



City of Sunnyvale

Notice and Agenda

Planning Commission

Monday, July 8, 2024

7:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

No Study Session | Public Hearing - 7:00 PM

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Public Participation

- *In-person participation: You may provide public comment by filling out a speaker card (optional) and giving it to the Recording Officer.*

As a courtesy, and technology permitting, members of the public may also attend online. However, the City cannot guarantee that the public's access to online technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Ralph M. Brown Act, the meeting will continue despite technical difficulties for participants using the online option.

The Chair may determine it would be impractical to include remote public comment during Oral Communications.

- *Online participation: You may provide audio public comment by connecting to the meeting online or by telephone. Use the Raise Hand feature to request to speak (*9 on a telephone):*

Meeting Online Link: <https://sunnyvale-ca-gov.zoom.us/j/91827390357>

Meeting call-in telephone number: 833-548-0276 | Meeting ID: 918 2739 0357

*(*9 to request to speak | *6 to unmute/mute)*

- *Watch the Planning Commission meeting at <http://youtube.com/SunnyvaleMeetings> or on television over Comcast Channel 15, AT&T Channel 99*
- *Submit written comments to the Planning Commission no later than 4 hours prior to the meeting start to planningcommission@sunnyvale.ca.gov or by mail to: Sunnyvale Planning Division, 456 W. Olive Avenue, Sunnyvale, CA 94086-3707*
- *Review recordings of this meeting and past meetings at*

<https://sunnyvaleca.legistar.com/calendar.aspx> or
<http://youtube.com/SunnyvaleMeetings>

Accessibility/Americans with Disability Act (ADA) Notice

Pursuant to the Americans with Disabilities Act (ADA), if you need special assistance to provide public comment, or for other special assistance; please contact the City at least 48 hours prior to enable the City to make reasonable arrangements to ensure accessibility to this meeting. The Planning Division may be reached at 408-730-7440 or at planning@sunnyvale.ca.gov (28 CFR 35.160 (b) (1)).

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order via teleconference and in the Council Chambers.

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

The Chair may determine it would be impractical to include remote public comment during Oral Communications for the purpose of timeliness of the meeting or conducting an orderly meeting. Such a determination shall be made prior to opening public comment on Oral Communications.

This category provides an opportunity for members of the public to address the Planning Commission on items not listed on the agenda and is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the Chair) with a maximum of up to three minutes per speaker. Please note the Brown Act (Open Meeting Law) does not allow the Planning Commission to take action on an item not listed on the agenda. If you wish to address the Planning Commission, please refer to the notice at the beginning of this agenda. Individuals are limited to one appearance during this section.

CONSENT CALENDAR

All matters listed on the consent calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion of these items. If a

member of the public would like a consent calendar item pulled and discussed separately, please refer to the notice at the beginning of this agenda.

1. [24-0797](#) Approve Planning Commission Meeting Minutes of June 24, 2024

Recommendation: Approve Planning Commission Meeting Minutes of June 24, 2024 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

If you wish to speak to a public hearing/general business item, please refer to notice at the beginning of this agenda. Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 5 minutes for closing comments.

2. [24-0762](#) **Proposed Project:** Related applications on a 15.6-acre site:
DEVELOPMENT AGREEMENT: Introduction of an Ordinance Approving and Adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc.
SPECIAL DEVELOPMENT PERMIT: Modify Special Development Permit (2019-7557) pertaining to 945 - 955 Kifer Road (North Site) of the Intuitive Surgical corporate campus to add an internal courtyard and reduce total building area by 6,000 square feet (from 364,000 to 358,000 square feet), relocate the previously-approved underground parking to a new above-ground structure on an adjacent site at 2900 Semiconductor Drive, Santa Clara, CA (APN 205-39-028), modify the design of the pedestrian bridge connecting the north and south sites, and other minor building and site modifications.
Location: 945 - 955 Kifer Road (APNs: 205-40-001, 205-40-002) and City of Santa Clara APN 205-39-028.
File #: 2022-7369
Zoning: M-S/LSAP 60% (Lawrence Station Area Plan Industrial and Service Zoning District 60% Floor Area Ratio)
Applicant / Owner: Steve Riley (applicant) / Intuitive Surgical, Inc. (owner)
Environmental Review: An Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report (EIR) has been prepared for the Intuitive North Site Modification Project in compliance with California Environmental Quality Act provisions.
Project Planner: Julia Klein, (408) 730-7463, jklein@sunnyvale.ca.gov

Recommendation: Alternatives 1 and 2: 1) Make the Determination required by Resolution No. 371-81 for the First Amendment to the Development Agreement (Attachment 3 to the Report); and 2) Recommend that the City Council Approve and Adopt the First Amendment to the Development Agreement and Special Development Permit:

a) Make the required findings to accept the Environmental Checklist/Addendum to the Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report for the Intuitive North Site Modification Project finding that it has been prepared in compliance with California Environmental Quality Act provisions and no additional environmental review is required; and

b) Approve the Modification to Special Development Permit (2019-7557) at 945-955 Kifer Road (north site) based on Recommended Findings in Attachment 4 and Recommended Conditions of Approval in Attachment 5.

c) Introduction of an Ordinance Approving and Adopting the First Amendment to the Development Agreement between the City of Sunnyvale and Intuitive Surgical Inc. included in Attachment 2 and based on the Determination required by Resolution No. 371-81 in Attachment 3.

3. [24-0627](#)

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: Redevelop a 0.62-acre commercial property. Demolish the existing fueling canopy and auto service building and construct a new 4,400 square foot fueling canopy and a 3,614 square foot one-story commercial building consisting of a 2,396 square foot convenience store, and a 1,218 square foot takeout restaurant, resulting in 34% floor area ratio (FAR).

Location: 898 East Fremont Avenue (APN: 309-10-015)

File #: 2016-7978

Zoning: C-1/PD (Neighborhood Business/Planned Development combining district)

Applicant / Owner: MI Architects, Inc. (applicant)/Petroleum Investments, LLC (owner)

Environmental Review: No additional review required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) - environmental impacts of the project are addressed in the 2016 Land Use and Transportation Element (LUTE) Environmental Impact Report (EIR - State Clearinghouse No. 2012032003).

Project Planner: Aastha Vashist, (408) 730-7458,
avashist@sunnyvale.ca.gov

Recommendation: Alternative 1: Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

INFORMATION ONLY REPORTS/ITEMS

4. [24-0798](#) Planning Commission Proposed Study Issues, Calendar Year: 2025
(Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

Notice to the Public:

Any agenda related writings or documents on this agenda distributed to members of the Planning Commission are available by contacting the Planning Division at 408-730-7440 or planning@sunnyvale.ca.gov. Agendas and associated reports are also available 72 hours before the meeting on the City's website at sunnyvale.ca.gov and during normal business hours at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue.

*Planning a presentation for a Planning Commission meeting?
To help you prepare and deliver your public comments, please review the "Making Public Comments During City Council or Planning Commission Meetings" document available on the City website.*

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the City at or before the public hearing.

PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.



Sunnyvale

City of Sunnyvale

Agenda Item 1

24-0797

Agenda Date: 7/8/2024

SUBJECT

Approve Planning Commission Meeting Minutes of June 24, 2024

RECOMMENDATION

Approve Planning Commission Meeting Minutes of June 24, 2024 as submitted.



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, June 24, 2024

7:00 PM

Online and Council Chambers, City Hall,
456 W. Olive Ave., Sunnyvale, CA 94086

No Study Session | Public Hearing - 7:00 PM

NO STUDY SESSION

7 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Pyne called the meeting to order at 7:04 PM.

SALUTE TO THE FLAG

Chair Pyne led the salute to the flag.

ROLL CALL

Present: 7 - Chair Martin Pyne
Vice Chair Nathan Iglesias
Commissioner Galen Kim Davis
Commissioner Daniel Howard
Commissioner John Howe
Commissioner Michael Serrone
Commissioner Neela Shukla

PRESENTATION

1. [24-0749](#) PRESENTATION - Recognition of Service

City of Sunnyvale Mayor Larry Klein gave a recognition of service presentation for Commissioner Howe and Commissioner Howard who each served two terms on the Planning Commission.

Commissioner Howe and Commissioner Howard stated their appreciation for Mayor Klein, their families, and their fellow Planning Commissioners.

ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

There were no public speakers for this agenda item.

MOTION: Vice Chair Iglesias moved and Commissioner Howard seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

Yes: 5 - Chair Pyne
Vice Chair Iglesias
Commissioner Howard
Commissioner Serrone
Commissioner Shukla

No: 0

Abstained: 2 - Commissioner Davis
Commissioner Howe

2. [24-0748](#) Approve Planning Commission Meeting Minutes of June 10, 2024
Approve Planning Commission Meeting Minutes of June 10, 2024 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

None.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

3. [24-0735](#) Proposed Study Issue for 2025: Identify Opportunities for Allowing
Neighborhood-Serving Commercial Uses in Residential Zoning Districts

Principal Planner George Schroeder provided an oral presentation on the proposed study issue.

Commissioner Howard presented additional information on the proposed study issue.

Vice Chair Iglesias expressed his support of the proposed study issue.

At Vice Chair Iglesias' request, Principal Planner Schroeder explained that the proposed study issue will explore the types of commercial uses that may be permitted in residential zoning districts, the performance standards that they will be

subject to, and the process by which they will be approved.

Commissioner Serrone spoke in support of the proposed study issue and asked whether the commercial uses include those that are not home-based such as food trucks or pop-up retail. Principal Planner Schroeder stated that such uses may be explored as part of the proposed study issue at the direction of the Planning Commission. Principal Planner Schroeder added that this language may also be included once the Planning Commission reviews the study issue paper for the proposed study issue.

Commissioner Shukla confirmed her support of the proposed study issue and suggested relevant ideas that may be explored.

Commissioner Davis stated that he is in support of the proposed study issue and noted that accessible services improve quality of life.

Chair Pyne voiced his support of the proposed study issue, acknowledged that it would consider applicable regulations for commercial uses, and emphasized the convenience of living near service-based businesses.

Chair Pyne opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Pyne closed the Public Hearing.

MOTION: Commissioner Howard moved and Vice Chair Iglesias seconded the motion to sponsor the study issue to identify opportunities for allowing neighborhood-serving commercial uses in residential zoning districts.

Chair Pyne acknowledged that the Planning Commission may discuss the scope for the proposed study issue in greater detail at a later time since the scope will dictate which commercial uses may or may not be permitted in residential zoning districts.

The motion carried by the following vote:

Yes: 7 - Chair Pyne
Vice Chair Iglesias
Commissioner Davis
Commissioner Howard
Commissioner Howe
Commissioner Serrone
Commissioner Shukla

No: 0

4. [24-0736](#) Proposed Study Issue for 2025: Allow Commercial Marijuana Activities in Certain Zoning Districts

Principal Planner George Schroeder provided an oral presentation on the proposed study issue.

Commissioner Howard presented additional information on the proposed study issue.

Commissioner Serrone spoke in overall support of the proposed study issue and explained why. In response to public safety concerns associated with commercial marijuana activities, Commissioner Serrone noted that such businesses are generally targeted and do not necessarily generate crimes.

Commissioner Shukla confirmed her support of the proposed study issue and spoke in agreement with comments made by Commissioner Howard and Commissioner Serrone.

Commissioner Davis questioned the whether the scope of the proposed study issue includes marijuana growth for personal consumption. Principal Planner Schroeder answered that the proposed study issue will explore commercial marijuana activities and outdoor cultivation of marijuana and the types of zoning districts that could support these activities. He added that the scope of the proposed study issue may be expanded at the Planning Commission's discretion.

At Commissioner Davis' request, Principal Planner Schroeder explained the types of taxes that apply in the sale of marijuana.

Vice Chair Iglesias voiced his support of the proposed study issue and explained why.

Chair Pyne opened the Public Hearing.

There were no public speakers for this agenda item.

Chair Pyne closed the Public Hearing.

MOTION: Commissioner Davis moved and Commissioner Howard seconded the motion to sponsor the study issue to allow commercial marijuana activities in certain zoning districts.

Commissioner Davis stated that the proposed study issue will explore whether commercial marijuana activities are supported by any of City's zoning districts. He added that the Commission may review the results of the study to determine whether to move forward with the study issue if it is sponsored.

Chair Pyne expressed his support of the motion. He stated that he is sympathetic to public safety concerns regarding commercial marijuana activities, and he is interested in whether cities that permit such activities have reduced their public safety resources in recent times.

The motion carried by the following vote:

Yes: 7 - Chair Pyne
Vice Chair Iglesias
Commissioner Davis
Commissioner Howard
Commissioner Howe
Commissioner Serrone
Commissioner Shukla

No: 0

INFORMATION ONLY REPORTS/ITEMS

None.

5. [24-0750](#) Planning Commission Proposed Study Issues, Calendar Year: 2025
(Information Only)

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

Vice Chair Iglesias acknowledged the years that Commissioner Howe generously devoted to the City. He also cited Commissioner Howard as the reason he is on the Commission today and highlighted the way he served as Chair of the Planning Commission.

Commissioner Davis noted that Commissioner Howe and Commissioner Howard served the City in a distinguished, respectable, and honorable way. He added that the City was lucky to have them both and that he appreciated serving on the Commission with them.

Commissioner Serrone stated that there is no substitute for Commissioner Howe's years of experience and historical knowledge of the City. He also recognized Commissioner Howard's contributions to the community and for serving as Chair of the Planning Commission for some time.

Commissioner Shukla commended Commissioner Howe for his meaningful input on matters and his advocacy of issues and members of the public. She also recognized Commissioner Howard for his courage and ability to highlight areas within the City that need improvement.

Chair Pyne spoke of Commissioner Howe's dedication to procedural fairness and noted that his depth of knowledge will be missed. He also expressed his gratitude for the example that Commissioner Howard set as Chair of the Planning Commission in previous years.

Commissioner Howe thanked his fellow Planning Commissioners for their kind words. He stated that he enjoyed learning from them and recognized the harmonious way they were able to collaborate.

Commissioner Howard thanked his fellow Planning Commissioners and noted that the Commission is in good hands.

-Staff Comments

Planning Officer Shaunn Mendrin announced that the City Council will consider an update to the Climate Action Playbook at the June 25, 2024, meeting.

Planning Officer Mendrin informed Commissioners of the Council Subcommittee on Boards and Commissions meeting that will take place on the morning of June 26, 2024.

Planning Officer Mendrin stated that the Planning Commission will select new seats and a new Chair and Vice Chair at their meeting on July 22, 2024.

Planning Officer Mendrin thanked Commissioner Howe and Commissioner Howard for their service on the Planning Commission. He also shared that he is looking forward to having new Commissioners join the Planning Commission soon.

ADJOURNMENT

Chair Pyne adjourned the meeting at 8:08 PM.



City of Sunnyvale

Agenda Item 3

24-0627

Agenda Date: 7/8/2024

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project:

SPECIAL DEVELOPMENT PERMIT: Redevelop a 0.62-acre commercial property. Demolish the existing fueling canopy and auto service building and construct a new 4,400 square foot fueling canopy and a 3,614 square foot one-story commercial building consisting of a 2,396 square foot convenience store, and a 1,218 square foot takeout restaurant, resulting in 34% floor area ratio (FAR).

Location: 898 East Fremont Avenue (APN: 309-10-015)

File #: 2016-7978

Zoning: C-1/PD (Neighborhood Business/Planned Development combining district)

Applicant / Owner: MI Architects, Inc. (applicant)/Petroleum Investments, LLC (owner)

Environmental Review: No additional review required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) - environmental impacts of the project are addressed in the 2016 Land Use and Transportation Element (LUTE) Environmental Impact Report (EIR - State Clearinghouse No. 2012032003).

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Commercial

Existing Site Conditions: Automobile service station

Surrounding Land Uses

North: Three to six-story mixed use development consisting of residential, retail, and office uses (under construction)

South: Vacant site

East: Two-story hotel across South Wolfe Road

West: Three-story multi-family residential development

Issues: Compliance with City's Non-Residential Design Guidelines and neighborhood compatibility.

Staff Recommendation: Alternative 1: Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.

BACKGROUND

Description of Proposed Project

The 0.62-acre project site is currently developed with a one-story auto service station building and fueling canopy. The project involves demolition of the existing structures (totaling 1,157 square feet) and construction of a new 3,614 square foot commercial building, a 4,400 square foot fueling canopy and associated on-site and off-site improvements. The new commercial building consists of a 2,396 square foot convenience store and a 1,218 square foot takeout restaurant. One of the offsite improvements is a street dedication for the widening of Wolfe Road which accommodates an expanded sidewalk, bicycle lanes, and dual left turn lanes. The dedication reduces the lot size by 3,056 square feet.

A Special Development Permit (SDP) is required in the C-1/PD zoning district for automotive service stations with the retail sale of beer and wine. The required SDP findings are discussed in Attachment 3 and the recommended Conditions of Approval are in Attachment 4.

See Attachment 1 for a map of the vicinity and mailing area for notices and Attachment 2 for the Project Data Table.

Previous Actions on the Site

The site has operated as an automobile service station since 1963. The site was included in the study area as part of a developer's General Plan Amendment and Rezoning application (2022-7146) for two adjacent parcels at 1313 South Wolfe Road.

On May 7, 2024, the City Council amended the General Plan Designation for the two parcels to the south of the site at 1313 South Wolfe Road from Commercial to Medium Density Residential. The Council also rezoned the 1313 South Wolfe Road vacant parcel (APN 309-10-026) from Neighborhood Commercial with a Planned Development Combining District (C-1/PD) to Medium Density Residential with a Mixed-Use Combining District (R-3/MU) and 1313 South Wolfe Road (APN 309-10-027) from C-1/PD to Medium Density Residential with a Planned Development Combining District (R-3/PD). No changes to the General Plan land use designation and zoning were made for the subject property.

EXISTING POLICY

General Plan Goals and Policies

Key goals and policies from the General Plan Land Use and Transportation Element (LUTE) relevant to the proposed project are provided in the Recommended Findings Attachment 3.

Applicable Design Guidelines

The City's Non-Residential Design Guidelines provide recommendations on the site layout, architecture, and design. These guidelines are discussed and analyzed below and in Attachment 3.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) allows streamlining and tiering of environmental review for subsequent projects consistent with a plan for which environmental review has been completed pursuant to California Public Resources Code Section 21083 and CEQA Guidelines Sections 15168 (Program EIR) and 15183 (Projects Consistent with a Community Plan or Zoning).

The City contracted with Ascent Environmental to prepare the initial study (Attachment 6) pursuant to CEQA's Public Resources Code Section 21083 and CEQA Guidelines Section 15168 and 15183(a). The environmental checklist confirmed that the project's impacts are either within those evaluated in

LUTE Update Environmental Impact Report (EIR) or can be substantially mitigated by uniformly applicable development policies or standards.

Any removal of underground storage tanks (USTs) associated with the existing automobile service station will be subject to review and approval by the City's Department of Public Safety (DPS), Fire Prevention.

DISCUSSION

Present Site Conditions

The 0.62-acre site is located at the southwest corner of East Fremont Avenue and South Wolfe Road. It is developed with one-story auto service station building and fueling canopy. Access to the site is provided through two driveways on the East Fremont Avenue frontage and one driveway on South Wolfe Avenue frontage.

The immediate neighborhood comprises a mix of residential and commercial uses with varying densities. Adjacent to the project site is a three-story, multi-family development along the west and a vacant site along the south. The mixed-use development under construction, commonly referred as Butcher's Corner, is located at the northwest corner of East Fremont Avenue and South Wolfe Road.

Site Design and Layout

The proposed project layout comprises of a single-story commercial building and a fueling canopy. Initial uses of the commercial building are identified as a 2,396 square foot convenience store and 1,218 square foot takeout restaurant. The commercial building is situated along the south property line, with the main entrance of the takeout restaurant facing Wolfe Road and the convenience store positioned towards the center of the site, adjacent to the parking area. The canopy is positioned on the north side of the property, closer to the street intersection.

Vehicular access to the site is planned through one driveway each on East Fremont Avenue and South Wolfe Road. A ten-foot-wide landscape buffer is proposed along the western property line, which is shared with adjacent three-story multi-family development. The existing eight-foot-tall masonry wall will be preserved. Additional landscaping is provided along the site perimeter.

Proposed Use

The proposed convenience store would be open 24 hours a day, seven days a week, while the takeout restaurant would operate from 8 a.m. to 10 p.m.

The convenience store would also sell beer and wine for off-site consumption. The sale of alcohol in the State of California is regulated by the Alcoholic Beverage Control Act (California Business and Profession Code Sections 23000-25762). Sunnyvale Municipal Code (SMC) Section 19.98.020 (h) and (i) also includes specific findings and conditions of approval for automobile service stations that sell beer and wine. Refer to the Findings in Attachment 3 and Conditions of Approval AT-12 through AT-14 for compliance with the SMC.

Architecture

The proposed architectural style is contemporary characterized by rectangular forms, simple details, and high-quality materials. The commercial building features a roofline with varying heights up to 25'-

8". The façade materials incorporate a combination of stucco, stone, and fiber cement lap siding. An aluminum-framed glass storefront is proposed on the street-facing elevations. Exposed trims, fascia and corbels articulate and add visual interest to the building facades. The proposed architecture maintains similar design and detailing along all the facades. The 21'-6" tall fueling canopy features stone finished columns and a cement plaster finish cornice and is designed to match the architecture and finish of the commercial building.

Staff finds that the proposed project is well-designed and consistent with the Non-Residential Design Guidelines. See Attachment 5 for architectural and site plans.

Development Standards

The applicant has requested deviations from the minimum front yard setback, landscape area and 15-foot-wide landscape frontage strip requirement. The Planning Commission may allow deviations to specified development standards in exchange for superior design, environmental preservation, or public benefit. See Attachment 7 for the project description and justification letter, and the Findings in Attachment 3.

Apart from the requested deviations, the project complies with the applicable zoning standards including, but not limited to, lot coverage, building height and number of stories. The Project Data Table in Attachment 2 summarizes the project's compliance with development standards.

Front Yard Setback

The applicant proposes front yard setback of 13'-11" along South Wolfe Road, whereas SMC Table 19.34.030 requires a minimum front setback of 15 feet. The front yard setback in C-1 zoning districts is 70 feet, but SMC Section 19.34.040 (c) allows a reduced setback of 15 feet for corner lots.

The applicant states the deviation allows site design functionality and facilitates the development of the proposed commercial building with a greater setback to the adjacent multi-family residential property. Staff considers the requested deviation to be reasonable because of the significant lot size reduction from the required Wolfe Road dedication and to accommodate the increased setback from residential. The proposed front setback is 13 inches less than the requirement and its strict application restricts the applicant's ability to comply with other development standards, such as providing a landscaping buffer from the neighboring property. Additionally, positioning the primary entrance of the takeout restaurant closer to the street frontage helps to activate the streetscape.

Landscaping

The applicant proposes to landscape approximately 16% of the lot area, where 20% is the minimum requirement. Additionally, the parking lot landscaping is proposed around 8%, where the minimum requirement is 20%. The conceptual landscaping plan includes planting trees, shrubs, and ground cover along the site's periphery and landscape islands to break up parking spaces. The applicant proposes to plant 13 new trees, including ten 15-gallon trees and three 48-inch box trees. Seven new street trees are also proposed in the public right-of-way.

The applicant states the deviation is required due to the automobile service station's circulation requirements around the fueling islands. The requested deviation is reasonable given these unique circulation needs. The project will also significantly improve the existing aesthetic conditions, where currently only one percent of the site is landscaped without any trees.

Landscaped Frontage Strip

SMC Section 19.37.040 requires a minimum 15’ wide landscaped frontage strip for all properties along public street. The strip is measured from the inside edge of the public sidewalk, or from the curb if no sidewalk exists.

The proposed landscaped frontage strip varies from about 19’ near the intersection then narrows to 8’-6” along Fremont Avenue and one foot along South Wolfe Road. The applicant states that this deviation is also due to vehicular circulation requirements around the fueling islands. Staff finds the requested deviation to be reasonable as strictly enforcing the frontage requirement could constrain the automobile service station’s unique circulation needs.

Parking

The proposed site upgrades include a total of ten parking spaces. Four electric vehicle (EV) charging spaces are proposed in compliance with the Reach Code requirements for non-residential land uses. The proposed land uses require eleven parking spaces, resulting in a deficiency of one space.

According to SMC Table 19.46.100(a), a minimum of 2.5 parking spaces are required per 1,000 square feet of retail auto service use and four spaces per 1,000 square feet of takeout restaurant.

Proposed Use	Area (in square feet)	Minium Parking Requirement (per 1,000 square feet area)	Required Parking
Convenience Store	2,396	2.5	6
Takeout Restaurant	1,218	4	5
Required parking			11 parking spaces
Proposed Parking			10 parking spaces

SMC Section 19.46.130 allows for parking adjustments from parking ratio minimums to address unusual or specific uses or locational characteristics, subject to the City finding one or more of the applicable characteristics as specified in the code section are present.

Staff finds the project warrants a parking adjustment, because the proposed use has an unusual characteristic that results in less parking demand. There are twelve fueling spaces under the fueling canopy, in addition to the ten onsite parking spaces. Purchases from the convenience store are often made by customers refueling their vehicles, which can minimize demand for the ten parking spaces available to other customers.

To comply with bicycle parking requirements, the applicant proposes one Class I and one Class II bicycle parking spaces.

Traffic

The City’s Traffic and Transportation Division determined that the project does not require a Local Transportation Analysis (LTA) as the project is not expected to generate over 100 net new a.m./p.m. peak hour trips, per the City’s Transportation Analysis Guidelines. Additionally, Condition AT-2 requires a review of traffic conditions if the building area or land use intensity is increased in the

future.

Neighborhood Impacts and Compatibility

The adjacent neighborhood has a mix of commercial and residential uses. The applicant worked on minimizing visual impacts of the proposed development, such as by setting back the trash enclosure from the adjacent multi-family development. The applicant proposes a ten-foot-wide landscape buffer in accordance with code requirements featuring eight new trees and shrubs along the side property line, while retaining the existing eight-foot-tall concrete wall.

Staff consulted with DPS to review the beer and wine sales at the convenience store. To address potential public safety concerns, staff recommends several security measures, such as installing a silent or audible alarm system, and use of digital security cameras with instant viewing capabilities that cover the store entrance and exit, parking lot areas, and store interior (Conditions AT-15 to 24, Attachment 4).

Overall, staff finds the project to be well-designed and compatible with the scale and character of the surrounding neighborhood. Furthermore, the site improvements and appearance of the new commercial building would help to enhance the area's aesthetics, as well as serving the convenience needs of nearby residents. As conditioned, the project is expected to have minimal impacts on the neighboring properties.

