, Climate Action Plan checklist provisions, and mitigation measures below, construction-related noise impacts will be mitigated to less than significant levels.

MITIGATIONS – Construction-Related Noise

WHAT:

- (1) All internal combustion engines used at the project site must be equipped with a type of muffler recommended by the vehicle manufacturer. All equipment must be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.
- (2) Construction operations must comply with the limits of the City of Sunnyvale Municipal Code.
- (3) Place long-term stationary equipment as far away from the residential areas as possible.
- (4) Demolish the northerly portions of the existing buildings first leaving the walls of the buildings closest to the residences up for as long as possible as these walls will act as sound barriers.
- (5) Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local streets as much as possible.
- (6) Orient the concrete crusher so that the hopper (noise end) faces away from noise sensitive receptors.
- (7) Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.
- (8) Use a motor grader rather than a bulldozer for final grading.
- (9) Power saws should be shielded or enclosed where practical to decrease noise emissions. Nail guns should be used where possible as they are less noisy than manual hammering.
- (10) Use generators and compressors that are housed in acoustical enclosures rather than weather enclosures or none at all.

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

WHO: The property owner 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.

19. Biological Resources – Wildlife (Less than Significant with Mitigation) – While the entire site is disturbed and developed, raptors (such as falcons, hawks, eagles, and owls) and other migratory birds may utilize the large trees on-site for foraging or nesting. Nesting raptors are among the species protected under provisions of the Migratory Bird Treaty Act and California Department of Fish and Wildlife (CDFW) Code Sections 3503, 3503.5, and 2800. The proposed project would remove all the existing trees on-site. Construction disturbance near raptor nests can also result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment in the trees on the project site. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. The following mitigation measures will be implemented to avoid abandonment of raptor and other protected migratory birds nests, and reduce impacts to a less than significant level. Therefore, the following mitigation measures are recommended to reduce potential impacts on biological resources:

MITIGATION – Biological Resources

WHAT:

- (1) If construction commences anytime during the nesting/breeding season of native bird species (typically February through August), a qualified biologist must conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30 days prior to the start of construction activities. The intent of the survey is to determine if active raptor nests or other species protected by the Migratory Bird Treaty Act are present within the construction zone or within 250 feet of construction zone for raptors and 50 feet of the construction zone for other migratory birds. The survey area must include all trees and shrubs within zones that have the potential to support nesting birds.
- (2) If active nests are found in the area that could be directly affected or are within 250 feet of construction for raptors and 50 feet for other migratory birds, a no-disturbance buffer zone must 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.

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

WHO: The property owner 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.

20. Biological Resources (Less than Significant) – An arborist report was prepared for the project by HortScience, Inc., dated July 21, 2015. The report recommends removal of all three existing trees onsite (36" diameter Shamel Ash; and two 25" diameter Monterey Pine). The Shamel Ash is in fair condition, but has been topped to avoid interference with overhead utility lines and caused damage to nearby hardscape. The Monterey Pines are dead or in poor condition, and have been topped. The report notes that all three trees are recommended for removal due to their condition and location within the proposed site improvements. The City's Tree Replacement Standards require a minimum of twelve 24-inch box trees to be planted to offset the

loss of protected trees. The proposed project includes 54 24-inch box trees, which will mitigate the loss of the existing protected trees in accordance with the City's Tree Replacement Standards, to a less than significant level.

23. Historic and Cultural Resources (Less than Significant with Mitigation) – The project construction will include grading and land disturbance. A California Historical Resources Information System (CHRIS) letter dated September 8, 2015 documents a records search that reviewed pertinent base maps, cultural resources records and reports, historic-period maps, and literature from Santa Clara County. The records search found no record of any cultural or archaeological resources or historic structures that formally covered the project site. However, the records search noted there is a moderate potential of unrecorded Native American resources in the project area. Therefore, the following mitigations are recommended to reduce the potential impact to less than significant level:

MITIGATION – Historic and Cultural Resources

WHAT:

- (1) An archeological monitor and a Native American representative must monitor ground disturbing demolition, grubbing, scraping, grading, trenching and any other excavation within the project site. Archeological monitoring must be continued until the archeologist and Native American monitors are satisfied that no significant cultural deposits will be impacted by the project.
- (2) If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner as well as a qualified archeologist (if not already present) must be notified immediately so that an evaluation can be performed. Procedures at this point are prescribed by law. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated. Once the Most Likely Descendant has inspected the discovered remains, the remains can be reinterred with appropriate dignity.
- (3) Archeological monitoring must be conducted following the procedures specified below in the event that potentially significant cultural deposits or human burials are found during the development:
 - (a) Monitoring will consist of directly watching the major excavation process. Monitoring will occur during the entire work day, and will continue on a daily basis until a depth of excavation has been reached at which resources could not occur. This depth is estimated as usually about 5 feet below grade at the beginning of the project, but may require modifications in specific cases, and will be determined by the monitoring archeologist based on observed soil conditions.
 - (b) Spot checks will consist of partial monitoring of the progress of excavation over the course of the project. During spot checks all soils material, open excavations, recently grubbed areas, and other soil disturbances will be inspected. The frequency and duration of spot checks will be based on the relative sensitivity of the exposed soils and active work areas. The monitoring archeologist will determine the relative sensitivity of the parcel.
 - (c) If prehistoric human interments (human burials) are encountered within the project area, all work must be halted in the immediate vicinity of the find. The County Coroner, project superintendence, and the Agency Liaison should be contacted immediately. The procedures to be following at this point are prescribed by law.
 - (d) If significant cultural deposits other than human burials are encountered, the project should be modified to allow the artifacts or features to be left in place, or the archaeological consultant should undertake the recovery of the deposit or feature. Significant cultural deposits are defined as archaeological features or artifacts that associate with the

- prehistoric period, the historic era Mission and Pueblo Periods and the American era up to about 1900.
- (e) Whenever the monitoring archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit will be stopped, and the excavation inspected by the monitoring archaeologist. If the suspected remains prove to be non-significant or non-cultural in origin, work will recommence immediately. If the suspected remains prove to be part of a significant deposit, all work should be halted in that location until removal has been accomplished. If human remains (burials) are found, the County Coroner must be contacted so that they (or a designated representative) can evaluate the discovered remains and implement proper contacts with pertinent Native American representatives.
 - (f) Equipment stoppages will only involve those pieces of equipment that have actually encountered significant or potentially significant deposits, and should not be construed to mean a stoppage of all equipment on the site unless the cultural deposit covers the entire building site.
- (4) During temporary equipment stoppages brought about to examine suspected remains, the archaeologist should accomplish the necessary tasks with all due speed.

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

WHO: The project 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.

24. Public Services – Schools (Less than Significant) – The project site is located within the Sunnyvale School District and Fremont Union High School District. In both districts, all new residential developments are required to fully offset their anticipated impact on demand for schools by paying a school impact fee as set by the Districts. The City requires evidence of school impact fee payment prior to issuance of building permits. Therefore, impacts on public schools will be less than significant.

27. Air Quality - Greenhouse Gases (No Impact) – A Sunnyvale "Climate Action Plan CEQA Checklist" was completed for the project, which provides further analysis related to project greenhouse gas emissions. The Checklist demonstrates conformance with the City's adopted Climate Action Plan; therefore, the project is not expected to have an impact on greenhouse gas emissions.

30. Air Quality – Exposure to Sensitive Receptors (Less than Significant with Mitigation) – Given the project site's proximity to SR-237, a toxic Air Contaminant Emissions Assessment was prepared by Illingworth and Rodkin, Inc., dated December 10, 2015. The study addresses toxic air contaminant (TAC) issues and mitigation measures to reduce significant exposures of sensitive receptors to air pollutant emissions. The study notes that the project is not considered a source of TAC and would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels.

