



City of Sunnyvale

Notice and Agenda - Revised Planning Commission

Monday, April 14, 2014

7:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 Climate Action Plan to Achieve State Recommended Greenhouse Gas Emissions Reduction Goals in Assembly Bill 32: California Global Warming Solutions Act of 2006
Environmental Review: Negative Declaration
Staff Contact: Gerri Caruso, (408) 730-7591,
gcaruso@sunnyvale.ca.gov

- 2 Public Comment on Study Session Agenda Items

- 3 Comments from the Chair

- 4 Adjourn Study Session

Any agenda related writings or documents distributed to members of the Planning Commission regarding any open session item on this agenda will be made available for public inspection in the Planning Division office located at 456 W. Olive Ave., Sunnyvale CA 94086 during normal business hours, and in the Council Chambers on the evening of the Planning Commission meeting pursuant to Government Code §54957.5.

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

Speakers are limited to 3 minutes for announcements of related commission events, programs, resignations, recognitions, acknowledgments.

CONSENT CALENDAR

- 1.A** [14-0408](#) Approval of the Draft Minutes of the Planning Commission Meeting of March 24, 2014
- 1.B** **14-0442** **File #:** 2013-8029
Location: 523 E. Homestead Rd. (APNs: 309-44-003, -049, -050)
Zoning: Low-Medium Density Residential / Planned Development (R-2/PD) Zoning District
Proposed Project:
 SPECIAL DEVELOPMENT PERMIT to allow 7 single-family homes.
 VESTING TENTATIVE MAP to create 7 ownership lots.
Applicant / Owner: S & S Construction, LLC / Louis Mariani Trustee
Environmental Review: Mitigated Negative Declaration
Project Planner: Noren Caliva-Lepe (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov
NOTE: *Project applicant requests continuance to the meeting of May 28, 2014.*

PUBLIC COMMENTS

This category is limited to 15 minutes, with a maximum of three minutes per speaker. If you wish to address the board or commission, please complete a speaker card and give it to the Recording Secretary or you may orally make a request to speak. If your subject is not on the agenda, you will be recognized at this time; but the Brown Act (Open Meeting Law) does not allow action by board or commission members. If you wish to speak to a subject listed on the agenda, you will be recognized at the time the item is being considered by the board or commission.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [14-0381](#) **File #:** 2014-7121
Location: 1621 Swift Court (APN: 313-41-043)
Zoning: R-0 Low Density Residential
Proposed Project:
 DESIGN REVIEW to allow a first and second story addition to an existing single story home resulting in 3,193 square feet (2,713 square feet living area and 480 square feet garage) and a Floor Area Ratio (FAR) of 52%.
Applicant / Owner: Stoecker and Northway Architects (applicant) / Ariel and Anna Tseitlin (owners)
Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.
Project Planner: Elise Lieberman, (408) 730-7443, elieberman@sunnyvale.ca.gov
- 3 [14-0197](#) 2014 Quarterly Consideration of General Plan Amendment Initiation Requests: 915 De Guigne Drive - Industrial to Residential Medium Density

File #: 2014-7244
Location: 915 De Guigne Drive (APN: 205-21-001)
Proposed Project:
 GENERAL PLAN AMENDMENT INITIATION Request to study a change from Industrial to Residential Medium Density and discussion of an Area Plan, Sense of Place Plan, Market and Fiscal Impact Analysis and parkland dedication.
Owner/Applicant: Watt Companies
Project Planner: Shaunn Mendrin, (408) 730-7429, smendrin@sunnyvale.ca.gov
- 4 [14-0338](#) Adopt a Resolution to Update the Green Building Program for Residential Projects, Non-Residential Projects and Public Facilities
- 5 [14-0436](#) **Standing Item:** Potential Study Issues for 2015

NON-AGENDA ITEMS AND COMMENTS

COMMISSIONER ORAL COMMENTS

STAFF ORAL COMMENTS

INFORMATION ONLY ITEMS

ADJOURNMENT

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Agenda information is available by contacting The Planning Division at (408) 730-7440. Agendas and associated reports are also available on the City's web site at sunnyvale.ca.gov or at the Sunnyvale Public Library, 665 W. Olive Ave., Sunnyvale, 72 hours before the meeting.

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.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Planning Division at (408) 730-7440. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.106 ADA Title II)



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, March 24, 2014

7:00 PM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

7:00 P.M. PLANNING COMMISSION - STUDY SESSION - WEST CONFERENCE ROOM

- 1 Training:
 - A Landscaping Plans: Appropriate Species
 - B Pedestrian and Bicycle Standards: City/VTa
- 2 Public Comment on Study Session Agenda Items
- 3 Comments from the Chair
- 4 Adjourn Study Session

8:00 P.M. PLANNING COMMISSION - PUBLIC HEARING - COUNCIL CHAMBERS

CALL TO ORDER

Chair Melton called the meeting to order at 8:00 p.m.

SALUTE TO THE FLAG

ROLL CALL

Present: 7 - Commissioner Ralph Durham
Commissioner Sue Harrison
Commissioner Larry Klein
Chair Russell Melton
Vice Chair Ken Olevson
Commissioner Ken Rheaume
Commissioner David Simons

PUBLIC ANNOUNCEMENTS/PUBLIC COMMENTS

CONSENT CALENDAR

1.A 14-0334 Approval of Draft Minutes of the Planning Commission Meeting of
March 10, 2014

MOTION: Comm. Simons moved to approve the draft minutes. Comm. Klein seconded. The motion carried by the following vote:

Yes: 6 - Commissioner Harrison
 Commissioner Klein
 Chair Melton
 Vice Chair Olevson
 Commissioner Rheaume
 Commissioner Simons

No: 0

Abstained: 1 - Commissioner Durham

1.B 14-0313 **File #:** 2014-7096
Location: 822 Ponderosa (APN: 213-39-123)
Zoning: R-0 Low Density Residential
Proposed Project:
 DESIGN REVIEW for a first-story addition of 115 square feet to
 an existing two-story single family home resulting in 2,798
 square feet (2,366 square feet living area and 432 square feet
 garage) and a Floor Area Ratio of 45.8%.
Applicant / Owner: Frank Eveleno (applicant/owner)
Environmental Review: A Class 1 Categorical Exemption relieves
this project from California Environmental Quality Act provisions and
City Guidelines.
Project Planner: Elise Lieberman, (408) 730-7443,
elieberman@sunnyvale.ca.gov

- 1.C 14-0311** **File #:** 2014-7088
Location: 1349 Elsona Court (APN: 320-08-037)
Zoning: R-1Low Density Residential
Proposed Project:
 DESIGN REVIEW for a first-story addition of 375 square feet and an attached open garden feature to an existing two-story single family home resulting in 3,905 square feet (3,275 square feet living area and 630 square feet garage) and a Floor Area Ratio of 47.2%.
Applicant / Owner: Michelle Miner (applicant) / Kevin Martang (owner)
Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.
Project Planner: Elise Lieberman, (408) 730-7443, elieberman@sunnyvale.ca.gov
- 1.D 14-0356** **File #:** 2013-8029
Location: 523 E. Homestead Rd. (APNs: 309-44-003, -049, -050)
Zoning: Low-Medium Density Residential / Planned Development (R-2/PD) Zoning District
Proposed Project:
 SPECIAL DEVELOPMENT PERMIT to allow 9 single-family homes
 VESTING TENTATIVE MAP to create 9 ownership lots.
Applicant / Owner: S & S Construction / Louis Mariani Trustee
Environmental Review: Mitigated Negative Declaration
Project Planner: Noren Caliva-Lepe, (408) 730-7659, ncaliva-lepe@sunnyvale.ca.gov
NOTE: *No action required. Project has been re-advertised for April 14, 2014.*

MOTION: Comm. Simons moved to approve the remaining items on the Consent Calendar. Comm. Klein seconded. The motion carried by the following vote:

Yes: 7 - Commissioner Durham
 Commissioner Harrison
 Commissioner Klein
 Chair Melton
 Vice Chair Olevson
 Commissioner Rheaume
 Commissioner Simons

No: 0

PUBLIC COMMENTS

PUBLIC HEARINGS/GENERAL BUSINESS

2 **14-0068** **File #:** 2013-7951
Location: 904 Primrose Avenue (APN: 213-25-012)
Proposed Project: An application on a 6,072 sq. ft. site:
 DESIGN REVIEW: to allow first and second floor additions of 1,547 square feet, for a total of 3,334 square feet and 54.9% floor area ratio.
Applicant/Owner: Dennis Shafer (applicant), Saumil and Jesika Gandhi (owner)
Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.
Project Planner: Timothy Maier, (408) 730-7257, tmaier@sunnyvale.ca.gov

Timothy Maier, Assistant Planner, presented the staff report.

Comm. Simons discussed with Mr. Maier the requirement for removal of the bay windows from the design and how that would address the neighbor's privacy concerns. Comm. Simons discussed with Trudi Ryan, Planning Officer, the second story setback, and how removal of the bay windows would leave the rear of the building a flat surface.

Comm. Rheaume discussed with Mr. Maier the Condition of Approval (COA) regarding symmetry and window placement, and said he would support making the changes on all sides of the home except for the north.

Comm. Harrison confirmed with Mr. Maier that the increased size of the front entry was a collaborative proposal by the applicant and staff.

Vice Chair Olevson confirmed with Ms. Ryan that two-story homes are consistent with other homes in the immediate area.

Comm. Durham confirmed with Mr. Maier that there is no plan to remove any protected trees.

Comm. Klein clarified with Mr. Maier the direction the proposed balcony would face.

Chair Melton confirmed with Mr. Maier that the proposed home would have the biggest Floor Area Ratio (FAR) on Primrose. Chair Melton discussed with Ms. Ryan the zoning of the development to the south, and said he is not

comfortable with the FAR. Chair Melton and Ms. Ryan discussed procedures to continue this item.

Chair Melton opened the public hearing.

Jesika Gandhi, the project applicant, gave a presentation outlining the reason for remodeling her family's home and discussed the proposed home's features.

Comm. Harrison discussed with Ms. Gandhi the size of the front entry, and confirmed with Ms. Gandhi that the utility room would be on the second floor and that Ms. Gandhi would be amenable to upgrading all water fixtures to meet the new CALGreen standards.

Comm. Simons confirmed with Ms. Gandhi that she is comfortable with the COA requiring side windows to have more obscured vision to address privacy concerns. Comm. Simons commented on the rear wall appearing as one flat panel without the bay windows, and discussed with Dennis Schafer, the project architect, options for breaking it up. Comm. Simons confirmed with Mr. Schafer that a second story offset would add substantially to the cost of the remodel, and confirmed with the applicants that they would be amenable to adding more landscaping.

Chair Melton discussed with the applicants options for reducing the size of the home if the Planning Commission made overall reduction a requirement, and discussed the applicants' preference for continuing the item over a denial.

Kjevd Svendsen, the applicant's neighbor, said he objects to the proposed project because of the privacy issue it would create.

Vice Chair Olevson confirmed with Mr. Svendsen that he lives in a two-story home and that Mr. Svendsen's objection to the project is primarily based on privacy concerns.

Chair Melton closed the public hearing.

Comm. Rheume moved Alternative 1 to approve the Design Review with the attached conditions.

Comm. Durham seconded.

Comm. Rheume said the other Commissioners were concerned with the FAR of 54.9% and that he would feel the same if the home were not backing up to the Mangrove Villa homes. He said he understands the neighbor's concerns about privacy but he thinks it will be alleviated by reducing the size of the windows. He said it is hard to buy property in Sunnyvale and that we are going to see more people wanting to build up their existing homes. He said he was asked to reduce the size of an addition to his home and that it is difficult when one has a particular configuration, and to take off 100 square feet to look good in terms of the FAR does not make much sense. He said he would not want to jeopardize the overall design of the home, and that he likes the idea of adding the trellis and wood siding with less stucco. He said the applicants have met all of the setback requirements, including the second story even though it is bulky, and said he was able to make the findings.

Comm. Durham said he also had concerns with the FAR and with how bland the back of the building could be. He said when he looked at the property, the views people will be getting in back are at more of an acute angle and that other nearby two-story homes may have more issues with privacy. He said he thinks it is a pretty decent plan, and thinks it makes sense to block in the front of the house to allow access to the driveway and stairwell. He said taking a few square feet out of the entryway to reduce the FAR will not make a major impact and is not worth doing, and said he can make the findings for this project.

Comm. Simons offered as a friendly amendment that City staff and the applicants' architect coordinate design elements that would break up the flatness of the rear wall.

Comms. Rheume and Durham accepted.

Comm. Simons offered as another friendly amendment the removal of the requirement for the window reductions in the front.

Comms. Rheume and Durham accepted.

Comm. Simons offered as a final friendly amendment that staff review any added landscaping that would improve privacy.

Comms. Rheume and Durham accepted.

Comm. Simons said he understands the neighbor's concern with expanding a

single-story house which may potentially create privacy issues. He said years ago the City modified the potential for square footage in houses to allow smaller lots to have the same expansion capability as larger lots, and the City did not want to restrict smaller lots to having really small houses. He said he remembers the purpose was to allow people who needed more square footage to expand rather than requiring them to move. He said even though he understands the concern with increased density, the goal is also to allow people to stay and improve their homes, and he said he believes that is the intent with this application. He said he is sensitive to the privacy issues and that there will be window changes and the removal of bay windows to address them. He said he thinks the look of house will be better with some of the recommended changes.

Vice Chair Olevson said he will be supporting the motion, and that the neighborhood is very mature but undergoing change. He said he is concerned that a large ratio of home to lot will dramatically change the property, but thinks that it is in Sunnyvale's best interest to encourage upgrading and continuous improvement of the neighborhood. He said while the ratio is wrong with this home, it is sitting on a small lot and this needs to be taken into account. He said he ran the numbers on how many square feet would need to be lost and noted that if the lot was slightly larger there would be no problem. He said that it is in Sunnyvale's best interest to encourage upgrading rather than having residents go elsewhere while leaving the problem for someone else.

Comm. Klein said he will be supporting the motion, and also had some concerns about the FAR, but that during a site visit he found multiple two-story homes that did not have the setbacks that are now in place which would change the characteristics of the neighborhood. He said he understands the privacy issues raised by the neighbor, and that with the friendly amendment to review the lines-of-sight, the COAs in place to reduce the window sizes on the second story and the applicants' willingness to add more landscaping, the privacy issues are handled in many ways. He said this neighborhood, as with all of Sunnyvale, is in transition, and that this home is a good addition. He said that the size of the lot is the real problem, and that keeping additions from going on does not make sense.

Comm. Harrison said she will be supporting the motion and is persuaded by reduction in cost of structurally putting one wall over another and keeping the lines straight on the side and back. She offered a friendly amendment to have the other water fixtures not proposed to be touched to be upgraded to meet CALGreen standards.

Comms. Rheame and Durham accepted.

Chair Melton said he will be supporting the motion, and that he too had concerns that the proposed property and overall FAR were just too big, but that he is convinced by the applicants' testimony and comments from the Commissioners that this is the right thing to do for a neighborhood in transition. He said this is also the right thing to do for the City of Sunnyvale and provides a great opportunity to redevelop and inject capital into the neighborhood. He said a year ago the Planning Commission was reviewing a similar application, that the Planning Commission had three public hearings and Council had two public hearings on the topic. He said former Mayor Spitaleri stated that one really important thing to consider when making a decision is families, the definition of which continuously evolves even since the single-family homes design standards were adopted. He said we can hold ourselves to those standards, but the fact is that families have been growing and the definition may include parents and grandparents coming to live with families and we need to adjust and evolve as well. He said he can make the findings, and that while he understands the financial argument made by the applicant, he is not persuaded by it. He said he was taught as a Planning Commissioner to not take into account the financial considerations of the applicants and that Commissioners have to do what is best for the City. He said the privacy concerns will be mitigated and addressed, that this will be a nice addition to the neighborhood, and that he looks forward to the project's completion.

MOTION: Comm. Rheame moved Alternative 2 to approve the Design Review with modified conditions:

- 1) City staff and the applicant's architect coordinate a design to break up the flatness of the rear wall;
- 2) The condition for the windows in the front of the home does not require a reduction in size;
- 3) Staff review any potential landscaping added to improve privacy; and
- 4) Upgrade all water fixtures to meet CALGreen standards.

Comm. Durham seconded. Motion carried by the following vote:

Yes: 7 - Commissioner Durham
Commissioner Harrison
Commissioner Klein
Chair Melton
Vice Chair Olevson
Commissioner Rheaume
Commissioner Simons

No: 0

3 **14-0221** **File #:** 2014-7087
Location: 1604 Vireo Avenue (APNs: 313-42-031)
Zoning: R-0 (Low Density Residential) Zoning District
Proposed Project:
 DESIGN REVIEW to allow an 837-square foot first and second story addition to a single family home resulting in 3,017 square feet (2,617 square feet of living area and a 400 square foot garage) and 48.1% Floor Area Ratio.
Applicant / Owner: Dan Fritschen
Environmental Review: Categorically Exempt Class 1
Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

Trudi Ryan, Planning Officer, presented the staff report.