Public Improvements

The project includes installation of new curb and gutters, construction of six-foot wide sidewalks with four-foot-wide planter strips, driveway approaches, and planting of street trees in the public right-of-way in accordance with the City's standard specifications.

The applicant would also apply slurry seal along the project frontage on Wolfe Road and upgrade streetlight fixtures along the project frontage and at the intersection. Additionally, the street dedication would allow Wolfe Road to be widened seven to eight feet along the project frontage to accommodate the future dual left turn lanes to westbound Fremont Avenue, as well as bicycle lanes, as approved in the Wolfe Road Corridor Traffic Improvement Study.

Effective July 1, 2023, the Regional Water Quality Control Board has upgraded stormwater regulations that mandates the treatment of impervious surface created or replaced within public right-of-way as part of the project, including new sidewalks and driveway approaches. The applicant has collaborated with Department of Public Works (DPW) staff to ensure the proposed stormwater management plan aligns with the updated requirements.

Additionally, a condition of approval mandates the undergrounding of the proposed transformer along Fremont Avenue frontage (Condition BP-36, Attachment 4).

Trash and Recycling Access

The project proposes a new commercial solid waste and recycling enclosure on the southwest part of the site, adhering to City standards (SMC Section 19.38.030).

The applicant has worked with Environmental Services Department (ESD) staff to ensure that the internal circulation satisfies the requirements for solid waste and recycling collection vehicles. The trash enclosures would have concrete masonry unit (CMU) finish with a metal roof and doors, which is compatible with the design of the proposed building and adheres to the City's standards.

FISCAL IMPACT

No fiscal impacts other than standard fees and taxes are expected. The project is subject to payment of housing mitigation and transportation impact fees. The project is exempt from the public art requirement because the site is less than two acres.

PUBLIC CONTACT

Neighborhood Outreach meeting

The applicant conducted a virtual neighborhood outreach meeting on January 10, 2024, which was attended by four participants. Attendees inquired about the construction timeframe, the prospective tenant for the proposed takeout restaurant, hours of operation, and requested deviations. Some attendees raised concerns about the location of the trash enclosure, 24/7 operating hours of the convenience store, potential lighting overspill, and noise and traffic impacts.

In response to the feedback, the applicant proposed planting three 48-inch box canary island pine trees to minimize the visual impact of the trash enclosure. Per City Standards, the trash enclosure would have a metal roof. A ten-foot-wide landscape buffer and the existing eight-foot-tall masonry wall would further minimize visual impacts on the adjacent multi-family residences.

The applicant has provided a preliminary photometric study showing no lighting overspill onto the adjacent residential property. Staff included conditions of approval (Condition BP-15, Attachment 4) requiring an exterior lighting plan and photometric plan that comply with Non-Residential Design Guidelines and standards, subject to the Director of Community Development's review and approval.

A noise assessment study prepared by Salter Inc. confirms the project will not exceed 50 dBA during nighttime or 60 dBA during daytime at residential property lines, complying with the residential noise limits in SMC 19.42.030. Condition of approval BP-18, Attachment 4, requires a review of the construction plans by the project noise consultant to confirm compliance with their recommendations, and follow-up field verification testing is required before occupancy per condition PF-3.

Planning Commission Study Session

On February 12, 2024, the Planning Commission reviewed the project's site plan and architecture. The following comments and questions were raised:

- Widening of Wolfe Road
- Status of the related General Plan Amendment (GPA) application
- Operation of the convenience store and takeout restaurant
- Electric Vehicle (EV) charging spaces
- Parking adjustment
- Lighting impacts on neighboring residential units
- Details of fueling tank replacement
- Bicycle parking location

In response to the feedback, the applicant has proposed a Class II bicycle rack adjacent to the takeout restaurant entrance along Wolfe Road frontage and a Class I bicycle parking locker adjacent to the proposed trash enclosure.

Public Comments

At the time of staff report preparation, six comment emails were received on the project (see Attachment 8). The commenters expressed concerns about potential noise and traffic impacts, 24/7 operation of the convenience store, odors from the trash enclosure and lighting overspill onto adjacent residential units.

Notice of Planning Commission Public Hearing

Public contact was made by posting the Planning Commission meeting agenda on City Hall's official notice bulletin board. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during regular business hours) and on the City's website.

The City sent 401 notices to surrounding property owners and residents within 300 feet of the project site, consistent with Council Policy 1.1.18, in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper, and on-site posting.

ALTERNATIVES

1. Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.
2. Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183(a) and 15168(c)(2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 with modified Conditions of Approval in Attachment 4.
3. Do not make the required findings and direct staff where changes should be made.
4. Deny the project.

STAFF RECOMMENDATION

Alternative 1: Make the required Findings to approve the CEQA determination that the project is consistent with the LUTE EIR and no additional environmental review is required pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines 15183 (a) and 15168(c)(2), (3) and (4) as noted in Attachment 3 and approve the Special Development Permit subject to the Recommended Findings in Attachment 3 and Recommended Conditions of Approval in Attachment 4.

The proposed project aligns with the goals and objectives of the General Plan by providing conveniently located retail and dining options while enhancing the aesthetics of the existing commercial site. The project complies with the Non-Residential Design Guidelines and the conditions of approval ensure compatibility with the surrounding neighborhood. Additionally, the off-site improvements would benefit the neighborhood and the pedestrian environment. The requested deviations are reasonable and not expected to negatively impact adjacent properties.

LEVINE ACT

The Levine Act (Gov. Code Section 84308) prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$250 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

A check or “Y” in the checklist below indicates that the action being considered falls under a Levine Act category or exemption:

SUBJECT TO THE LEVINE ACT

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

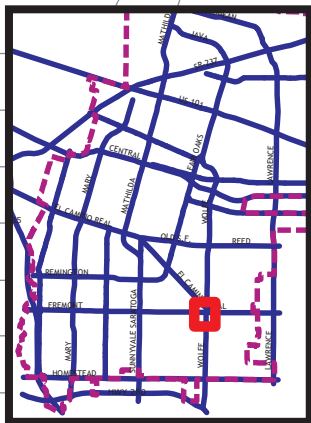
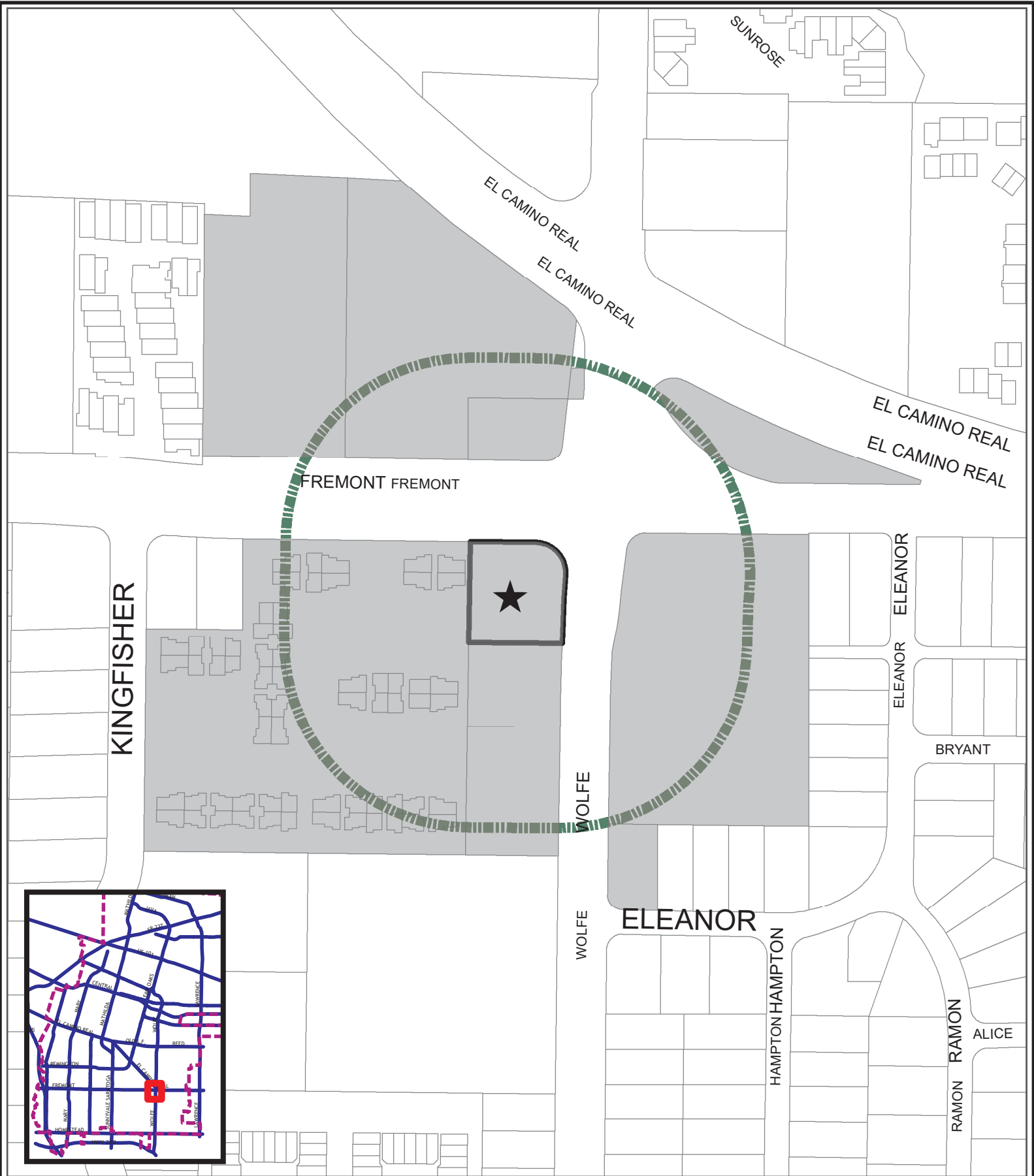
EXEMPT FROM THE LEVINE ACT

- Competitively bid contract
- Labor or personal employment contract
- General policy and legislative actions

Prepared by: Aastha Vashist, Senior Planner
Reviewed by: George Schroeder, Principal Planner
Approved by: Shaunn Mendrin, Planning Officer

ATTACHMENTS

1. Noticing and Vicinity Map
2. Project Data Table
3. Recommended Findings
4. Recommended Conditions of Approval
5. Architectural and Site Plans
6. Link to Environmental Checklist prepared by DJP, Inc.
7. Project Description and Justification Letter by the Applicant
8. Public Correspondence



20167978
 898 E FREMONT AV (APN: 309-10-015)
 Special Development Permit
 300-ft Area



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial	Same	--
Zoning District	C-1/PD	Same	--
Lot Size (s.f.)	26,883 s.f.	23,827 s.f.	--
Lot Coverage	4.3%	33.6% (8,014 s.f.)	35% max.
Floor Area Ratio (FAR%)	4.3%	33.6%	No max.
Building Height	15'	25'-8"	40' max.
No. of Stories	1	1	Two story max.
Setbacks			
★ Front	60'	13'-11" (S. Wolfe Rd) 33'-7" (Fremont Ave)	15' min.
Side	49'	17'	10' min.
Rear	78'	0'	No min.
★ Total Landscaping (s.f.)	321 s.f.	15.5% 3,708 s.f.	20% min. 4,766 s.f. min.
★ 15-foot landscape buffer	--	Between 1' to 18'	15' min.
Landscape buffer b/w residential and non-residential	--	10' with eight-foot-tall wall	10' min.
Parking Lot Area Shading	--	50.2%	50% min. in 15 years
★ Parking Lot Landscaping	--	7.8%	20% min.
Parking			
★ Total Spaces	--	10 proposed	11 required (6 spaces for convenience store plus 5 for takeout restaurant) .
Bicycle Parking	--	2 total (one Class I & one Class II)	1 Class I space (5% of total vehicular spaces provided)

★ Starred items indicate deviations (and a parking adjustment) from Sunnyvale Municipal Code requirements.

RECOMMENDED FINDINGS

CEQA FINDINGS FOR PROJECTS CONSISTENT WITH CEQA GUIDELINES SECTION 15183 and 15168

The Planning Commission hereby makes the following findings based on the Environmental Checklist for the 898 East Fremont Avenue Gas Station Project (the "Project") prepared by David J. Powers & Associates, Inc., dated April 2024. ("Environmental Checklist"):

A. CEQA Guidelines Section 15183

1. The Planning Commission has independently reviewed the programmatic Draft and Final Environmental Impact Reports for the Land Use and Transportation Element ("LUTE") of the Sunnyvale General Plan, State Clearinghouse #2012032003 (the "LUTE EIR")
2. The LUTE EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LUTE. In addition, the LUTE EIR identified significant and unavoidable impacts with regard to the following topics: air quality, cultural resources, noise, and transportation.
3. On April 11, 2017, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the LUTE EIR and adopted the LUTE.
4. In addition to serving as the environmental document for the adoption of the LUTE, the LUTE EIR was intended by the City to serve as the basis for compliance with CEQA for projects that are consistent with the development density established by the LUTE in accordance with Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. CEQA Guidelines Section 15183 provides that where a project is consistent with the use and density established for a property under an existing general plan for which a city has previously certified an EIR, additional environmental review is not required "except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." CEQA Guidelines Section 15183 further provides that if an environmental effect of a project is not peculiar to the parcel or the project, has been addressed as a significant impact in the EIR, or can be substantially mitigated by the imposition of uniformly applied development standards or policies, then an additional EIR need not be prepared on the basis of that effect.
5. The City has analyzed the proposed Project to determine if the Project meets the criteria for streamlined environmental review under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines.

6. The LUTE contains a number of goals, policies, and implementing actions that affirm the General Plan's vision for sustainable development, including Policy LT-2.1 (sustainable practices for the design, construction, maintenance, operation, and deconstruction of buildings), LT-2.1b (encourage green features), LT-2.1c (establish incentives that encourage green building practices beyond mandated requirements), and LT-2.7 (provide residents and businesses with opportunities to develop private renewable energy facilities).
7. The Project would meet the City's Green Building Program requirements. Additionally, the project would comply with the State's Building Energy Efficiency Standards, which set standards for heating, cooling, solar, battery storage, water savings, lighting, and building envelopes that would ensure that the building energy consumption would not be wasteful, inefficient, or unnecessary.
8. The environmental checklist prepared for the Project concludes that the project would not result in significant impacts peculiar to the Project or Project site or any significant impacts that were not analyzed or discussed in the LUTE EIR and/or are substantially mitigated by the imposition of uniformly applied development policies or standards. Additionally, the Project would not result in any potentially significant off-site or cumulative impacts that were not discussed in the LUTE EIR. Also, there are no significant effects that substantial new information shows would be more severe than discussed in the LUTE EIR. Thus, the City may rely upon the analysis in the certified LUTE EIR, and no further CEQA review is required.
9. Based on the environmental checklist for the Project and other information in the record, and after a duly noticed public hearing, the City finds as follows:
 - a. The Project is consistent with the Land Use and Transportation Element (LUTE) of the City's General Plan.
 - b. The conditions of approval for the Project require the Project to undertake feasible mitigation measures required by the LUTE EIR and applicable to the Project.
 - c. With application of mitigation measures and/or uniformly applied development standards and policies, the Project would result in no (1) peculiar or specific impacts, (2) impacts not analyzed in the LUTE EIR, or (3) significant off-site impacts and cumulative impacts not discussed in the LUTE EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the LUTE EIR.
 - d. The Project will have no environmental effects that:

- i. are peculiar to the Project or the parcel on which the Project is located;
- ii. were not analyzed as significant effects in the LUTE EIR;
- iii. are potentially significant off-site impacts or cumulative impacts which were not discussed in the LUTE EIR; or
- iv. are previously identified significant effects which, as a result of substantially new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the LUTE EIR.

e. Accordingly, the City finds that no additional EIR needs to be prepared for the Project.

10. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Avenue, Sunnyvale, CA 94086.

B. CEQA Guidelines Section 15168

- A. The Planning Commission has independently reviewed the programmatic Draft and Final Environmental Impact Reports for the Land Use and Transportation Element (“LUTE”) of the Sunnyvale General Plan, State Clearinghouse #2012032003 (the “LUTE EIR”)
- B. The LUTE EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LUTE. In addition, the LUTE EIR identified significant and unavoidable impacts with regard to the following topics: air quality, cultural resources, noise, and transportation.
- C. On April 11, 2017, the City Council made Findings, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the LUTE EIR and adopted the LUTE.

In addition to serving as the environmental document for the adoption of the LUTE, the LUTE EIR was intended by the City to serve as the basis for compliance with CEQA for projects that are consistent with the development density established by the LUTE in accordance with Public Resources Code Section 21083 and CEQA Guidelines Section 15168. CEQA Guidelines Section 15168(c)(2) specifies “if the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.”

Section 15168(c)(3) further specifies that “an agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.” Section 15168(c)(4) specifies that “where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.”

- C. The City has analyzed the proposed Project to determine if the Project meets the criteria for streamlined environmental review under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines.
- D. The LUTE contains a number of goals, policies, and implementing actions that affirm the General Plan’s vision for sustainable development, including Policy LT-2.1 (sustainable practices for the design, construction, maintenance, operation, and deconstruction of buildings), LT-2.1b (encourage green features), LT-2.1c (establish incentives that encourage green building practices beyond mandated requirements), and LT-2.7 (provide residents and businesses with opportunities to develop private renewable energy facilities).
- E. The Project would meet the City’s Green Building Program requirements. Additionally, the project would comply with the State’s Building Energy Efficiency Standards, which set standards for heating, cooling, solar, battery storage, water savings, lighting, and building envelopes that would ensure that the building energy consumption would not be wasteful, inefficient, or unnecessary.
- F. The environmental checklist prepared for the Project concludes that the project would not result in significant impacts peculiar to the Project or Project site or any significant impacts that were not analyzed or discussed in the LUTE EIR and/or are substantially mitigated by the imposition of uniformly applied development policies or standards. Additionally, the Project would not result in any potentially significant off-site or cumulative impacts that were not discussed in the LUTE EIR. Also, there are no significant effects that substantial new information shows would be more severe than discussed in the LUTE EIR. Thus, the City may rely upon the analysis in the certified LUTE EIR, and no further CEQA review is required.
- G. Based on the environmental checklist for the Project and other information in the record, and after a duly noticed public hearing, the City finds as follows:
 - a. The Project is consistent with the Land Use and Transportation Element (LUTE) of the City’s General Plan.

- b. The conditions of approval for the Project require the Project to undertake feasible mitigation measures required by the LUTE EIR and applicable to the Project.
 - c. With application of mitigation measures and/or uniformly applied development standards and policies, the Project would result in no (1) peculiar or specific impacts, (2) impacts not analyzed in the LUTE EIR, or (3) significant off-site impacts and cumulative impacts not discussed in the LUTE EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the LUTE EIR.
 - d. The Project will have no environmental effects that:
 - i. are peculiar to the Project or the parcel on which the Project is located;
 - ii. were not analyzed as significant effects in the LUTE EIR;
 - iii. are potentially significant off-site impacts or cumulative impacts which were not discussed in the LUTE EIR; or
 - iv. are previously identified significant effects which, as a result of substantially new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the LUTE EIR.
 - e. Accordingly, the City finds that no additional EIR needs to be prepared for the Project.
- H. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Avenue, Sunnyvale, CA 94086.

Staff Analysis: Finding is met. Refer to CEQA checklist in Attachment 7.

Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element (LUTE)

GOAL LT-4: An attractive community for residents and businesses

GOAL LT-11: Supportive economic development environment

Facilitate an economic development environment that supports a wide variety of businesses and promotes a strong economy within existing environmental, social, fiscal, and land use constraints.

POLICY LT-11.2 Support a full spectrum of conveniently located commercial, mixed-use, public, and quasi-public uses that add to the positive image of the community.

POLICY LT-11.3 Promote business opportunities and business retention in Sunnyvale.

POLICY LT-11.3a. Encourage conveniently located retail, restaurant, and other supportive land uses near business areas.

GOAL LT-12: A balanced economic base

Develop a balanced economic base that can resist downturns of any one industry and provides revenue for city services.

POLICY LT-12.4 Attract and retain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy and provide a range of job opportunities.

POLICY LT-12.4a Promote a variety of commercial, retail, and industrial uses, including neighborhood shopping, general business, office, clean technology, and industrial/ research and development.

POLICY LT-12.4c Encourage independent local businesses.

POLICY LT-12.9 Consider the importance of tax generation (retail, hotel, auto, and business-to-business uses) to support the fiscal health of the community and to fund municipal services.

GOAL LT-13: Protected, maintained, and enhanced commercial areas, shopping centers, and business districts.

POLICY LT-13.4 Support a full spectrum of conveniently located commercial uses and shopping centers that add to the positive image of the community.

NON-RESIDENTIAL DESIGN GUIDELINES

2.A4. Non-residential buildings should have a street presence. Locate buildings as close to the setback lines as possible.

2.B8. In non-residential buildings maintain visually interesting activities at the street level by placing active facades with windows and openings on the street side to promote pedestrian activities.

- 2.C5. *Buildings should have three distinct components: base; middle; and, top. Define each component by horizontal and vertical articulation. Façade articulation may consist of changes in the wall plane, use of openings and projections, and material and color variations. Exceptions may be permitted only where a specific architectural style offers other types of building form and façade articulations, as determined by the planning staff.*
- 2.C7. *Utilize landscaping around the perimeter of new buildings to enhance buildings, not to cover an unacceptable design.*
- 2.C9. *Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, arcades, porticos, trellises, porches, balconies, dormers, windows, opening, etc.*
- 2.C10. *Repeat design and decorative building elements in all elevations and the roof, not just in the front façade.*
- 2.C13. *Define building entries by use of human scale architectural elements such as arches, posts, awnings, etc. Orient main entries toward public streets.*
- 2.D3. *Long horizontal roof lines are not acceptable. Interrupt roof line by architectural treatment and features. In non-industrial areas, the maximum allowable unbroken roof line is 30 feet. Exceptions may be permitted only where a specific architectural style offers other types of roof forms and roof articulation.*
- 2.D4. *Vary roof levels and forms on a large building to create diversity and to decrease the apparent scale of the building.*
- 2.D7. *Include architectural elements such as projecting cornices in design of flat roofs to define the edge of the roof. Depending on architectural style, industrial buildings are encouraged to use these elements to enhance roof edges.*
- 2.E1. *Develop a comprehensive material and color scheme for each project to tie in the various parts of the project. Choose a variety of colors and materials to add interest to buildings.*
- 2.E2. *Avoid large expanse of smooth surfaces such as concrete or glass. Use materials with a sense of scale and texture. For industrial areas, high-quality metal may be used as exterior siding or in large expanses. Break up large expanses of smooth material with expansion joints, reveals, or changes in texture and color.*
- 2.E3. *Avoid large expanse of highly reflective surfaces and mirror glass exterior walls to prevent heat and glare impacts on the adjacent public streets and properties.*
- 2.E4. *Choose high quality materials and paint to prevent degradation and for ease of maintenance.*
- 3.B4. *Landscaped islands are encouraged to break up long rows of parking spaces and reduce the visual width of parking aisles. One island for every 10 spaces is suggested as a minimum.*
- 3.B9. *Lighting.*
 - a. *Brightness. Lighting must provide a minimum average of 0.5 foot candles.*
 - b. *Energy efficiency. High energy- efficient lighting, including LED lighting is encouraged. Lights which interfere with color recognition, such as sodium vapor is discouraged.*
 - c. *Pole Height. Light poles are limited to 8 feet in height for pedestrian and residential areas. Light poles may extend up to 16 feet in height in other areas. Light poles must not exceed the height of the main building.*

d. Shielding. Shield light sources to prevent any glare or direct illumination on public streets or adjacent properties.

- 3.C.9. Provide a minimum of one tree for every 7 parking stalls. Always combine trees with shrubs or ground cover in islands. Trees with deep roots should be selected to avoid damaging the pavement.*
- 3.D1. Bicycle parking areas should be lit at night throughout the year to increase safety. Special consideration should be used when deciding on the placement of lighting especially near residential areas.*
- 3.D2. To protect bicycles from theft and vandalism racks should not be obscured by landscaping fences or other obstructions. They should be in view of passing pedestrians or vendors.*
- 3.D3. Bicycle parking racks should be conveniently located close to a building entrance and should be clearly visible from the entrance and its approaches. Signs should be posted to direct bicyclists to the bike parking if this is not possible.*
- 3.D4. Protection from the weather should be provided for a portion of the rack parking. The ground surface area where the rack is situated should be an all-weather and drainable material. Consideration should be given to the material and how slippery it may become when wet.*
- 4.A6. Choose a variety of plant material with different textures and colors. Use water-wise plant material, as specified in the Landscape regulations.*
- 4.A7. Install a minimum of one tree for every 300 sq. ft. of landscaping. Minimum tree size is 15 gallon. Certain percentage of trees should be specimen size.*
- 4.A11. Install permanent irrigation system in all required landscaped areas except in single family and duplex residences.*
- 4.A12. Install street trees along street side of projects according to the Department of Public Works requirements. In industrial areas, combine street trees with on-site trees to provide a double row of trees where possible.*
- 4.B3. Provide a minimum of 10 ft. wide landscape strip, plus a decorative masonry wall at least 6 ft. high, between all non-residential development and abutting residential uses.*
- 5.F2. Trash enclosures should be conveniently accessible by collection trucks. Access driveways should be a minimum of 16 ft. in width.*
- 5.F3. Enclosures should not be located in setback, landscaped or parking areas.*
- 5.F4. Provide adequate turnaround areas for collection trucks on non-through streets.*
- 5.F5. Provide a concrete pad in front of and within enclosures to prevent damage to pavement.*
- 5.F7. Trash enclosures must screen trash containers on all 4 sides. The height of enclosures should fully screen the containers and should be a minimum of 6 ft. high.*
- 5.F9. The style, material, and color of enclosures should be similar to those of the main structure.*
- 5.F10. Enclosures should be made of masonry and match the main building in finish and color in Commercial Zones. Residential enclosures may be wood, painted to match the main building.*
- 5.F11. Steel enclosure gates in commercial areas and wood enclosure gates in residential zones are required as a minimum standard.*

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. ***Finding met.***

The proposed project furthers the goals and objectives of the General Plan by offering conveniently located commercial spaces. It will enhance the existing condition of the site and blend with the character of neighboring properties. Additionally, the project includes on-site and off-site improvements, such as landscaping and sidewalk improvements.

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

The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development or existing uses of the adjacent properties. The site improvements, including a new commercial building, parking, landscaping, and trash facility, would enhance the property's and immediate neighborhood's appearance. The convenience store and takeout restaurant would serve the adjacent neighborhood.