Cancer Risk and Fine Particulate Matter: The study notes that the maximum increased cancer risk from traffic on SR-237 was computed as 13.5 in 1,000,000, which is above the Bay Area Air Quality Management District's (BAAQMD) threshold of significance of 10 in 1,000,000. The study notes that in general, cancer risks will decrease with distance from the highway and as the floor levels increase. The study also computed fine

particulate matter from SR-237 to be 0.6 micrograms per cubic meter at the unit closest to the freeway. This concentration is above the BAAQMD threshold of greater than 0.3 micrograms per cubic meter. Similar to cancer risk, fine particulate matter decreases with distance from the freeway and at increasing floor levels. In order to minimize long term annual fine particulate matter and cancer risk exposure, the following mitigation measures are required to reduce impacts to a less than significant level:

MITIGATION – Cancer Risk and Fine Particulate Matter

WHAT:

- (1) Install air filtration in residential buildings for 1st through 4th floors for the portions of the building(s) indicated in the project TAC study that have exposures with cancer risk above 10 chances per million or annual fine particulate matter exposure above 0.3 micrograms per cubic meter. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, this ventilation system, whether mechanical or passive, shall meet the following minimal design standards:
 - a. A MERV13 filter or higher rating (depending on exposure);
 - b. At least one air exchange(s) per hour of fresh outside filtered air; and
 - c. At least four air exchange(s) per hour recirculation.
- (2) As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
- (3) Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

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

WHO: The property owner 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.

Construction Period Emissions: Construction equipment and associated truck traffic generates diesel exhaust which is a TAC, and can pose health risks for sensitive receptors, such as surrounding residents. The study notes that the project's construction activities would have a significant impact without any mitigation since the cancer risk and fine particulate matter is above the respective thresholds. However, to reduce the project's construction emissions to a less than significant level, the following mitigation measures are required:

MITIGATION – Construction Period Emissions

WHAT:

- (1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- (2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- (3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- (4) All vehicle speeds on unpaved roads shall be limited to 15 mph.

- (5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- (6) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- (7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- (8) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- (9) The project shall develop a plan demonstrating that the off-road equipment used to on-site to construct the project would achieve a fleet-wide average 80 percent reduction in PM2.5 emissions. One feasible plan to achieve this reduction would include the following:
 - a. All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters¹³ or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

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

WHO: The developer 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: George Schroeder Date: 12/21/2015

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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?					Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
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"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
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"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
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"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
					Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
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"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/

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

35. Transportation – (No Impact) – Development proposals require preparation of a transportation impact analysis (TIA) if more than 100 new peak hour trips in either the AM (7:00AM – 9:00AM) or PM (4:00PM-6:00PM) peak hour are estimated. The Institute of Transportation Engineers (ITE) Manual is the standard reference document prescribed by the Santa Clara County Congestion Management Program TIA Guidelines for estimating trip generation from land development. These guidelines are used by all cities in Santa Clara County for determining the necessity for traffic analysis. Per the ITE Trip Generation Manual, 9th Edition (“ITE Manual”) the City’s Division of Transportation and Traffic estimates that the project will not result in 100 net new AM and PM peak hour trips. It is anticipated that the existing roadway system can accommodate the incremental increase in trips.

The applicant also prepared voluntary Traffic Demand Management Measures to reduce vehicular trips. Measures include a one-year transit pass for each unit, bicycle parking in addition to the minimum requirements, alternative transportation education and marketing, and each unit will be pre-wired to allow for telecommuting technology.

Responsible Division: Planning Division

Completed by: George Schroeder Date: 12/21/2015

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
44. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal

					Code
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
46. Geology and Soils - Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Municipal Code 12.60, City of Sunnyvale Storm Water Quality Best Management Practices Guideline Manual Geotechnical Investigation by Rockridge Geotechnical, dated August 17, 2015.
47. Geology and Soils - Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code Geotechnical Investigation by Rockridge Geotechnical, dated August 17, 2015.
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 checked="" type="checkbox"/>	<input type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code Geotechnical Investigation by Rockridge Geotechnical, dated August 17, 2015.

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

43-45. Hydrology and Water Quality (No Impact) – The project site is located in the “X” flood zone (designated by the Federal Emergency Management Agency or FEMA) that is considered a moderate to low risk area with a 0.2% annual chance of flood; 1% annual chance of flood with average depths of less than one foot or with drainage areas less than one mile; and areas protected by levees with 1% annual chance of flood. Because of the project site’s location outside of a significant flood zone, the project’s flooding impacts are expected to be less than significant.