Vice Chair Olevson confirmed with Ms. Ryan that this item has come to the Planning Commission because the Floor Area Ratio (FAR) exceeds the 45% threshold.

Chair Melton opened the public hearing, and upon seeing no speakers for the item, Chair Melton closed the public hearing.

Comm. Klein moved Alternative 1 to approve the Design Review with the conditions in Attachment 4.

Comm. Durham seconded.

Comm. Klein said he was able to make the findings, and that the design looks like it will fit in well with the neighborhood. He said as opposed to the previous project heard, which had a larger FAR, this project barely exceeds requirements from a review standpoint. He said he was able to make the findings and looks forward to the project moving forward.

Comm. Durham said he thinks the project will be a good addition, and sees no essential changes in the basic footprint. He said this is a fairly small addition to the second floor in a neighborhood that looks like it is going that way. He said he may have had some objections if some of the rear yard was lost, but he will be supporting the motion.

Vice Chair Olevson said he can support the project which is in an area of Sunnyvale that has a variety of styles and sizes of homes. He said it looks like the applicant has done a good job of staying within the parameters, except for the FAR, which is just 200 square feet larger than it would have been if it had

just gone through staff and not the Planning Commission. He said he can support the project easily.

Chair Melton said he will be supporting the motion and can make the findings. He said when he visited the site he bumped into the applicant who was on the roof showing his daughters what the second story addition might look like. He said what we have here is a great neighbor in a great neighborhood and that this is going to be a fantastic addition. He said he wishes the applicant the best and looks forward to seeing the project come about.

MOTION: Comm. Klein moved Alternative 1 to approve the Design Review with the conditions in Attachment 4. Comm. Durham seconded. The motion carried by the following vote:

Yes: 7 - Commissioner Durham
Commissioner Harrison
Commissioner Klein
Chair Melton
Vice Chair Olevson
Commissioner Rheaume
Commissioner Simons

No: 0

- 4** **14-0154** Introduce an Ordinance to Create Chapter 19.47 (Off-Site Stadium Event Parking) of Title 19 of the Sunnyvale Municipal Code to Add Off-Site Parking Standards and Regulations Related to Levi's (49ers) Stadium (2014-7021)

Amber El-Hajj, Senior Planner, presented the staff report.

Comm. Klein clarified with staff the zoning district that this ordinance would apply to, and discussed with Ms. El-Hajj prohibiting both tailgating and the sale of food in the offsite parking lots. Comm. Klein and staff discussed the permit appeal process. Comm. Klein confirmed with Trudi Ryan, Planning Officer, that there are no other use permits that cannot be appealed. Ms. El-Hajj discussed the response from the community. Comm. Klein confirmed with Ms. El-Hajj that San Francisco does not currently have an offsite parking ordinance.

Comm. Durham discussed with Ms. El-Hajj whether the number of parking spaces needed for the stadium includes the staff who will work there, and confirmed with Ms. El-Hajj that the Environmental Impact Report (EIR) for the stadium did not include bike parking data. Comm. Durham and Ms. El-Hajj also discussed the number of lots potentially affected that are adjacent to residential properties, and confirmed that the Department of Public Safety is working on having road block signs and limited access areas.

Vice Chair Olevson discussed with staff the rationale behind prohibiting valet parking. Vice Chair Olevson noted that the elimination of tailgating may encourage people to wait until the last minute to arrive, thereby creating traffic chaos. Ms. El-Hajj said Santa Clara is allowing tailgating in all of their lots. Vice Chair Olevson said he would like to see a process of appeal.

Comm. Rheaume confirmed with Ms. El-Hajj that the standard Miscellaneous Plan Permit (MPP) application review fee would apply to those wanting to offer parking in private lots. Comm. Rheaume confirmed with Ms. Ryan that offsite signage for the lots would not be allowed and that parking in the lots would have to be advertised another way. Comm. Rheaume confirmed with Ms. El-Hajj that the City of San Jose is not considering a similar ordinance, and Ms. El-Hajj added that the concern stems from people not wanting to pay \$40 for parking and attempting to park in Sunnyvale for free and then walking to Tasman to get to the stadium. Ms. Ryan displayed the City zoning map and demonstrated the proximity of the stadium to City boundaries.

Comm. Simons commented on the lack of sidewalks on Tasman, and said

evaluating this during the first year will not cut it because the worst case will occur during the Superbowl. He discussed alternatives for the tailgating prohibition which could potentially produce funding for City programs. Comm. Simons and Ms. El-Hajj discussed the ordinance that the Department of Public Works is working on and Ms. El-Hajj said it would include security in the neighborhoods. Comm. Simons confirmed with Ms. El-Hajj that permits would not be approved for parking in private lots if proposed to occur during regular business hours.

Comm. Harrison confirmed with Ms. El-Hajj that the final draft of Santa Clara's transportation operational plan is not yet complete. Comm. Harrison commented on Santa Clara contracting out for the additional parking spaces. Ms. Ryan noted that Santa Clara should take care of parking for their stadium, but that the City of Sunnyvale should be prepared for the first event. Comm. Harrison confirmed with Ms. El-Hajj that Santa Clara would not be adding a sidewalk on Tasman in Sunnyvale and that the City is not asking business owners to set up a new business to manage parking, but is giving them the opportunity to do so.

Comm. Durham confirmed with Ms. El-Hajj that the 49ers have agreed to have no weekday events for the first year.

Comm. Klein confirmed with Ms. El-Hajj that after a permit is revoked, the standard time for approval of the reapplication would be two weeks.

Chair Melton opened the public hearing and upon seeing no speakers for the item, closed the public hearing.

Comm. Klein discussed the lack of funding for improvements to the Woods neighborhood and Tasman Drive, and asked if there is a potential program for application fees to create funding. Ms. Ryan clarified that for a development review the City can only charge for the cost of reviewing the permit.

Comm. Simons and staff discussed developing a list of those who have permits and will be providing parking, and Ms. El-Hajj said where to post the information would be up to the Communications Division.

Comm. Klein moved Alternatives:

- 2) Direct staff to monitor the ordinance and parking and return to Council in one year (or sooner if necessary) to discuss the regulations and provide suggested modifications as needed; and

3) Introduce an ordinance with modifications:

- a. That the revocation of the permit be appealable to the Planning Commission.

Vice Chair Olevson seconded.

Comm. Klein said he understands that staff is trying to deal with all possible issues in an unknown situation, and said he is surprised that neither San Francisco nor Oakland has had to deal with an offsite parking ordinance. He said before this goes to City Council, he suggests staff look around for a similar ordinance. He said he has some issues with the tailgating limitation as tailgating spreads out fan arrival times and said that it is one thing to prohibit cooking and barbecuing and another to prohibit loitering in a parking lot where multiple caravans meet. He said encouraging people to gather is a good thing in terms of the camaraderie and that many times friends have to sit in different areas of the stadium. Comm. Klein reiterated that the tailgating portion is very restrictive and hopes it will be revisited as a priority in one year. He said looking into having tailgating with food trucks may reduce the likelihood of people cooking, and that lessening the tailgating wording so people could congregate and spread time out makes sense. He said it is heavy handed to say one person makes the decision regarding an appeal and would prefer the option to have the revocation of a permit to be appealable to the Planning Commission so permit holders can make their case to a wider audience. He said he worries about the lack of signage and direction for people to find parking, and that free street parking will be a common location. He said charging \$40-50 for a parking spot will encourage people to find free parking, and he hopes staff will look into notification of where parking can be found on event days on the City website. He said he also worries that there may not be a good ordinance in place to deal with the impact of people parking on the street, of shuttle buses not having a direct path to light rail stations or other public transit. He said staff should look into funding improvements to the Woods and Tasman areas regardless of whether or not Santa Clara responds. He said people will be walking in the street, which will become an issue very quickly, and as much as having the stadium nearby will be a boon for local hotels and business, we will also have the nightmare of trying to handle game day in the community. He said this is a good first attempt and looks forward to its development over the next year.

Vice Chair Olevson said he will be supporting the motion for the ordinance with the modification to allow the appeal for revocation to the Planning Commission. He said he has concerns with planning for the future via guess

work, but that we do not know the impact this will have. He said Santa Clara has 21,000 spaces and is negotiating 30,000 spaces, and all of this will be moot by the time the first game comes along. He said he is willing to support the modified ordinance because we need to be cautious, and that because Santa Clara is paying us for enforcement but not traffic control, we need to make this work.

Comm. Rheume said he is having trouble supporting the motion, and that while he appreciates staff's work and concern, he thinks we can keep this simple by waiting a year and seeing how Santa Clara responds. He said if word gets out to fans that you cannot park in Sunnyvale now it may set precedence that you cannot park in Sunnyvale ever, and that while it is hard to control that, it could put pressure on Santa Clara to meet their responsibilities for this stadium. Comm. Rheume offered a friendly amendment to limit this to include just the Woods neighborhood to see how this would impact the City for the first year. Comm. Klein declined the friendly amendment and said he thinks those neighborhoods are key to understanding how they will be affected because they are so close, and that the biggest issue is people who plan ahead will park in Moffett and people who do not will find the Woods.

Comm. Durham said he can find for this potential ordinance, and that there will be people who will arrive late and want to find parking quickly. He said if people are allowed to park in Sunnyvale for half or three quarters of the cost of parking in Santa Clara they may do the math and decide it is better to arrive early and park in Santa Clara. He said he is hoping there will not be a lot of overflow into Sunnyvale, and that he thinks this is a proactive step. He said he would hate to see that after the first few games we have a flood of parking and no plan to deal with it. He said we have a good start here with plans to fine tune the limitation and definition of tailgating later, so he will be supporting the motion.

Comm. Simons thanked staff for a great effort, and said he will be voting against this because of his one major concern that we may be creating businesses that are invisible unless one is driving around looking for signs. He said he would like to see funding so that people who are looking for parking can find a list of companies, which may not always be open but can be called to confirm availability. He said this should be built into any process like this so we are not creating hidden businesses.

Comm. Harrison confirmed with Ms. El-Hajj that if staff denies a permit it is appealable under normal MPP rules. Comm. Harrison said she will be

supporting the motion and appreciates staff's time and dedication. She said this is a good first step, and that she also really questions the tailgating and valet prohibitions and hopes they will be looked at after a period of evaluation.

Chair Melton said he will be supporting the motion and thanked staff for a really well thought out report. He said we have heard Ms. El-Hajj say repeatedly that the primary mission is to protect Sunnyvale, and that we have a massive thing going on in the next city and we need to look at what is best for Sunnyvale. He said he is not as concerned with the tailgating issue and has faith that it will be addressed in the subsequent iteration. He said it was a close call with regard to the appealability of permit revocation, and that while his preference would have been to leave it as a unilateral decision for the Director of the Community Development Department, he was convinced by Comm. Klein's comments that this is a good way to go. He said we will be looking at this again in 12 months anyway, so it is not as though any decision made now will have major, long-term effects.

MOTION:

Comm. Klein moved Alternatives:

3) Introduce an ordinance with modifications:

- a. That the revocation of the permit be appealable to the Planning Commission; and

2) Direct staff to monitor the ordinance and parking and return to Council in one year (or sooner if necessary) to discuss the regulations and provide suggested modifications as needed.

Vice Chair Olevson seconded. The motion carried by the following vote:

Yes: 5 - Commissioner Durham
Commissioner Harrison
Commissioner Klein
Chair Melton
Vice Chair Olevson

No: 2 - Commissioner Rheaume
Commissioner Simons

**5 14-0369 Nomination of Planning Commission Representative to the
Lawrence Station Area Plan (LSAP) Community Advisory
Group (CAG)**

Comm. Simons nominated Comm. Harrison who accepted. Chair Melton said he would also have nominated Comm. Harrison as she served previously as the Sustainability Commission representative to the Community Advisory Group.

VOTE: YES: 7 - Commissioner Durham
 Commissioner Harrison
 Commissioner Klein
 Chair Melton
 Vice Chair Olevson
 Commissioner Rheaume
 Commissioner Simons

NO: 0

6 14-0367 2014 Planning Commission Work Plan

Trudi Ryan, Planning Officer, described the work plan purpose and process.

Comm. Harrison and Ms. Ryan discussed the purpose of a General Plan Amendment initiation (GPI) and the upcoming GPI review for the Watts Spansion site.

Chair Melton opened the public hearing and upon seeing no speakers for this item, closed the public hearing.

MOTION: Vice Chair Olevson moved to approve the work plan.

Comm. Durham seconded. The motion carried by the following vote:

YES: 7 - Commissioner Durham
Commissioner Harrison
Commissioner Klein
Chair Melton
Vice Chair Olevson
Commissioner Rheaume
Commissioner Simons

NO: 0

7 14-0357 Standing Item: Potential Study Issues for 2015

No potential study issues for 2015 were suggested.

NON-AGENDA ITEMS AND COMMENTS**COMMISSIONER ORAL COMMENTS**

Comm. Harrison said she thought it was interesting that every design review application heard had to do with having multi-generational families living in one home, and noted that the housing and jobs balance information the Commissioners receive demonstrates that our population has already exceeded the planned designation, yet our housing units are far behind.

STAFF ORAL COMMENTS

Trudi Ryan, Planning Officer, discussed future Planning items that the City Council will consider, and said that Council will have a study session on April 8 to learn about the Landbank property.

INFORMATION ONLY ITEMS**ADJOURNMENT**

With no further business the Planning Commission meeting was adjourned at 10:48 p.m.



City of Sunnyvale

Agenda Item 2

14-0381

Agenda Date: 4/14/2014

REPORT TO PLANNING COMMISSION

SUBJECT

File #: 2014-7121

Location: 1621 Swift Court (APN: 313-41-043)

Zoning: R-0 Low Density Residential

Proposed Project: **DESIGN REVIEW** to allow a first and second story addition to an existing single story home resulting in 3,193 square feet (2,713 square feet living area and 480 square feet garage) and a Floor Area Ratio (FAR) of 52%.

Applicant / Owner: Stoecker and Northway Architects (applicant) / Ariel and Anna Tseitlin (owners)

Environmental Review: A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Project Planner: Elise Lieberman, (408) 730-7443, elieberman@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Low Density

Existing Site Conditions: Single-family residence

Surrounding Land Uses

North: Single-family residence

South: Single-family residence

East: Single-family residence

West: Single-family residence

Issues: Floor Area Ratio

Staff Recommendation: Alternative 1: approve the Design Review based on the Findings in Attachment 4 and with the recommended Conditions in Attachment 5.

BACKGROUND

Description of Proposed Project

The applicant proposes to build a new foyer and second story addition resulting in a total of 3,193 square feet (2,713 square feet living area and 480 square feet of garage space) and 52% Floor Area Ratio (FAR). The project site is 6,200 square feet (0.142 acres). A Design Review is required for construction of an addition to evaluate compliance with development standards and with the Single Family Home Design Techniques. Planning Commission review is required for Design Review applications exceeding 45% FAR or 3,600 square feet.

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

EXISTING POLICY

Single Family Home Design Techniques: The City's Single Family Home Design Guidelines (2003) provide recommendations for site planning, architecture, and design. These guidelines are referenced in the discussion and analysis below.

DISCUSSION

Architecture and Site Design

The existing home has simple ranch-style architecture with a combination of gable and hip roof forms using composition shingle roofing with stucco and brick on the exterior. The majority of single-story and second-story homes in the immediate neighborhood are consistent in style and materials. The proposed home would maintain a similar ranch-style with stucco and gabled roof form and composition roofing. Wood siding would be used at the top of the three gables in the front, the one gable in the rear and the one gable on each of the sides to increase the character of the house (Attachment 6 - Site and Architectural Plans). A colored stucco trim would be used as an accent for the bottom of the front elevation which would be wrapped around both side elevations for a short distance. The use of a stone or brick veneer wainscot on the front façade of the first floor would provide stronger base element and it would maintain an additional element found in the neighborhood. Staff has included the following language if the Planning Commission would like to add this as a condition:

BP-1: The building permit plans shall revise the front elevation to include a brick or stone wainscot on the front façade of the first floor. [PLANNING]

The proposed first-story and second-story addition would be located towards the middle of the property meeting all setback requirements. A two car garage would take access from the existing driveway at the right side of the property's frontage. There is a 10' Public Utility Easement at the front of the applicant's property. The applicant has taken this easement into consideration and has ensured no development would occur in this area.

Privacy

The proposed second-story addition includes an approximately 96 square foot balcony element located on the rear elevation behind the master bedroom. The balcony is approximately 22' away from the left side property line, 25' away from the right side property line and 40'-5" from the rear property line. There are windows located on all sides of the second-story addition however smaller sized windows were chosen when not required for egress purposes to reduce privacy issues. Based on the increased setbacks and location, the proposed balcony and windows are not expected to have privacy impacts on adjacent neighbors.