Required finding for automobile service stations that sell beer and wine per SMC 19.98.020(h)

For automobile service stations that sell beer and wine pursuant to state license, the applicant shall submit an application including all of the information in subsection (g), and shall obtain a use permit or special development permit and the director of community development shall make all of the following findings:

- (1) The proposed site must be five hundred feet from a use selling off-site sales of alcohol, unless findings can be made that the additional sales:

- (A) Will not adversely affect the peace, health, safety, morals or welfare of the persons residing or working in the surrounding areas; and

- (B) Will not impair the value of property of other persons located in the vicinity of the area; and

- (C) Will not be detrimental to public health, safety or welfare;

- (D) The proposed site will not exceed a concentration of more than four businesses with off-site sales of alcohol within a one-thousand-foot radius, unless the findings in subsection (h)(1) above can be made.

- (2) The proposed site shall not be located closer than five hundred feet from any child care center, public park, social service agency, residential care facility, residential service facility or public school, unless the findings in subsection (h)(1) can be made.

Finding met.

Due to the concentration of other establishments that also sell alcohol within the vicinity, a finding of public convenience is required to allow for the ABC license. The Department of Public Safety reviewed the proposed application and found no concerns. Based on staff's analysis, the following findings can be made:

- The project is consistent with the General Plan in that it provides retail and services to residents and businesses that is conveniently located on a major arterial.
- The project is consistent with the purpose and intent of the C-1 zoning district which is reserved for the construction, use and occupancy of commercial buildings providing retail commercial shopping and service facilities to the adjacent neighborhood residential areas. The gas station and convenience store provide a neighborhood service to adjacent residents and businesses. The sale of beer and wine in conjunction with a gas service station is permitted with a Use Permit.
- Generally, staff notes that the proposed hours of operations would not cause disruption or impact the quiet and peaceful enjoyment of the neighborhood.

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
PLANNING COMMISSION HEARING ON JULY 8, 2024**

**Planning Application 2016-7978
898 East Fremont Avenue**

SPECIAL DEVELOPMENT PERMIT: Redevelop a 0.62-acre commercial property. Demolish the existing fueling canopy and auto service building and construct a new 4,400 square foot fueling canopy and a 3,614 square foot one-story commercial building consisting of a 2,396 square foot convenience store, and a 1,218 square foot takeout restaurant, resulting in 34% floor area ratio (FAR).

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

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

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. ENTITLEMENTS—EXERCISE AND EXPIRATION:

The approved entitlements shall be null and void two years from the date of approval by the final review authority if the approval is not exercised, unless a written request for an extension is received prior to the expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

GC-3. ENTITLEMENTS—DISCONTINUANCE AND EXPIRATION:

The entitlements shall expire if discontinued for a period of one year or more. [SDR] (PLANNING)

GC-4. INDEMNITY:

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

GC-5. NOTICE OF FEES PROTEST:

As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]

GC-6. ALCOHOL BEVERAGE CONTROL (ABC):

The project applicant shall obtain all appropriate and/or licenses from the Department of Alcoholic Beverage Control prior to commencement of use approved as part of this permit. [COA] [PLANNING]

GC-7. USE AND ABC COMPLIANCE:

Non-compliance with the Conditions of Approval for this planning application or the requirements of the Department of Alcoholic Beverage Control at any time may trigger either reconsideration (discretionary review of new application) of the SDP and the imposition of additional Conditions of Approval or the initiation of the revocation process by the Director of Community Development. [COA] [PLANNING]

GC-8. EXHAUST AND OPENINGS:

No exhaust fans, doors, windows, or openings, of any kind shall be placed on the wall to the rear or where residential use is to the rear of the proposed building, except as may be required by the City, nor shall any machines or fans be placed on the roof of the building which exhaust dust or odors. [COA] [PLANNING]

GC-9. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2022-0018, as determined by a completed Stormwater Management Plan Data Form, and therefore must submit a Stormwater Management Plan as per SMC 12.60.210 prior to issuance of the building permit. [SDR] [PLANNING]

GC-10. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by the City, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility connections, meters/vaults, trees and landscaping, traffic signal, signage, striping, streetlights, etc.

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The site development plans sheets C1-C5 dated 4/1/2024 are subject to change during the plan check process.

The developer is required to complete the installation of all public improvements and other improvements deemed necessary by the Public Works Department, prior to occupancy of the first building, or to the satisfaction of the Public Works Department. [COA] [PUBLIC WORKS]

GC-11. OFF-SITE IMPROVEMENT PLANS:

Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit process. Sheets C1-C5 dated 4/1/2024 are subject to change during the plan check process. [SDR] [PUBLIC WORKS]

GC-12. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. [COA] [PUBLIC WORKS]

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

PS-1. EXTERIOR MATERIALS REVIEW:

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

PS-2. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

- a) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day; and
- b) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline as needed, and allocation of wastewater discharge from the project site to each of the proposed laterals. Any deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer as part of the off-site improvement plans. Sewer flow data may be required as needed. Any mitigation improvements needed shall be incorporated into the first plan check submittal. [COA] [PUBLIC WORKS]

PS-3. APPROVAL FROM UTILITY COMPANIES:

Prior to the first plan check submittal, obtain approval letters from various utility companies for the partial vacation of the existing Roadway and Utilities Easement along Wolfe Road. [COA] [PUBLIC WORKS]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

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

BP-4. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-5. ROOF EQUIPMENT:

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

BP-6. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit. The final fees are calculated at the time of building permit submittal.

(a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at \$18,771.48 prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]

(b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$25,798.50 prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]

BP-7. MECHANICAL EQUIPMENT (EXTERIOR):

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

BP-8. DEPARTMENT OF PUBLIC SAFETY REVIEW:

Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit. [COA] [PLANNING]

BP-9. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). [COA] [PLANNING]

BP-10. LANDSCAPE MAINTENANCE PLAN:

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

BP-11. TREE PROTECTION PLAN:

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

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-12. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.230. Best management practices shall be identified on the building permit set of

plans and shall be subject to review and approval by the Director of Public Works:

- a. Storm drain stenciling. The stencil is available from the City's Environmental Services Department, which may be reached by calling (408) 730-773-7717.
- b. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d. Covered trash, food waste, and compactor enclosures.
- e. Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii. Dumpster drips from covered trash and food compactor enclosures.
 - iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv. Swimming pool water, spa/hot tub, water feature and fountain discharges if discharged to onsite vegetated areas is not a feasible option.
 - v. Fire sprinkler test water, if discharged to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-13. CITY STREET TREES:

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

BP-14. EXTERIOR LIGHTING PLAN:

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

- a) Sodium vapor (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building.
- f) Lights shall have shields to prevent glare onto adjacent properties. [COA] [PLANNING]

- BP-15. **PHOTOMETRIC PLAN:**
Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]
- BP-16. **LIGHTING POLE HEIGHTS:**
Pole heights shall not to exceed 20 feet unless approved by the Director of Community Development. [COA] [PLANNING]
- BP-17. **PARKING MANAGEMENT PLAN (NONRESIDENTIAL):**
A Parking Management Plan shall be submitted for review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:
- a) Employee parking locations shall be away from the building, in parking spaces that are the least used.
 - b) Specify the location and term of short-term parking.
 - c) Specify the location of the required carpool/car share spaces.
 - d) Allow the use of valet parking when appropriate on sites with limited parking.
 - e) Employees shall be required to park on the site.
 - f) Provide adequate signage to direct traffic and pedestrians [COA] [PLANNING]
- BP-18. **NOISE REDUCTION VERIFICATION:**
The project acoustical consultant shall review the final construction drawings and confirm that all recommended measures to meet City of Sunnyvale noise standards for interior and exterior noise (including, but not limited to, sound walls, STC-rated windows and doors, habitable ventilation with windows closed, noise attenuation in roof, wall, and floor-to-ceiling construction) have been incorporated into the drawings. [COA] [PLANNING]
- BP-19. **GREEN BUILDING:**
The plans submitted for building permits shall demonstrate the project's compliance with the CAL Green Mandatory Measures per the City's Green Building Program. [COA] [PLANNING] [BUILDING]
- BP-20. **CONSTRUCTION MANAGEMENT PLAN:**
The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on surrounding residential uses to the extent possible. The CMP shall be subject to review and approval by the Director of Community Development and Director of Public Works with a separate Miscellaneous Plan Permit (MPP) prior to issuance of a demolition permit, grading permit, or

building permit. The CMP shall identify measures to minimize the impacts of construction including the following:

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.
- b) Use ‘quiet’ models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or other noise-sensitive land uses.
- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible. Obtain approval of proposed construction vehicle truck routes from the Department of Public Works.
- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- j) Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING] [PUBLIC WORKS]

BP-21. CONSTRUCTION AIR QUALITY MITIGATION MEASURES:

Prior to the issuance of grading or building permits, the Bay Area Air Quality Management District’s (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) shall be noted on the construction documents, including the following:

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- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c) 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.
 - d) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - e) 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.
 - f) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - g) A publicly visible sign shall be posted 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 BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. [COA] [PLANNING]

BP-22. CONSTRUCTION EMISSION MITIGATION:

Pursuant to LUTE FEIR mitigation measure MM 3.5.6, the project shall implement a feasible plan to reduce diesel particulate matter (PM) emissions from construction by at least 80 percent such that increased cancer risk and PM_{2.5} concentrations from construction would be reduced below toxic air contaminant (TAC) significance levels as follows:

- a) All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM₁₀ and PM_{2.5}), if feasible, otherwise,
- b) If use of Tier 4 equipment is not feasible, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include PM emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 80 percent reduction in PM exhaust in comparison to uncontrolled equipment. Alternatively, or in combination,
- c) Use of electrical or non-diesel fueled equipment.

Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel PM emissions by 80 percent or greater. Elements of the plan could include a combination of some of the following measures:

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- d) Implementation of a) above to use Tier 4 or alternatively fueled equipment,
 - e) Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors,
 - f) Use of electrically-powered equipment,
 - g) Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
 - h) Change in construction build-out plans to lengthen phases, and
 - i) implementation of different building techniques that result in less diesel equipment usage.

The construction operations plan shall be subject to review by an air quality expert and approved by the City prior to issuance of grading or building permits. [COA] [PLANNING]

BP-23. NESTING BIRDS:

Pursuant to the LUTE FEIR, the project shall comply with the MBTA and CDFW requirements to protect and avoid impacts to nesting birds by scheduling construction activities to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31.

If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist shall determine the extent of a construction free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal. [COA] [PLANNING]

BP-24. SOIL, SOIL VAPOR AND GROUNDWATER:

As stated in the 2015 case closure letter from the Santa Clara County Department of Environmental Health (SCCDEH), any land use change, grading activities, excavation, and installation of water wells on-site

shall be notified by the property owner or project applicant to the Sunnyvale Community Development Department and Department of Public Safety (DPS).

A Site Management Plan (SMP) and Health Safety Plan (HSP) for redevelopment activities on-site shall be prepared by the project applicant. The SMP shall include (1) protocols for proper closure of the existing gasoline station (including its underground storage tanks) and restaurant under the supervision of DPS, (2) methodologies for collecting and testing soil/soil vapor/groundwater sampling for contaminants associated with the former agricultural use (e.g., pesticides), the potential presence of lead based paint in soil surrounding the structures, and current gasoline operations (e.g., total petroleum hydrocarbons and volatile organic compounds), (3) management practices for handling, remediation, and disposal of impacted soil/groundwater or other materials that may potentially be encountered during construction activities, and (4) protocols for accepting imported fill materials.

The soil/soil vapor/groundwater sampling completed as part of the SMP shall be compared against the applicable screening levels published by the RWQCB, DTSC and/or EPA.

- If there are no contaminants identified that exceed applicable screening levels published by the RWQCB, DTSC and/or EPA, the SMP does not need to be submitted to an oversight agency, and shall only be submitted to the City prior to the beginning of construction earthwork activities and issuance of a permit for grading and excavation.
- If contaminants are identified at concentrations exceeding applicable screening levels, the SMP shall be submitted for review and approval by an appropriate regulatory oversight agency (e.g., SCCDEH). Further investigation may be required by the oversight agency to determine the extent of contamination (i.e., location and concentration level) and the appropriate measures required to remediate the contamination for the proposed land use(s) shall be confirmed and implemented. Remediation measures could include operation of soil vapor and groundwater extraction and treatment systems. A copy of the approved SMP shall be submitted to the City prior to the issuance of a permit for grading and excavation. [COA] [PLANNING]

BP-25. NOISE CONTROL PLAN:

New development and public projects shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and vibration. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City. Measures specified in the Noise Control Plan and implemented

during construction shall include, at a minimum, the following noise control strategies:

- a) Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds).
 - b) Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools.
 - c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
 - d) Unnecessary idling of internal combustion engines should be strictly prohibited.
 - e) Construction staging areas shall be established at locations that create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
 - f) Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - g) Where feasible, temporary power service from local utility companies should be used instead of portable generators.
 - h) Locate cranes as far from adjoining noise-sensitive receptors as possible.
 - i) During final grading, substitute graders for bulldozers, where feasible.
 - j) Wheeled heavy equipment are quieter than track equipment and should be used where feasible.
 - k) The contractor shall designate a "noise disturbance coordinator/superintendent" who will be responsible for tracking and responding to any local complaints about construction noise.
 - l) The noise disturbance coordinator/superintendent shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures are implemented to correct the problem.
 - m) The telephone number for the noise disturbance coordinator/superintendent shall be posted at the construction site and included in any construction notices sent to neighbors.
- [COA] [PLANNING]

The Noise Control Plan shall identify measures to reduce vibration levels below 0.25 in/sec PPV for older buildings and 0.5 in/sec PPV

for conventional buildings, which may include the following project-specific measures:

- n) Prohibit the use of heavy vibration-generating construction equipment within 25 feet of residences. Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 25 feet of residences adjoining the site.
- o) Avoid dropping heavy equipment within 25 feet of residences. Use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects within 25 feet of residences adjoining the site.
- p) The contractor shall alert heavy equipment operators to the close proximity of the adjacent structures so they can exercise extra care. [COA] [PLANNING]

BP-28. ARCHAEOLOGICAL RESOURCES:

Prior to the issuance of grading or building permits, the project applicant is required to include information on the improvement plans that if, during the course of grading or construction, cultural resources (i.e. prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential. [COA] [PLANNING]

BP-29. CULTURAL RESOURCES:

In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site within a 50-foot radius of the remains or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, the Coroner shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

All measures shall be printed on all construction documents, contracts, and project plans, and reviewed by the Community Development Director prior to issuance of grading and building permits. During construction,

the project applicant and contractor shall be responsible for, implementing these measures. [COA] [PLANNING]

BP-30. PALEONTOLOGICAL RESOURCES:

Prior to the issuance of grading or building permits, the project is required to include information on the improvement plans that if, during the course of grading or construction, fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the City of Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of a project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow. [COA] [PLANNING]

BP-31. STORMWATER MANAGEMENT C.3 DATA FORM:

Submit the completed City of Sunnyvale and Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Data Form to the Planning Division prior to issuance of a Building Permit. [COA] [PLANNING]

BP-32. STORMWATER MANAGEMENT PLAN:

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

BP-33. STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:

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

BP-34. CONSTRUCTION MATERIAL AND STAGING:

All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in any public right-of-ways or public easements. [COA] [PUBLIC WORKS]

BP-35. BICYCLE PARKING:

Provide the following minimum bicycle facilities at the main entrance and/or high visible areas per Sunnyvale Municipal Code Section 19.46.150: two (2) total bicycle spaces. One (1) of which must be Class I (secured bicycle parking), the remaining bicycle space will be

Class II (bicycle rack). Clearly indicate the location and number of spaces on the plans. [COA] [PUBLIC WORKS]

- BP-36. UNDERGROUND TRANSFORMER:
The proposed new transformer shall be located underground. Approval shall be obtained from PG&E prior to issuance of the building permit. [COA] [PLANNING]
- BP-37. DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM:
To mitigate the impacts of large projects on local waste disposal and recycling levels, demolition waste weights/volumes, construction weights/volumes, and recycling weights/volumes are to be reported to the City using Sunnyvale.wastetracking.com hosted by Green Halo. As part of the project's construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and submit these records through the website both periodically and at project completion [COA][ENVIRONMENTAL SERVICES]
- BP-38. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:
A detailed solid waste disposal and recycling design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for non-residential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-39. SOLID WASTE AND RECYCLING ENCLOSURE
The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The solid waste disposal and recycling facilities within the enclosure area or within buildings shall be designed with adequate size, space and clearance based upon City's latest guidelines. The required enclosures shall:
- a) Match the design, materials and color of the main building;
 - b) Be of masonry construction;
 - c) Be screened from view;
 - d) All gates, lids and doors shall be closed at all times;
 - e) Shall not conflict with delivery/receiving areas;
 - f) Shall be consistent with the approved Solid Waste and Recycling Management Plan;
 - g) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-40. RECYCLING AND SOLID WASTE CONTAINER:
All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

BP-41. SOLID WASTE SERVICES:

Waste and recycling services shall be maintained under one account for each of the public domestic water meters that serve an occupied building held by the applicant, owner or landlord, unless otherwise approved by the City. The account holder is responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [FINANCE/ENVIRONMENTAL SERVICES]

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

EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, signing/stripping plans, erosion control plans, traffic signal plans, and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate and the initial Engineer and Inspection plan review fee. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheets C1-C5 of Preliminary Improvement dated 4/1/2024 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/637820856582800000>

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/638097347304330000>

[COA] [PUBLIC WORKS]

EP-2. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-3. BENCHMARKS:

The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website [sunnyvale.ca.gov/home/showpublisheddocument/1590/6379979](https://www.sunnyvale.ca.gov/home/showpublisheddocument/1590/6379979)

[14061100000](#). Plans based on NGVD29 will not be accepted. [COA]
[PUBLIC WORKS]

EP-4. UTILITY CONNECTION:

This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]

EP-5. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new storm drain manhole, except where a pipe to pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR]
[PUBLIC WORKS]

EP-6. POTHOLING OF EXISTING UTILITIES:

Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing utilities. Use pothole information to identify possible conflicts between existing utilities and proposed new dry utilities, sewer and storm drain laterals, and water laterals 4" and larger. Potholing shall be performed during design after proposed locations of new laterals are not likely to change. Accurate elevations and locations of existing crossings shall be shown in profiles along gravity or pressure laterals 4" and larger. It is strongly recommended that both the top and bottom elevations of any existing fiber and electrical duct banks are potholed. [COA] [PUBLIC WORKS]

EP-7. EXISTING UTILITY ABANDONMENT/RELOCATION:

Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA]
[PUBLIC WORKS]

EP-8. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:

Developer is required to pay for all changes or modifications to existing City utilities, streets and other public utilities within or

adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]

EP-9. DRY UTILITIES:

Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]

EP-10. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]

EP-11. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of existing City water service laterals is not allowed. Existing sewer laterals must be abandoned or replaced unless the City allows them to be re-used. To propose re-use, the applicant shall submit CCTV video of the lateral to the City. The beginning of the video must show the front of the property to confirm its location before insertion into the pipe. Video must extend from the cleanout to the main. Camera may not be submerged at any time, and must include a footage counter. If the City feels that the lateral is in acceptable condition, and has no significant sags, damage, or root intrusion, the City may allow it to be re-used. The City may also require CCTV for proposed re-use of an existing storm drain lateral, on a case by case basis. Sheet C2, Preliminary Grading and Utility Plan dated 4/1/2024, is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-12. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:

Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install reduced pressure backflow prevention devices (RPBP) behind the street right-of-way for the domestic service line and a reduced pressure detector assembly (RPDA) and 5/8" water meter behind the street right-of-way for the fire service line. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

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- EP-13. PUBLIC FIRE HYDRANTS AND FIRE HYDRANT LATERALS:
Remove and replace the existing fire hydrant (FH) barrel and existing fire hydrant lateral on the Fremont Avenue project frontage with Clow 865 for mains 10” and larger. Install new Clow 865 fire hydrant barrel and lateral on the Wolfe Road frontage. New fire hydrant laterals and barrels must be located outside of existing and proposed tree driplines, or as determined by Department of Public Works. Hydrants shall be located per City standard detail 2B and 2B-2. Public fire hydrants shall be maintained a minimum of 3 horizontal feet from trees, vines, shrubs, bushes, and other obstacles. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-14. WATER METER:
Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-15. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
Install a separate irrigation water service line (separate from the domestic water service line) with a meter and backflow prevention device.

All landscape and irrigation systems, located in the public park strip areas shall be connected to the water system metered to the property owner. Install new reduced pressure backflow prevention devices on the discharge side of irrigation line on private property. Install backflow preventer enclosure where applicable. Backflows must adhere to City’s Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices.
[SDR] [PUBLIC WORKS]
- EP-16. SANITARY SEWER AND STORMDRAIN MANHOLES:
Install new sanitary sewer and storm drain manholes at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-17. NEW SEWER LATERAL CCTV VIDEO:
The contractor shall provide a CCTV video of new sewer laterals. Video must clearly show the front of the property before camera is inserted into the pipe. [COA] [PUBLIC WORKS]

- EP-18. **SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:**
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Department of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-19. **STORM DRAIN DESIGN:**
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The project impact to the existing storm drain main shall retain 1' below the lowest public street gutter flow elevation. The new storm drain main line shall be minimum 15 inches diameter. [COA] [PUBLIC WORKS]
- EP-20. **PUBLIC RIGHT-OF-WAY STORMWATER TREATMENT:**
Treatment measures for all stormwater must be located on-site, including treatment for stormwater runoff from impervious area in the public-right-of-way. Treatment measures shall be identified and included in the Stormwater Management Plan, required per BP-32 [SDR] [PUBLIC WORKS]
- EP-21. **CATCH BASIN TRASH CAPTURE DEVICES AND STENCILING:**
Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system. The developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled that read "NO DUMPING". Stencils may be borrowed and returned by coordinating with the Environmental Services Department by calling 408-730-7738. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- EP-22. **UTILITY METER/VAULT:**
No existing or new utility meters or vaults shall be located within the driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]
- EP-23. **DRIVEWAY APPROACHES:**
Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and per city standard detail 6C-2 and city standard specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

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- EP-24. CURB RAMPS:
Remove and replace all existing curb ramps and install two new directional curb ramps on the southwest corner and one COS Detail 13C-2 curb ramp on southeast corner of Wolfe Road at Fremont Avenue, or as deemed necessary by the Department of Public Works. Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]
- EP-25. STREETSCAPE IMPROVEMENTS:
Remove existing concrete curb, gutter, and sidewalk and install new concrete curb and 1' gutter, 4-foot landscape strip and 6-foot detached sidewalk along the Fremont Avenue and Wolfe Road frontages. This Condition of Approval supersedes the approved plans, which show a 2' gutter. A 1' gutter shall be installed instead. Provide sidewalk transition to conform to existing sidewalk at west and south end of the project limits. The perpetual maintenance of sidewalk improvements along the project frontages shall be the sole responsibility of the property owner [COA] [PUBLIC WORKS]
- EP-26. STREET PAVEMENT:
Grind and overlay 2.5" of rubberized asphalt from lip of gutter to the northern edge of the existing bike lane along the entire Fremont Avenue property frontage, or as directed by the Department of Public Works.
- Apply Type III slurry seal, from lip of gutter to lip of gutter, on along the entire Wolfe Road property frontage, or as directed by the Department of Public Works.
[SDR] [PUBLIC WORKS]
- EP-27. WOLFE ROAD WIDENING:
As identified in the 2016 Report to Bicycle and Pedestrian Advisory Commission 16-0262 and approved by City Council 14-0273 Authorize Capacity and Safety Improvements to the Wolfe Road Corridor from El Camino Real to Homestead Road (Study Issue), Wolfe Road is required to be widened to accommodate future bike lanes and a future additional northbound left turn pocket from Wolfe Road onto Fremont Avenue westbound. Along the Wolfe Road project frontage, curblines are to be shifted west approximately 7 to 8 feet as shown on sheets SD1 dated 06/20/18 and C2 dated 4/1/2024. [COA] [PUBLIC WORKS]
- EP-28. STREET LIGHTS:
Replace all existing streetlight conduits, wires and pull boxes with new ones along Wolfe Road and Fremont Avenue frontages to the end of the system per City's current standards. Install a new marbelite streetlight pole on the west side of Wolfe Road 120 feet

south of the existing traffic signal safety light located on the southwest corner of Wolfe Road at Fremont Avenue.

Submit separate streetlight plans concurrently with the off-site improvement plan review to include installation of new conduits, existing and/or new locations of power source connection and new service pedestal, conductors, pull boxes, voltage drop and load calculations, and any other streetlight equipment as required to be installed by the Developer per latest City standard details and specifications and National Electric Code.

Developer shall comply with the City's street light design guidelines and plan check submittal requirements as provided by the City upon request.

Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance.

Upon Completion of the streetlight improvements, developer shall provide drawings to the City in AutoCAD format. [COA] [PUBLIC WORKS]

EP-29. SIGNING AND STRIPING PLANS:

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. A striping plan shall be designed as an interim for the future lane configuration of Wolfe Road, as determined by the Public Works Department. [SDR] [PUBLIC WORKS]

EP-30. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. Per the City's Temporary Traffic Control Checklist, the traffic control plan shall include a summary of the traffic control types, dates, times and blocks affected. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-31. TRAFFIC SIGNAL IMPROVEMENTS:

Traffic signal modification at the southwest and southeast corner of the Wolfe Road and Fremont Avenue intersections shall be required, including, but not limited to, a new signal pole (including foundation, signal heads), new ADA push buttons on both sides of the western and southern crosswalks, in accordance with current City design guidelines, Caltrans Standards, and City Traffic Signal Specification. Traffic signal improvements shall be designed to

accommodate the new ADA curb ramps affected by the Wolfe Road widening. [COA] [PUBLIC WORKS]

EP-32. CITY STREET TREES:

The developer shall install required street trees along the project frontage as follows: Wolfe Road: *Brachychiton acerifolius* – Australian Flametree; Fremont Avenue: *Quercus shumardii* – Shumard Oak. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed Public Utility Easement. [SDR] [PUBLIC WORKS]

EP-33. PROTECTION OF EXISTING TREES:

No utility trench shall be allowed within 15' radius of an existing mature tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature tree. Consult with the City Arborist prior to adjusting locations of utility lines. [SDR] [PUBLIC WORKS]

EP-34. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:

Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction, to City's satisfaction by the Public Works Department. All existing streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, and traffic signal conduits shall be protected in place during construction. Any damaged streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, and traffic signal conduits shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]

EP-35. APPROVAL FROM OTHER AGENCIES:

This project requires approval letter/permit from the Santa Clara Valley Water District for relocation of the existing reclaimed water structure on Wolfe Road. [COA] [PUBLIC WORKS]

EP-36. VTA COORDINATION:

Developer shall notify VTA of the proposed improvement plans to determine if any VTA routes will be impacted during construction. Developer shall work directly with VTA on these construction impacts by emailing bus.stop@vta.org or calling 408-321-5800 a minimum of 2 business days in advance to work at the bus stop area. For impacts that require removal of a shelter during

construction, a minimum of 2 weeks' notice is required. For street closures, a week advance notification is required to reroute buses. For impacts to a concrete bus pad, a minimum of 2 weeks is required to obtain a VTA permit.