47 and 48. Geology and Soils (Less than Significant) – A Geotechnical Investigation Report was prepared by Rockridge Geotechnical, dated August 17, 2015. The study concluded that development of the site is feasible from a geotechnical engineering perspective. Very highly expansive soils were encountered on the surficial surfaces that blanket the site as well as the presence of medium stiff to stiff clay that is moderately compressible underlying the proposed building loads. This condition is not uncommon in Sunnyvale. The study recommends a foundation consisting of deepened spread footings or a conventionally reinforced concrete mat foundation. Through implementation of the Building Code, standard procedures for structural analysis and confirmation during the building permit process, impacts will be less than significant.

Responsible Division: Planning Division

Completed by: George Schroeder Date: 12/21/2015

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
50. Utilities and Service Systems - Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
51. Utilities and Service Systems - Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
52. Utilities and Service Systems - Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
53. Utilities and Service Systems - Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
54. Utilities and Service Systems - Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/

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"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (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"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems - Comply with federal, state, and local statues and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
61. Public Services Infrastructure - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 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: George Schroeder Date: 12/21/2015

Public Safety	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
62. Public Services Police and Fire protection - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
63. Public Services Police and Fire protection - Would the project result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	California Building Code SMC Section 16.52 Fire Code

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 12/21/2015

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 type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com Title 20 of the City of Sunnyvale Municipal Code Phase I Environmental Site Assessment by AEI Consultants dated February 20, 2015 Limited Phase II Subsurface Investigation by AEI Consultants dated April 15, 2015 Department of Toxic Substances Control (DTSC) Review Letter dated August 17, 2015 Supplemental Risk Evaluation by AEI Consultants dated December 11, 2015

66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
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"/>	State of California Hazardous Waste and Substances Site List (Cortese List), Department of Toxic Substance Control
68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

65. Hazards and Hazardous Materials (Less than Significant with Mitigation) – A Phase I and Limited Phase II Environmental Site Assessment, as well as a Supplemental Risk Evaluation was prepared by AEI Consultants, dated February 20, 2015, April 15, 2015, and December 11, 2015, respectively. The studies are available for review at the City of Sunnyvale’s Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. The Phase I notes that the project site, prior to development, was used historically for agricultural purposes and there is a potential that agricultural chemicals were used onsite. The project site to the east (condominium development) was a voluntary cleanup site, and the recent redevelopment involved developing a response plan with the State DTSC. Although no recognized environmental conditions were immediately present at the site, a limited Phase II subsurface investigation of soil and groundwater samples was performed given the past agricultural use and past contamination at the site to the east.

The subsurface investigation found the organochlorine pesticides dieldrin and endrin in soil samples that exceed environmental screening levels for residential development. The study recommended limited additional soil sample analysis and risk evaluation to confirm whether the impacts from these contaminants are significant. Heavier range petroleum hydrocarbons were detected in groundwater samples that exceed environmental screening levels, but no onsite source or significant soil impact was identified in the investigation. The study recommended a site management plan during demolition, excavation, and rough grading to identify and mitigate localized impacts, if they exist. Additionally, volatile organic compounds (VOCs) in groundwater were at low concentrations and their distributions did not suggest than a significant onsite release has occurred.

The State DTSC reviewed the Phase I and Limited Phase II in a letter dated August 17, 2015. The DTSC determined that a supplemental risk evaluation is required to supplement the findings of the reports. In response, a draft Supplemental Risk Evaluation was provided, pending final review by the DTSC. The draft results of the evaluation indicate a total cumulative incremental cancer risk of 1 in 30,000, which falls within the target incremental risk range of 10^{-4} to 10^{-6} . The cumulative hazard index was calculated at 6.31 which exceed the target hazard index of 1.0. However, with the below mitigation measures in place, the potential impact is expected to be mitigated to a less than significant level, and below target levels for hazard index and close to the lower incremental risk target value of 10^{-6} :

MITIGATIONS – Hazards and Hazardous Materials
WHAT:

- (1) Obtain the State DTSC's final approval of the Supplemental Risk Evaluation. Any additional requirements from the DTSC shall be implemented as part of the project.
- (2) Remove impacted soils as identified in the Supplemental Risk Evaluation.
- (3) An asbestos survey is required prior to issuance of demolition permits to ensure proper mitigation of asbestos-containing materials.