Solar Access

The Zoning Code (§19.56.020) states that no permit may be issued for any construction which would interfere with solar access by shading more than 10% of the roof of any structure on a nearby property. Shading would only impact a small portion of the one-story section of the house that is

located in the rear yard. The rest of the house is two-stories which would not be impacted by the applicant's proposed second-story addition. This is demonstrated in the project plans and Sheet A4.1 in Attachment 6 shows that shading would not exceed the maximum level permitted thereby complying with current solar access standards.

Floor Area Ratio

The surrounding neighborhood is composed of single and two-story homes with FARs ranging between 29% and 52% (Attachment 3 - Neighborhood Floor Area Ratio Table). The additions to the applicant's home would not affect adjacent properties as the design uses increased and varied setbacks to help reduce the bulk and mass of the home.

Second Floor Area to First Floor Area Ratio

The Design Techniques note that for the purposes of assessing neighborhood character and scale, the "neighborhood" is defined as both sides of the street within the same and immediately adjacent blocks. The neighborhood for this site is composed of a mix of single-story and two-story homes. The proposed project includes a smaller second floor area of 775 square feet, which is approximately 32% of the 2,420 square foot first floor area. Staff finds that this is an acceptable second to first floor ratio as the character of the proposed house is located within an existing mixed-story neighborhood and the ratio is less than the maximum 35% as stated in the City's Single Family Home Design Guidelines.

Landscaping

No protected trees will be removed as part of the first-story and second-story addition. The first-story addition will only be filling in an existing courtyard to create more interior space and the second-story addition will be constructed within the borders of the first-story as shown in Attachment 6.

ENVIRONMENTAL REVIEW

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Design Review. Recommended Findings and General Plan Goals are located in Attachment 4.

Conditions of Approval: Recommended Conditions of Approval are located in Attachment 5.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

Notice of Public Hearing:

- Posted on the site
- 46 notices mailed to property owners and residents within 200 feet of the project site
- Posted on the City of Sunnyvale's Web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library
- Posted on the City's official notice bulletin board
- Posted on the City of Sunnyvale's Web site

ALTERNATIVES

1. Approve the Design Review with the conditions in Attachment 5.
2. Approve the Design Review with modified conditions.
3. Deny the Design Review and provide direction to staff and the applicant where changes should be made.

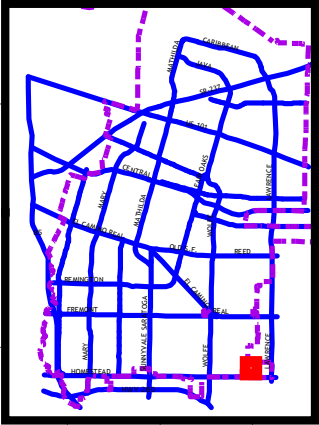
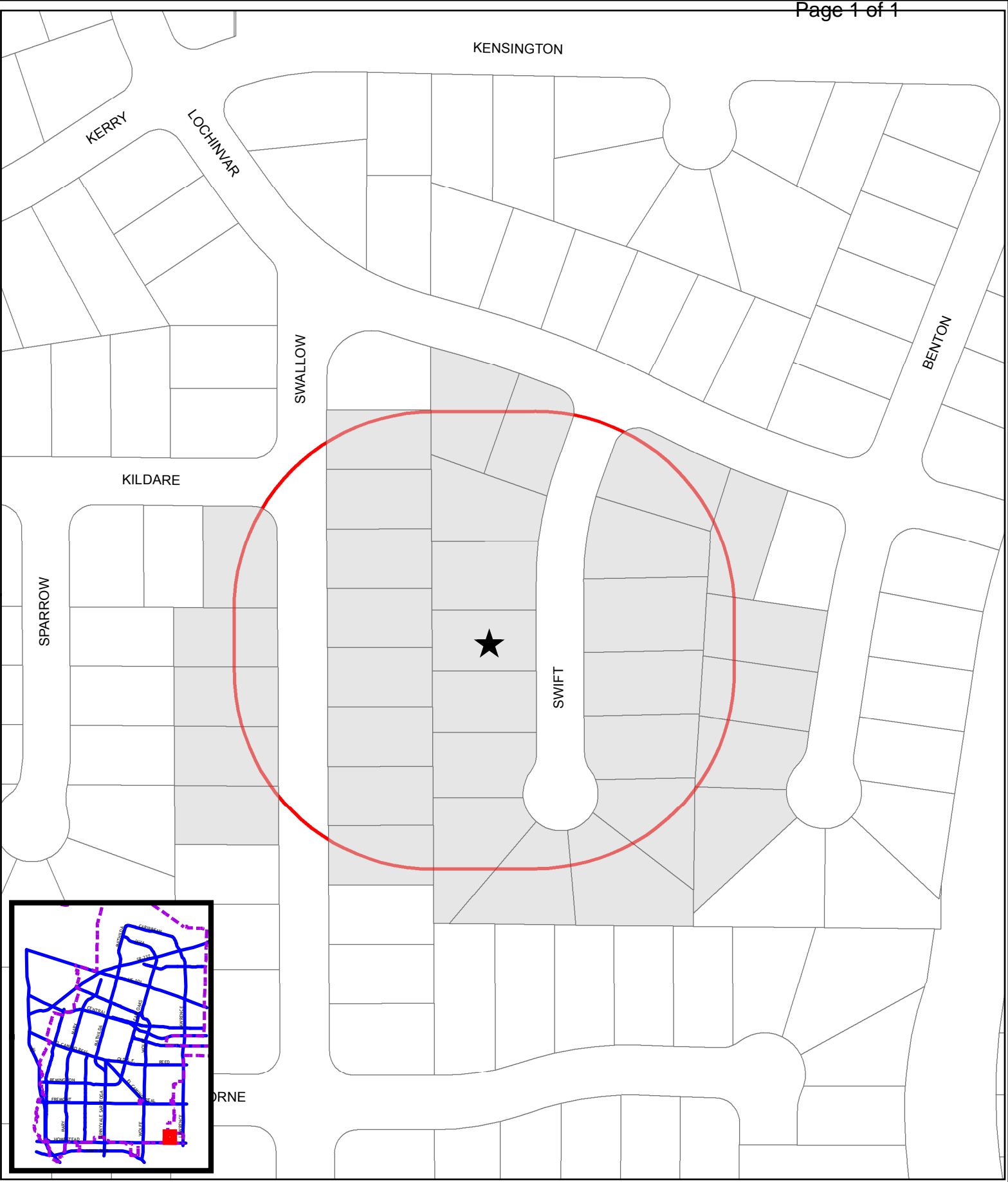
RECOMMENDATION

Recommend Alternative 1 to approve the Design Review based on the Finding in Attachment 4 and with the recommended Conditions in Attachment 5.

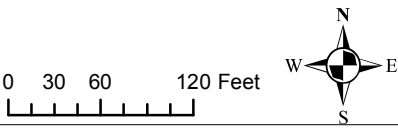
Prepared by: Elise Lieberman, Assistant Planner
Reviewed by: Gerri Caruso, Principal Planner

ATTACHMENTS

1. Vicinity Map
2. Project Data Table
3. Neighborhood Floor Area Ratio Table
4. Recommended Findings
5. Recommended Conditions of Approval
6. Site and Architectural Plans



2014-7121
1621 Swift Ct. (APN: 313-41-043)
DESIGN REVIEW



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-0	Same	R-0
Lot Size (s.f.)	6,200	Same	6,000 min.
Gross Floor Area (s.f.)	2,143	3,193	3,600 square feet threshold (Threshold for Planning Commission Review)
Lot Coverage (%)	35%	39%	40% max.
Floor Area Ratio (FAR)	35%	52%	45% threshold (Threshold for Planning Commission Review)
Building Height (ft.)	16'-6"	23'-11"	30' max.
No. of Stories	1	2	2 max.
Setbacks (First/Second Facing Property)			
Front:			
1st Floor	22'-11"	20'-1"	20' min.
2nd Floor	--	35'-8"	25' min.
Left Side			
1st Floor	5'	5'-8"	4' min.
2nd Floor	--	8'-2"	7' min.
Right Side			
1st Floor	6'-9"	6'-9"	4' min.
2nd Floor	--	13'-6"	7' min.
Rear			
1st Floor	28'-8"	28'-8"	20' min.
2nd Floor	--	40'-5"	20' min.
Parking			
Total Spaces	4	4	4 min.
Covered Spaces	2	2	2 min.

Street Address	Land Area	Building Sq.Ft. (County)	Garage Sq.Ft. (County)	FAR %
1614 Swallow Drive	6,000	1,811	435	37%
1620 Swallow Drive	6,000	1,330	504	31%
1626 Swallow Drive	6,000	1,421	484	32%
1632 Swallow Drive	6,000	1,524	435	33%
1638 Swallow Drive	6,000	1,232	504	29%
1644 Swallow Drive	6,000	1,524	435	33%
1650 Swallow Drive	6,000	1,421	484	32%
1658 Swallow Drive	6,000	2,676	435	52%
1609 Swift Court	7,617	2,295	466	36%
1615 Swift Court	6,460	2,295	466	43%
1618 Swift Court	8,025	2,403	460	36%
1620 Swift Court	8,585	2,358	460	33%
1621 Swift Court	6,200	2,713	480	52%
1626 Swift Court	7,107	2,295	466	39%
1627 Swift Court	6,200	1,619	494	34%
1632 Swift Court	6,650	1,619	494	32%
1633 Swift Court	5,964	2,295	466	46%
1638 Swift Court	7,412	1,619	494	29%
1639 Swift Court	8,282	2,358	460	34%
1644 Swift Court	9,431	1,751	429	23%
1645 Swift Court	7,868	2,295	466	35%

RECOMMENDED FINDINGS

Design Review

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Single Family Home Design Techniques.

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed addition's entry would continue to face the street similar to the pattern in the existing neighborhood. A more formal entry feature would be introduced which is compliant with the Design Technique Guidelines for height and formal entry feature.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	The addition has been designed to reduce the apparent scale and bulk through modest plate heights. The proposed home is within the allowable height of 30 feet.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The proposed structure has been designed to respect the scale of the adjacent homes through the treatment of the second floor, entry features and overall massing.
<i>2.2.4 Minimize the visual impacts of parking.</i>	The project does not propose any modifications to the layout of the parking for this site. Two covered and two uncovered parking spaces are proposed as is the requirement.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The exterior materials are similar to those found in the neighborhood and applied in a manner consistent with the architecture.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed design includes high quality stucco and wood trim. These materials are consistent with the Design Techniques and the surrounding neighborhood.
<i>2.2.7 Preserve mature landscaping</i>	No protected trees will be removed as part of this project.

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
APRIL 14, 2014**

Planning Application 2014-7121

1621 Swift Court

Design Review Permit for a first and second story addition to an existing single story house resulting in 3,193 square feet (2,713 square feet living area and 480 square feet garage) and 52% 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. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not

exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. TITLE 25:

Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

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. 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', 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, 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-6. BEST MANAGEMENT PRACTICES:

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

- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.

- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - 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 discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

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:

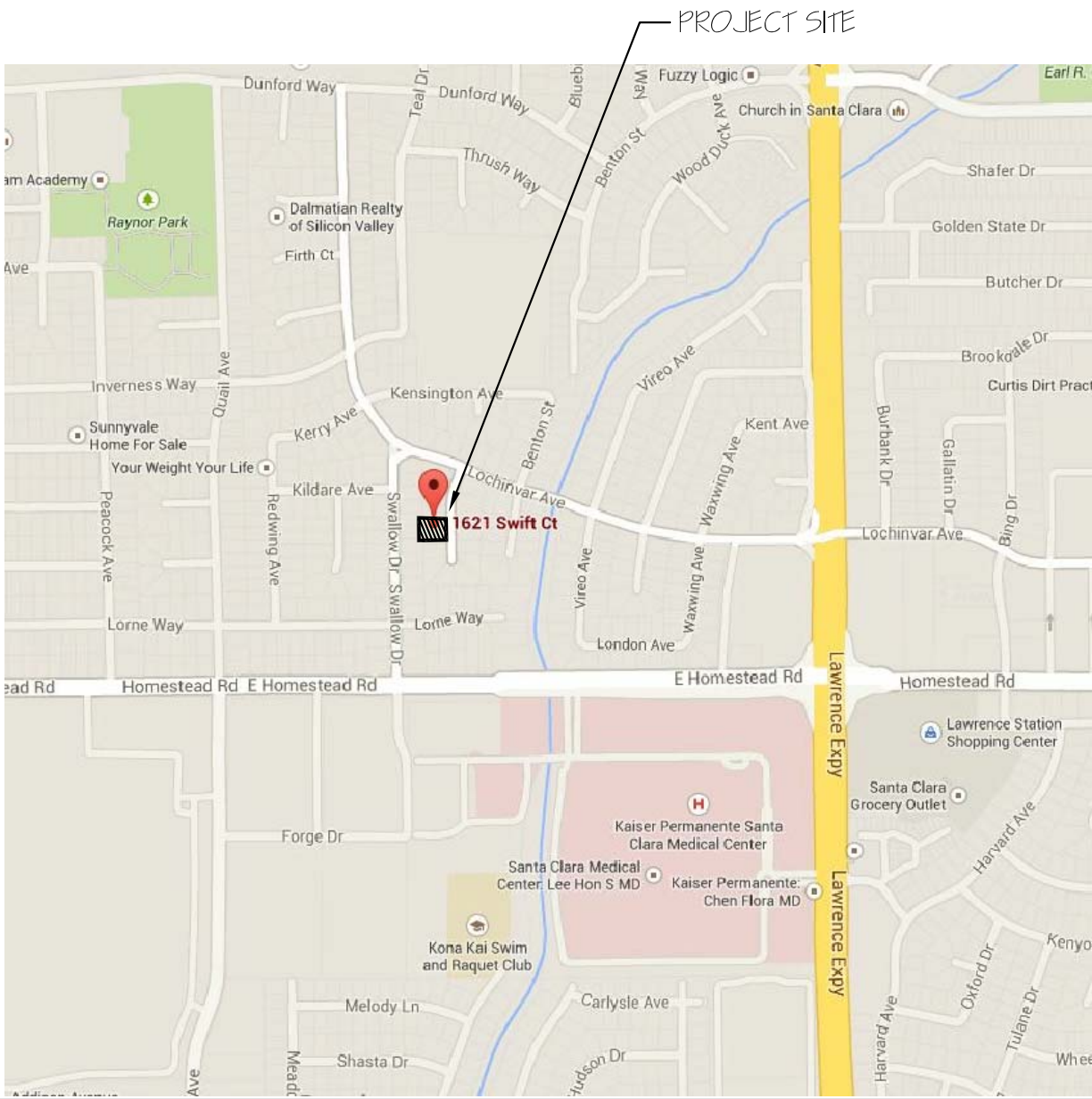
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

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]

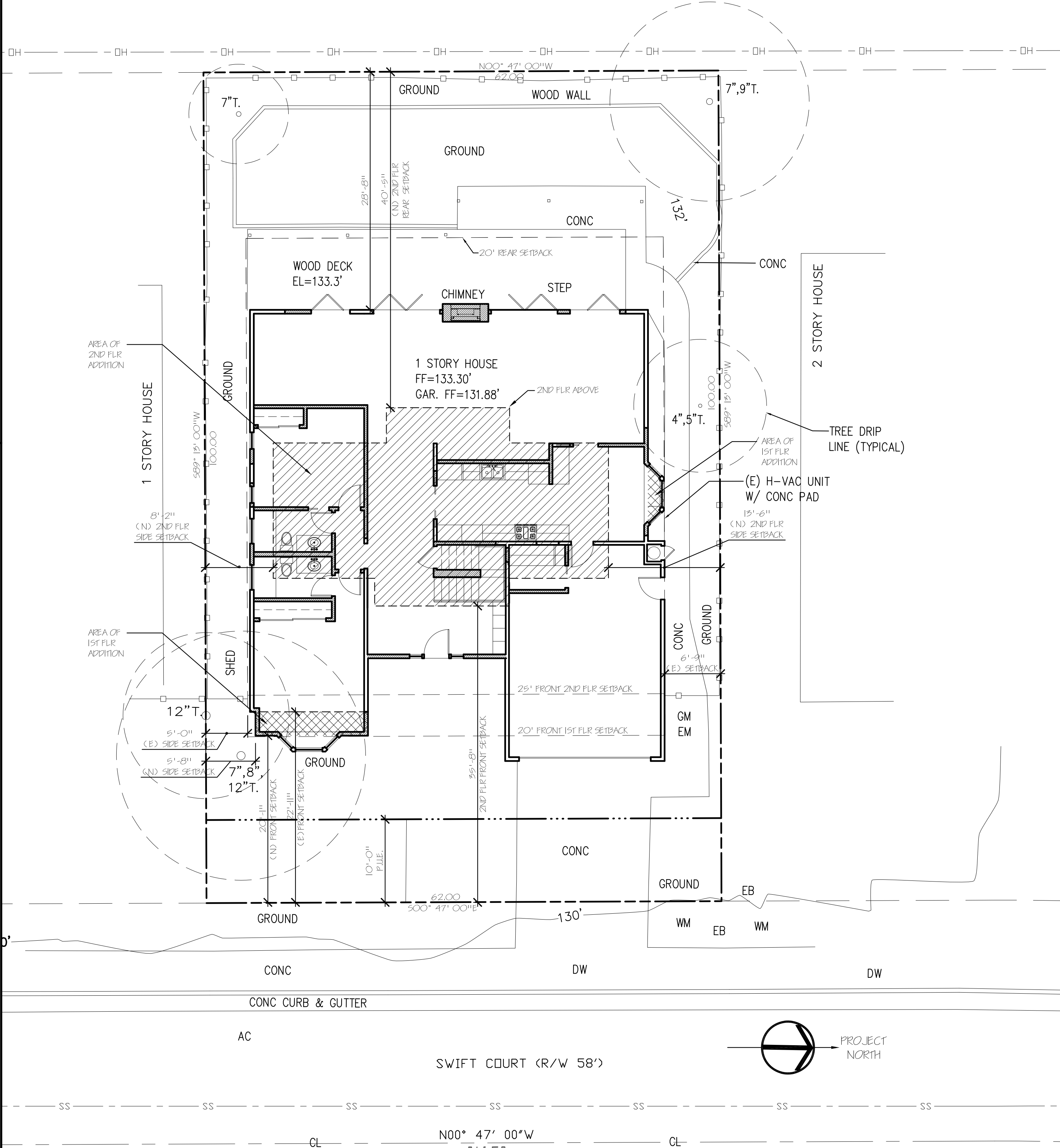
REMODEL & ADDITION FOR
ARIEL & ANNA TSEITLIN
1621 SWIFT COURT
SUNNYVALE, CALIFORNIA

VICINITY MAP NO SCALE



GENERAL NOTES:

1. Refer to the City of Sunnyvale's standardized checklist of CALGreen Mandatory Measures and Build it Green requirements.