EP-37. EASEMENT DEEDS:

This project requires a minimum of 11' street right-of-way measured from the face of the curb to property line on both the Wolfe Road and Fremont Avenue frontages. Developer shall provide additional street dedication on Fremont Avenue, approximately three (3) additional feet. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. Developer shall execute the easement deeds prior to encroachment permit issuance. [COA] [PUBLIC WORKS]

EP-38. PARTIAL ROADWAY AND UTILITIES EASEMENT VACATION:

A portion of the existing Roadway and Utilities Easement (L452 PG 1792) along Wolfe Avenue shall be vacated prior to encroachment permit sign off. Existing easement is larger than required and shall be partially vacated as approximately shown on plans sheet SD1 dated 06/20/18. [COA] [PUBLIC WORKS]

EP-39. RESERVATION/ABANDONMENT OF EASEMENTS:

Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with a separate instrument, unless otherwise approved by the Department of Public Works. Quitclaim deed is required for abandonment of private easements. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]

EP-40. RECORD DRAWINGS:

Stamped and signed hard copy record drawings of the off-site improvements (including off-site street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. In addition, streetlight record drawings shall be in AutoCAD format & GIS format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-41. PUBLIC WORKS DEVELOPMENT FEES:

Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be

determined based upon the fee rate at the time of fee payment.
[COA] [PUBLIC WORKS]

EP-42. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:
Developer shall execute an Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to any permit issuance. [COA] [PUBLIC WORKS]

EP-43. OFF-SITE IMPROVEMENT COST ESTIMATE:
Provide an itemized engineer's estimate for all off-site public improvements for the entire project. [COA] [PUBLIC WORKS]

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

PF-1. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. PARKING LOT STRIPING:
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

PF-3. NOISE REDUCTION VERIFICATION:
Following construction completion, the project acoustical consultant shall measure interior and exterior noise levels to confirm they are within allowable City of Sunnyvale noise standards and submit a report to the Director of Community Development prior to occupancy. If noise levels exceed allowable standards, the project applicant shall work with the project acoustical consultant on a compliance plan to reduce noise to acceptable levels, subject to the review and approval of the Director of Community Development. The project applicant shall incorporate all approved subsequent measures and confirm with additional testing that acceptable levels are met prior to occupancy of the units. [COA] [PLANNING]

PF-4. COMPLETION OF SITE REMEDIATION:
Prior to any building occupancy, the applicant shall provide documentation from the appropriate regulatory agency (County of Santa Clara Department of Environmental Health, California Department of Toxic Substances Control, or State of California San Francisco Bay Regional Water Quality Control Board) confirming that all required site remediation measures required to occupy any

building or site have been completed and that plans have been provided for ongoing monitoring, if required, to the satisfaction of the agency. Deed restrictions, if required by the external oversight agency, shall be recorded prior to final occupancy. [COA] [PLANNING]

- PF-5. VERIFICATION OF GREEN BUILDING MEASURES:
Prior to any nonresidential building occupancy, the applicant shall provide documentation from the project's LEED AP confirming the project has been built to achieve the minimum points required and that the project should be eligible to be certified by the U.S. Green Building Council (USGBC) at the approved LEED level. [COA] [PLANNING] [BUILDING]
- PF-6. NEW PUBLIC EASEMENTS LOCATED ON-SITE:
Any new easements required for public use purpose shall be shown on a recorded Easement Deed as deemed necessary by the Department of Public Works prior to any building occupancy. [COA] [PUBLIC WORKS]
- PF-7. COMPLETION OF PUBLIC IMPROVEMENTS:
Developer shall complete all required public improvements in accordance with City approved plans, prior to any building occupancy. [COA] [PUBLIC WORKS]

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

- DC-1. BLUEPRINT FOR A CLEAN BAY:
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]
- DC-2. TREE PROTECTION:
All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]
- DC-3. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:
OR 2.1: Idling times will 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]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.

OR 2.2: Construction equipment must be maintained per manufacturer's specifications.

OR 2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

- i. Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
- ii. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- iii. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- iv. Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]

DC-4. DUST CONTROL:

At all times, the Bay Area Air Quality Management District's CEQA Guidelines and "Basic Construction Mitigation Measures Recommended for All Proposed Projects", shall be implemented. [COA] [PLANNING]

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

AT-1. HOURS OF OPERATION:

The use permitted as part of this application shall comply with the following hours of operation at all times:

- a) The proposed convenience store is allowed to operate 24 hours a day, seven days a week.
- b) The hours of operation are limited to 8:00 a.m. to 10:00 p.m. for standard hours of operation for the proposed takeout restaurant use. Hours extending beyond midnight shall require approval of the Director of Community Development through a Miscellaneous Plan Permit. [COA] [PLANNING]

AT-2. CHANGE IN LAND USE:

Any changes to the proposed land use, such as the addition of additional dining areas for the takeout restaurant, must require approval from the Director of Community Development through a Planning permit. If the modification meets the trip generation threshold, a Transportation Impact Analysis (TIA) may also be required. [COA] [PLANNING]

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- AT-3. DELIVERY HOURS:
Delivery hours for the approved use shall comply with SMC 19.42.030:
- a) Delivery hours are limited to daytime (period from 7:00 a.m. to 10:00 p.m. daily) only.
 - b) Nighttime delivery (period from 10 p.m. to 7:00 a.m. daily) is prohibited. [SDR] [PLANNING]
- AT-4. RECYCLING AND SOLID WASTE:
All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]
- AT-5. LOUDSPEAKERS PROHIBITED:
Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]
- AT-6. EXTERIOR EQUIPMENT:
All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]
- AT-7. LANDSCAPE MAINTENANCE:
All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]
- AT-8. LANDSCAPED BUFFER:
Maintain the eight-foot masonry wall, and ten-foot wide landscaped buffer along the side property line. [SDR] [PLANNING]
- AT-9. AWNINGS:
Fabric awnings shall be replaced at least every five (5) years. Any change of color, materials or design and are subject to review and approval by the Director of Community Development. [COA] [PLANNING]
- AT-10. PARKING MANAGEMENT
On-site parking management shall conform with the approved parking management plan. [COA] [PLANNING]
- AT-11. PARKING LOT MAINTENANCE:
The parking lot shall be maintained in accordance with the approved plans and as follows:

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

AT-12. DISPLAY NEAR FRONT DOOR (SERVICE STATIONS ONLY):
No beer or wine shall be displayed within 5 feet of the cash register or front door unless it is inside a permanently-affixed cooler. [COA] [PLANNING]

AT-13. DISPLAY AT MOTOR FUEL ISLANDS (SERVICE STATIONS ONLY):
No advertisement of alcoholic beverages shall be displayed at motor fuel islands. [COA] [PLANNING]

AT-14. EMPLOYEE AGE (SERVICE STATIONS ONLY):
Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. who sell beer or wine shall be at least 21 years old. [COA] [PLANNING]

AT-15. PROHIBITION OF SINGLE SERVINGS SALES (SERVICE STATIONS ONLY):
The sale of single servings of beer or wine is prohibited. For the purpose of this condition of approval, a single serving shall be defined as "less than 24 fluid ounces of beer or wine." [COA] [DEPARTMENT OF PUBLIC SAFETY]

AT-16. ALCOHOL DISPLAY AREA:
The display of alcoholic beverages shall be limited to be no more than 40% of the total floor area. [COA] [DEPARTMENT OF PUBLIC SAFETY]

AT-17. RESPONSIBLE ALCOHOL TRAINING:
The Permittee shall ensure all employees receive "'Responsible Alcoholic Beverage Service" training as offered through programs established by the Alcoholic Beverage Control of the State of California. Evidence of such training and the training records of all employees shall be maintained on-site during business hours and made available for inspection upon request. [COA] [DEPARTMENT OF PUBLIC SAFETY]

-
- AT-18. NO LOITERING AND GRAFFITI PREVENTION:
The Permittee shall install "No loitering" signs to discourage customers from loitering and drinking of alcohol on the property. The Permittee shall be responsible to pick up litter and abate graffiti twice each day. [COA] [DEPARTMENT OF PUBLIC SAFETY]
- AT-19. SECURITY SYSTEM:
The Permittee shall implement a silent or audible alarm system to increase security at this location and utilize digital security cameras with instant viewing capabilities that cover the store entrance and exit, entire building perimeter, parking lot areas, shipping and receiving areas and store interior. [COA] [DEPARTMENT OF PUBLIC SAFETY]
- AT-20. ADDRESSING:
Address numbers shall be easily readable from the street. Numbers a minimum of 12" is recommended. Businesses with rear alley entrance doors shall be numbered with the same address numbers. Numbers that are a minimum of 4" are recommended. [COA] [DEPARTMENT OF PUBLIC SAFETY]
- AT-21. DOOR SECURITY MEASURES:
Adequate security hardware, such as dead bolt locks, should be installed. All glass doors shall be secured with a dead bolt. Dead bolt locks shall be of the type whose dead bolt and deadlocking latch can be retracted by a single action of the inside doorknob/lever/turn-piece.
Overhead roll-up doors shall be secured from the inside by a cylinder lock or padlock which cannot be defeated from outside the door. [COA] [DEPARTMENT OF PUBLIC SAFETY]
- AT-22. WINDOWS SECURITY MEASURES:
Consider alternatives to tinted windows. They can prevent patrol and/or SWAT action by obstructing interior view in the event of a takeover or other emergency situation.

If tinted windows are used, leave lights on at night to allow patrol to view interior activity. Bullet resistant glass should be installed at attendant's kiosk if necessary.

Louvered windows shall not be used large display-type window, and any window accessible from the side and rear, but not visible from the street, should consist of rated burglary-resistant glazing or its equivalent. The "lock wrap" type that attaches to the window frame is recommended. [COA] [DEPARTMENT OF PUBLIC SAFETY]
- AT-23. ROOFTOP AND OPENINGS SECURITY MEASURES:

One of the following shall be utilized on all skylights:

- Rated burglary-resistant glass or acrylic material
- Iron bars of at least on half-inch diameter or flat steel bars of at least one quarter inch width, spaced no more than five inches apart under the skylight and securely fastened.
- Grill of at least one eighth-inch steel and two-inch mesh.

All hatchway openings on the roof of any building shall be secured as follows:

- If the hatchway is wooden, it shall be covered on the outside with at least 16-gauge sheet steel or its equivalent, attached in a manner that makes removal difficult.
- The hatchway shall be secured from the inside with a slide bar or slide bolts.
- Only a crossbar or padlock provided by the fire marshal shall be used. Outside pin-type hinges on all hatchway openings shall have nonremovable pins.

Exterior rooftop ladders should be eliminated or incorporated into the interior design. All air duct or air vent openings exceeding 8" by 12" on the rooftop or exterior walls of any building shall be secured by means of:

- Iron bars of at least one half-inch diameter, or flat steel bars of at least one quarter-inch width, spaced no more than five inches and securely fastened.
- Grill of at least one eight-inch steel and two-inch mesh
- If the barrier is on the outside, it shall be secured with galvanized rounded head, flush bolts of at least one-fourth inch in diameter. [COA] [DEPARTMENT OF PUBLIC SAFETY]

AT-24. LIGHTING SECURITY MEASURES

Monument signs shall be well-lit during hours of darkness.

Interior night-lights shall be used during hours of darkness when premises are closed for business.

Adequate lighting of plot and grounds contiguous to buildings shall be provided with LED lighting with sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for all persons, property, and vehicles on site. [COA] [DEPARTMENT OF PUBLIC SAFETY]

Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
AIR QUALITY				
The project would result in less than significant criteria air pollutant emissions by being below the BAAQMD thresholds of significance and with the implementation of LUTE EIR mitigation measure MM 3.5.3.	<p>LUTE MM 3.5.3: Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District’s (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents.</p> <p>In the cases where construction projects are projected to exceed the BAAQMD’s air pollutant significance thresholds for NO_x, PM₁₀, and/or PM_{2.5}, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.</p>	Prior to issuance of grading or building permits, the applicant shall ensure that the basic construction mitigation measures from Table 5-2 of the BAAQMD 2022 CEQA Air Quality Guidelines (latest update) are printed on the construction documents. ¹	All basic construction mitigation measures from Table 5-2 of the BAAQMD 2022 CEQA Air Quality Guidelines (latest update) shall be printed on all construction documents.	City of Sunnyvale-Community Development Director
The project with implementation of	<p>MM AIR-1.1: Pursuant to LUTE FEIR mitigation measure MM 3.5.6, the project shall implement a</p>	Prior to issuance of demolition and	The TAC reduction plan	City of Sunnyvale

¹ Bay Area Air Quality Management District. *2022 CEQA Air Quality Guidelines*. Revised April 25, 2023. Table 5-2.

Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
LUTE MM 3.5.6 would reduce toxic air contaminant emissions to a less than significant level.	feasible plan to reduce diesel particulate matter (PM) emissions from construction by at least 80 percent such that increased cancer risk and PM _{2.5} concentrations from construction would be reduced below toxic air contaminant (TAC) significance levels as follows: <ul style="list-style-type: none"> • All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM₁₀ and PM_{2.5}), if feasible, otherwise, <ul style="list-style-type: none"> ○ If use of Tier 4 equipment is not feasible, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include PM emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve an 80 percent reduction in PM exhaust in comparison to uncontrolled equipment. Alternatively, or in combination, 	grading permits, the applicant is responsible for completing a plan to identify measures that can reduce diesel PM emissions by at least 80 percent, and printing the measures on the construction documents. During construction, applicant and its contractors are responsible for implementing the diesel particulate matter control measures identified in the	shall be reviewed by an air quality expert and approved by the City. All measures to control PM emissions during construction shall be printed on all construction documents, contracts, and project plans.	Community Development Director

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> ○ Use of electrical or non-diesel fueled equipment. ● Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel PM emissions by 80 percent or greater. Elements of the plan could include a combination of some of the following measures: <ul style="list-style-type: none"> ○ Implementation of the first bullet above to use Tier 4 or alternatively fueled equipment, ○ Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors, ○ Use of electrically-powered equipment, 	<p>construction documents.</p>		

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> ○ Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered, ○ Change in construction build-out plans to lengthen phases, and ○ Implementation of different building techniques that result in less diesel equipment usage. ● The construction operations plan would be subject to review by an air quality expert and shall be approved by the City prior to construction. 			
BIOLOGICAL RESOURCES				
The project would comply with the MBTA and CDFW requirements to protect and avoid impacts to nesting birds with	MM BIO-1.1: Pursuant to the LUTE FEIR, the project shall comply with the MBTA and CDFW requirements to protect and avoid impacts to nesting birds by scheduling construction activities to avoid the nesting season to the extent feasible. The nesting season for most birds, including most	The applicant is responsible for ensuring construction activities avoid the nesting season to the extent feasible.	Prior to issuance of a grading permit or tree removal, a final report of the pre-	City of Sunnyvale Director of Community Development

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>implementation of MM BIO-1.1.</p>	<p>raptors, in the San Francisco Bay area extends from February 1 through August 31.</p> <p>If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).</p> <p>During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist shall determine the extent of a construction free buffer zone to be established</p>	<p>The applicant is responsible for ensuring pre-construction surveys are completed by a qualified ornithologist (as described in mitigation measure MM BIO-1.1) if construction and tree removal occur between September and January. Any construction buffer zone must be implemented and maintained during construction activities.</p>	<p>construction survey for nesting birds, including any protection measures completed, shall be submitted by the applicant to the City.</p>	

Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.	Prior to the start of grading or tree removal, the applicant is responsible for submitting a final report of nesting birds to the City.		
HAZARDS AND HAZARDOUS MATERIALS				
The project would reduce impacts from residual contamination in soil and groundwater to a less than significant level with implementation of MM HAZ-1.1.	MM HAZ-1.1: As stated in the 2015 case closure letter from the Santa Clara County Department of Environmental Health (SCCDEH), any land use change, grading activities, excavation, and installation of water wells on-site shall be notified by the property owner or project applicant to the Sunnyvale Community Development Department and Department of Public Safety (DPS). A Site Management Plan (SMP) and Health Safety Plan (HSP) for redevelopment activities on-site shall be prepared by the project applicant. The SMP shall include (1) protocols for proper closure of the existing gasoline station (including its underground	Prior to issuance of a grading permit, the applicant is responsible for having a SMP and HSP prepared. The SMP shall be prepared as outlined in MM HAZ-1.1. The applicant shall submit a copy of	The SMP and HSP shall be approved by a regulatory oversight agency (if required) and submitted to the City.	City of Sunnyvale Director of Community Development

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>storage tanks) and restaurant under the supervision of DPS, (2) methodologies for collecting and testing soil/soil vapor/groundwater sampling for contaminants associated with the former agricultural use (e.g., pesticides), the potential presence of lead based paint in soil surrounding the structures, and current gasoline operations (e.g., total petroleum hydrocarbons and volatile organic compounds), (3) management practices for handling, remediation, and disposal of impacted soil/groundwater or other materials that may potentially be encountered during construction activities, and (4) protocols for accepting imported fill materials.</p> <p>The soil/soil vapor/groundwater sampling completed as part of the SMP shall be compared against the applicable screening levels published by the RWQCB, DTSC and/or EPA. - If there are no contaminants identified that exceed applicable screening levels published by the RWQCB, DTSC and/or EPA, the SMP does not need to be submitted to an oversight agency, and shall only be submitted to the City prior to the</p>	<p>the SMP to the City. If contamination is found on-site, the SMP shall be submitted to an oversight agency for review and approval and that approved SMP shall be submitted to the City. In either case, the SMP shall be submitted to the City prior to the issuance of a permit for grading and excavation.</p> <p>During construction, applicant and their contractors are</p>		

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
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	<p>beginning of construction earthwork activities and issuance of a permit for grading and excavation. - If contaminants are identified at concentrations exceeding applicable screening levels, the SMP shall be submitted for review and approval by an appropriate regulatory oversight agency (e.g., SCCDEH). Further investigation may be required by the oversight agency to determine the extent of contamination (i.e., location and concentration level) and the appropriate measures required to remediate the contamination for the proposed land use(s) shall be confirmed and implemented. Remediation measures could include operation of soil vapor and groundwater extraction and treatment systems. A copy of the approved SMP shall be submitted to the City prior to the issuance of a permit for grading and excavation.</p>	<p>responsible for implementing the SMP and HSP.</p>		
Noise				
<p>The project would not result in a significant temporary increase in ambient noise</p>	<p>LUTE MM 3.6.3: New development and public projects shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and vibration. These measures shall be included in a Noise</p>	<p>Prior to the issuance of demolition and grading permits, the applicant is</p>	<p>The applicant shall submit a Noise Control Plan for review and</p>	<p>City of Sunnyvale Director of Community Development</p>

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
<p>levels with implementation of LUTE MM 3.6.3.</p>	<p>Control Plan that shall be submitted for review and approval by the City. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> • Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds). • Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, 	<p>responsible for preparing a Noise Control Plan pursuant to LUTE MM 3.6.3 and submitting it to the City for approval.</p> <p>During construction, applicant and their contractors are responsible for implementing the noise control measures identified.</p>	<p>approval by the City.</p>	

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<p>incorporate insulation barriers, or include other measures.</p> <ul style="list-style-type: none"> • Unnecessary idling of internal combustion engines should be strictly prohibited. • Construction staging areas shall be established at locations that create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors. • Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. • Where feasible, temporary power service from local utility companies should be used instead of portable generators. 			

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	<ul style="list-style-type: none"> • Locate cranes as far from adjoining noise-sensitive receptors as possible. • During final grading, substitute graders for bulldozers, where feasible. • Wheeled heavy equipment are quieter than track equipment and should be used where feasible. <p>MM NOI-1.1: Consistent with LUTE mitigation measure MM 3.6.3, the project shall implement the following project-specific measures:</p> <ul style="list-style-type: none"> • The contractor shall designate a “noise disturbance coordinator/ superintendent” who will be responsible for tracking and responding to any local complaints about construction noise. The noise disturbance coordinator/superintendent shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures are implemented to correct the problem. The telephone number for the noise disturbance coordinator/superintendent shall be posted at the construction site and 			

Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	included in any construction notices sent to neighbors.			
<p>The project would reduce construction vibration levels to a less than significant level with implementation of MM NOI-1.2.</p> <p>Same Impact as Approved Project</p>	<p>MM NOI-1.2: Consistent with LUTE mitigation measure MM 3.6.3, the project shall implement to prepare a Noise Control Plan with measures to reduce vibration levels below 0.25 in/sec PPV for older buildings and 0.5 in/sec PPV for conventional buildings, which may include the following project-specific measures:</p> <ul style="list-style-type: none"> • Prohibit the use of heavy vibration-generating construction equipment within 25 feet of residences. Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 25 feet of residences adjoining the site. • Avoid dropping heavy equipment within 25 feet of residences. Use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects within 25 feet of residences adjoining the site. • The contractor shall alert heavy equipment operators to the close proximity of the 	<p>Prior to the issuance of demolition and grading permits, the applicant is responsible for preparing a Noise Control Plan pursuant to LUTE MM 3.6.3 and submitting it to the City for approval.</p> <p>During construction, applicant and their contractors are responsible for implementing the noise control measures identified.</p>	<p>The applicant shall submit a Noise Control Plan for review and approval by the City.</p>	<p>City of Sunnyvale Director of Community Development</p>

<p align="center">Mitigation Monitoring and Reporting Program 898 E. Fremont Avenue Gas Station Project File # 2016-7978</p>				
Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	adjacent structures so they can exercise extra care.			



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NOT FOR CONSTRUCTION

**CHEVRON GAS STATION,
CONVENIENCE STORE & GSR
898 E. FREMONT AVE.
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SHEET INDEX

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C2	EXISTING CONDITIONS
C3	PRELIMINARY GRADING & UTILITY PLAN
C4	INTERSECTION LAYOUT
C5	PRELIMINARY STORMWATER CONTROL PLAN
LA1	STREET HALF SECTION
LA2	LANDSCAPE PLAN
SD1-L	LANDSCAPE DETAILS
AL1	SITE LIGHTING PHOTOMETRIC
AL2	FLOOR PLAN
A2.1	ROOF PLAN
A2.2	BUILDING ELEVATIONS
CA1	STREET VIEW ELEVATION
CA2	CANOPY ELEVATIONS

SITE INFO

APN#	304-10-015
JURISDICTION:	CITY OF SUNNYVALE, CA
CURRENT ZONING:	C-1 (PD)
LOT SIZE:	26,883 S.F. (0.62 ACRES)
PROPOSED LOT SIZE:	23,821 S.F.
EXISTING LANDSCAPE AREA:	321 S.F. (1.19%)
PROPOSED LANDSCAPE AREA:	3,708 S.F. (16.0%)
EXISTING BUILDING AREA:	1,157 S.F.
PROPOSED BUILDING AREA:	8,014 S.F.
CONVENIENCE STORE:	2,346 S.F.
GSR:	1,218 S.F.
FUEL CANOPY:	4,400 S.F.
FAR:	8,014 S.F./23,888 S.F. = 0.34
PARKING REQUIREMENTS:	
CONVENIENCE STORE:	2.5 PER 1000 S.F.
2,346 S.F. / 1000 X 2.5 = 5.91 = 6 SPACES	
GSR (TAKE OUT):	4 PER 1000 S.F.
1,218 S.F. / 1000 X 4 = 5 SPACES	
PARKING REQUIRED:	11 SPACES
PARKING PROVIDED:	10 SPACES
STANDARD PARKING SPACES:	5 SPACES
EV CHARGING PARKING SPACE:	4 SPACES
VAN ACCESSIBLE PARKING SPACE:	1 SPACE

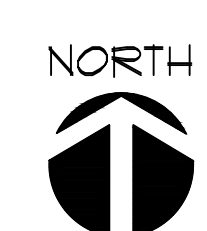
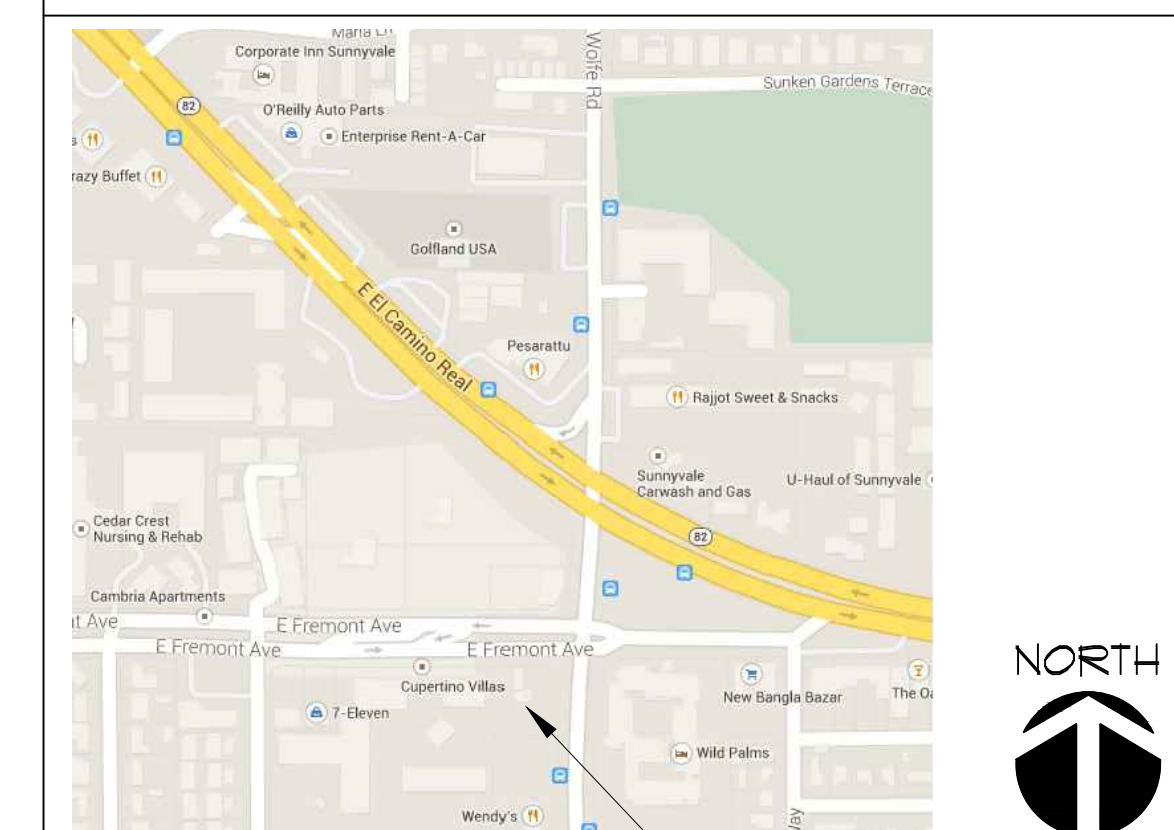
SITE PLAN LEGEND