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

WHO: The property owner 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: George Schroeder Date: 12/21/2015

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

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 12/21/2015

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
 - 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
- Municipal Regional Stormwater NPDES Permit
- Santa Clara County Valley Water District Groundwater Protection Ordinance
- Section 404 of Clean Water Act

Lists / Inventories:

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

- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.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 2013
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines 2011 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

OTHER:**Project Specific Information**

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans received October 20, 2015
- Project Draft Storm Water Management Plan (in project plans)
- Parking Demand Analysis by Nelson Nygaard, dated December 14, 2015
- Noise Assessment by RGD Acoustics, dated December 17, 2015
- Arborist Report by HortScience, Inc., dated July 21, 2015
- California Historical Resources Information System (CHRIS) Letter, dated September 8, 2015
- Toxic Air Contaminant Emissions Assessment by Illingworth & Rodkin, Inc., dated December 10, 2015
- Geotechnical Investigation by Rockridge Geotechnical, dated August 17, 2015
- Phase I Environmental Site Assessment by AEI Consultants dated February 20, 2015
- Limited Phase II Subsurface Investigation by AEI Consultants dated April 15, 2015
- Department of Toxic Substances Control (DTSC) Review Letter dated August 17, 2015
- Supplemental Risk Evaluation by AEI Consultants dated December 11, 2015
- Project Climate Action Plan CEQA Checklist

Summary

This checklist identifies the minimum criteria a project must demonstrate to use the City's CAP for purposes of streamlining the analysis of greenhouse gas emissions under CEQA. Minimum criteria outlined below includes: 1) consistency with CAP forecasts, and 2) incorporation of applicable Near-Term (prior to 2016) strategies and measures from the CAP as binding and enforceable components of the project.

Section 1: Consistency with CAP Forecasts

The CAP's achievement of the 15% reduction below 2008 target is based on growth assumptions in the City's General Plan and regional growth forecasts. For eligibility to streamline from the CAP for purposes of an environmental analysis, projects must demonstrate consistency with CAP forecast assumptions using the criteria listed below. As appropriate, these criteria should be cited as evidence in any subsequent environmental document.

1A. Does the project include large stationary emissions sources that would be regulated by the Air District?

Yes No

*If **no**, then the project may be eligible to claim consistency with growth assumptions that were used for CAP modeling. Skip to question **1C** to determine consistency with CAP forecasts.*

*If **yes**, the project may trigger additional changes to the physical environment that were not considered in the CAP and would otherwise be regulated by the Bay Area Air Quality Management District. Complete **1B**.*

1B. If this project is a stationary source emitter as outlined under 1A, does it also include any of the following emissions sources?

Residential uses	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Commercial uses	<input type="checkbox"/> Yes	<input type="checkbox"/> No

*If **no**, the project does not include any emissions sources that were assumed in CAP growth forecasts. Therefore, the project may trigger additional changes to the physical environment that were not considered in the CAP. CAP measures may be used to mitigate GHG emissions, but project-level analysis of GHG emissions using the California Emissions Estimator Model (CALEEMod) or another method must be prepared by a qualified air quality consultant. If **yes**, the project may include emissions sources mitigated by the CAP. Therefore, any sources identified in 1B may be eligible to claim consistency with the CAP. All stationary sources regulated by the Bay Area Air Quality Management District shall be analyzed separately. Other sources that were analyzed in the CAP may still qualify for streamlining, should the project demonstrate consistency with the CAP as outlined in **1C** and following sections below.*

1C. Does the project trigger an amendment to or adoption of any of the following planning documents?