SITE PLAN

PROJECT DATA

PROJECT ADDRESS: 1621 Swift Court Sunnyvale, CA
ASSESSOR'S PARCEL NO.: 313-41-043

ZONE: R-O
FLOOD ZONE: None
HISTORIC STATUS: None
OCCUPANCY GROUPS: R-3
CONSTRUCTION: TYPE VB
STORIES: Two
LOT SIZE: 62' x 100'
LOT AREA: 6,200 s.f.

ALLOWABLE LOT COVERAGE:
 $6,200 \times 0.45 = 2,790 \text{ s.f. (Building)}$

EXISTING LOT COVERAGE:
House = 1,663 s.f.
Garage = 480 s.f.
TOTAL = 2,143 s.f.

PROPOSED LOT COVERAGE:
Existing First Floor = 2,143 s.f.
First Floor Addition = 277 s.f.
Total First Floor = 2,413 s.f.
 $2,413 \text{ s.f.} / 6,200 \text{ s.f.} = 0.39$

ALLOWABLE F.A.R.:
 $6,200 \text{ s.f.} \times 0.45 = 2,790 \text{ s.f.}$

EXISTING F.A.R.:
First Floor 1,663 s.f.
Second Floor 0 s.f.
Garage 480 s.f.
TOTAL = 2,143 s.f.
 $2,143 \text{ s.f.} / 6,200 \text{ s.f.} = 0.35$

PROPOSED FLOOR AREA:
First Floor 2,413 s.f.
Second Floor 775 s.f.
TOTAL = 3,193 s.f.
 $3,193 \text{ s.f.} / 6,200 \text{ s.f.} = 0.52$

SETBACKS:
Front: 20' (1st Story), 25' (2nd Story)
Side: 20% of 62'-0" = 12'-9" total
Rear: 20'
Special Setbacks: None

HEIGHT LIMIT: 30 Ft. 2 stories max.
PARKING REQ'D: 2 spaces, 2 must be covered.
PARKING PROVIDED: 2 covered, 2 uncovered

IMPERVIOUS SURFACE CALCULATIONS:
Vehicular & Pedestrian Paving = 1,187 s.f.
First Floor Lot Coverage = 2,420 s.f.
TOTAL = 3,607 s.f.
 $3,607 \text{ s.f.} / 6,200 \text{ s.f.} = 0.58$

SHEET INDEX

A1.1	Title Sheet, Project Data & Site Plan
A1.2	Blueprint for Clean
A2.1	Existing / Demolition Floor Plans
A2.2	Proposed Floor Plans
A2.3	Existing & Proposed Roof Plans
A3.1	Existing Elevations
A3.2	Proposed Elevations & Streetscape
A4.1	Shadow Analysis

An Addition and Remodel for Ariel and Anna Tsetlin
1621 Swift Court
Sunnyvale, CA 94087

STOECKER AND NORTHWAY
ARCHITECTS INCORPORATED
1000 ELWELL CT., STE. 150, PALO ALTO, CA 94303 650-965-3500

SHEET TITLE	TITLE SHEET PROJECT DATA & SITE PLAN
SCALE	1/8" = 1'-0"
DRAWN BY	MNL / CWM
JOB NO.	13943
DATE	02/28/14
SHEET	A1.1
OF SHEETS	

Blueprint for a Clean Bay

Best Management Practices for the Construction Industry

Remember: The property owner and the contractor share ultimate responsibility for the activities that occur on a construction site. You may be held responsible for any environmental damage caused by your subcontractors or employees.



Spill Response Agencies:

In the City of Sunnyvale, DIAL 9-1-1.

State Office of Emergency Service
Warning Center (24 hours)
.....1-800-852-7550

Santa Clara County Environmental
Health Services
.....(408) 299-6930

Local Pollution Control Agencies:

County of Santa Clara
Pollution Prevention Program
.....(408) 441-1195

County of Santa Clara Integrated Waste
Management Program
.....(408) 441-1198

Santa Clara County Hazardous
Waste Program
.....(408) 299-7300
For information on the disposal of hazardous waste

County of Santa Clara District Attorney
Environmental Crimes Hotline
.....(408) 299-TIPS

Santa Clara Valley Water District
.....(408) 265-2600

Santa Clara Valley Water
District Pollution Hotline
.....1-888-510-5151

Santa Clara County Recycling Hotline
.....1-800-533-8414

Regional Water Quality Control Board
.....(510) 622-2300
Serving San Francisco Bay Region

**Sunnyvale Water Pollution
Control Plant**
.....(408) 730-7270

Sunnyvale Recycling Program
.....(408) 730-7262
Or visit www.ci.sunnyvale.ca.us/recycle

SMaRT Station®
(GreenTeam/Zanker of Sunnyvale)
Recycling Drop-Off Center,
Garbage Disposal
.....(408) 752-8530

Preventing Pollution: It's Up to Us

In the Santa Clara Valley, storm drains transport water directly to local creeks and San Francisco Bay without treatment. Stormwater pollution is a serious problem for wildlife dependent on our creeks and bays and for the people who live near polluted streams or bays. Common sources of this pollution include spilled oil, fuel, and fluids from vehicles and heavy equipment; construction debris; sediment created by erosion; landscaping runoff containing pesticides or weed killers; and materials such as used motor oil, antifreeze, and paint products that people pour or spill into a street or storm drain.



Thirteen valley municipalities have joined together with Santa Clara County and the Santa Clara Valley Water District to educate local residents and businesses and fight stormwater pollution. This "blueprint" summarizes "Best Management Practices (BMPs)" for stormwater pollution prevention.

General Construction and Site Supervision

Who should use this information?

- General Contractors
- Site Supervisors
- Inspectors
- Home Builders
- Developers
- Homeowners



Doing the Job Right General Principles

- ☐ Keep an orderly site and ensure good housekeeping practices are used.
- ☐ Maintain equipment properly.
- ☐ Cover materials when they are not in use.
- ☐ Keep materials away from streets, storm drains and drainage channels.
- ☐ Ensure dust control water doesn't leave site or discharge to storm drains.

Advance Planning To Prevent Pollution

- ☐ Schedule excavation and grading activities for dry weather periods. To reduce soil erosion, plant temporary vegetation or place other erosion controls before rain begins. Use the *Erosion and Sediment Control Field Manual*, available from the Regional Water Quality Control Board San Francisco Bay Region, as a reference.
- ☐ Control the amount of runoff crossing your site (especially during excavation!) by using terms or temporary or permanent drainage ditches to divert water flow around the site. Reduce stormwater runoff velocities by constructing temporary check dams or berms where appropriate.
- ☐ Train your employees and subcontractors. Make sure everyone who works at the construction site is familiar with this information. Inform subcontractors about the stormwater requirements and their own responsibilities. Use BAASMA, *Blueprint for a Clean Bay*, a construction best

management practices guide available from the Santa Clara Valley Urban Runoff Pollution Prevention Program, and California Storm Water Quality Association Stormwater Best Management Practice Handbook: Construction; (Jan 2003) as references.

Good Housekeeping Practices

- ☐ Designate one area of the site for auto parking, vehicle refueling, and routine equipment maintenance. The designated area should be well away from streams or storm drain inlets, bermed if necessary. Make major repairs off site.
- ☐ Keep materials out of the rain – prevent runoff contamination at the source. Cover exposed piles of soil or construction materials with plastic sheeting or temporary roofs. Before it rains, sweep and remove materials from surfaces that drain to storm drains, creeks, or channels.
- ☐ Keep pollutants off exposed surfaces. Place trash cans and recycling receptacles around the site to minimize litter.
- ☐ Clean up leaks, drips and other spills immediately so they do not contaminate soil or groundwater or leave residue on paved surfaces.
- ☐ Never hose down "dirty" pavement or surfaces where materials have spilled.
- ☐ Use dry cleanup methods whenever possible. If you must use water, use just enough to keep the dust down.
- ☐ Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under roofs or cover with tarps or plastic sheeting secured around the outside of the dumpster. Never clean out a dumpster by hosing it down on the construction site.

- ☐ Place portable toilets away from storm drains. Make sure portable toilets are in good working order. Check frequently for leaks.

Materials/Waste Handling

- ☐ Practice Source Reduction – minimize waste when you order materials. Order only the amount you need to finish the job.
- ☐ Use recyclable materials whenever possible. Arrange for pick-up of recyclable materials such as concrete, asphalt, scrap metal, solvents, degreasers, cleared vegetation, paper, rock, and vehicle maintenance materials such as used oil, antifreeze, batteries, and tires.
- ☐ Dispose of all wastes properly. Many construction materials and wastes, including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and cleared vegetation can be recycled. (See Sunnyvale Recycling Program information listed above.) Materials that cannot be recycled must be taken to an appropriate landfill or disposed of as hazardous waste. Never bury waste materials or leave them in the street or near a creek or stream bed.

Permits

- ☐ In addition to local grading and building permits, you will need to obtain coverage under the State's General Construction Activity Stormwater Permit if your construction site's disturbed area totals 1 acre or more. Information on the General Permit can be obtained from the Regional Water Quality Control Board.

Painting and Application of Solvents and Adhesives

Who should use this information?

- Painters
- Paperhangers
- Plasterers
- Graphic Artists
- Dry Wall Crews
- Floor Covering Installers
- General Contractors
- Home Builders
- Developers
- Homeowners



Storm Drain Pollution from Paints, Solvents, and Adhesives

All paints, solvents, and adhesives contain chemicals that are harmful to wildlife in local creeks, San Francisco Bay, and the Pacific Ocean. Toxic chemicals may come from liquid or solid products or from cleaning residues or rags. Paint material and wastes, adhesives and cleaning fluids should be recycled when possible, or disposed of properly to prevent these materials from flowing into storm drains and watercourses.

Doing the Job Right Handling Paint Products

- ☐ Keep all liquid paint products and wastes away from the gutter, street, and storm drains. Liquid residues from paints, thinners, solvents, glues, and cleaning fluids are hazardous wastes and must be disposed of as hazardous. Contact the Santa Clara County Hazardous Waste Program at (408) 299-7300.
- ☐ Wash water from painted buildings constructed before 1978 can contain high amounts of lead, even if paint chips are not present. Before you begin stripping paint or cleaning pre-1978 building exteriors with water under high pressure, test paint for lead by taking paint scrapings to a local laboratory. See "Yellow Pages" for a state-certified laboratory.
- ☐ If there is loose paint on the building, or if the paint tests positive for lead, block storm drains. Check with the wastewater treatment plant to determine whether you may discharge water to the sanitary sewer, or if you must send it offsite for disposal as hazardous waste.

Paint Removal

- ☐ Buildings constructed before 1978 may have lead paint in them. Test paint for lead by taking samples to a local environmental testing laboratory to determine if removed paint must be disposed of as hazardous waste.
- ☐ Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.
- ☐ Chemical paint stripping residue and chips and dust from marine paints or paints containing lead, mercury or tributyl tin must be disposed of as hazardous wastes. Lead based paint removal requires a state-certified contractor.
- ☐ When stripping or cleaning building exteriors with high-pressure water, block storm drains. Direct wash water onto a dirt area, or check Sunnyvale Water Pollution Control Plant (408) 730-7270 to find out if you can collect (mop or vacuum) building cleaning water and dispose to the sanitary sewer. Sampling of the water may be required to assist the wastewater treatment authority in making its decision.

Painting Cleanup

- ☐ Never clean brushes or rinse paint containers into a street, gutter, storm drain, French drain, or stream.
- ☐ For water-based paints, paint out brushes to the extent possible, and rinse into a drain that goes to the sanitary

sewer. Never pour paint down a storm drain. Dispose of excess liquids and residue as hazardous waste.

- ☐ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of excess liquids and residue as hazardous waste.
- ☐ When thoroughly dry, empty paint cans, used brushes, rags, and drop cloths may be disposed of as garbage in a sanitary landfill. Leave lids off paint cans so the refuse collector can see that they are empty. Empty, dry paint cans also may be recycled as metal.
- ☐ Dispose of empty aerosol paint cans as hazardous waste or at household hazardous waste collection events.

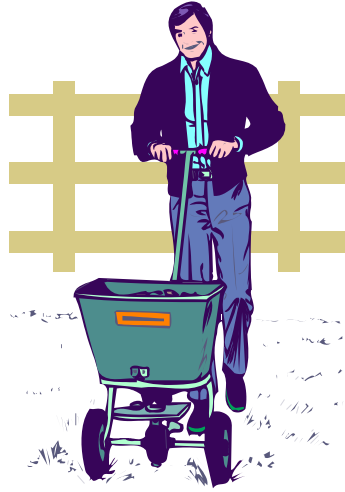
Recycle/Reuse Leftover Paints Whenever Possible

- ☐ Donate excess water-based (latex) paint for reuse. Call the Santa Clara County Hazardous Waste Program at (408) 299-7300 for details.
- ☐ Reuse leftover oil-based paint. Dispose of non-recyclable thinners, sludge and unwanted paint, as hazardous waste.
- ☐ Unopened cans of paint may be able to be returned to the paint vendor. Check with the vendor regarding its "buy-back" policy.

Landscaping, Gardening, And Pool Maintenance

Who should use this information?

- Landscapers
- Gardeners
- Swimming Pool/Spa Service and Repair Workers
- General Contractors
- Home Builders
- Developers
- Homeowners



Storm Drain Pollution from Landscaping and Swimming Pool Maintenance

Many landscaping activities expose soils and increase the likelihood that earth and garden chemicals will run off into the storm drains during irrigation or when it rains. Swimming pool water containing chlorine and copper-based algacides should never be discharged to storm drains. These chemicals are toxic to aquatic life.

Doing the Job Right General Business Practices

- ☐ Protect stockpiles (e.g. asphalt, sand, or soil) and landscaping materials from wind and rain by storing them under tarps or secured plastic sheeting.
- ☐ Store pesticides, fertilizers, and other chemicals indoors or in a shed or storage cabinet.
- ☐ Schedule grading and excavation projects during dry weather.
- ☐ Use temporary check dams or ditches to divert runoff away from storm drains.
- ☐ Protect storm drains with sandbags or other sediment controls.
- ☐ Revegetation is an excellent form of erosion control for any site. Replant as soon as possible with temporary vegetation such as grass seed.

Landscaping/Garden Maintenance

- ☐ Consider using Integrated Pest Management Techniques. Use pesticides sparingly, according to instructions on the label. Rinse empty containers, and use rinsewater as product. Dispose of rinsed, empty containers in the trash.
- ☐ Dispose of unused pesticides as hazardous waste.