	NEW LANDSCAPING
	NEW CONCRETE PAVING
	BIO PLANTER, SEE CIVIL DWGS.
	4 FT. WIDE (MIN.) ACCESSIBLE ROUTE OF TRAVEL, SHALL NOT EXCEED 5% SLOPE IN THE DIRECTION OF TRAVEL AND 2% CROSS SLOPE
	EXISTING TO REMAIN
	EXISTING CURB TO REMAIN
	NEW CONCRETE CURB

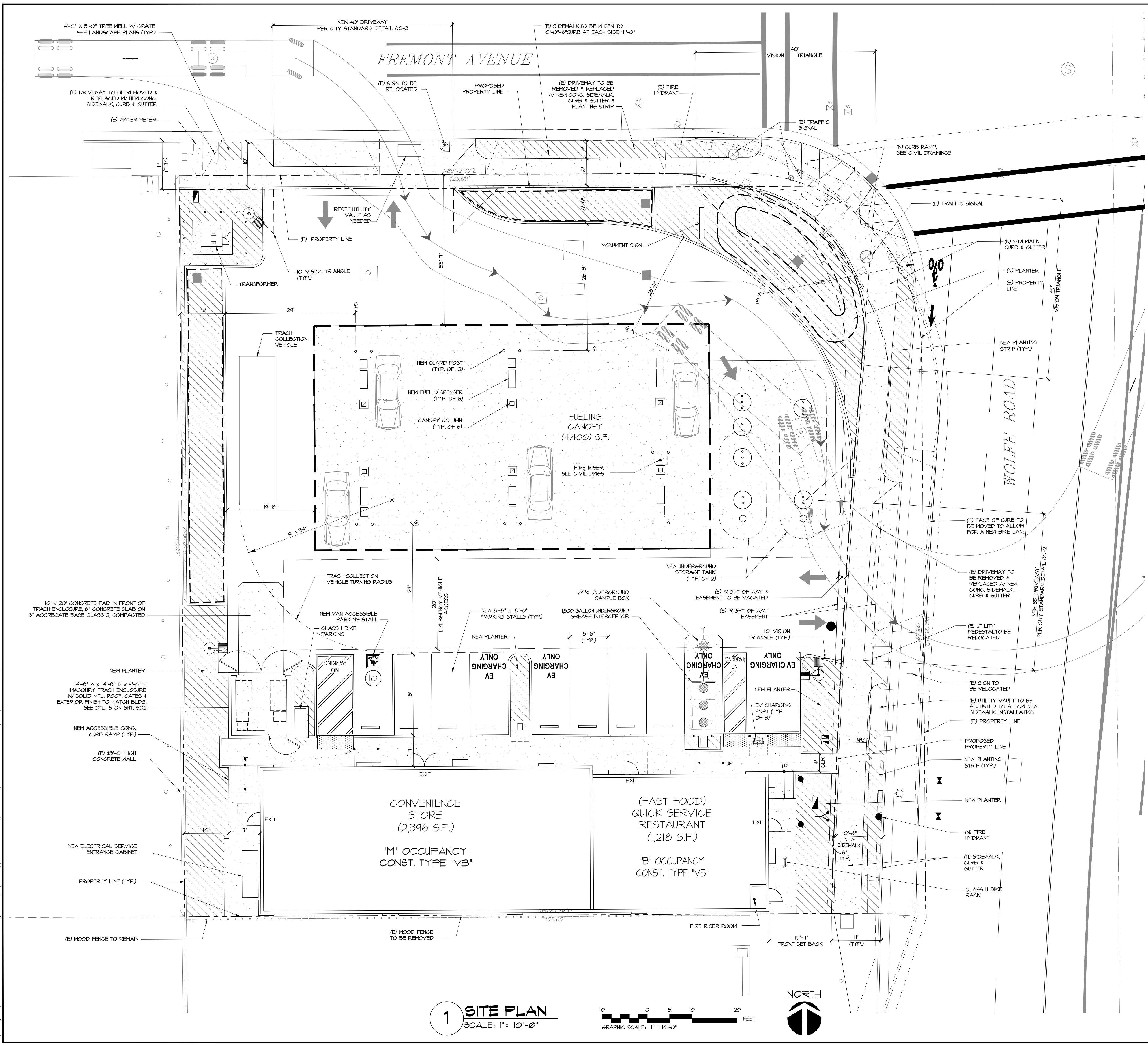
PROJECT DIRECTORY

ARCHITECT M I ARCHITECTS, INC. 1801 OAKLAND BLVD, SUITE 300 WALNUT CREEK, CA 94596 TEL: (925) 287-1174 x1 FAX: (925) 943-1581 CELL: (925) 878-9875 MR. MUTHANA IBRAHIM, ARCHITECT	DEVELOPER PETROLEUM INVESTMENTS, LLC 1500 FASHION ISLAND BLVD., SUITE 104 SAN MATEO, CA 94404 TEL: (650) 346-8282 MR. JAMES LIN
LANDSCAPE ARCHITECT GIARDELLA ASSOCIATES 640 MENLO AVE, SUITE 10 MENLO PARK, CA 94025 TEL: (650) 326-6100 FAX: (650) 323-6706 MR. RICHARD GIARDELLA	CIVIL ENGINEER STUKAM CONSULTING ENGINEERS, INC. 8999 GREENBACK LANE, 2ND FLOOR ORANGEVALE, CA 95662 TEL: (916) 835-5711 FAX: (916) 988-6316 MR. FAREED T. SIDDIQUI, P.E.

VICINITY MAP



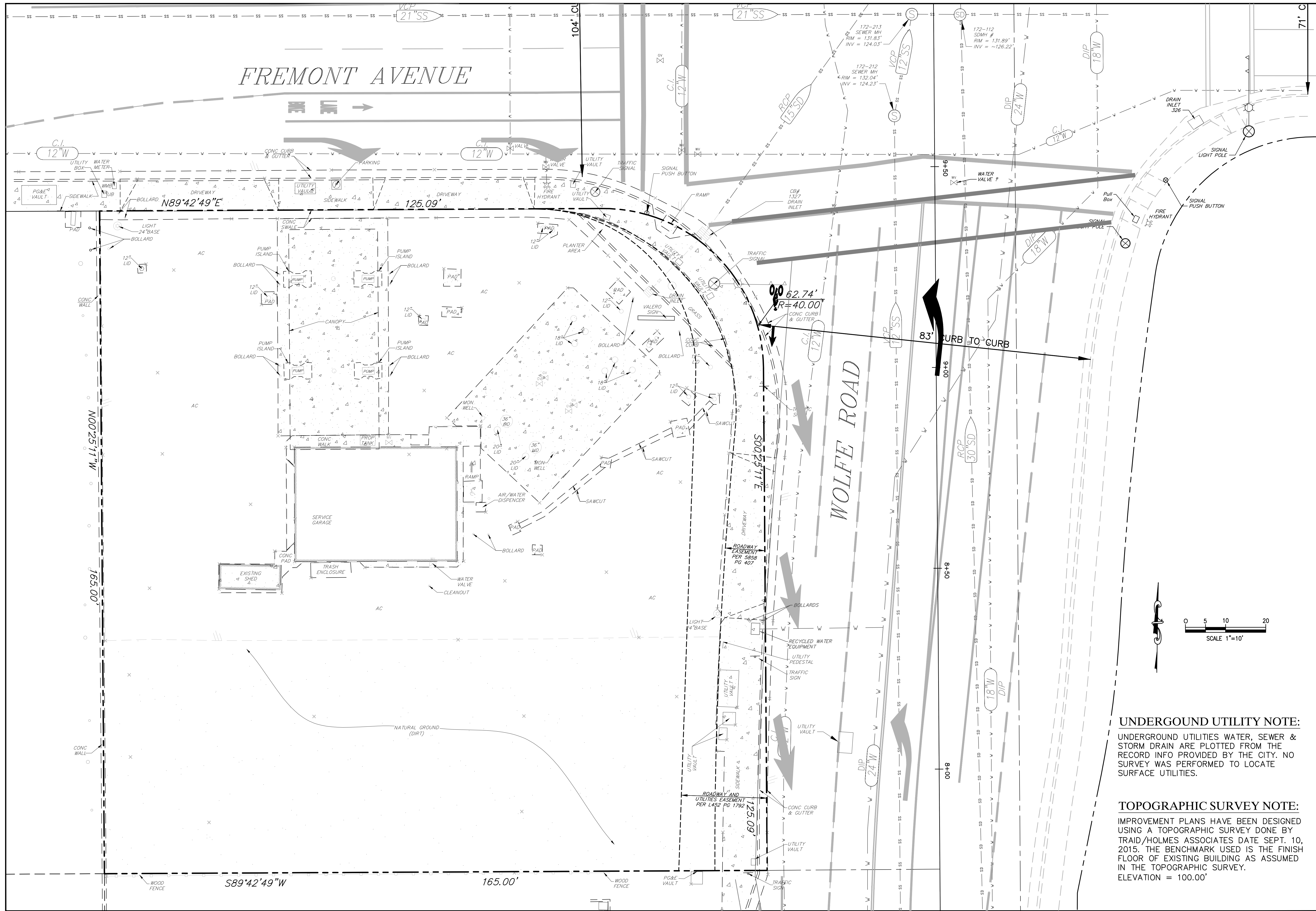
SD1



1 SITE PLAN
SCALE: 1" = 10'-0"
GRAPHIC SCALE: 1" = 10'-0"
FEET

S:\1-Projects\13-4304-898 E Fremont Ave Sunnyvale\DWG's\Planning\13-4304-898.dwg modified by Muthana Ibrahim at Apr 09, 2024 - 5:45pm

PROJECT # 13-4304
DRAWN: JM CHECKED: MI
SCALE: AS NOTED DATE: 06-20-18

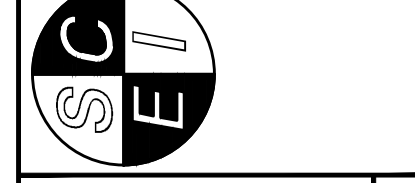


NO.	DATE	BY	CS	REVISIONS



BAY AREA OIL SUPPLY, INC.
 JAMES LIN
 1500 FASHION ISLAND BLVD., 104
 SAN MATEO, CA 94404
 PHONE: (650) 346-8282

STUKAM CONSULTING ENGINEERS, INC.
 11344 COLOMA RD, SUITE 235C
 GOLD RIVER, CA 95670
 (916) 858-8241 PHONE
 (916) 988-6316 FAX



EXISTING CONDITIONS
 898 E. FREMONT AVE.
 CHEVRON GAS STATION
 CONVENIENCE STORE & QSR
 APN: 309-10-015

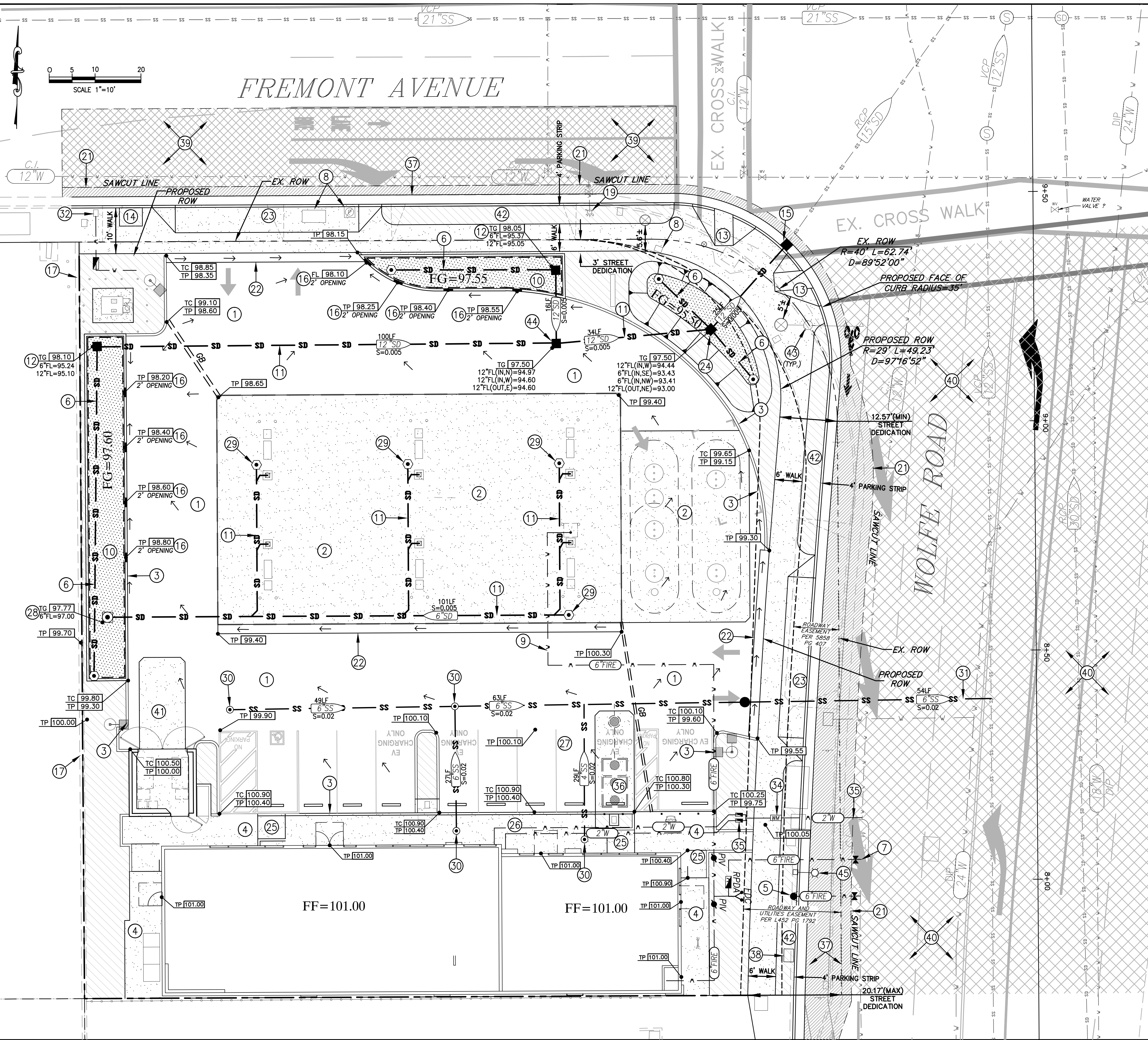
CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
 JOB NO: 2016-042 [Designed: FTS] [Checked: FTS] [Date: 4/1/2024]

SHEET
 C1
 Of 5 SHEETS

JOB NUMBER:
 2016-042

UNDERGROUND UTILITY NOTE:
 UNDERGROUND UTILITIES WATER, SEWER & STORM DRAIN ARE PLOTTED FROM THE RECORD INFO PROVIDED BY THE CITY. NO SURVEY WAS PERFORMED TO LOCATE SURFACE UTILITIES.

TOPOGRAPHIC SURVEY NOTE:
 IMPROVEMENT PLANS HAVE BEEN DESIGNED USING A TOPOGRAPHIC SURVEY DONE BY TRAUD/HOLMES ASSOCIATES DATE SEPT. 10, 2015. THE BENCHMARK USED IS THE FINISH FLOOR OF EXISTING BUILDING AS ASSUMED IN THE TOPOGRAPHIC SURVEY. ELEVATION = 100.00'



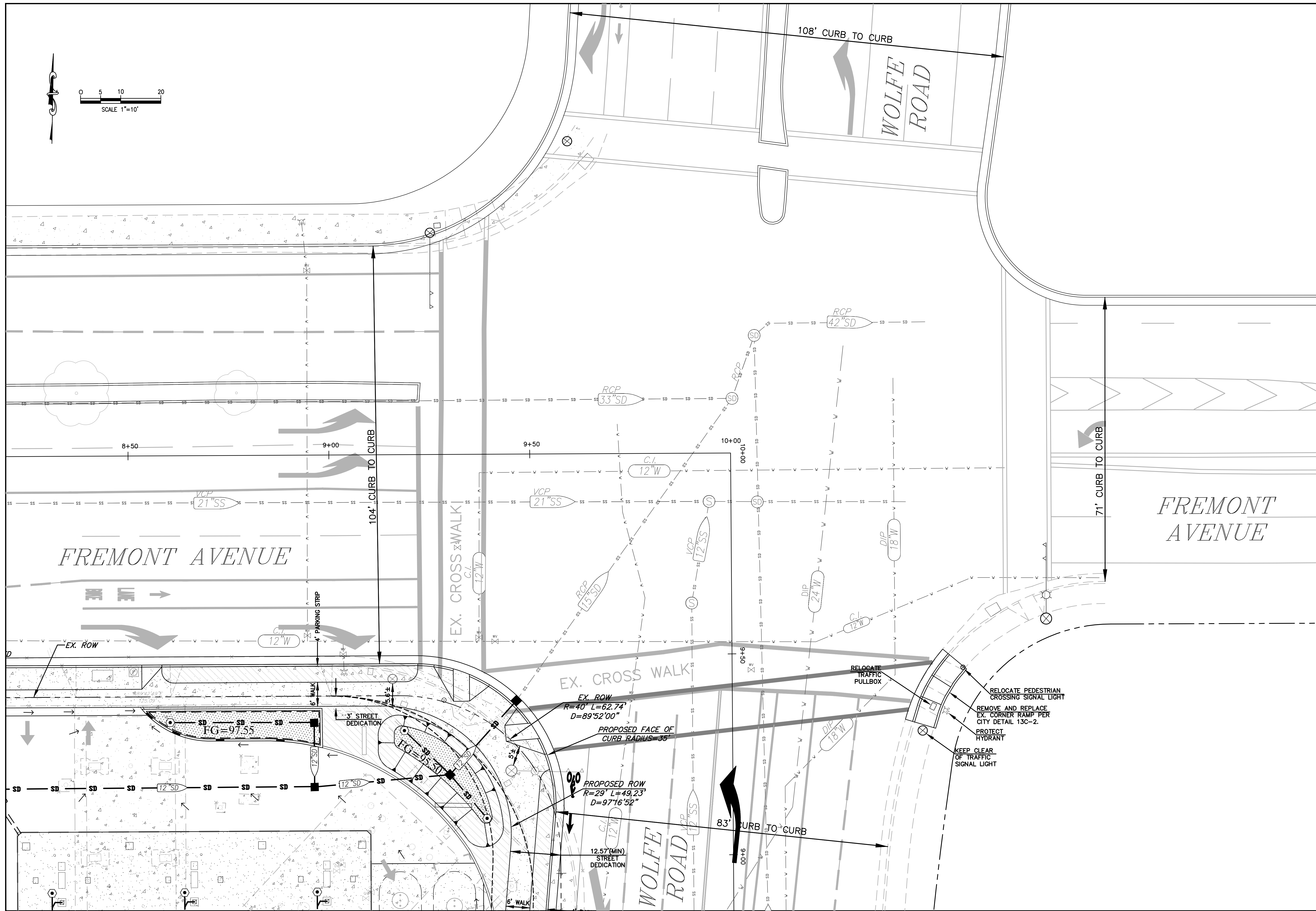
PROPOSED IMPROVEMENT NOTES:

- 1 PLACE 3.5" AC OVER 6" AB COMPACTED TO A MINIMUM 95% COMPACTION.
- 2 PLACE 6" PCC OVER 4" AB COMPACTED TO A MINIMUM 95% COMPACTION.
- 3 CONSTRUCT 6" VERTICAL CURB.
- 4 SIDEWALK, PLACE 4"(MIN)PCC OVER 4"(MIN)AB COMPACTED TO A MINIMUM 95% COMPACTION.
- 5 NEW FH PER CITY STD DETAIL 2B.
- 6 PLACE 6" PERFORATED STORMDRAIN INSIDE BIO-PLANTER.
- 7 NEW 6" FIRE SERVICE AND RPDA PER CITY DETAIL 21B.
- 8 RELOCATE EXISTING UTILITIES OR SIGNS.
- 9 PROPOSED FIRE SERVICE AND RPDA PER CITY DETAIL 21B TO SERVE THE BUILDING AT THE REAR AND THE FUELING CANOPY.
- 10 PROPOSED BIO-TREATMENT AREA.
- 11 PROPOSED STORM DRAIN PIPE MIN S=0.005.
- 12 PLACE NEW CATCH BASIN TOP OF GRATE 6" ABOVE FG OF BIO-TREATMENT AREA.
- 13 REMOVE EXISTING ADA RAMP AND INSTALL NEW DIRECTIONAL ADA COMPLIANT CURB RAMP PER LATEST CITY STANDARD, SEE TRAFFIC PLANS.
- 14 4'x5' TREE WELL PER CITY DETAIL PK-80.
- 15 REMOVE EXISTING OFFSITE DRAIN INLET AND INSTALL IN NEW POSITION ALONG REBUILT INTERSECTION CORNER AND INLINE WITH THE EXISTING STORM DRAIN PIPE. CONNECT ONSITE STORM DRAIN SYSTEM TO INLET.
- 16 PLACE 2.0" CURB OPENING.
- 17 EXISTING WALL TO REMAIN AND PROTECTED.
- 18 REMOVE OR RELOCATE EXISTING UTILITIES AS NEEDED FOR NEW CONSTRUCTION.
- 19 UPGRADE EXISTING FIRE HYDRANT TO CLOW 865 PER CITY DETAIL 2B-2. ALSO UPGRADE FIRE HYDRANT LATERAL.
- 20 PLACE STORM DRAIN JUNCTION BOX.
- 21 SAWCUT 2' FROM EXISTING CURB AND GUTTER ALONG ENTIRE STREET FRONTAGE. PAVE SMOOTH TRANSITION TO NEW GUTTER LIP. MATCH EXISTING STREET SECTION.
- 22 PLACE 2' VALLEY GUTTER AT DRIVEWAY ALONG FREMONT AVE, AND DRIVEWAY ALONG WOLFE ROAD.
- 23 PROPOSED DRIVEWAY PER CITY DETAIL 6C-4.
- 24 REMOVE & REPLACE EXISTING DRAIN INLET ADJUST TO GRADE INSIDE NEW PLANTER.
- 25 CONSTRUCT PCC RAMP WITH MAX 1:12 SLOPE.
- 26 CONSTRUCT PCC WALK/LANDING WITH MAXIMUM 2% SLOPE IN ALL DIRECTIONS.
- 27 CONSTRUCT AC PAVING WITH MAXIMUM SLOPE IN ALL DIRECTIONS AT ALL HANDICAPPED ACCESSIBLE PARKING SPACES AND ACCESS AISLES. VERIFY LOCATION WITH ARCHITECTURAL PLANS.
- 28 PLACE NEW BUBBLER 2" ABOVE FG OF BIO-TREATMENT AREA. SEE DETAIL ON SHEET C2.
- 29 PLACE NEW STORMWATER CLEANOUT.
- 30 PLACE NEW SANITARY SEWER CLEANOUT PER CITY DETAIL 15A.
- 31 INSTALL 6" SS LATERAL PER CITY DESIGN GUIDELINES. INSTALL SSMH ON PRIVATE PROPERTY
- 32 NEW WATER METER AND BACKFLOW PREVENTOR IS TO BE INSTALLED FOR IRRIGATION SYSTEM PER CITY DETAIL 18B AND 19B. IT IS NOT PERMITTED TO REUSE THE EXISTING WATER LATERAL. EXISTING WATER LATERAL IS TO BE ABANDONED.
- 33 PROTECT EXISTING UTILITIES.
- 34 PLACE NEW 2" WATER METER.
- 35 INSTALL NEW 2" DOMESTIC WATER LINE COMPLETE WITH RP DEVICE FOR NEW CONVENIENCE STORE AND QSR.
- 36 CONNECT 1,500 GALLON GREASE TRAP TO EXISTING SEWER.
- 37 REMOVE & REPLACE EXISTING CURB, GUTTER, & SIDEWALK ALONG PROPERTY FRONTAGE WITH NEW 6" CURB, 2-FOOT WIDE GUTTER, 10' WIDE SIDEWALK AND 4'x5' TREE WELLS.
- 38 RELOCATE RECYCLED WATER EQUIPMENT ALONG WOLFE ROAD FRONTAGE TO NEW POSITION.
- 39 GRIND AND OVERLAY 2.5" RUBBERIZED AC ALONG PROJECT FRONTAGE ON FREMONT AVE UP TO FIRST TRAFFIC LANE.
- 40 SLURRY SEAL (TYPE III) ALONG PROJECT FRONTAGE ON WOLFE ROAD FOR THE ENTIRE WIDTH OF THE STREET.
- 41 PLACE 6" PCC OVER 5" AB COMPACTED TO A MINIMUM 95% COMPACTION. FOR TRASH ENCLOSURE APRON.
- 42 4' WIDE PARK STRIP PER CITY DETAIL 9C-1, AND 12C.
- 43 ALONG PROJECT FRONTAGE AND AT INTERSECTION UPGRADE ALL STREETLIGHT FIXTURES PER THE CITY'S LATEST ROADWAY LIGHTING SPECIFICATIONS.
- 44 PLACE JUNCTION BOX.
- 45 INSTALL STREETLIGHT.

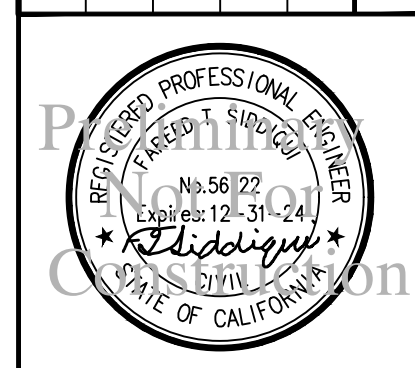
GENERAL NOTES:

- BACKFLOW PREVENTER TYPES: RPPA FOR DOMESTIC AND IRRIGATION. RPDA FOR FIRE.
- UTILITIES ARE TO BE ABANDONED PER CITY ABANDONMENT NOTES. WATER ABANDONMENTS ARE TO BE PERFORMED BY CITY CREW AT OWNER'S EXPENSE.
- CURRENT OFFSITE STRIPING IS SHOWN ON PLAN VIEW. FOR PROPOSED OFF-SITE STRIPING, PLEASE REFER TO TRAFFIC PLANS.
- FOR CHANGES TO THE INTERSECTION OF FREMONT AVENUE AND WOLFE ROAD, PLEASE REFER TO TRAFFIC PLANS.
- FOR DEMOLITION PLAN, PLEASE REFER TO ARCHITECT SHEET SD-0.