General Plan	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Specific Plan	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Precise Plan for El Camino Real	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Please describe any amendments or adoption of new specific plans or special planning areas, as applicable:

*If **no**, then the project is eligible to claim consistency with growth assumptions that were used for CAP forecasts.*

*If **yes**, the project would trigger an amendment to or adoption of one or more of the documents list above, complete **1D** below.*

1D. If the project triggers an amendment to the General Plan, specific plans, and/or special planning areas, complete the following table:

	Existing & Proposed Project			Proposed Project's Net Effect on Citywide Forecasts		
	Existing or Allowed Under Existing Zoning (A)	Proposed Project (B)	Net Change from Existing Zoning (C=B-A)	2020 CAP Forecast (D)	Proposed Project's Net Effect on Citywide 2020 Forecast (E = D+C)	Would Net Effect of Project Exceed the Citywide 2020 CAP Forecast?
Population				145,020		
Jobs				89,750		
Households / Dwelling Units				59,660		

Please describe any assumptions used to calculate existing, allowed, or proposed conditions:

*If **no for all indicators above**, then the project may be eligible to claim consistency with CAP growth assumptions. The project's assumed residents, employees, and households would not create a net increase on community-wide growth assumed in the CAP. The CAP uses these community-wide growth indicators to forecast community-wide emissions from residential energy use, nonresidential energy use, water-related emissions, and waste. Because the CAP uses these comparable indicators to forecast non-transportation related emissions, and the project would not exceed the CAP's assumed 2020 residents, employees, and dwelling units, the project's non-transportation emissions are therefore consistent with CAP growth assumptions and captured within the CAP's emissions forecast. Complete **1E** below.*

*If **yes to one or more indicators above**, the proposed project's net effect on citywide 2020 forecasts would exceed the 2020 CAP forecast assumptions. Therefore, the project may trigger additional emissions not assumed in CAP growth forecasts.*

Any projects that exceed the 2020 forecasts may still rely on the CAP for identification of measures and standards for mitigation. However, since such projects exceed the assumptions of the CAP forecast, it is recommended that the project demonstrate anticipated project-level GHG emissions estimates using CALEEMod or another tool. (estimates prepared by consultant).

1E. If the project is consistent with CAP growth forecasts as identified in 1D above, provide the following information.

Would the project have a potentially significant impact after mitigation on any of the following standards of significance identified in the State CEQA Guidelines, Appendix G?

a) Conflict with an applicable plan, program, 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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

*If **yes to one or more standards above**, the proposed project's net effect on citywide 2020 forecasts is inconsistent with plans, programs, or policies that informed the assumptions for the 2020 transportation forecast. Therefore, the project is inconsistent with transportation emissions forecasts and is not eligible to claim consistency with the CAP for purposes of GHG emissions and impacts on climate change.*

*If **no for all standards above**, then the project is consistent with the plans, programs, policies, or ordinances that informed the travel demand model for the 2020 transportation forecast of the CAP. Therefore, the project is consistent with CAP growth assumptions for transportation emissions in the CAP and is eligible to claim consistency with CAP transportation forecasts.*

Section 2: Consistency with CAP Measures

The CAP provides measures that achieve a 15% reduction below 2008 emissions levels by 2020. Each of the measures contains a bulleted list of action items/project standards that help projects achieve that goal. Projects that wish to demonstrate consistency with the CAP must demonstrate consistency with all applicable measures and action items/project standards from the CAP. Consistency with all applicable measures should be cited as evidence to support tiering from the CAP.

2A. Using the action items/project standards identified on the following pages, identify all measures and action items/project standards that are applicable to the project. Identify applicability and project compliance with each action item/project standard.

If a project demonstrates all applicable mandatory standards, the project is eligible to claim consistency with CAP measures and is eligible for CAP streamlining.

If a project does not integrate all applicable mandatory standards, the project is ineligible to claim consistency with CAP measures and is not eligible for CAP streamlining.

Additional voluntary measures may also be recommended. Projects inconsistent with growth forecasts should consider integrating all feasible voluntary and mandatory CAP measures.