- ☐ Curbside pickup of yard waste is provided for Sunnyvale residences. Place yard waste in approved containers at curbside for pickup on waste collection days. Commercial entities may take yard waste to the Sunnyvale SMaRT station for recycling. Contact the Sunnyvale Recycling Program (408) 730-7262 for further information.
- ☐ Collect lawn and garden clippings, pruning waste, and tree trimmings. Chip if necessary, and compost if possible.
- ☐ Do not blow or rake leaves, etc. into the street, or place yard waste in gutters or on dirt shoulders. Sweep up any leaves, litter or residue in gutters or on street.

Pool/Fountain/Spa Maintenance Draining pools or spas

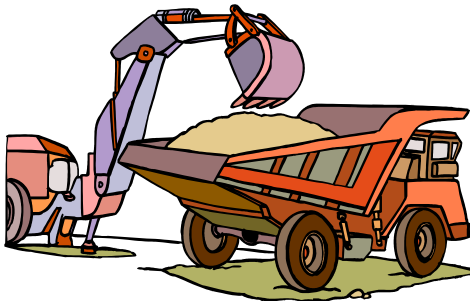
When it's time to drain a pool, spa, or fountain, please be sure to call the Sunnyvale Water Pollution Control Plant (408) 730-7270 before you start for further guidance on flow rate restrictions, backflow prevention, and handling special cleaning waste (such as acid wash). Discharge flows should be kept to the low levels typically possible through a garden hose. Higher flow rates may be prohibited by local ordinance.

Filter Cleaning

- ☐ Never clean a filter in the street or near a storm drain. Rinse cartridge and diatomaceous earth filters onto a dirt area, and spade filter residue into soil. Dispose of spent diatomaceous earth in the garbage.
- ☐ If there is no suitable dirt area, call the Sunnyvale Water Pollution Control Plant (408) 730-7270 for instructions on discharging filter backwash or rinsewater to the sanitary sewer.

Earth-Moving and Dewatering Activities

Who should use this information?



- Bulldozer, Back Hoe, and Grading Machine Operators
- Dump Truck Drivers
- Site Supervisors
- General Contractors
- Home Builders
- Developers

Storm Drain Pollution from Earth-Moving Activities

Soil excavation and grading operations loosen large amounts of soil that can flow or blow into storm drains when handled improperly. Sediments in runoff can clog storm drains, smother aquatic life, and destroy habitats in creeks and the Bay. Effective erosion control practices reduce the amount of runoff crossing a site and slow the flow with check dams or roughened ground surfaces.

Contaminated groundwater is a common problem in the Santa Clara Valley. Depending on soil types and site history, groundwater pumped from construction sites may be contaminated with toxics (such as oil or solvents) or laden with sediments. Any of these pollutants can harm wildlife in creeks or the Bay, or interfere with wastewater treatment plant operation. Discharging sediment-laden water from a dewatering site into any water of the state without treatment is prohibited.

Doing the Job Right General Business Practices

- ☐ Schedule excavation and grading work during dry weather.
- ☐ Perform major equipment repairs away from the job site.
- ☐ When refueling or vehicle/equipment maintenance must be done on site, designate a location away from storm drains.
- ☐ Do not use diesel oil to lubricate equipment parts, or clean equipment.

Practices During Construction

- ☐ Remove existing vegetation only when absolutely necessary. Plant temporary vegetation for erosion control on slopes or where construction is not immediately planned.
- ☐ Protect downslope drainage courses, streams, and storm drains with wattles, or temporary drainage swales. Use check dams or ditches to divert runoff around excavations. Refer to the Regional Water Quality Control Board's *Erosion and Sediment Control*

Field Manual for proper erosion and sediment control measures, and California Stormwater Quality Association Stormwater Best Management Practice Handbook (construction, 2003)

- ☐ Cover stockpiles and excavated soil with secured tarps or plastic sheeting.

Dewatering Operations Check for Toxic Pollutants

- ☐ Check for odors, discoloration, or an oily sheen on groundwater.
- ☐ Call your local wastewater treatment agency and ask whether the groundwater must be tested.
- ☐ If contamination is suspected, have the water tested by a certified laboratory.
- ☐ Depending on the test results, you may be allowed to discharge pumped groundwater to the storm drain (if no sediments present) or sanitary sewer. OR, you may be required to collect and haul pumped groundwater offsite for treatment and disposal at an appropriate treatment facility.

Check for Sediment Levels

- ☐ If the water is clear, the pumping time is less than 24 hours, and the flow rate is less than 20 gallons per minute, you may pump water to the street or storm drain.
- ☐ If the pumping time is more than 24 hours and the flow rate greater than 20 gpm, call your local wastewater treatment plant for guidance.
- ☐ If the water is not clear, solids must be filtered or settled out by pumping to a settling tank prior to discharge. Options for filtering include:
 - Pumping through a perforate pipe sunk part way into a small pit filled with gravel;
 - Pumping from a bucket placed below water level using a submersible pump;
 - Pumping through a filtering device such as a swimming pool filter or filter fabric wrapped around end of suction pipe.
- ☐ When discharging to a storm drain, protect the inlet using a barrier of burlap bags filled with drain rock, or cover inlet with filter fabric anchored under the grate. OR pump water through a grassy swale prior to discharge.

Detecting Contaminated Soil or Groundwater

Contaminated groundwater is a common problem in the Santa Clara Valley. It is essential that all contractors and subcontractors involved know what to look for in detecting contaminated soil or groundwater, and testing ponded groundwater before pumping. Watch for any of these conditions:

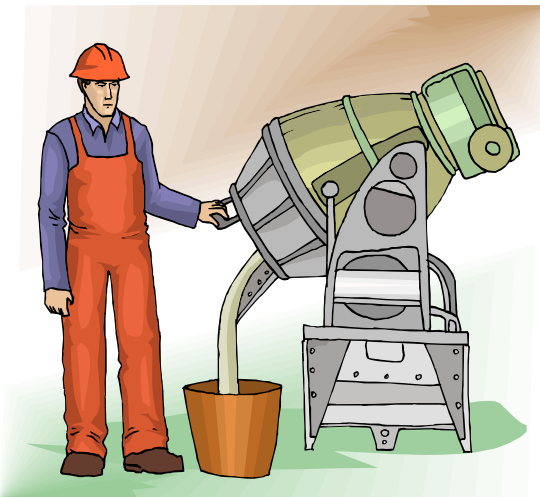
1. Unusual soil conditions, discoloration or odor.
2. Abandoned underground tanks.
3. Abandoned wells.
4. Buried barrels, debris or trash.

If any of these are found follow the procedures below.

Fresh Concrete and Mortar Application

Who should use this information?

- Masons and Bricklayers
- Sidewalk Construction Crews
- Patio Construction Workers
- Construction Inspectors
- General Contractors
- Home Builders
- Developers
- Concrete Delivery/Pumping Workers



Storm Drain Pollution from Fresh Concrete And Mortar Applications

Fresh concrete and cement-related mortars that wash into lakes, streams, or estuaries are toxic to fish and the aquatic environment. Disposing of these materials to the storm drains or creeks can block storm drains, causes serious problems, and is prohibited by law.

Roadwork and Paving

Who should use this information?

- Road Crews
- Driveway/Sidewalk/Parking Lot Construction Crews
- Seal Coat Contractors
- Operators of Grading Equipment, Paving Machines, Dump Trucks, Concrete Mixers
- Construction Inspectors
- General Contractors
- Developers
- Home Builders



Storm Drain Pollution from Roadwork

Road paving, surfacing, and pavement removal happen right in the street, where there are numerous opportunities for asphalt, saw-cut slurry, or excavated material to illegally enter storm drains. Extra planning is required to store and dispose of materials properly and guard against pollution of storm drains, creeks, and the Bay.

Doing the Job Right General Business Practices

- ☐ Develop and implement erosion/sediment control plans for roadway embankments.
- ☐ Schedule excavation and grading work during dry weather.
- ☐ Check for and repair leaking equipment.
- ☐ Perform major equipment repairs at designated areas in your maintenance yard, where cleanup is easier. Avoid performing equipment repairs at construction sites.
- ☐ When refueling or when vehicle/equipment maintenance must be done on site, designate a location away from storm drains and creeks.
- ☐ Do not use diesel oil to lubricate equipment parts or clean equipment.
- ☐ Recycle used oil, concrete, broken asphalt, etc. whenever possible, or dispose of properly.
- ☐ Take broken up concrete to a local recycling facility. Call the Sunnyvale Recycling Program at (408) 730-7262 for information.

During Construction

- ☐ Avoid paving and seal coating in wet weather, or when rain is forecast, to prevent fresh materials from contacting stormwater runoff.
- ☐ Cover and seal catch basins and manholes when applying seal coat, slurry seal, fog seal, or similar materials.
- ☐ Protect drainage ways by using earth dikes, sand bags, or other controls to divert or trap and filter runoff.
- ☐ Never wash excess material from exposed aggregate concrete or similar treatments into a street or storm drain. Collect and recycle, or dispose to dirt area.
- ☐ Cover stockpiles (asphalt, sand, etc.) and other construction materials with plastic tarps. Protect from rainfall and prevent runoff with temporary roofs or plastic sheets and berms.
- ☐ Park paving machines over drip pans or absorbent material (cloth, rags, etc.) to catch drips when not in use.
- ☐ Clean up all spills and leaks using "dry" methods (with absorbent materials and/or rags) Dig up, remove, and properly dispose of contaminated soil.

- ☐ Collect and recycle or appropriately dispose of excess abrasive gravel or sand.
- ☐ Avoid over-application by water trucks for dust control.

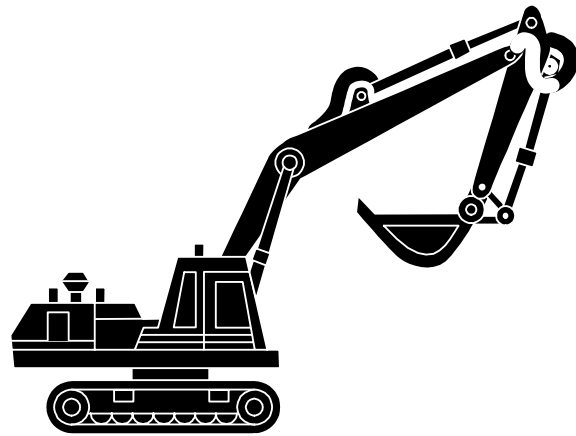
Asphalt/Concrete Removal

- ☐ Avoid creating excess dust when breaking asphalt or concrete.
- ☐ After breaking up old pavement, be sure to remove all chunks and pieces. Make sure broken pavement does not come in contact with rainfall or runoff.
- ☐ When making saw cuts, use as little water as possible. Shovel or vacuum saw-cut slurry and remove from the site. Cover or protect storm drain inlets during saw-cutting. Sweep up, and properly dispose of, all residues.
- ☐ Sweep, never hose down streets to clean up tracked dirt. Use a street sweeper or vacuum truck. Do not dump vacuumed liquor in storm drains.

Heavy Equipment Operation

Who should use this information?

- Vehicle and Equipment Operators
- Site Supervisors
- General Contractors
- Home Builders
- Developers



Stormwater Pollution from Heavy Equipment on Construction Sites

Poorly maintained vehicles and heavy equipment that leak fuel, oil, antifreeze or other fluids on the construction site are common sources of storm drain pollution. Prevent spills and leaks by isolating equipment from runoff channels, and by watching for leaks and other maintenance problems. Remove construction equipment from the site as soon as possible.

Doing the Job Right Site Planning and Preventive Vehicle Maintenance

- ☐ Designate one area of the construction site, well away from streams or storm drain inlets, for auto and equipment parking, refueling, and routine vehicle and equipment maintenance. Contain the area with berms, sand bags, or other barriers.
- ☐ Maintain all vehicles and heavy equipment. Inspect frequently for and repair leaks.
- ☐ Perform major maintenance, repair jobs, and vehicle and equipment washing off site where cleanup is easier.
- ☐ If you must drain and replace motor oil, radiator coolant, or other fluids on site, use drip pans or drop cloths to catch drips and spills. Collect all spent fluids, store in separate containers. Recycle them wherever possible, otherwise, dispose of them as hazardous wastes.
- ☐ Do not use diesel oil to lubricate equipment parts, or clean equipment. Use only water for any onsite cleaning.
- ☐ Cover exposed fifth wheel hitches and other oily or greasy equipment during rain events.
- ☐ Use as little water as possible for dust control. Ensure water used doesn't leave silt or discharge to storm drains.

Spill Cleanup

- ☐ Clean up spills immediately when they happen.
- ☐ Never hose down "dirty" pavement or impermeable surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags) whenever possible and properly dispose of absorbent materials.
- ☐ Sweep up spilled dry materials immediately. Never attempt to "wash them away" with water, or bury them.
- ☐ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- ☐ Report significant spills to the appropriate local spill response agencies immediately. In Sunnyvale, dial 9-1-1 if hazardous materials might enter the storm drain.
- ☐ If the spill poses a significant hazard to human health and safety, property or the environment, you must also report it to the State Office of Emergency Services 1-800-852-7500.



== (E) WALL / ITEM TO REMAIN

== == == == (E) WALL / ITEM TO BE REMOVED

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1000 ELWELL CT. STE. 150, PALO ALTO, CA 94303 650.985-3500