	<p>BAY AREA OIL SUPPLY, INC. JAMES LIN 1500 FASHION ISLAND BLVD., 104 SAN MATEO, CA 94404 PHONE: (650) 346-8282</p>												
	<p>STUKAM CONSULTING ENGINEERS, INC. 11344 COLONA RD, SUITE 235C GOLD RIVER, CA 95670 (916) 858-8241 PHONE (916) 988-6316 FAX</p>												
<p>PRELIMINARY GRADING & UTILITY PLAN 898 E. FREMONT AVE. CHEVRON GAS STATION CONVENIENCE STORE & QSR APN: 309-10-015</p>	<p>CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA JOB NO: 2016-042 Designed: FTS Checked: FTS Date: 4/1/2024</p>												
<p>SHEET C2 Of 5 SHEETS</p>	<p>JOB NUMBER: 2016-042</p>												
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>CS</th> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	BY	CS	DATE	REVISIONS						
NO.	DATE	BY	CS	DATE	REVISIONS								



NO.	DATE	BY	CS	DATE	REVISIONS

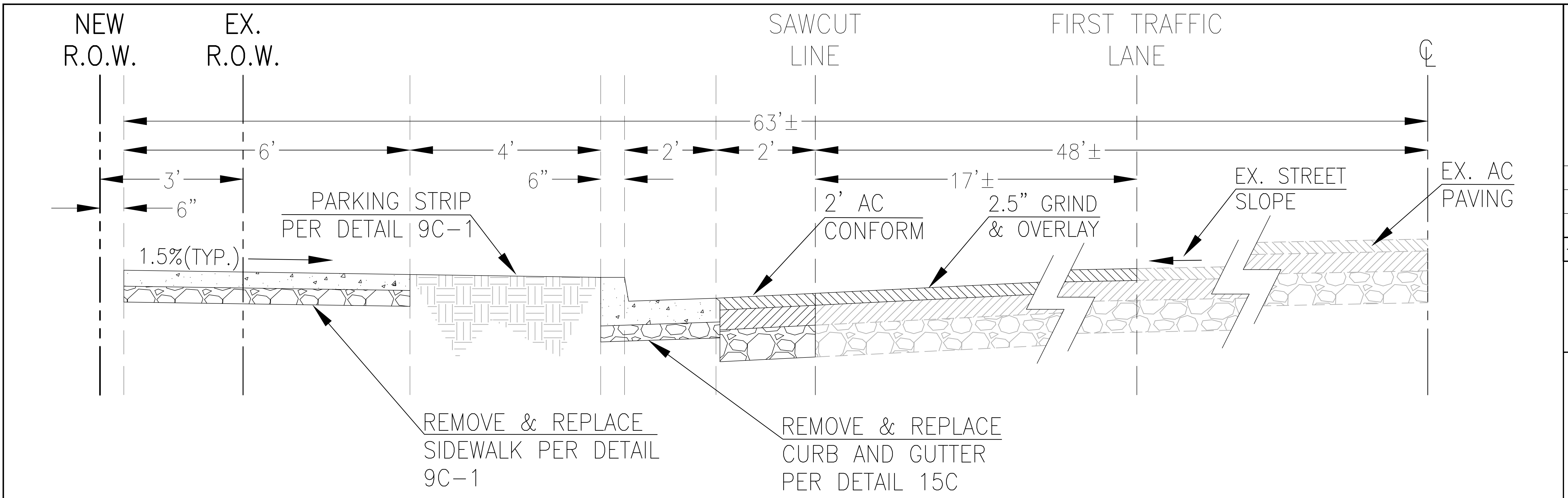


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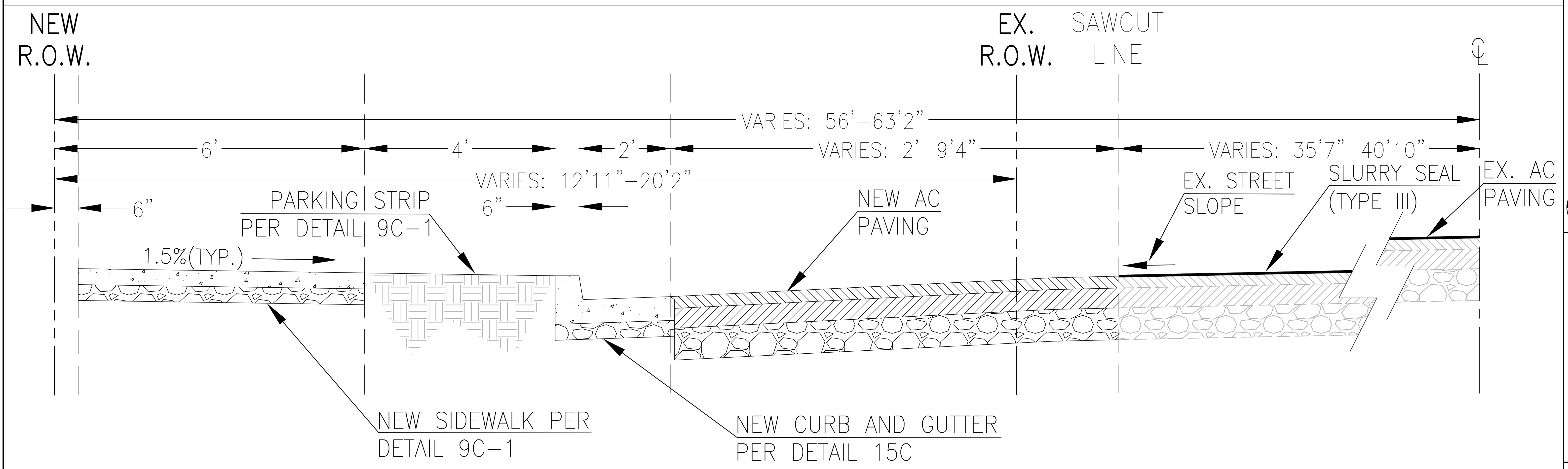
INTERSECTION LAYOUT
898 E. FREMONT AVE.
 CHEVRON GAS STATION
 CONVENIENCE STORE & QSR
 APN: 309-10-015
 CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
 JOB NO: 2016-042 | Designed: FTS | Checked: FTS | Date: 4/1/2024

SHEET
 C3
 Of 5 SHEETS
 JOB NUMBER:
 2016-042



TYPICAL FREMONT AVENUE HALF STREET SECTION

SCALE: 1"=1'



TYPICAL WOLFE ROAD HALF STREET SECTION

SCALE: 1"=1'

NO.	DATE	BY	REVISIONS



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STREET HALF SECTIONS
898 E. FREMONT AVE.
CHEVRON GAS STATION
CONVENIENCE STORE & QSR
APN: 309-10-015
CITY OF SUNNYVALE SANTA CLARA COUNTY CALIFORNIA
JOB NO: 2016-042 | Designed: FTS | Checked: FTS | Date: 4/1/2024

SHEET
C5
Of 5 SHEETS
JOB NUMBER:
2016-042



Architects

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**CHEVRON GAS STATION,
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898 E. FREMONT AVE.
SUNNYVALE, CA 94087**

NO.	DATE	DESCRIPTION
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2		ISSUED FOR PLAN CHECK
3		ISSUED FOR PLANNING
4		
5		
6		

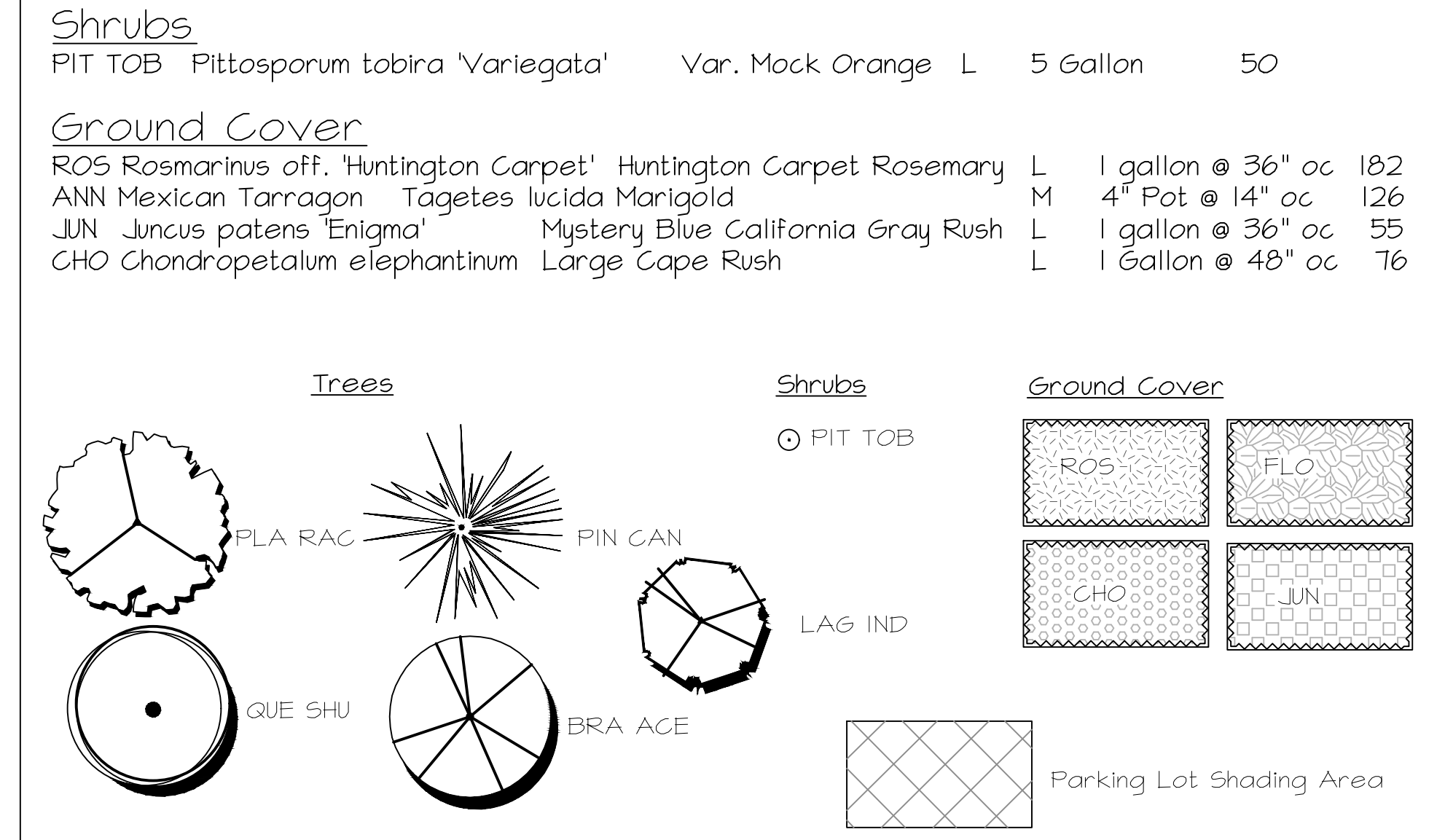
LANDSCAPE PLAN

PROJECT #: 13-4304
DRAWN: rc CHECKED: rc
SCALE: AS NOTED DATE: 02-19-14

LA1

PLANTING LEGEND

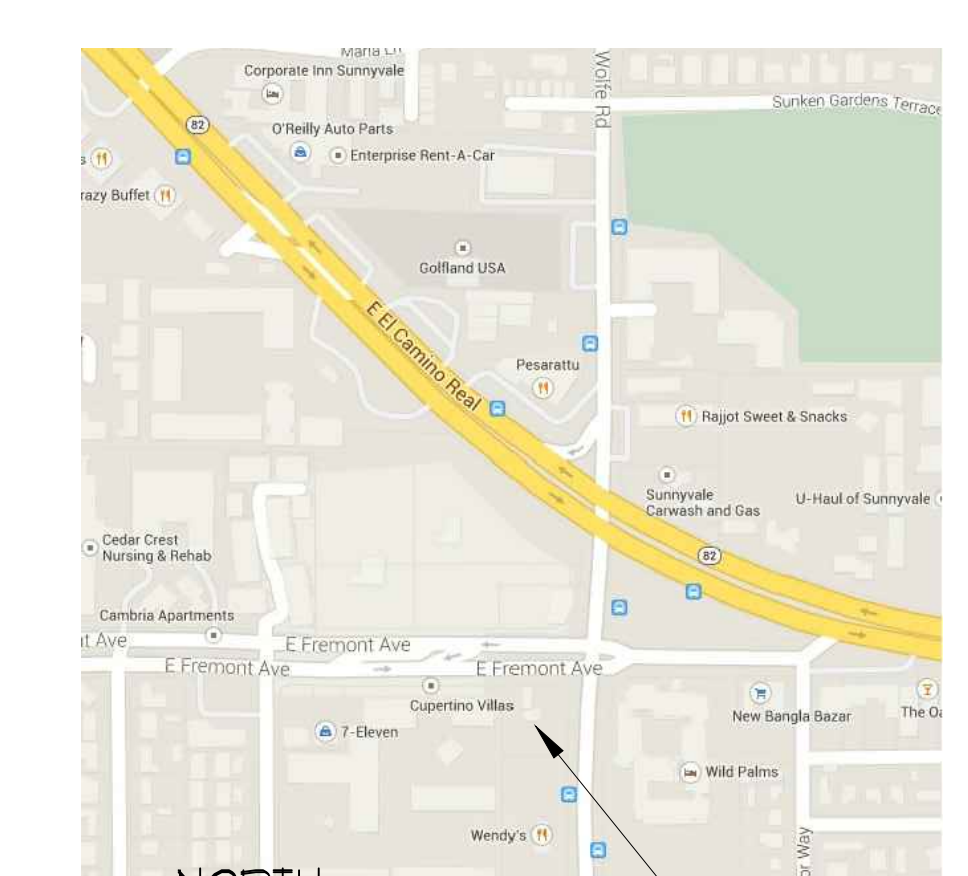
Symbol	BOTANICAL NAME	COMMON NAME	SIZE	QNTY
Trees				
PLA RAC	Platanus racemosa	Western Sycamore	L 15 gallon	8
LAG IND	Lagerstroemia indica 'Musk.'	Grape Myrtle	L 15 gallon	2
QUE SHU	Quercus shumardii	Shumard Oak	L 24" Box	3
BRA ACE	Brachychiton acerifolius	Australian Flametree	L 24" Box	4
PIN CAN	Pinus canariensis	Canary Island Pine	L 48" Box	3
Shrubs				
PIT TOB	Pittosporum tobira 'Variegata'	Var. Mock Orange	L 5 Gallon	50
Ground Cover				
ROS	Rosmarinus off. 'Huntington Carpet'	Huntington Carpet Rosemary	L 1 gallon @ 36" oc	182
ANN	ANN Mexican Tarragon	Tagetes lucida Marigold	M 4" Pot @ 14" oc	126
JUN	Juncus patens 'Enigma'	Mystery Blue California Gray Rush	L 1 gallon @ 36" oc	55
CHO	Chondropetalum elephantinum	Large Cape Rush	L 1 Gallon @ 48" oc	76



PLANTING NOTES

- All trees are to be staked as shown in the staking diagram per city requirement.
- Plant locations are to be adjusted as necessary to screen utilities but not block windows or impede access.
- All ground cover and shrub areas shall be top-dressed with a 3" layer of Hardwood mulch.
- All ground cover planting will be placed no farther than 6" from edge of pavement, edge of header or back of curb. Spacing shall ensure full coverage in one year.
- There shall be no storing of material or equipment, permitting of any burning or operating or parking of equipment under branches of any existing plants to remain. If existing plants to remain are damaged during construction, the plants shall be replaced with the same species an size as those damaged.
- All plant material shall be nursery grown stock. All plant materials shall be tagged at the nursery at least 1 month prior to planting for the Landscape Architects review.
- Review layout of all landscape elements with the Landscape Architect prior to installation. Field modifications may be necessary. Final layout to be reviewed by the Landscape Architect.
- Written dimensions supersede scaled dimension. Measurements are from the wall face, back of curb, edge of walk, building wall, property line or center line as graphically indicated.
- All layout corners are at 90 degrees right angles unless otherwise indicated. All curves shown are segments of circles with noted radii or diameter if noted. Circles can be scaled and be connected by freeform curves.
- HERBICIDE APPLICATION: Herbicide shall not be used until all plant material has been planted a minimum of 20-days. All planting areas shall be kept weed-free by non-herbicide methods during this time period. Herbicide shall not be applied to any areas which are or have been seeded. Contractor must be licensed by the State and County for fertilizer application, and must have current registration on file with the County.
- Landscape shall be maintained in a manner to prevent landscaping from growing above 3' in height in the areas indicated in the plans as being located within a safety visibility triangle area.
- CERTIFICATION: Prior to occupancy, the Landscape Architect shall certify in writing in a manner acceptable to the Building Inspection Division, that the landscaping has been installed in accordance with all aspects of the approved landscape plans.
- A minimum of 8" of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.
- Incorporate compost or natural fertilizer into the soil to a minimum depth of 8" at a minimum rate of 6 cubic yards per 1000 square feet.
- All Plantings shall be automatically irrigated utilizing state of the art subsurface drip irrigation system, weather based controller component, monitoring and installation techniques.
- All details shall comply with city standard details.

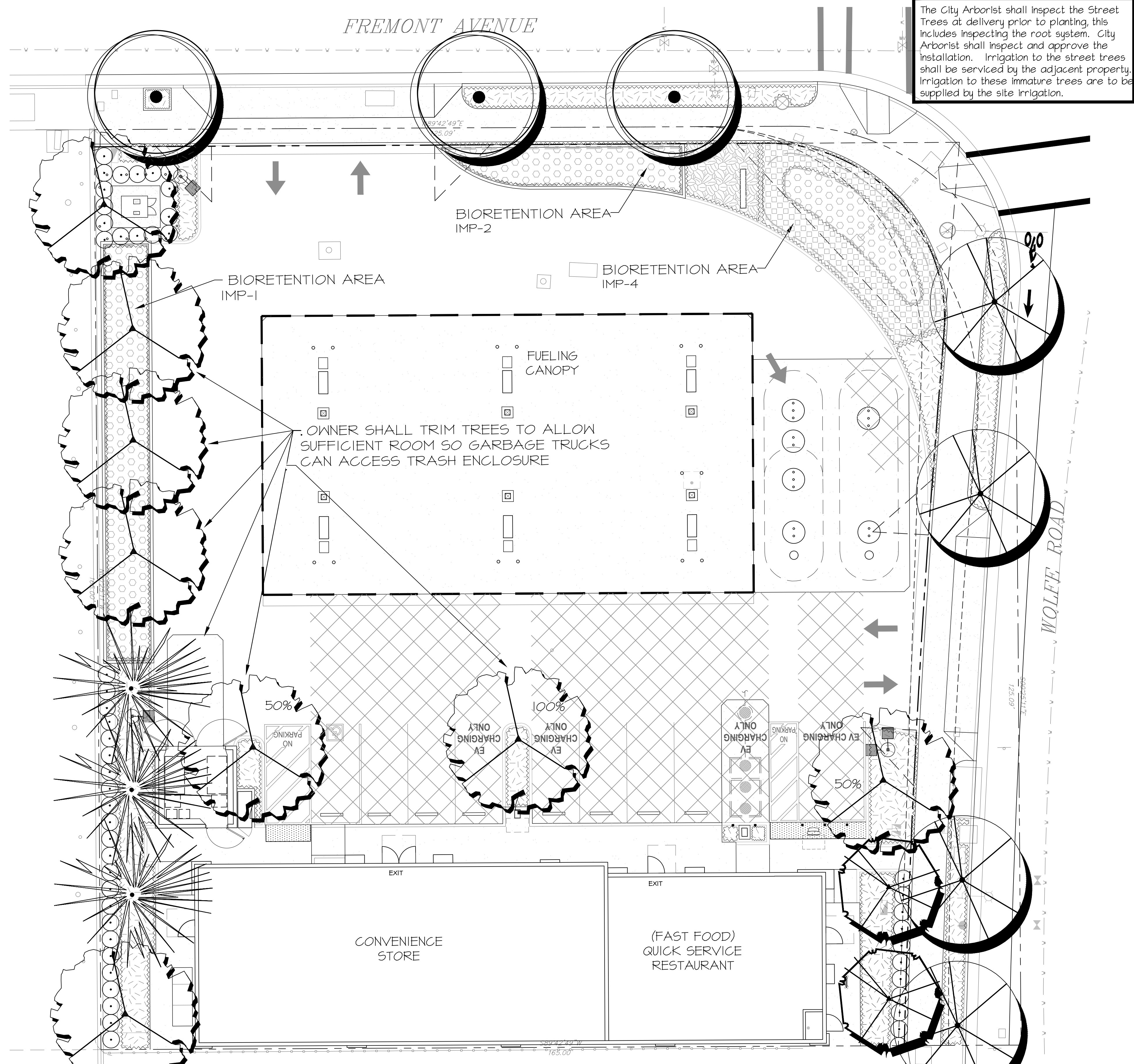
VICINITY MAP



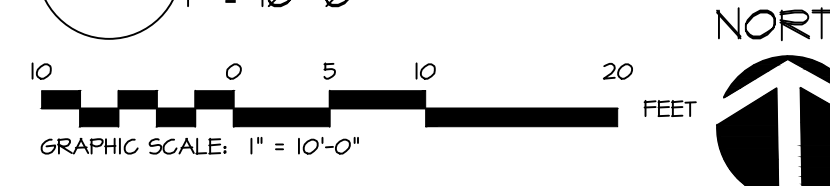
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Tel 831 624 6100
Tel 650 326 6100
ca@ciardella-assoc.com



The City Arborist shall inspect the Street Trees at delivery prior to planting, this includes inspecting the root system. City Arborist shall inspect and approve the installation. Irrigation to the street trees shall be serviced by the adjacent property. Irrigation to these immature trees are to be supplied by the site irrigation.



1 PLANTING PLAN
1" = 10'-0"



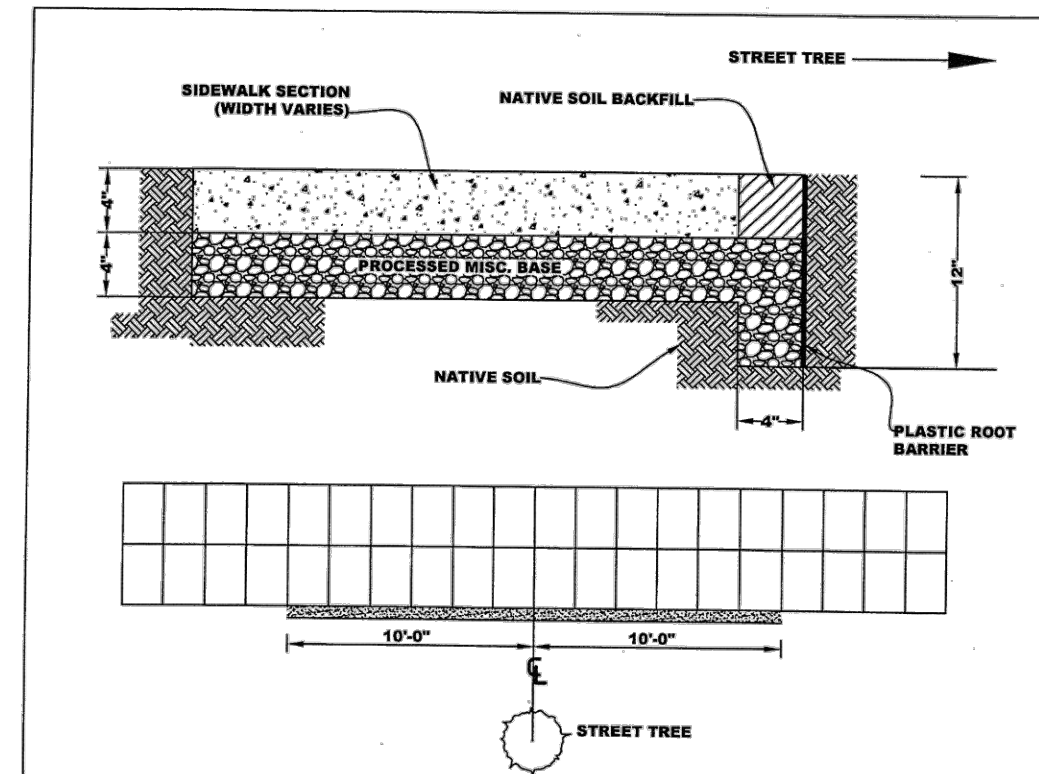
Maximum Applied Water Allowance				
Eto	X	Pitg SF X	Gal/SF	MAWA
49.0	0.45	3,568	0.62	42,805
Estimated Total Water Use				
Plant Water Use (Eto)(.062)	X	(PF X HA)	IE	ETW
Low	26.7		1,321	35,231
Medium	26.7		0	0
High	26.7		0	0
			Total	35,231
Proposed Landscape Water Use				
Plant Type	H2O Use	Pitg SF	Gallons	% of Land.
Low	0.30	3,568	35,231	100%
Medium	0.60	0	0	0%
High	0.90	0	0	0%
Totals		3,568	35,231	100%

Botanical Name	Quantity @ Full Shade / Sq. Ft.	Quantity @ 1/2 Shade / Sq. Ft.	Total (Sq. Ft.)
Platanus racemosa	1 @ 962	2 @ 481	1,924
	Total Surface Area=		3,829
	50% SHADE AREA REQUIRED=		1,915
	SHADE BY TREES=		1,924
	PERCENT SHADE=		50.2%



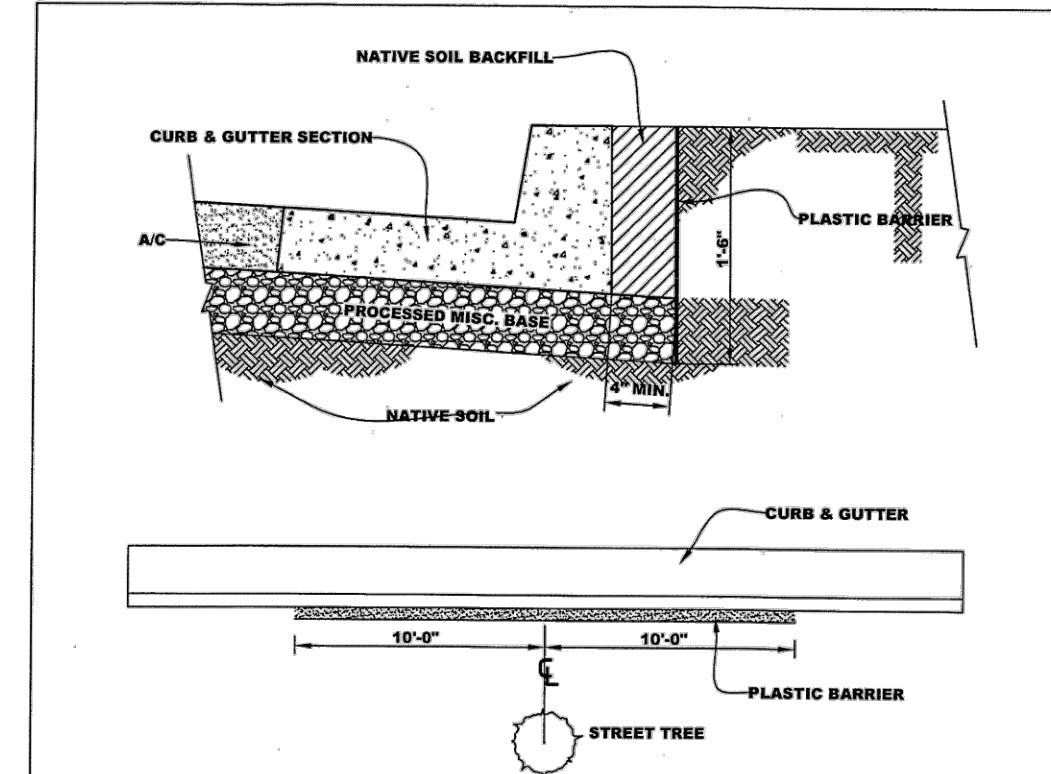


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mthana@miarchitect.com
www.miarchitect.com



1. PLASTIC ROOT BARRIER SHALL BE MINIMUM 40 MIL THICK HIGH DENSITY POLYETHYLENE PLASTIC SHEETING TWELVE (12) INCHES WIDE.
2. THE PLASTIC ROOT BARRIER SHALL BE INSTALLED FOUR (4) INCHES FROM THE CONCRETE EDGE ON THE TREE SIDE OF THE ROOT BARRIER TRENCH.
3. THE PLASTIC ROOT BARRIER SHALL BE A CONTINUOUS SHEET ITS ENTIRE INSTALLED LENGTH.
4. THE PLASTIC ROOT BARRIER SHALL BE INSTALLED TO A MINIMUM LENGTH OF TEN FEET EITHER SIDE OF THE CENTER LINE OF THE STREET TREE.
5. THE PLASTIC ROOT BARRIER SHALL EXTEND TO THE SOIL SURFACE. THE TOP EDGE OF ROOT BARRIER SHOULD BE AT GRADE AND VISIBLE AFTER INSTALLATION.
6. PROCESSED MISC. BASE SHALL BE INSTALLED IN BOTTOM OF ROOT BARRIER TRENCH UP TO BASE OF SIDEWALK. BASE ROCK SHALL BE COMPACTED TO 95% PROCTOR DENSITY.
7. NATIVE SOIL SHALL FILL TOP FOUR (4) INCHES OF ROOT BARRIER TRENCH. THIS SOIL DOES NOT REQUIRE COMPACTION.
8. IT IS IMPERATIVE THAT BASE ROCK IN ROOT BARRIER TRENCH BE COMPACTED. IF MATERIAL IN ROOT BARRIER TRENCH IS NOT COMPACTED, ROOTS WILL GROW INTO THIS AREA AND TRAVEL IN INTERFACES BETWEEN BASE OF CONCRETE AND BASE ROCK DEFEATING THE FUNCTION OF ROOT BARRIER INSTALLATION.