Standards for Climate Action Plan Consistency/Private Development

(Includes Near-Term Action Items and Action Items Already Implemented by the City)

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
Yes	OS-2	Provide availability and access to outdoor space for recreation or social purposes, including access to public open spaces on privately owned property such as retail shopping centers	Common open spaces are provided in courtyards in the ground and second floors, and private open space for each unit is provided through patios or balconies.
Yes	OS-3.1	Continue to implement the City's Tree Preservation requirements.	The project arborist report recommends removal of all three existing trees onsite due to their condition and location within the proposed site improvements. The City's Tree Replacement Standards require a minimum of twelve 24-inch box trees to be planted to offset the loss of protected trees. The proposed project includes 54 24-inch box trees, which will mitigate the loss of the existing protected trees in accordance with the City's Tree Replacement Standards.

Yes	EC-2.2	Continue to require energy-efficient siting of buildings. Buildings should be oriented and landscape material should be selected to provide maximum energy efficiency for the buildings	A GreenPoint Rated Checklist has been provided with 131 points targeted, many of related to energy efficiency. A minimum of 80 points is required to comply with the Green Building requirement. If 110 points are achieved, the project qualifies for a 5% density bonus.
Yes	WC-2.3	Require new open space and street trees to be drought-tolerant	The project has been designed to comply with the Water-Efficient Landscaping requirements.
Yes	LW-2.1	Require multi-family homes to participate in the City's Multi-family Recycling Program	This is a code requirement.
Yes	LW-2.2	Select materials to be targeted for diversion methods, services or technologies based on the results of the Zero Waste Strategic Plan	The Zero Waste Strategic Plan is already being implemented.
No	CA-1.7	Actively promote the use of alternative modes of transportation as safe modes of travel. When applicable, promote viable programs sponsored by 511.org, the BAAQMD and other recognized agencies on the City's website and publications	The site is located approximately within 0.5 miles of VTA bus stops and the Fair Oaks light rail station. The applicant also prepared voluntary Traffic Demand Management Program to reduce vehicular trips. Measures include a one-year transit pass for each unit, bicycle storage throughout the site (in excess of SMC 19.46 requirements), transportation alternatives education and marketing by on-site staff, and each unit will be pre-wired to allow for telecommuting technology.
No	CTO-1.1	Incorporate the provisions of AB 1358, the California Complete Streets Act of 2008, into roadway design, construction and maintenance activities	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along Persian Drive along the project frontage.
No	CTO-1.2	Implement the street space allocation policy (RTC 8-085, April 28, 2009) in coordination with road reconstruction or resurfacing projects to provide road configurations that accommodate all travel modes.	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along Persian Drive along the project frontage.
No	CTO-1.3	Require new development to provide cross-parcel access and linkages from the development entrance to the public sidewalk system, transit stops, nearby employment and shopping centers, schools, parks and other parcels for	The project provides linkages to the public sidewalk along Persian Drive, which provides access to transit stops and nearby shopping centers, schools, and parks.

		ease of pedestrian and cyclist access	
Yes	CTO-1.4	Improve pedestrian safety and comfort through design elements such as landscaped medians, pedestrian-level amenities, sidewalk improvements and compliance with ADA design standards, particularly for areas serving high volumes of traffic.	The existing sidewalk, street trees, and street lights will be upgraded to comply with current City standards. Pedestrian walkways are incorporated through the site to connect to the public sidewalk.
No	CTO-1.5	Improve bicycle facilities and perceptions of comfort through pavement marking/coloring, physical separation, specialized signs and markings and other design elements.	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along Persian Drive along the project frontage.
Yes	CTO-1.6	Require sidewalks to be a minimum of 6 feet wide in order to allow side-by-side walking at identified locations that currently serve high pedestrian traffic volumes or locations planned to serve high volumes of pedestrian traffic.	The existing sidewalk will be upgraded to comply with current City standards.
Yes	CTO-2.1	Require public areas and new development to provide bicycle parking consistent with the VTA Bicycle Technical Guidelines, as amended.	The project complies with bicycle parking requirements by providing 64 secured Class I spaces. In addition, Class II bicycle racks are being installed in front of the building, clearly visible from spaces inside the building.
No	CTO-3.1	Continue sponsoring projects to provide transit rider amenities at bus stops and rail stations.	This project is subject to the Tasman Crossing Sense of Place fee, since it is located in the Tasman/Fair Oaks Area Pedestrian and Bicycle Circulation Plan area subject to the fee. The estimated fee for 66 units is \$75,834, based on a rate of \$1,149/unit. This fee will contribute to pedestrian and bicycle improvements consistent with the plan.
No	CTO-4.1	Require existing and future major employers to utilize a variety of transportation demand management measures such as flexible work schedules, telecommuting, guaranteed rides home, low or no cost transit passes, parking "cash-out" incentives and other programs that provide employees with alternatives to single-occupant commutes.	The project is for residential use.