SHEET TITLE
EXISTING/
DEMOLITION
FLOOR PLAN

SCALE

DRAWN BY
MNL / CWM

JOB NO. 13943

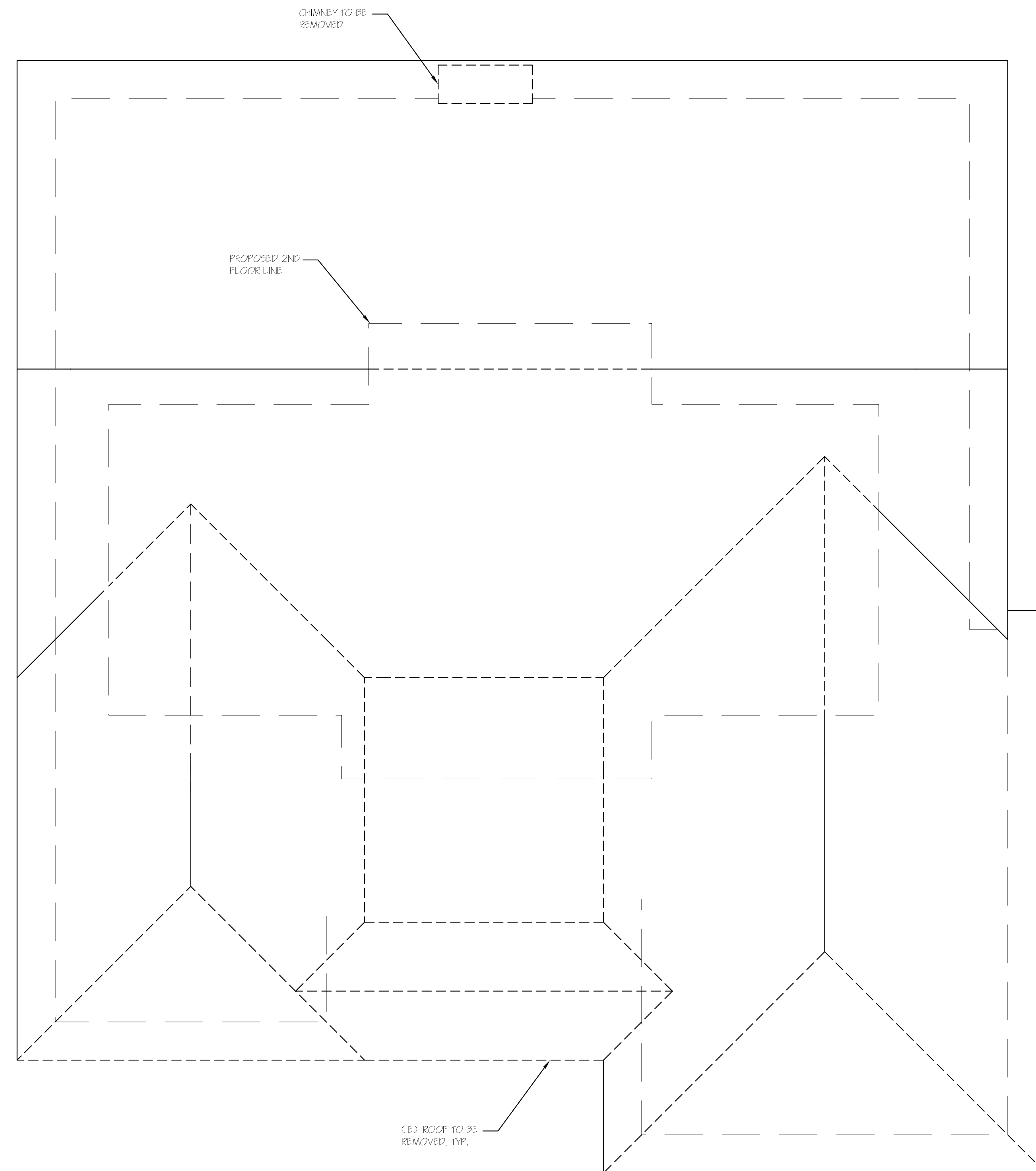
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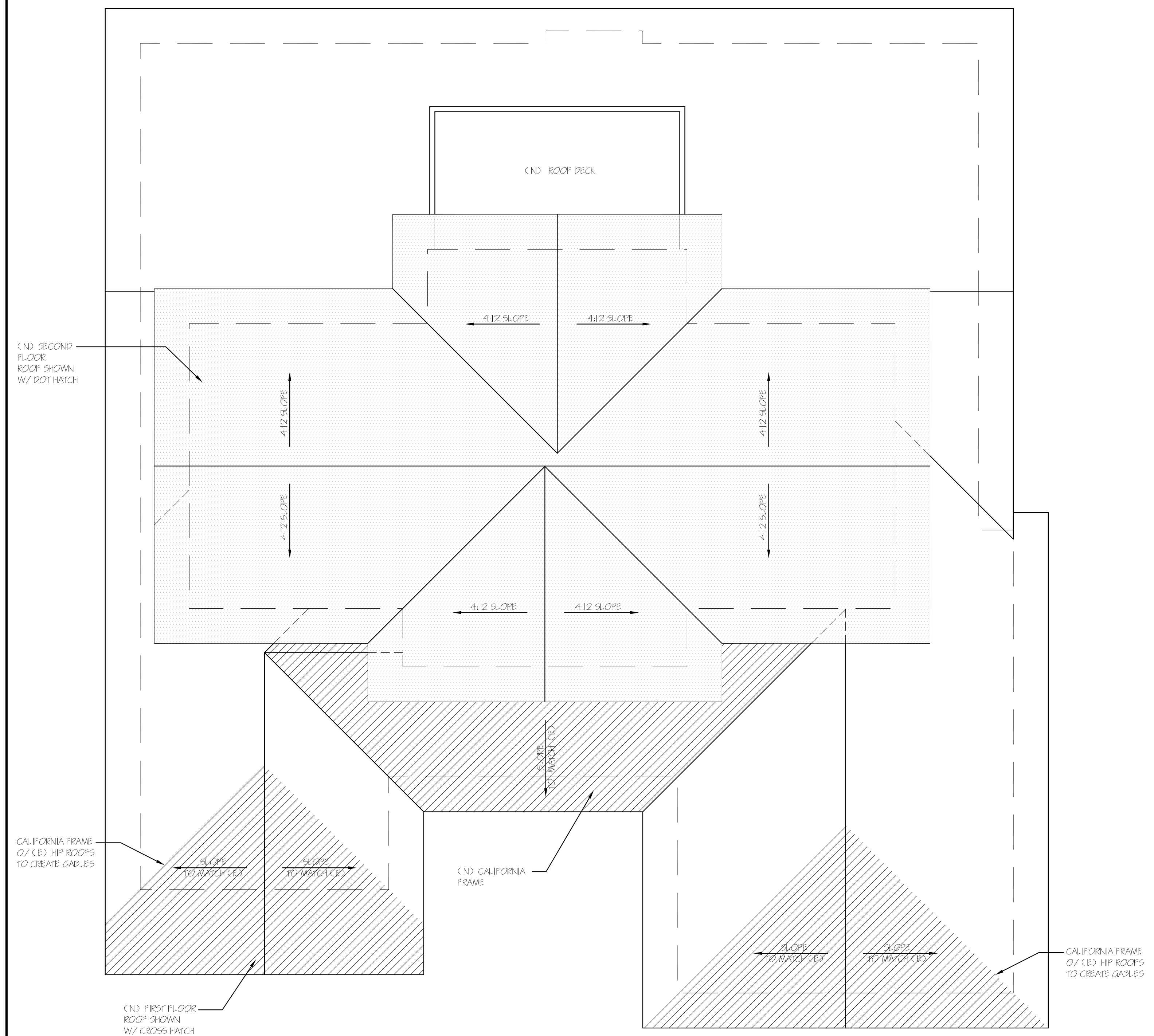
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EXISTING ROOF PLAN



PROPOSED ROOF PLAN

EXISTING ROOF PLAN

SCALE: 1/8" = 1'-0"

PROPOSED ROOF PLAN

SCALE: 1/8" = 1'-0"

SHEET TITLE
EXISTING &
PROPOSED
ROOF PLANS

SCALE
1/4" = 1'-0"

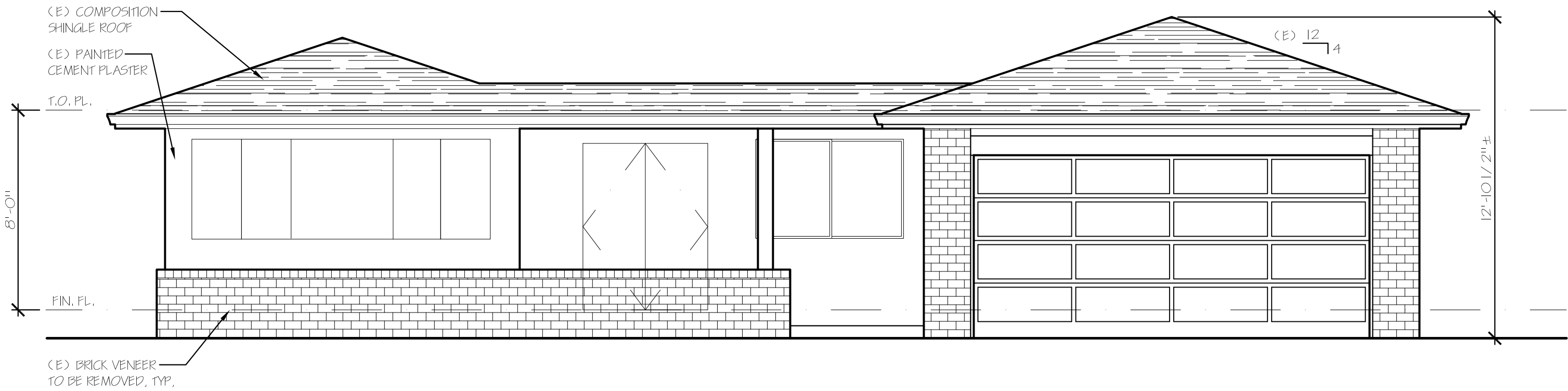
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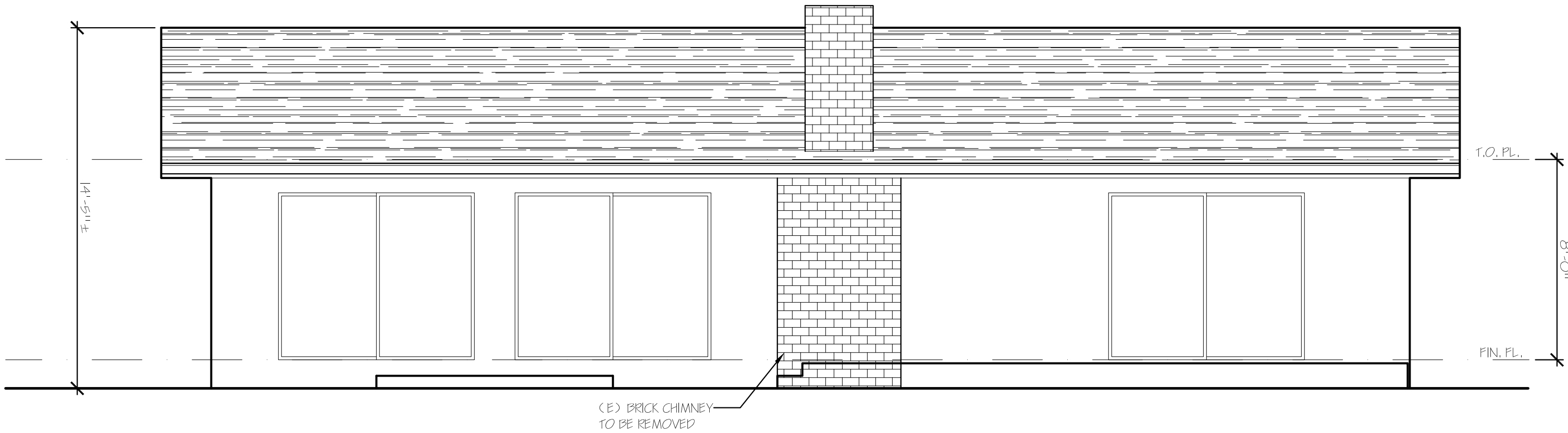
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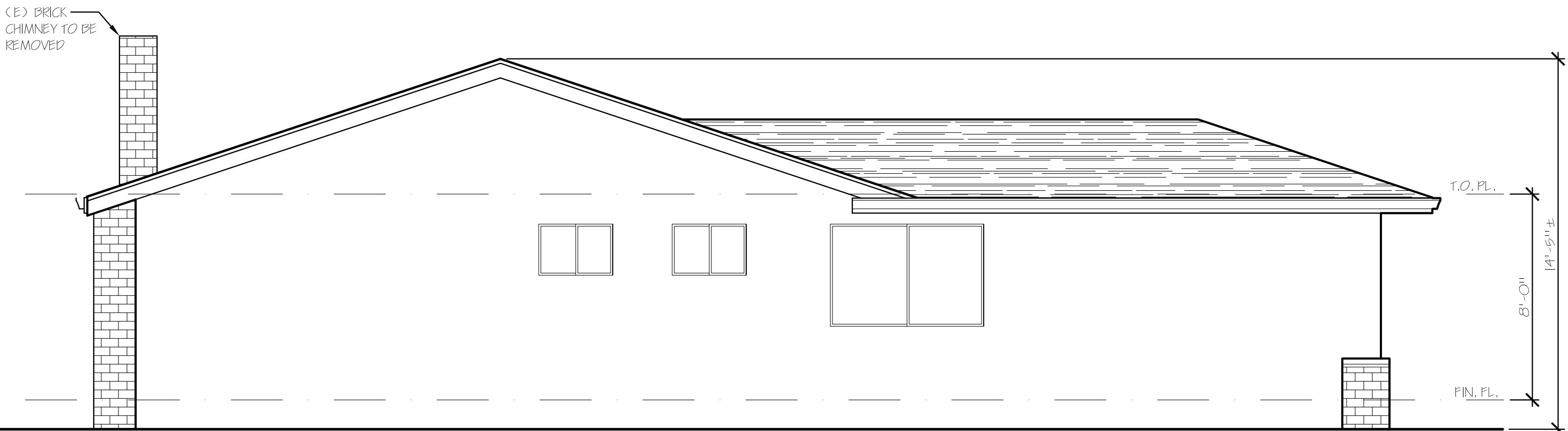
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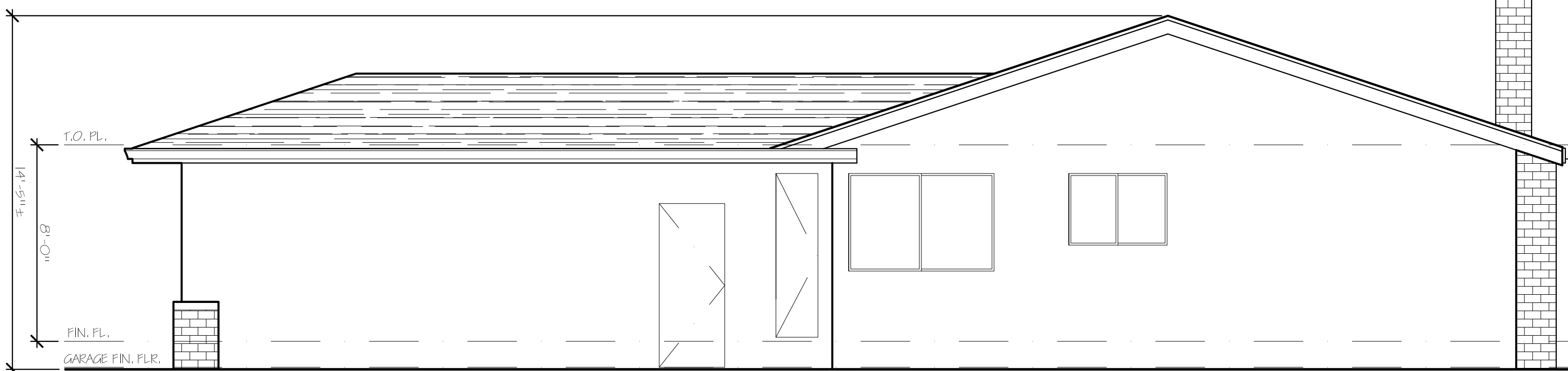
EXISTING EAST ELEVATION



EXISTING WEST ELEVATION



EXISTING SOUTH ELEVATION



EXISTING NORTH ELEVATION

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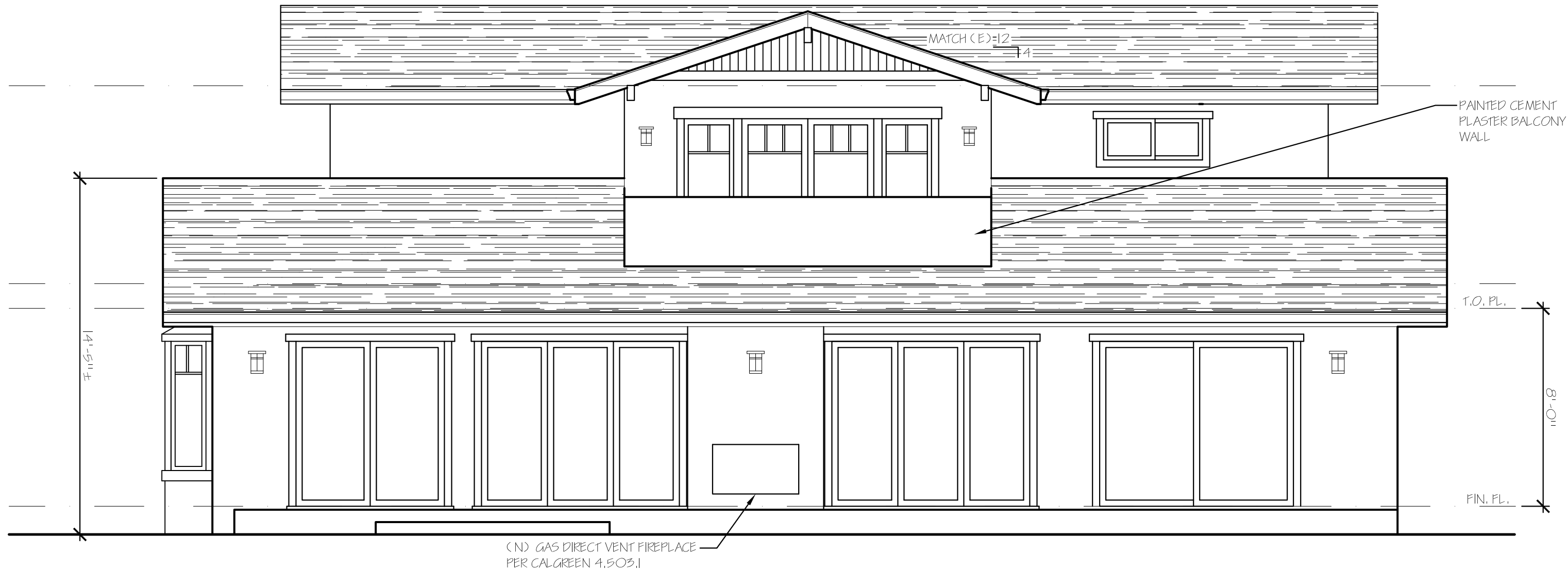
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SHEET TITLE
EXISTING
ELEVATIONS
SCALE
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MNL / CWM
JOB NO.
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PROPOSED EAST ELEVATION