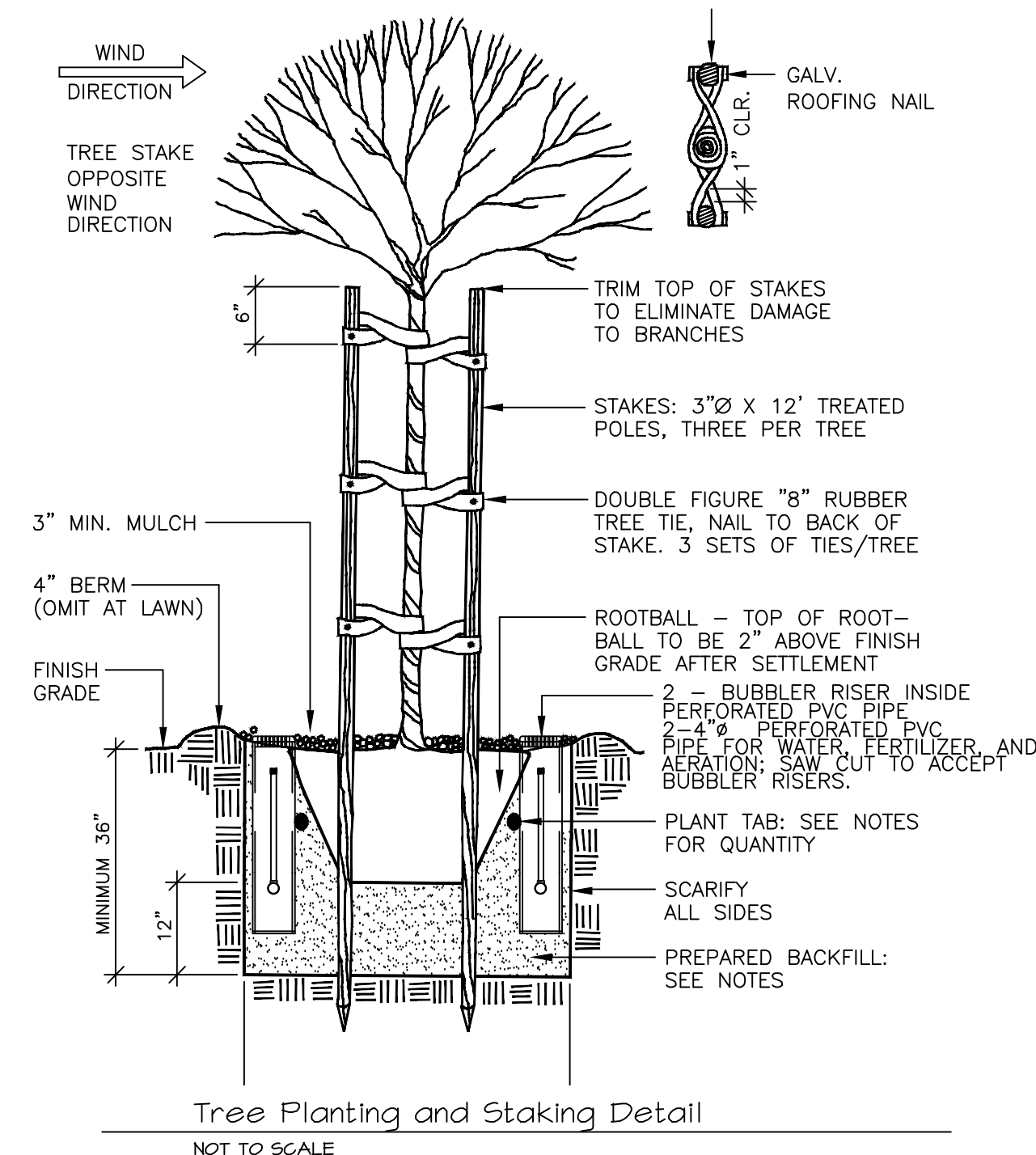
**ROOT CONTROL BARRIER
INSTALLATION AT SIDEWALK**
DATE: 1 JUNE 30, 2009
APPROVED BY: [Signature]
13F



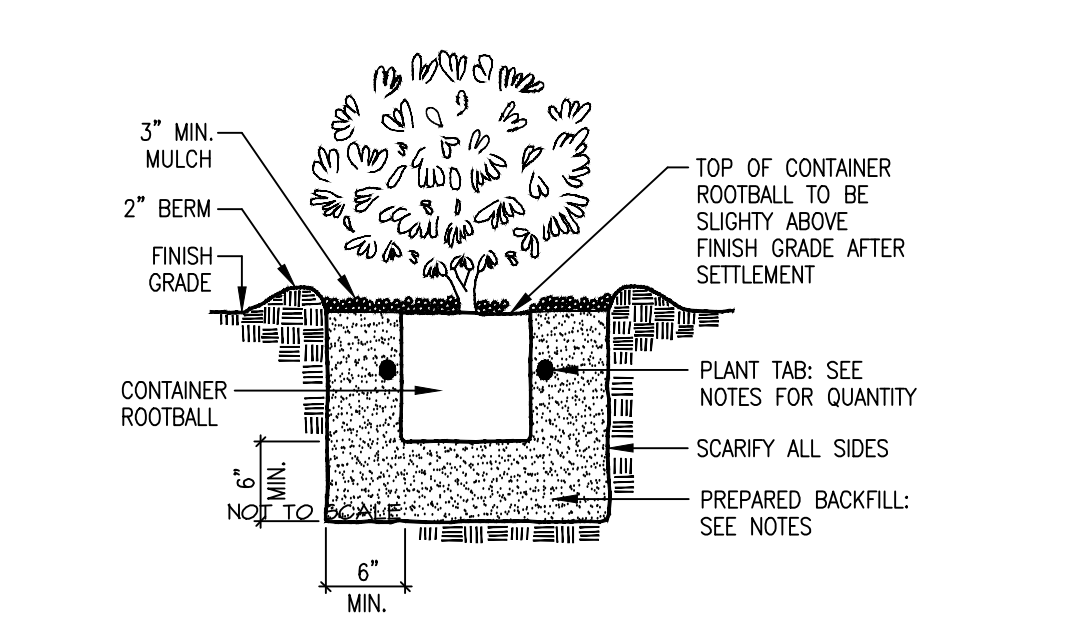
1. PLASTIC ROOT BARRIER SHALL BE MINIMUM 40 MIL THICK HIGH DENSITY POLYETHYLENE PLASTIC SHEETING EIGHTEEN (18) INCHES WIDE.
2. THE PLASTIC ROOT BARRIER SHALL BE INSTALLED FOUR (4) INCHES FROM THE CONCRETE EDGE ON THE TREE SIDE OF THE ROOT BARRIER TRENCH.
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6. PROCESSED MISC. BASE SHALL BE INSTALLED IN BOTTOM OF ROOT BARRIER TRENCH UP TO BASE OF SIDEWALK. BASE ROCK SHALL BE COMPACTED TO 95% PROCTOR DENSITY.
7. NATIVE SOIL SHALL FILL TOP TWELVE (12) INCHES OF ROOT BARRIER TRENCH. THIS SOIL DOES NOT REQUIRE COMPACTION.
8. IT IS IMPERATIVE THAT BASE ROCK IN ROOT BARRIER TRENCH BE COMPACTED. IF MATERIAL IN ROOT BARRIER TRENCH IS NOT COMPACTED, ROOTS WILL GROW INTO THIS AREA AND TRAVEL IN INTERFACES BETWEEN BASE OF CONCRETE AND BASE ROCK DEFEATING THE FUNCTION OF ROOT BARRIER INSTALLATION.

**ROOT CONTROL BARRIER
INSTALLATION AT CURB**
DATE: 1 JUNE 30, 2009
APPROVED BY: [Signature]
14F

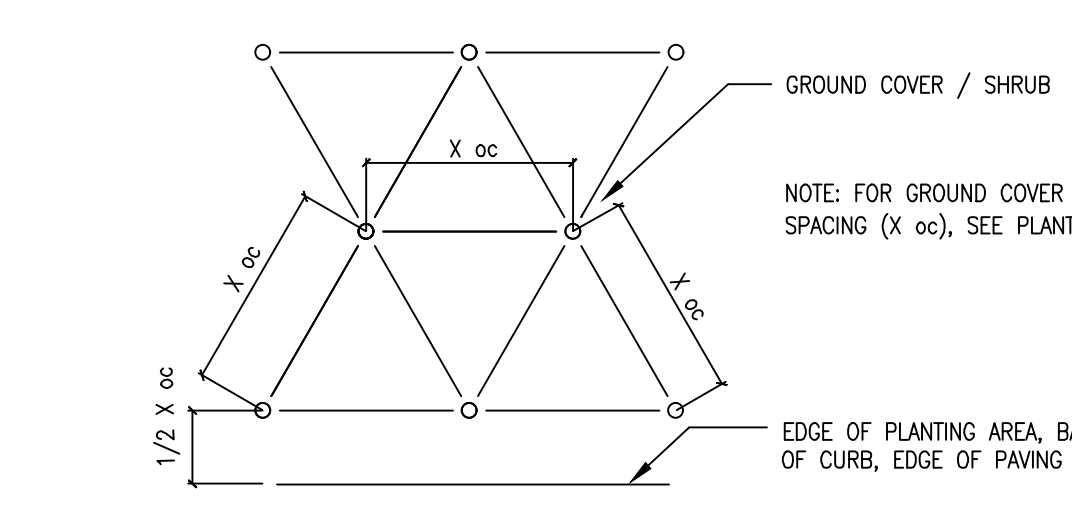
2006 STANDARD DETAILS



Tree Planting and Staking Detail
NOT TO SCALE



Shrub / Ground Cover Planting



Plant Spacing
NOT TO SCALE

**CHEVRON GAS STATION,
CONVENIENCE STORE & OSR
898 E. FREMONT AVE.
SUNNYVALE, CA 94087**

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01-28-16 ISSUED FOR PLANNING

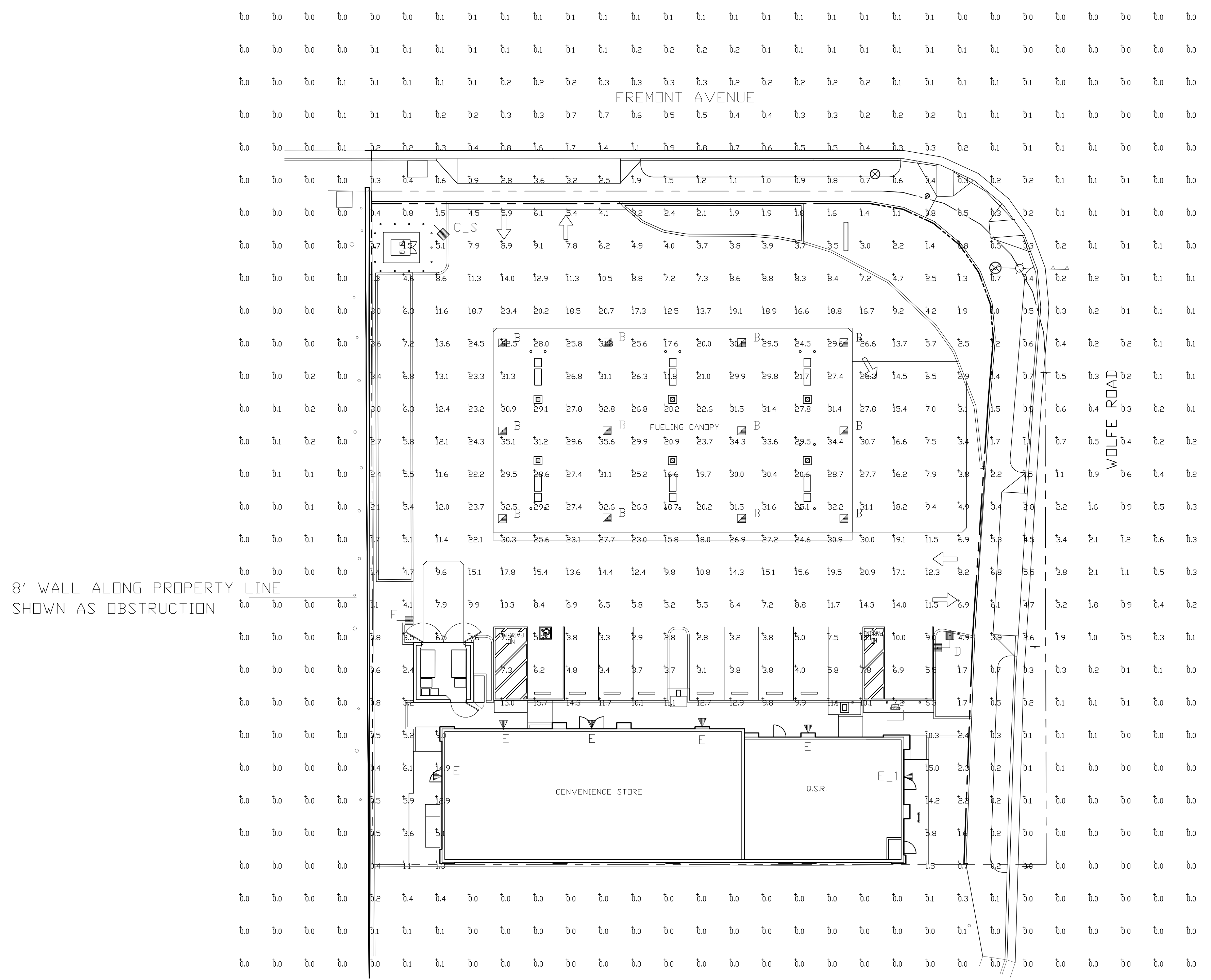
NO.	DATE	DESCRIPTION
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**Ciardella
associates**
200 Clock Tower Place
Suite D100-A
Carmel, CA 93923
Tel 831 624 6100
Tel 650 326 6100
ca@ciardella-assoc.com



LANDSCAPE
DETAILS
PROJECT #: 13-4304
DRAWN: rc CHECKED: rc
SCALE: AS NOTED DATE: 02-19-14

LA2



Symbol	Qty	Label	Arrangement	Description	LLF	Lumens/Lamp	Arr. Lum. Lumens	Arr. Watts
	12	B	SINGLE	CRUS-SC-HD-50 MTD @ 16'-4"	1.000	N.A.	19071	125
	1	C_S	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-IL-SINGLE-18'POLE+2'BASE	1.000	N.A.	12043	135
	1	D	2 @ 90 DEGREES	SLM-LED-18L-SIL-FT-50-70CRI-IL-T90-18'POLE+2'BASE	1.000	N.A.	24086	270
	5	E	SINGLE	XPWS3-WT-LED-48-450-CW-UE MTD @ 10'	1.000	N.A.	6144	72
	1	E_1	SINGLE	XPWS3-WT-LED-48-450-CW-UE MTD @ 10'	0.900	N.A.	6144	72
	1	F	SINGLE	SLM-LED-18L-SIL-FT-50-70CRI-IL-SINGLE-18'POLE+2'BASE	1.000	N.A.	12043	135

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS	Illuminance	Fc	5.28	35.6	0.0	N.A.	N.A.
CANOPY	Illuminance	Fc	27.65	35.6	11.8	2.34	3.02
INSIDE CURB	Illuminance	Fc	11.98	31.1	2.8	4.28	11.11

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents illumination levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamps/LED's and other variable field conditions. Calculations do not include obstructions such as buildings, curbs, landscaping, or any other architectural elements unless noted.

Total Project Watts
Total Watts = 2472

SD1-L

1000 ALLIANCE BL. CHICAGO, ILL. 60601 USA
(312) 750-3000 • FAX (312) 750-6800

LIGHTING PROPOSAL LD-133537-8

CHEVRON
898 E. FREMONT AVE
SUNNYVALE, CA

BY/WE	DATE: 6-23-16	REV: 0-29-24	SHEET 1 OF 1
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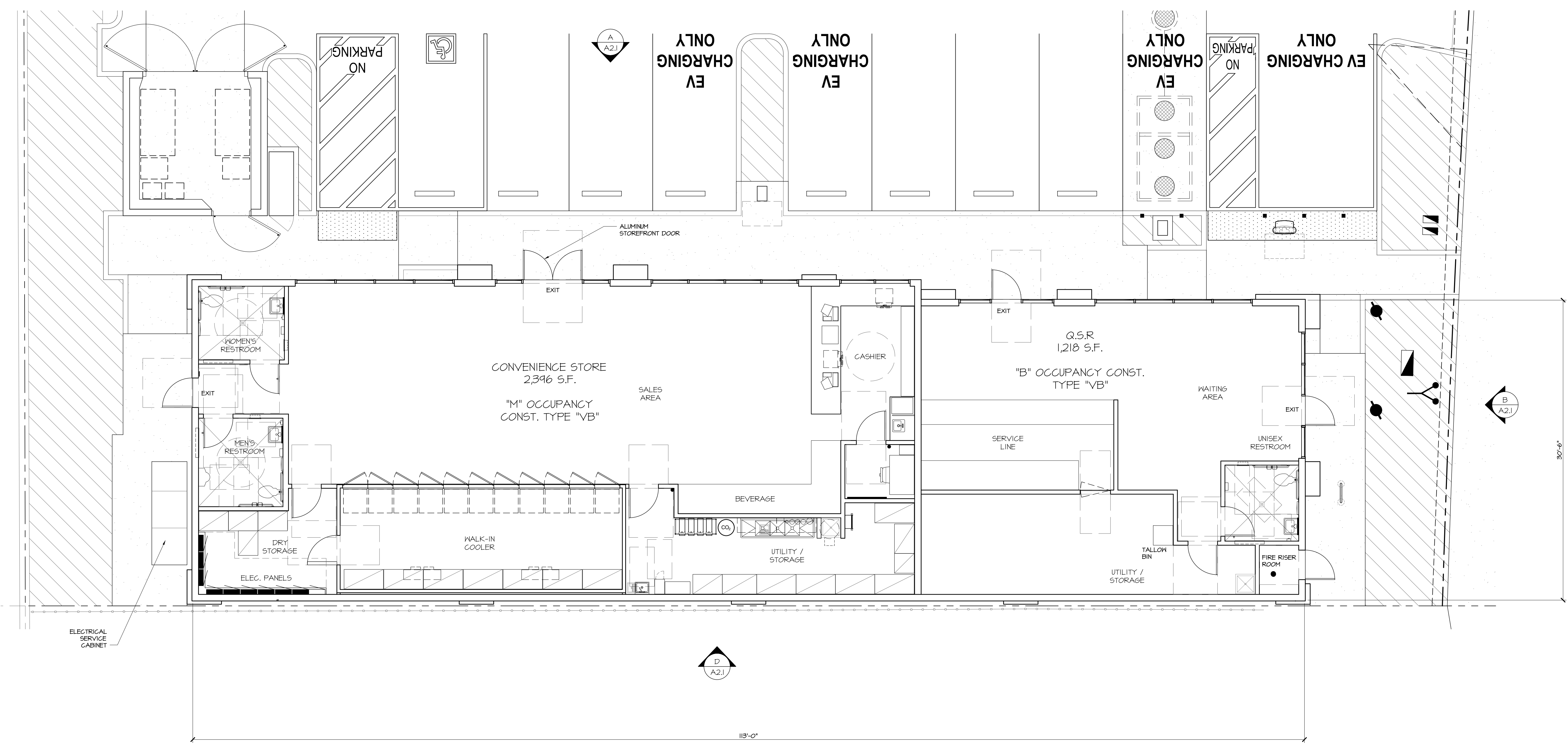
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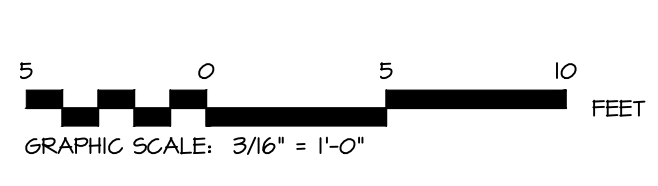
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1 FLOOR PLAN
3/16" = 1'-0"



-	ISSUED FOR CONSTRUCTION
-	ISSUED FOR PLAN CHECK
01-28-16	ISSUED FOR PLANNING

NO.	DATE	DESCRIPTION
△		
△		
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FLOOR PLAN
PROJECT #: 13-4304
DRAWN: BB CHECKED: MI
SCALE: AS NOTED DATE: 06-20-18

A1.1

S:\1-Projects\13-4304-898 E Fremont Ave Sunnyvale\Draw's\Planning\13-4304-A1.1.dwg modified by Muthana Ibrahim at Apr 08, 2024 - 6:26pm



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925-287-1174 Tel
925-943-1581 Fax
925-878-9875 Cell
muthana@miarchitect.com
www.miarchitect.com

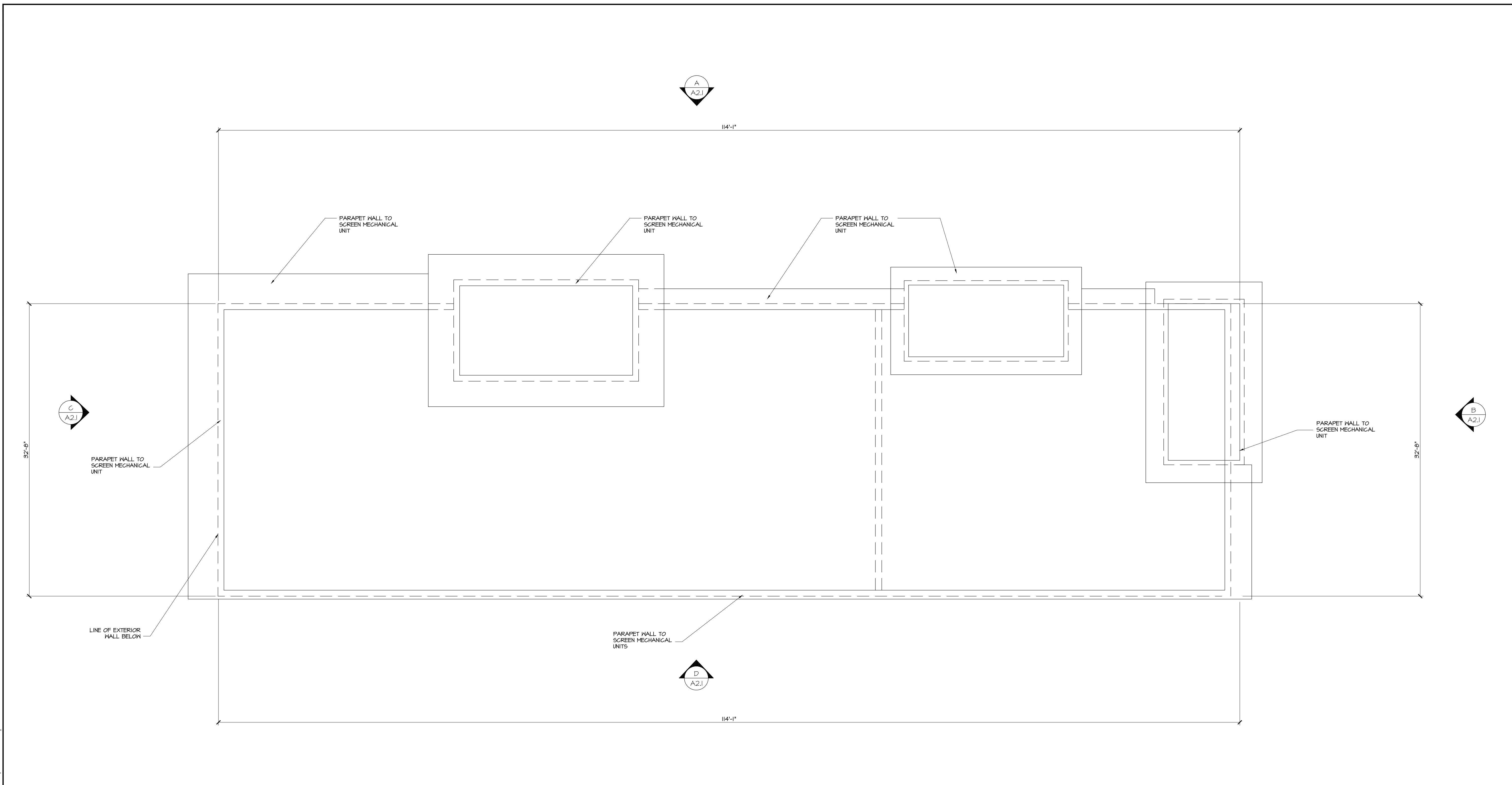
CHEVRON GAS STATION,
CONVENIENCE STORE & QSR
898 E. FREMONT AVE.
SUNNYVALE, CA 94087