Yes	EP-2.3	Prevent buildings and additions from shading more than 10% of roofs of other structures.	A solar study was completed, demonstrating that existing adjacent roofs will not be shaded by the project.
No	EP-2.3	Continue to allow and encourage solar facilities above paved parking areas.	A solar array is not proposed above the surface parking spaces. City code includes provisions for considering installation of solar above paved parking.
Yes	OR-1.3	In project review, encourage the replacement of high-maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.	The project has been designed to comply with the Water-Efficient Landscaping requirements.
Yes	OR-2.1	Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.	This is a standard condition of approval that will be implemented during construction.
Yes	OR-2.2	Construction equipment must be maintained per manufacturer's specifications	This is a standard condition of approval that will be implemented during construction.
Yes	OR-2.3	Planning and Building staff will work with project applicants from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:	This is a standard condition of approval that will be implemented during construction.
		a. Substitute electrified or hybrid equipment for diesel and gasoline powered equipment where practical	
		b. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.	
		c. Avoid the use of on-site generators by connecting to grid electricity or utilizing	

		solar-powered equipment.	
		d. Limit heavy-duty equipment idling time to a period of three minutes or less, exceeding CARB regulation minimum requirements of five minutes.	

Section 3: Minimum Recommended Content for Environmental Analysis

Projects demonstrating consistency with the CAP should use the following table as a guide for preparation of environmental analysis. As appropriate, information on the preceding pages should be used to support the analysis:

	Greenhouse gas analysis topic	Minimum recommended content
1	Existing Settings	General - GHG emissions and effects of global climate change
2	Existing Settings	State - statewide inventory and forecasts
3	Existing Settings	Local - Summary of CAP inventory and forecasts
4	Regulatory Framework	Federal - Brief overview of context
5	Regulatory Framework	State - CEQA Guidelines Section 15183.5 Tiering and Streamlining Analysis of GHGs - Summary of the streamlining provisions and whether they apply to the project, focusing on project components that aren't otherwise covered by streamlining
6	Regulatory Framework	State - regulations quantified and addressed in the CAP, including EO-S-3-05, AB 32, Climate Change Scoping Plan, Renewable Portfolios Standard (Senate Bill 1078, Governor's Order S-14-08, and California Renewable Portfolio Standards), Sustainable Communities Strategy, and California Building Energy Efficiency Standards
7	Regulatory Framework	Local – Bay Area Air Quality Management District
8	Regulatory Framework	Local - CAP, brief summary
9	Standards of Significance	CEQA Guidelines, Appendix G Standards
10	Standards of Significance	CEQA Guidelines Section 15183.5 Tiering and Streamlining Analysis of GHGs
11	Standards of Significance	CAP and supplemental EIR guidance
12	Impacts	Identify findings of CAP supplemental EIR
13	Impacts	Finding: Provide findings of significance, streamlining by focusing on findings of CAP supplemental EIR.

	Greenhouse gas analysis topic	Minimum recommended content
14	Impacts	Projects that are consistent with CAP forecasts and measures should demonstrate the following: -Consistency with assumptions of CAP forecast, using tables and information from this guide -Incorporation of all applicable CAP measures as mitigations or as part of the project description -CAP finding that all such measures, on a citywide basis, lead to a less than significant impact
15	Impacts	Projects that are inconsistent with either CAP forecasts or CAP measures are not eligible for streamlining. While such projects may still incorporate elements identified above, they should also incorporate project-level GHG emissions modeling.