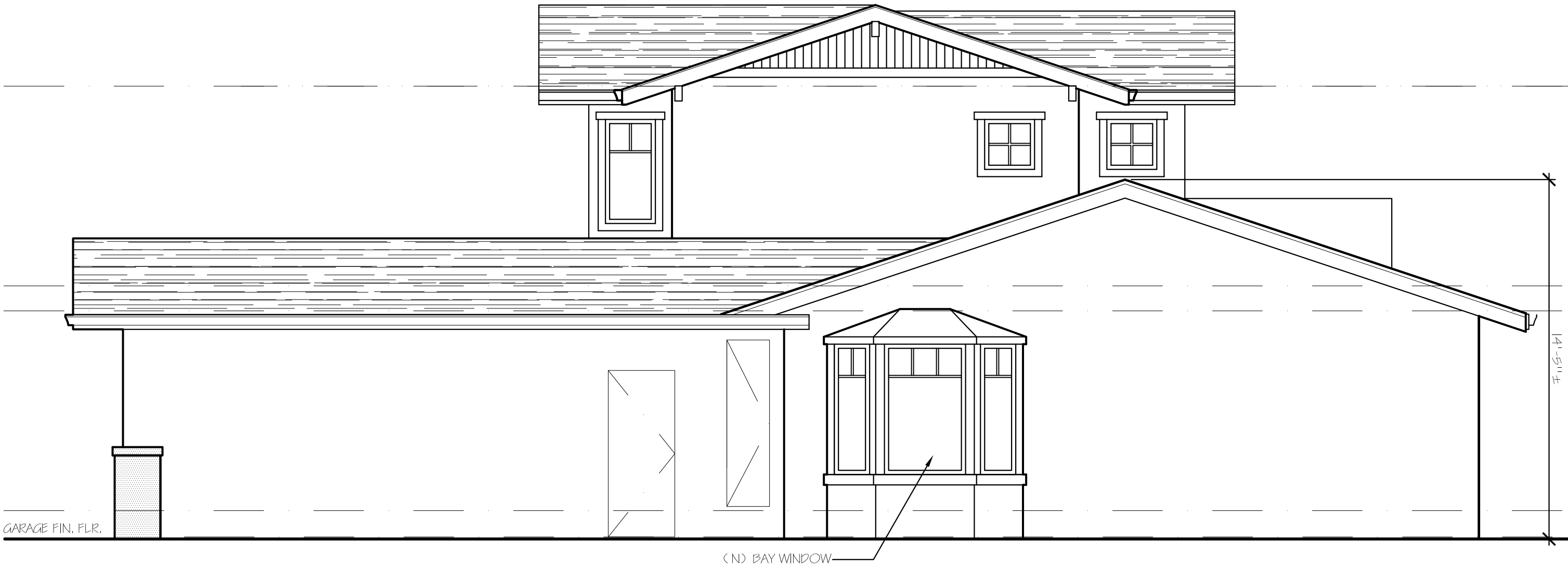
PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION



STREETSCAPE ELEVATION

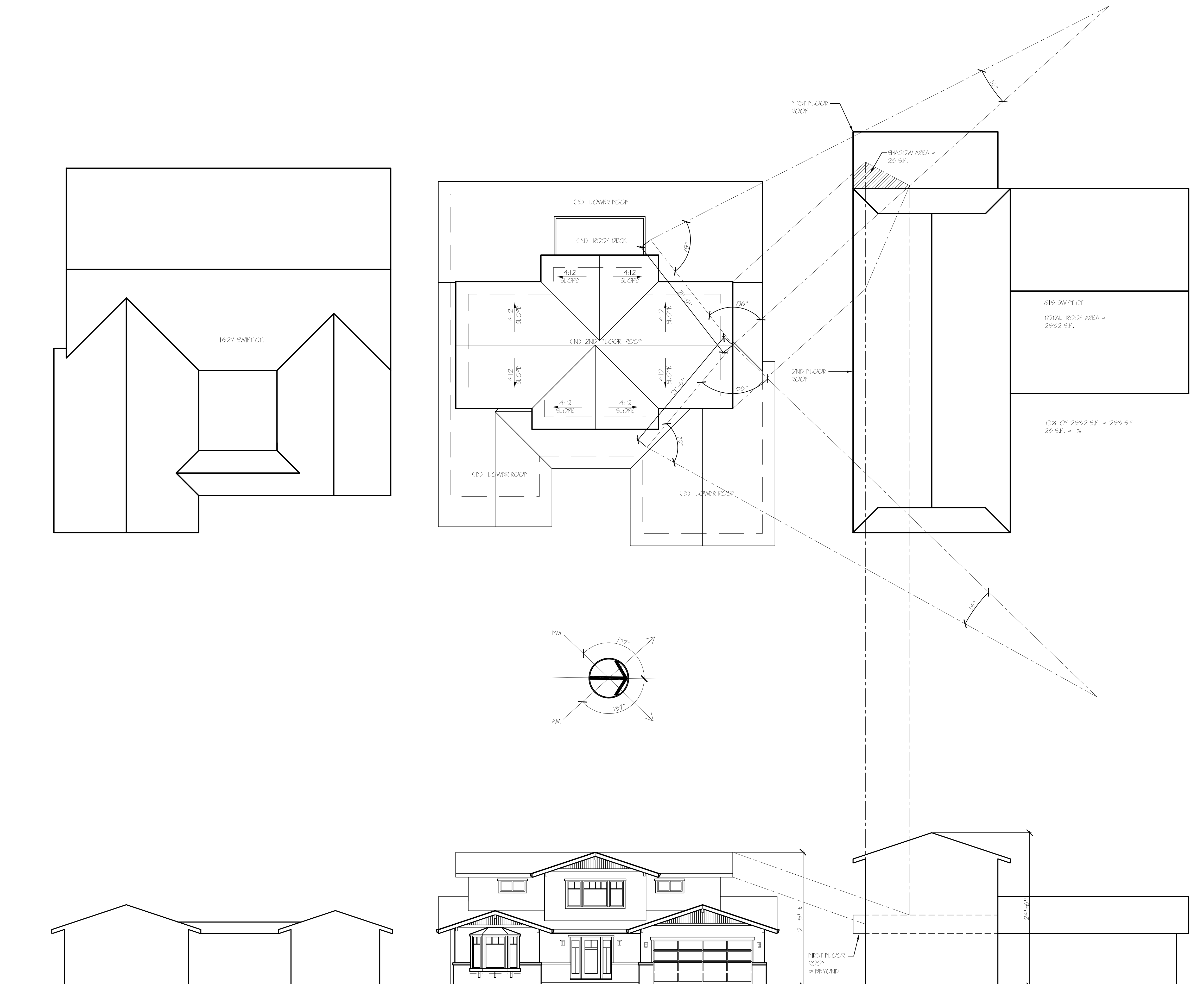


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SHEET TITLE
PROPOSED
ELEVATIONS &
STREETSCAPE
SCALE
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13943
DATE
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SHEET TITLE
SHADOW
ANALYSIS

SCALE	
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MNL

JOB NO. 13943

DATE
02/28/14

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OF SHEETS



City of Sunnyvale

Agenda Item 3

14-0197

Agenda Date: 4/14/2014

REPORT TO PLANNING COMMISSION

SUBJECT

2014 Quarterly Consideration of General Plan Amendment Initiation Requests: 915 De Guigne Drive - Industrial to Residential Medium Density

File #: 2014-7244

Location: 915 De Guigne Drive (APN: 205-21-001)

Proposed Project: GENERAL PLAN AMENDMENT INITIATION Request to study a change from Industrial to Residential Medium Density and discussion of an Area Plan, Sense of Place Plan, Market and Fiscal Impact Analysis and parkland dedication.

Owner/Applicant: Watt Companies

Project Planner: Shaunn Mendrin, (408) 730-7429, smendrin@sunnyvale.ca.gov

BACKGROUND

The subject site is located adjacent to the 73 acre East Sunnyvale Industrial to Residential (ITR) area. The subject site and several other properties along De Guigne Drive and Stewart Avenue were part of a larger study area evaluated in 2006-2007 but were not selected to change from industrial to residential. An Environmental Impact Report was prepared at that time that studied the transition of the entire area to residential. The City Council approved a smaller ITR than what was studied (see map in Attachment 1).

Study Initiation and Area Plan: In 2010, Equity Office (owner of 920 De Guigne) and Spansion (owner of 915 De Guigne) submitted General Plan Initiation requests to study a change in the current industrial land use to residential, which was authorized by the City Council. The Council clarified later in 2010 that the study should evaluate the remaining industrial land in the East Sunnyvale Area and required the development of an Area Plan and Sense of Place Plan. Spansion was in contract with Prometheus Real Estate Group for the sale of the land and Prometheus was the primary contact from 2011 to 2013. Prometheus developed a draft Area Plan which staff felt needed further refinement and Council directed that the contract for the preparation of the Area Plan should be managed by the City. The boundary of the Area Plan is shown on Attachment 1 and covers approximately 55 acres. When Prometheus stopped pursuing its application, work on the Area Plan, which was being funded by Prometheus, ceased as well.

Park Site: Parkland dedication was also a major land use issue that was discussed as the Area Plan was developed. Council discussed whether dedication of parkland (as opposed to payment of in-lieu fees) would be required for residential use but a determination was not reached on this issue. However, Council requested further environmental information since the Spansion site is currently a federal Superfund site undergoing cleanup and this designation will continue until site closure is completed. The groundwater and soil sampling took several months to complete per City standards. In spring 2013, based on the groundwater and soil test results staff determined that the proposed park area could not meet City standards for park dedication. Staff does not recommend accepting

any park site until remediation has been fully completed and site closure is received from the federal Environmental Protection Agency (EPA) and the Bay Air Quality Management District. The applicant discontinued further work on the application at that time.

Recently, City staff met with representatives of EPA and learned about new research concerning the groundwater contamination that is found on the Watt Companies site and the surrounding area. This new information could be useful for refining the parkland dedication standards and evaluating possible park sites.

Ownership and Status of General Plan Amendment Applications: After Prometheus dropped their interest in the Spansion site, the property was sold to Watt Companies. Additionally, the Equity Office site was recently sold to St. Paul Fire and Marine. Equity Office did not participate in the planning efforts after they submitted their formal application since they found a tenant for their site in 2011. Staff contacted St. Paul Fire and Marine and determined that they are not interested in pursuing the previous application for a General Plan Amendment. Staff has closed all General Plan Amendment applications since ownership of the subject properties has changed.

See Attachment 2, Chronology and Background Information for more detail.

DISCUSSION

City staff met with Watt Companies regarding the 915 De Guigne site in early 2014. Staff advised that a new General Plan Initiation request was required since the existing applications were closed. On March 24, 2014, Watt Companies submitted a General Plan Initiation letter for the 915 Site requesting that the City study a land use change of the site from Industrial to Medium Density Residential (R3). The letter is included as Attachment 3. Following is a summary of Watt Companies requests with staff comments in *italics*:

- **Land Use Change:** Request to allow a General Plan Amendment study to change the land use designation to Medium Density Residential (R3), which would allow up to 521 units including up to 400 units for sale.

The subject site is approximately 24 acres and could allow up to 600 units at an R3 density. The requested density study is consistent with the 2007 East Sunnyvale EIR; however, the site is also a Superfund site and it has a PG&E substation on the site, making it unique for industrial uses. Staff is also concerned with changing the land use designation for one parcel bordered by industrial uses to the south and east. If the Council is interested in studying a change in land use for the Watt site, the Council may want to include consideration of zoning regulations or development guidelines to minimize land use conflicts with the office/industrial uses along De Guigne Drive and Stewart Avenue.

The previous General Plan Amendment for Spansion also included preparing a Market and Fiscal Impact Analysis to assess current market conditions for industrial uses and determine the fiscal impact of converting the property to residential use. This study was never finalized and should be completed to fully inform the Council if they choose to move forward with the GPI request. Additionally, market conditions for non-residential and residential uses have changed significantly since the draft study was prepared, and economic factors should be considered when studying the impacts and benefits of a possible General Plan Amendment for the subject property.

- **Scope of General Plan Study:** The applicant is requesting that the General Plan Amendment study only evaluate the 915 De Guigne site. They also request not preparing an Area Plan for the larger East Sunnyvale Area as previously directed by the City Council.

Staff supported preparing an Area Plan several years ago when a sizable amount of building space in the vicinity was vacant. However, market conditions have changed significantly since then and the surrounding properties are now leased for viable office/research and development uses, which are expected to continue in the foreseeable future. The immediate benefit of an Area Plan given current economic conditions is questionable and staff suggests that if the Council chooses to initiate the GPI request, it be limited to the Watt Companies property only.

Staff recognizes however that introducing residential uses to an area that borders industrial uses could lead to future land use compatibility problems. Examples of compatibility issues include industrial uses with hazardous materials on-site or 24-hour operations. These can be an intrusive nuisance for adjacent residents. Any General Plan study should consider the land uses and zoning in the surrounding area and evaluate measures to minimize possible conflicts between residential and non-residential uses. Possible measures could pertain to defining development standards for landscape buffers, building setbacks, noise reduction, and site planning. These measures can be implemented without an Area Plan. An Area Plan could be beneficial, however, if the Council believes that transitioning adjacent properties to residential uses could be the optimum long-term solution to eliminate land use conflicts (e.g. rezoning to ITR-Residential to Industrial.)

Through the study issues process, the City Council also directed staff to prepare a Sense of Place Plan to establish for transit, pedestrian and bicycle circulation standards for the East Sunnyvale ITR and immediate area. The Sense of Place Plan was incorporated into the Area Plan when the 2010 GPI requests were approved. As a minimum, staff suggests that a Sense of Place Plan should be prepared. If an Area Plan is preferred, then the Sense of Place Plan should be a component of the Area Plan. Either option should be funded by the applicant. The primary difference between both plans is that a Sense of Place Plan focuses on establishing public access standards and capital improvement priorities within the study area, while an Area Plan is a more comprehensive land use plan with private development standards and design guidelines as well as a sense of place standards.

- **Park Land Dedication:** The applicant is requesting direction that no park dedication be required for residential use of the site.

The applicant has indicated that they are considering a project with about 521 residential units. Based on the 5 acres per thousand population dedication requirement, this would require a minimum of 4.68 acres. The previous Preliminary Review from Prometheus located the proposed park in the least contaminated area on the site (see Attachment 4). As noted above, based on groundwater and soil sampling data, it has not been demonstrated that the cleanest area of the site can meet the City's park dedication standards.

In the larger East Sunnyvale area which includes the Watt Companies property, several plumes of groundwater contamination are undergoing remediation, which prevents these areas from

meeting the City's park dedication standards. For example, the Irvine project on Stewart Drive was prepared to dedicate about 0.6 acres for a park, but the site ultimately could not meet the dedication standards due to soil conditions. Instead, Park-In-Lieu fees were accepted for the project. Other projects in the East Sunnyvale area are the Fusion project which provided parkland (now Swegles Park) and the Taylor Morrison Project on Taylor which paid Park-In-Lieu fees for 0.53 acres. The AMD site (30 acres to the East) may redevelop with residential uses in the future, but it is unclear what the soil conditions are and if the site would be acceptable for park dedication.

The General Plan notes that the nearby San Miguel neighborhood is underserved by open space (GP Figure 3-5, see Attachment 5). Additionally, General Plan (Key Initiative #2, p. 3-38) places priority on developing new open space in the existing East Sunnyvale ITR area located immediately east of the proposed study area. Fair Oaks Park is located within ¼ mile to the west of the subject property, although access is not direct. The General Plan contains the following policies regarding park dedication:

Policy LT -6.14 In applying the Park Dedication requirements for new development, place a priority on acquiring land over in-lieu payment, particularly when the development is in areas identified as underserved and/or when the land is of sufficient size or can be combined with other land dedication to form larger Mini Parks or Neighborhood Parks.

Policy LT-8.9 Refrain from engaging in the development of open space and/or recreational facilities without prior assurance that ongoing maintenance needs will be addressed.

Policy LT-8.11 Support the acquisition of existing open space within the City limits as long as financially feasible.

Policy LT-8.13 Mitigate as feasible the open space need in areas identified as underserved through the acquisition of new parkland and/or the addition of amenities in order to bring sites in line with Design and Development Guidelines.

Based on current available information, the Watt Companies site will not meet park dedication standards given its current status as a Superfund site with site closure not expected in the near future. Staff does not recommend accepting any parkland that cannot meet the dedication standards. In considering the GPI request, the Council should consider whether a land use change to residential could be acceptable without provision of an on-site park. The applicant has also stated that finding an off-site parcel for parkland dedication is not feasible. Therefore, Park-In-Lieu fees may be the only available option for satisfying the above General Plan policies if residential use is studied for the subject property.

- **Environmental Review:** The applicant is requesting that the study be evaluated through an Addendum to the 2007 East Sunnyvale EIR.

The General Plan initiation request is not a project within the meaning of CEQA. If the request is granted, environmental review will be conducted as part of the General Plan Amendment application, and the level and scope of review will be determined through that process.

FISCAL IMPACT

No fiscal impact would result as part of this action. The applicant would be required to pay the appropriate Planning Application Fees and provide funding for any additional studies and

environmental review. If the Council removes the requirement for parkland dedication in this area, Park In-Lieu fees would be due for any approved residential development.

PUBLIC CONTACT

Planning Commission: Public contact was made by posting the agenda on the City's official-notice bulletin board outside City Hall; and by making the agenda and report available at the Sunnyvale Public Library, the Planning Division, on the City's website and mailing notice to all properties within 300 feet of the subject site.

City Council: Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk, on the City's website and mailing notice to all properties within 300 feet of the subject site.

If the General Plan study is initiated by the City Council, staff will conduct expanded noticing to surrounding residents, businesses and property owners, and will highlight any associated zoning regulations which may be discussed that will affect adjacent non-residential properties.