- ISSUED FOR CONSTRUCTION
- ISSUED FOR PLAN CHECK
06-20-18 ISSUED FOR PLANNING

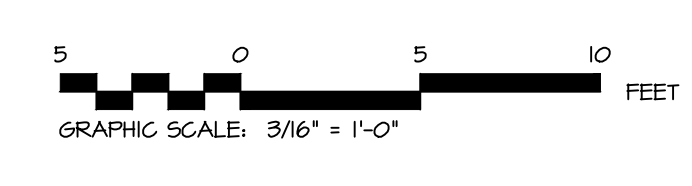
NO.	DATE	DESCRIPTION

PROJECT # 13-4304
DRAWN: BB CHECKED: MII
SCALE: AS NOTED DATE: 06-20-18

A1.2



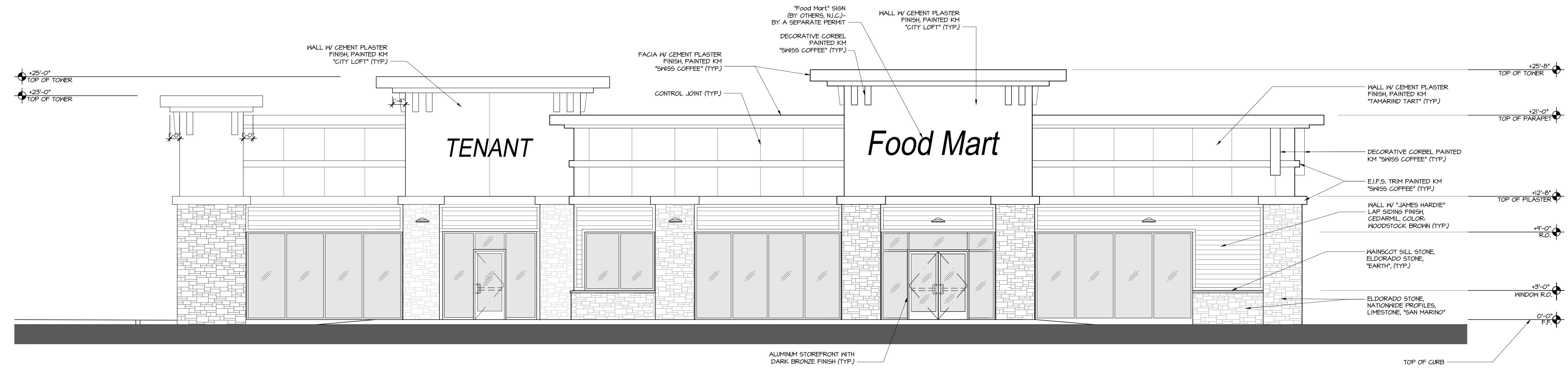
1 ROOF PLAN
3/16" = 1'-0"



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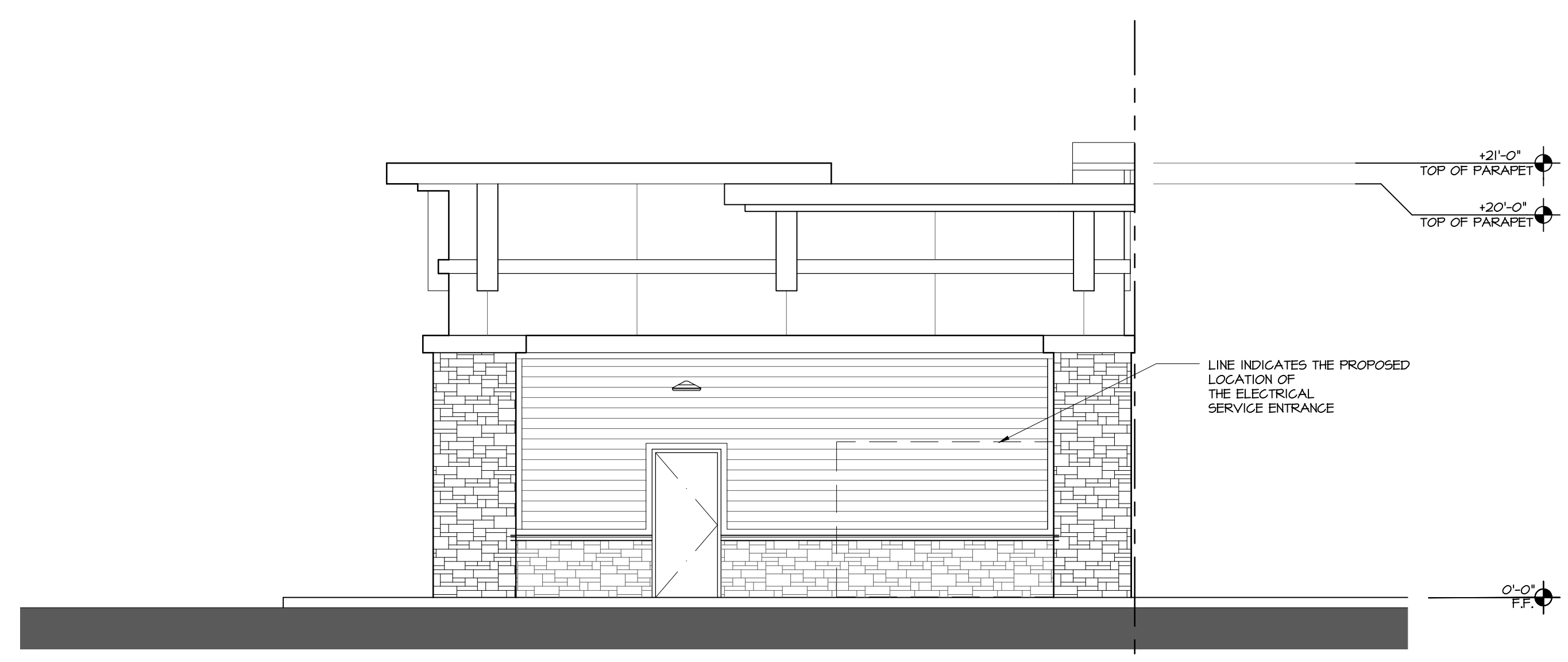
M I Architects, Inc.
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PLANNING
MANAGEMENT
DESIGN
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SUITE 100
WALNUT CREEK, CA
94595
925-287-1174 Tel
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A NORTH ELEVATION
3/16" = 1'-0"



B EAST ELEVATION
3/16" = 1'-0"



C WEST ELEVATION
3/16" = 1'-0"



D SOUTH ELEVATION
3/16" = 1'-0"

**CHEVRON GAS STATION,
CONVENIENCE STORE & GSR
898 E. FREMONT AVE.
SUNNYVALE, CA 94087**

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01-28-24 ISSUED FOR PLANNING

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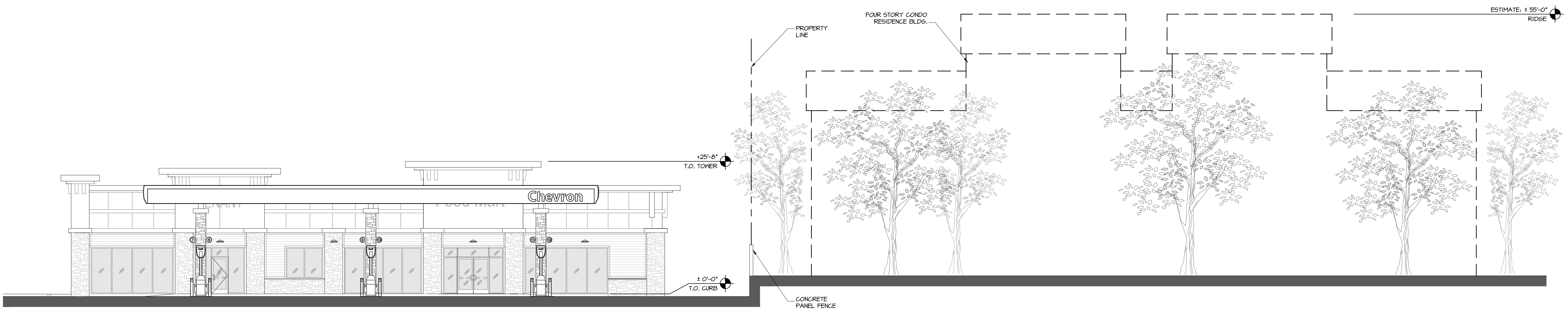
BUILDING ELEVATION
PROJECT #: 13-4304
DRAWN: BB CHECKED: MI
SCALE: AS NOTED DATE: 06-20-24

A2.1

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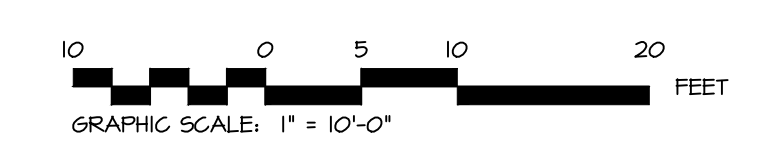
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A NORTH ELEVATION - E. FREMONT AVE.
1" = 10'-0"



B EAST ELEVATION - WOLFE ROAD
1" = 10'-0"



**CHEVRON GAS STATION,
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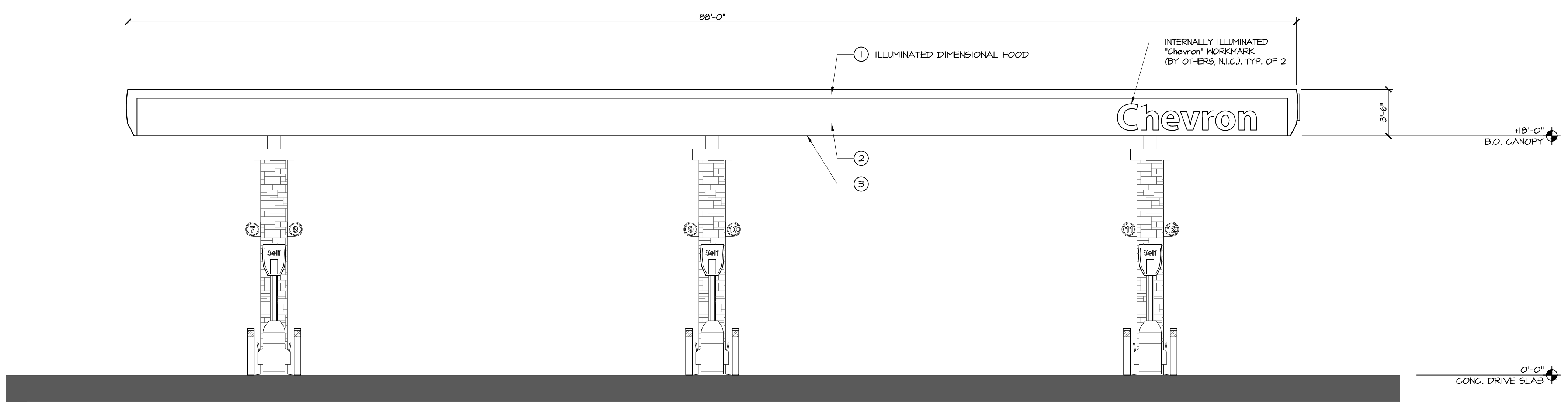
STREET VIEW ELEVATION

PROJECT #: 13-4304
DRAWN: BB CHECKED: MII
SCALE: AS NOTED DATE: 06-20-18

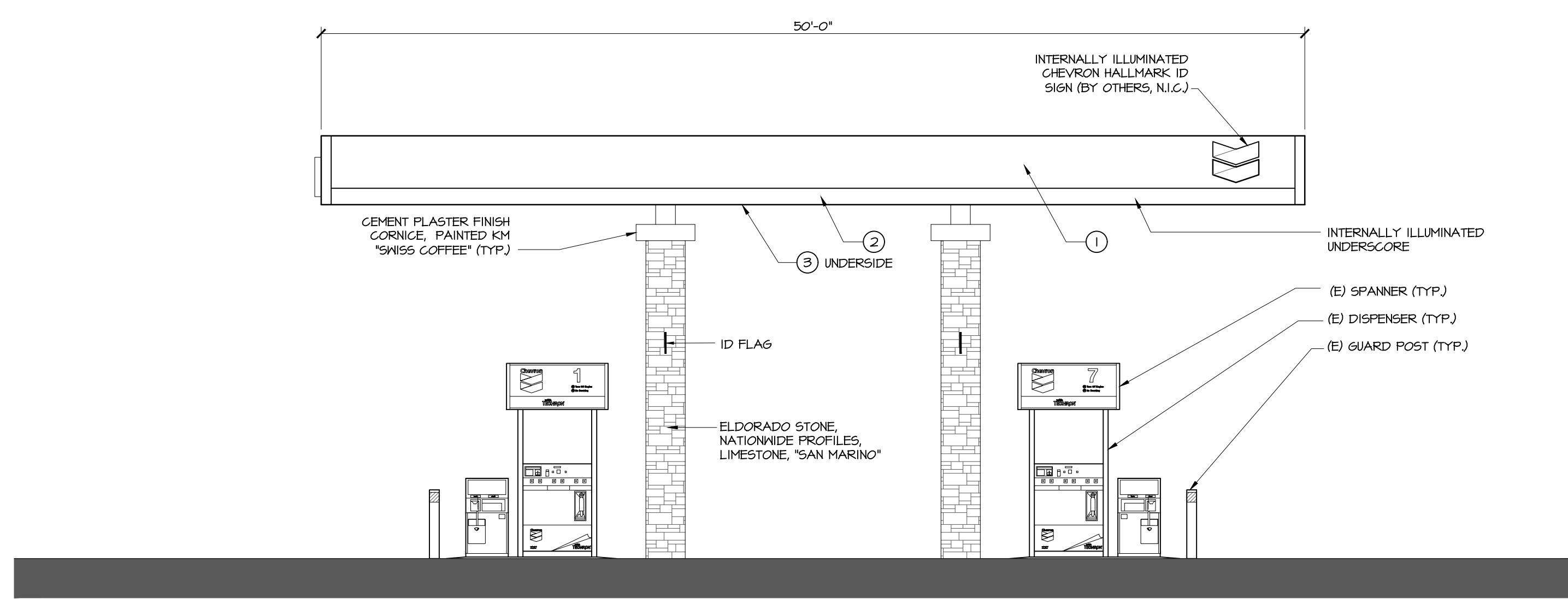
A2.2



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A NORTH ELEVATION
3/16" = 1'-0"



B EAST ELEVATION
3/16" = 1'-0"

CHEVRON GAS STATION,
CONVENIENCE STORE & QSR
898 E. FREMONT AVE.
SUNNYVALE, CA 94087

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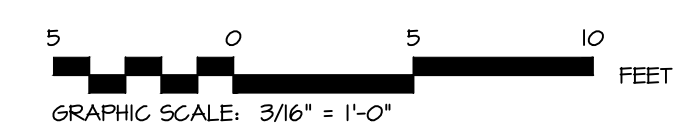
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06-20-18 ISSUED FOR PLANNING

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CANOPY ELEVATION
PROJECT #: 13-4304
DRAWN: BB CHECKED: MII
SCALE: AS NOTED DATE: 06-20-18

COLOR	PMS	FILM	FINISHES	
PEARL WHITE	N/A	3M REFLECTIVE WHITE 680-10	JONES BLAIR HIGH GLOSS	①
BLUE	PMS 2435C	3M BRISTOL BLUE	N/A	②
WHITE	N/A	PPG WH-835		③

ALL PAINT TO BE V.O.C. COMPLIANT URETHANE





File #: 24-0627

Document Title: Environmental Checklist prepared by DJP, Inc.

Link: <https://www.sunnyvale.ca.gov/home/showpublisheddocument/5256/638554191834008559>



M I Architects, Inc. A California Corporation

ARCHITECTURE . PLANNING . MANAGEMENT . DESIGN

1801 OAKLAND BLVD, SUITE 300, WALNUT CREEK, CALIFORNIA 94596

Muthana Ibrahim
Architect
President

April 09, 2024

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(925) 287-1174

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(925) 943-1581

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(925) 878-9875

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muthana@miarchitect.com
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Written Project Description for:

**Gas Station, Convenience Store & QSR
898 E. Fremont Ave.
Sunnyvale, CA 94087**

On behalf of our Client, James Lin, Petroleum Investments, LLC, we are submitting this written description for the special development permit of the reconstruction of a gas station at the above referenced site. The project scope of the work includes demolishing the existing snack shop/auto service building, the existing fueling canopy and miscellaneous other accessory structures. The proposed project consists of constructing a new single-story 2,396 sf. convenience store, a 1,218 sf. quick service restaurant (QSR), a 4,400 sf. fueling canopy covering (6) multi-product dispensers. The QSR is take-out only and will not have seats. The site improvement includes removing two driveways on Fremont Ave. and replace with one driveway, the driveway on Wolfe Road will be replaced with a new driveway. The existing underground storage tanks will be removed and replaced with two (2) 20K underground storage tanks. Other site improvements include: parking stalls, masonry trash enclosure w/ solid metal gates, area lights, landscaping & self-service air/water equipment. The following are items to be considered in this project:

- **ITEMS TO BE SOLD AT THIS FACILITY:** The gas station will sell gasoline, the convenience store will sell pre-packaged food items, sundry items, some automobile accessories (i.e.- air fresheners, cell phone accessories, anti-freeze, motor oil, etc.) self-service beverages, fresh and/or pre-packaged pastries & can and/or bottles of soda, water & sports/energy drinks, and beer & wine for offsite consumption. There will be NO cooking or preparing of food or beverages.
- **EMPLOYEES:** For the gas station and the convenience store, there will be 3 shift per day. 2 Employee per shift for 5 days a week. There will be the same number of employees for 2 days a week. There will be total of 6 full-time employees, and 6 part-time employees.
- The quick service restaurant employee is unknown now.
- **QUICK SERVICE RESTAURANT:** Tenant to be determined.
- **HOURS OF OPERATION:** The current hours of operation of the gas station, convenience store are: 24 hrs. /day, 7 days a week, 365 days per year, and will remain the same. The hours of operation for the QSR are 8:00 am to 10:00 pm, 7 days a week, 365 days per year.
- **FUEL DELIVERY:** The fuel delivery truck will make deliveries 7 times / week.
- **MINMUM 20% LANDSCAPE AREA:** The proposed project is a gas station. The gas station requires additional pavement, for vehicle circulation around the fuel islands, comparing to similar retail developments with no gas station; Therefore, reducing the landscape area provided to 16% is necessary to accommodate the project. Scaling down the project will not justify the return on the investment.

Page 2 of 2
4/9/2024


- **15-FOOT LANDSCAPE STRIP:** As indicated above, circulations around the fuel islands requires certain clearances around the fuel canopy to accommodate safe vehicle access. In addition to the required fuel delivery truck access to the underground storage tanks, and garbage truck access; Therefore, frontage planter has been reduced to 8'-6" on E. Fremont Ave. to accommodate the project requirement.
- **PARKING ADJUSTMENT:** Minimum parking is not required per AB 2097.
- **FRONT SETBACK:** As indicated above the developer needs to justify the return on the investment. Reducing the proposed building area further is not justified financially for the developer; Therefore, we reduced the required minimum setback on Wolfe Road to 13'-11".

If you have any question, please do not hesitate to give me a call. I can be reached at (925) 287-1174 x1.

Sincerely,

Muthana Ibrahim

Architect, President
M I Architects, Inc.

From: 
To: [Aastha Vashist](#)
Subject: Comments on the 898 E Fremont gas station reconstruction project
Date: Wednesday, January 10, 2024 9:54:13 PM

WARNING - This email came from an **EXTERNAL** source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Hi Aastha,

This is Hank. I attended the neighborhood meeting on 1/10. I am a resident in the adjacent building. I'm interested in attending the study session that you mentioned. Could you send me the info about it?

I also wanted to summarize my comments in a written format as follow:

1. Lighting. The designer mentioned there would be a few new light posts installed (20 feet high), which will be lit during the entire night. Bright lighting right next to the residential building could affect the sleep of the residents. Can the height of the light be lowered to reduce the amount of light transmitted to the residents?
2. Trash enclosure. In the current design, a new trash enclosure will be built on the west side of the site, and it is very close to the residential building over the fence. The concern is that the odor may be too strong to the residents because of its proximity. Can the trash enclosure be relocated further away from the residential building on the west?
3. Noise at night. The applicant mentioned that the new store will be operational 24h, compared with the existing one closing at 10PM. The traffic entering and exiting the store during the night may create some noise for the residents. Can the operating hours be reconsidered and possibly still be closed by 10 or 11PM?

Thank you,
Hank

From: [REDACTED]
To: [Aastha Vashist](#)
Subject: Expressing concern on gas station at Fremont Ave
Date: Thursday, January 11, 2024 1:16:16 AM

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

I live at a condo at 880 East Fremont Ave Sunnyvale right next to the proposed project of gas station at Fremont Ave. We express our concern of constructing a gas station right next to the condos.

Shree

From: [REDACTED]
To: [Aastha Vashist](#)
Subject: Expressing concern on gas station at Fremont Ave
Date: Thursday, January 11, 2024 1:17:59 AM

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

I live at a condo at 880 East Fremont Ave Sunnyvale right next to the proposed project of gas station at Fremont Ave. We express our concern of constructing a gas station right next to the condos.

Ranga

From: [REDACTED]
Subject: [REDACTED] [Vashist](#)
Date: Re: Concerns re: 898 E Fremont Avenue
Wednesday, January 10, 2024 7:57:25 PM

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Additionally, it operating 24x7 even seems to big change from current situation, we barely see any traffic or business in the night but with the proposed overnight operations it will affect the quite and peace we experience now end of day.

Harish Radhakrishnan

On Wed, Jan 10, 2024 at 7:25 PM Harry <[REDACTED]> wrote:

Hi Aastha,

Thanks again for the organizing the meeting earlier to discuss this construction. I wanted to know if this project is approved or still under consideration for approval? Can the neighbors still vote against the plan? If so, what are the steps required?

The trash situation is very concerning to me, not only can it affect the valuation of our property given its visibility but am more concerned about the smell that can easily get to the units on our side given the proximity. I'd like to understand how this can be alleviated.

Thanks for your understanding and response in this matter.

Regards,

Harish Radhakrishnan

From: [REDACTED]
To: [Aastha Vashist](#)
Subject: Reg. proposed construction of a 24/7 store and gas station
Date: Friday, January 12, 2024 11:39:10 PM

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Dear Sunnyvale City Planner,

I am writing to express my strongest opposition to the proposed construction of a 24/7 store and gas station at [898 E. Fremont Ave., Sunnyvale, CA](#). As a resident of the condo unit directly adjacent to the proposed site ([880 E. Fremont Ave.](#)), I am deeply concerned about the detrimental impact this development will have on my neighborhood and quality of life.

My primary concern is the disruption to peace and quiet. A 24/7 store and gas station would inevitably generate significant noise and light pollution, making it virtually impossible to enjoy peace and quiet within my home, especially considering its proximity to the proposed development. The constant traffic coming and going at all hours, the hum of pumps and machinery, and the bright lights – all these factors would create a relentless and unwelcome intrusion into my personal space.

I am confident that many of my neighbors share my concerns, and I hope the city council will carefully consider all viewpoints before making a decision that could have such a profound impact on our community.

Thank you for your time and consideration.

Sincerely,

Vasini Ramakrishnan

From: [REDACTED]
To: [Aastha Vashist](#)
Subject: Strong Opposition to Proposed 24/7 Store and Gas Station at 898 E. Fremont Ave., Sunnyvale
Date: Friday, January 12, 2024 11:57:41 AM

WARNING - This email came from an EXTERNAL source. Confirm the sender and its contents are safe before responding, opening attachment or links.

Dear City Planner,

I am writing to express my concerns regarding the proposed construction of a 24x7 store and gas station at 898 E Fremont Ave, Sunnyvale, CA. I own and reside in a condo at 880 E Fremont Ave, which is located right next to the proposed site.

I am concerned that the construction of a 24x7 store and gas station will disrupt the peace and quiet of the neighborhood. The noise and traffic generated by the store and gas station will be a nuisance to the residents of the area, and will negatively impact the quality of life of the community.

I urge you to reconsider the proposed construction of the 24x7 store and gas station at 898 E Fremont Ave, Sunnyvale, CA. I believe that the construction of such a facility will have a negative impact on the community, and will not be in the best interests of the residents of the area.

Thank you for your attention to this matter.

Sincerely,

Vikram G Kopuri



City of Sunnyvale

Agenda Item 4

24-0798

Agenda Date: 7/8/2024

Planning Commission Proposed Study Issues, Calendar Year: 2025 (Information Only)

Date	Working Title	Summary of Scope	Staff Comments
May 5, 2024	Consider a Fee for Private Vehicles Parked on City Streets	Study would explore a fee for private vehicle parking on City Streets	None
June 4, 2024	Identify Opportunities for Allowing Neighborhood-Serving Commercial Uses in Residential Zoning Districts	Study would explore opportunities for neighborhood-serving commercial uses in residential zoning districts.	None
June 4, 2024	Allow Commercial Marijuana Activities in Certain Zoning Districts	Study would explore allowing commercial marijuana activities in certain zoning districts.	None

*The study issue has been proposed for future sponsorship

Toward the end of the calendar year, no later than October, boards and commissions will review the list of proposed study issues and officially vote on sponsorship for each individually listed study issue. Official sponsorship means that the study issue is approved for ranking with a majority vote of the board or commission. Staff will then prepare the sponsored study issue papers, including fiscal impact **but not** the staff recommendation.