ALTERNATIVES

1. General Plan Initiation and Density

- a. Approve the GPI request allowing the applicant to submit a General Plan Amendment application to study changing the land use from Industrial to Medium Density Residential, including studying possible development standards or zoning regulations to buffer and minimize conflicts with adjacent office/industrial uses.
- b. Deny the GPI request and continue the Industrial designation.

If Alternative 1a is proposed, consider the following additional alternatives:

2. Area Plan and Sense of Place Plan

- a. Study a possible General Plan change for the Watt Companies property only (approximately 25 acres), and prepare a Sense of Place Plan for transit, pedestrian, bicycle and automobile circulation for an expanded East Sunnyvale area (55 acres) as shown on Attachment 1 to be funded by the applicant.
- b. Study a possible General Plan change covering all Industrial parcels in an expanded East Sunnyvale area (approximately 55 acres) as shown in Attachment 1, and prepare an Area Plan for the study area that includes a Sense of Place Plan for transit, pedestrian, bicycle and automobile circulation to be funded by the applicant.

3. Market and Fiscal Impact Analysis

Prepare a study, to be funded by the applicant and contracted by the City, to assess the market feasibility of office/industrial land uses in the study area and the relative fiscal impacts and benefits to the City of residential and non-residential land uses.

STAFF RECOMMENDATION

Staff makes no recommendation on the requested General Plan Amendment Initiation request.

If the Council selects Alternative 1a to approve the GPI request, then staff recommends approving Alternative 2a to study a possible General Plan change for the Watt Companies parcel only and preparing a Sense of Place Plan for an expanded East Sunnyvale area. Staff further recommends approval of Alternative 3 to prepare a Market and Fiscal Impact Analysis.

Council had previously authorized studying a change in land use for this area and may wish to complete that analysis. The subject property is located at a transitional location with residential uses to the north and industrial uses to the south. Staff notes, however, that the property is a large industrial site with a PG&E sub-station. These two factors could be ideal for certain types of businesses, such as data centers, that might not find comparable sites elsewhere in Sunnyvale. Staff further suggests that the Council consider the General Plan policies for park dedication and the suitability of Park In-Lieu Fees since meeting park dedication standards for a public park site will be unlikely for the property.

Because the properties located south and east of the Watt Companies property will likely remain as office/industrial uses for a while and are suitable to continue with an Industrial designation in the General Plan, the benefits of an Area Plan are diminished. However, land use compatibility between residential and industrial uses is a concern that should be addressed in the General Plan study if initiated by the Council. Additionally, it is important to prepare a Sense of Place Plan for the entire East Sunnyvale area that provides an integrated plan for pedestrian, bicycle and transit access and defines priorities for neighborhood improvements. Staff recommends that along with filing an application for a General Plan Amendment, the applicant should fund preparing the Sense of Place Plan. In addition, the applicant should fund a Market and Fiscal Impact Analysis to evaluate current market conditions for industrial uses and to determine the fiscal impacts on the City of converting the property to residential use.

Prepared by: Shaunn Mendrin, Senior Planner

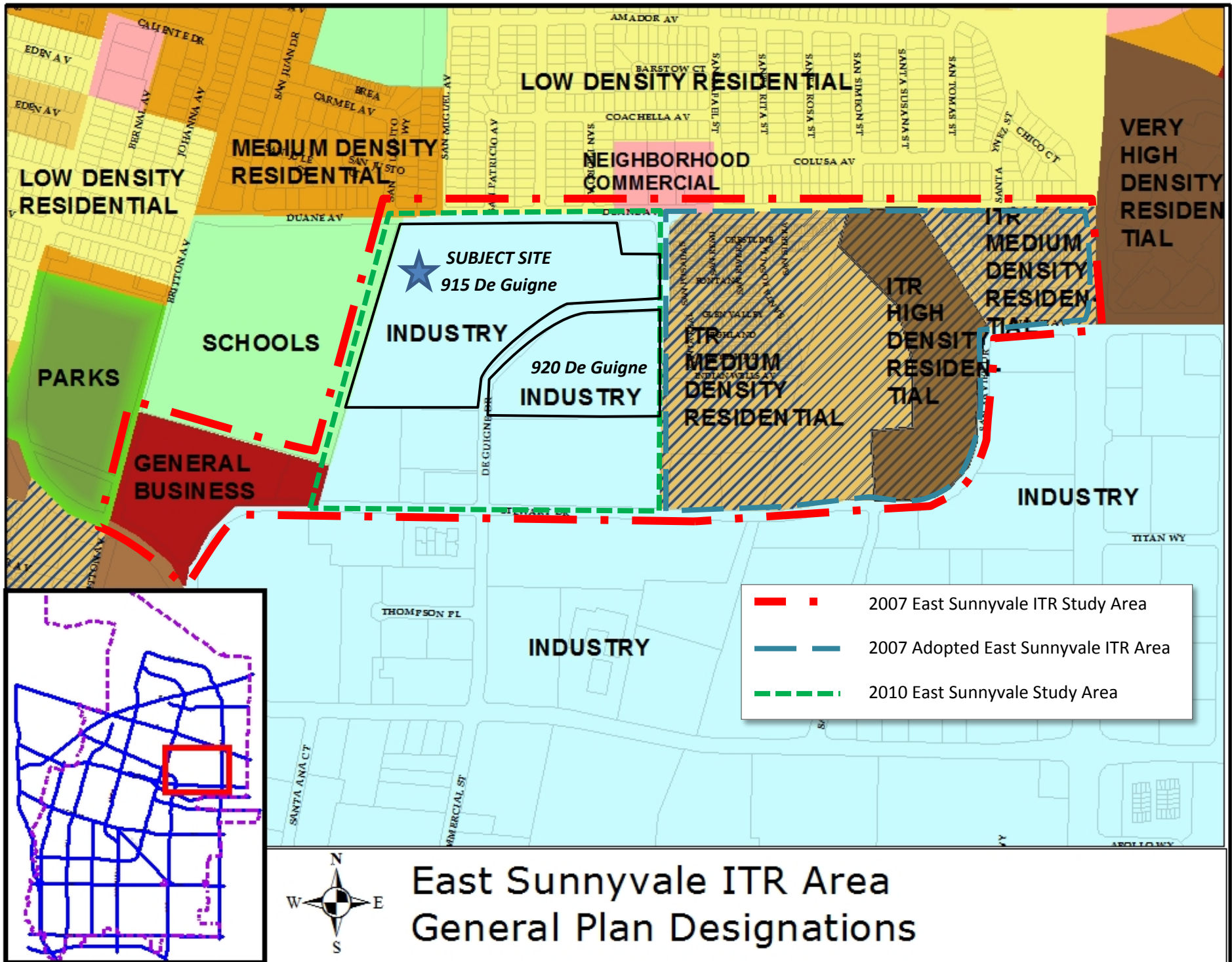
Reviewed by: Trudi Ryan, Planning Officer

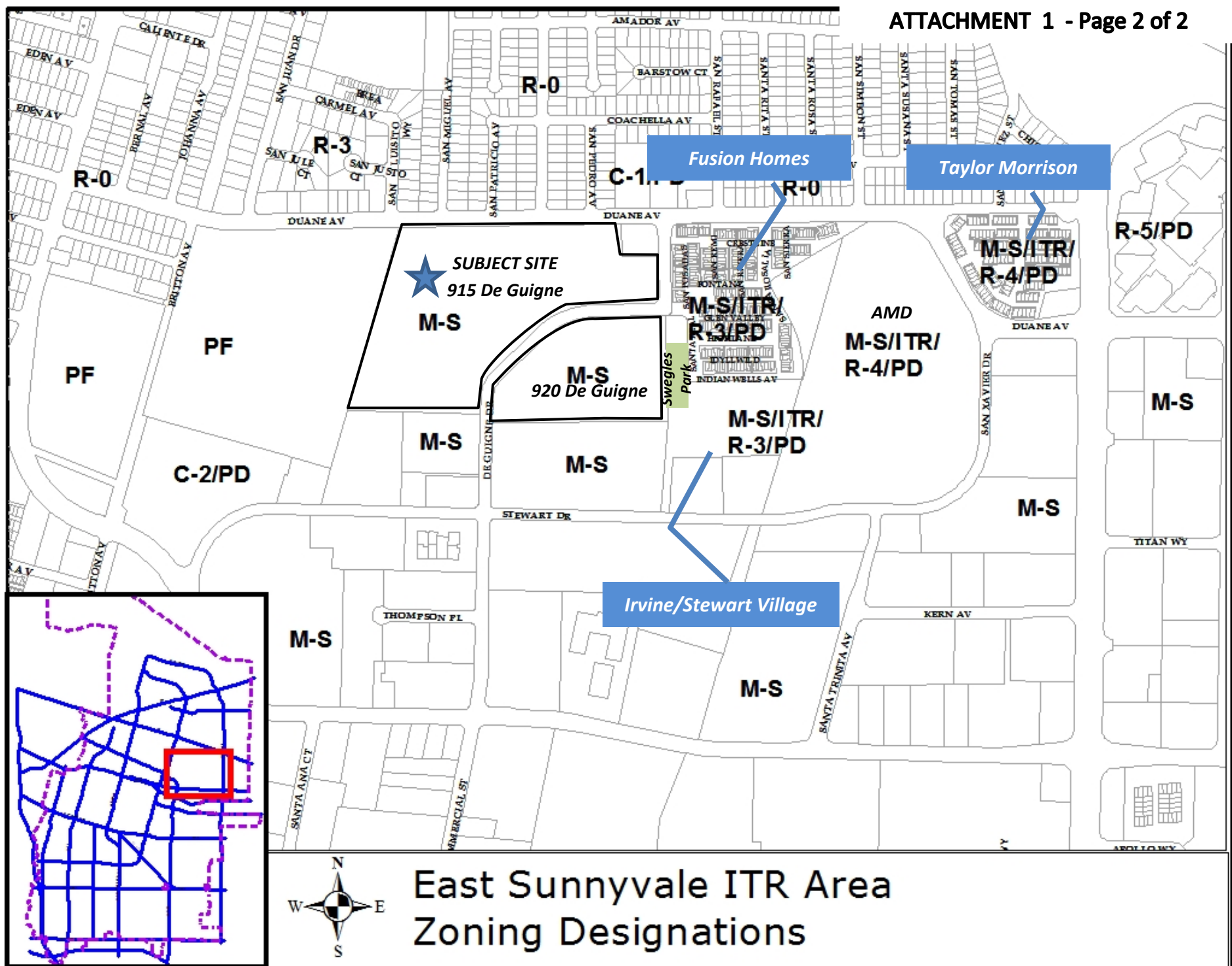
Reviewed by: Hanson Hom, Director, Community Development

Approved by: Robert A. Walker, Interim City Manager

ATTACHMENTS

1. Maps of East Sunnyvale Vicinity
2. Background Information
3. Watt General Plan Initiation Request
4. 2012 Prometheus site plan proposal
5. General Plan Figure 3-5





CHRONOLOGY AND BACKGROUND INFORMATION

Chronology

In 2010, Spansion (920 De Guigne) and Equity Office (915 De Guigne) approached the City about revisiting the transition of their two parcels to residential. The City Council approved the General Plan Initiation (GPI) requests and directed that the sites should be studied jointly. The following points indicate major steps that have occurred related to the projects (see Attachment 1).

- Summer 2010– The General Plan Initiations approved to study Medium Density Residential at 915 De Guigne and Low Medium Density Residential at 920 De Guigne.
- Fall 2010 - General Plan Initiation revisited and defined to include 55 acre area (which includes parcels not under Spansion or Equity Office ownership) and a variety of densities at 915 De Guigne. (see map in Attachment #).
- January 2011 – General Plan Amendment (GPA) applications submitted for both sites.
- 2011-2012 – Prometheus Real Estate Group (Prometheus), project applicant for Spansion site, completed a Fiscal Impact Analysis (FIA) and the City conducted a peer review of the study.
- Late 2011 Equity Office leases the 920 De Guigne Telenav Inc.
- April 2012 – Spansion/Prometheus submitted a Preliminary Review for the Spansion site.
- May 2012 – Joint City Council and Planning Commission Study Session to review: preliminary Fiscal Impact Analysis (FIA) results, Spansion-proposed site plan and discussion, should the residential study move forward, next steps in process and if full park dedication should be required.
- October 2012, city retained Dahlin Group to prepare area plan for 55 acres along with Sense of Place Plan.
- December 2012 – City Council Study Session to review Park dedication in the area. Staff summarized that the Council identified the East Sunnyvale area as a priority area for open space in 2009, park should be located from ¼ to ½ mile from area and that the on-site park will not meet City Park Dedication Standards.
- Summer/Fall 2013 – Soil sampling per City standards in the proposed park dedication area. Study found that park land could not meet City standards.
- 2013 Equity Office property sold to St. Paul Fire and Marine
- 2014 Spansion Site sold to Watt Companies
- 2014 City closes previous General Plan Amendment applications due to inactivity.

Background Information

The following are links to various reports related to the East Sunnyvale 2010 General Plan Initiation for 915 and 920 De Guigne.

- **May 11, 2010**
920 De Guigne GPI Request
RTC
Link: http://sunnyvale.ca.gov/LinkClick.aspx?fileticket=QbZ2BRC5_1k%3d&tabid=412
Minutes Link:
http://sunnyvale.ca.gov/Portals/0/Sunnyvale/cc_minutes/2010/cc-20100511-m.pdf
- **August 10, 2010**
915 De Guigne GPI Request
RTC Link:
<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2010/10-208.pdf>
Minutes Link:
http://sunnyvale.ca.gov/Portals/0/Sunnyvale/cc_minutes/2010/cc-20100810-m.pdf
- **October 26, 2010**
920 & 915 De Guigne Reconsideration
RTC Link:
<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2010/10-285.pdf>
Minutes Link:
http://sunnyvale.ca.gov/Portals/0/Sunnyvale/cc_minutes/2010/cc-20101026-m.pdf
- **May 15, 2012**
Joint City Council and Planning Commission Study Session to review preliminary Fiscal Impact Analysis (FIA) results, Spansion proposed site plan and discussion, next steps in process and if full park dedication should be required.
Minutes Link:
http://sunnyvale.ca.gov/Portals/0/Sunnyvale/cc_minutes/2012/cc-20120612-info4%2020120515%20Jt%20SS%20Summary.pdf
- **December 4, 2012**
City Council Study Session to review Park dedication in the area.
Minutes Link:
<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/CouncilReports/2012/cc-20121218-info2.pdf>



March 24, 2014

Mayor Jim Griffith
Vice-Mayor Jim Davis
Councilmember David Whittum
Councilmember Pat Meyering
Councilmember Tara Martin-Milius
Councilmember Glenn Hendricks
Councilmember Gustav Larsson

City of Sunnyvale
456 West Olive Avenue
Sunnyvale, California 94088

Re: Request for Initiation of General Plan Amendment for 915 De Guigne Drive

Dear Honorable Mayor and City Councilmembers:

Watt Investments at Sunnyvale, LLC ("Watt") is proposing a redevelopment of the former Spansion, LLC site comprised of approximately 24.4 acres and located at 915 De Guigne Drive, Sunnyvale, California (the "Property"). The Property is currently developed with 471,000 square feet of office and manufacturing facilities that are operated by Spansion, LLC.

By this letter, Watt requests that the City Council initiate a General Plan Amendment for the Property from "Industry" to "Medium Density Residential" in order to help alleviate the continuing and growing jobs/housing imbalance in Sunnyvale.

This request is consistent with prior approvals in that area of Sunnyvale. In 2007, in order to address the jobs/housing imbalance, the City Council re-designated certain industrial locations to allow for the creation of housing opportunities. The City Council approved a General Plan Amendment for the East Sunnyvale Industrial-to-Residential area, which included several properties adjacent to the Property. Concurrently, the City Council certified the 2007 ITR Environmental Impact Report (the "ITR EIR"), which studied the conversion of the Property to Medium Density Residential for up to 521 residential units.

Given that the Property was previously the subject of a General Plan Amendment initiation process and the ITR EIR, and given the large size of the Property (second largest within the ITR), its proximity to major employment and activity centers, its relatively immediate availability for redevelopment, and its potential for providing significant ownership housing opportunities for Sunnyvale, we respectfully request that the Property be considered as a individual planning area. In addition, by proceeding as an individual planning area, the Property will be able to provide much-needed housing ownership opportunities to residents and future residents of Sunnyvale much sooner than if the Property is included in a planning study with multiple smaller properties with varied property ownership and redevelopment timelines.

Watt proposes to demolish the existing office and manufacturing facilities and to redevelop the Property as a high quality, sustainable, residential community consisting of several interconnected neighborhoods of up to 521 residential units (approximately 400 of which will be for-sale), open space, recreational space, and supporting infrastructure improvements (the Project). The Project will offer pedestrian and bicycle connectivity to the existing, surrounding residential neighborhoods, including access through the Project from the sidewalk along Duane Avenue. Watt explored including a public park site within the Project. However, after significant discussion with City Staff, based upon City guidelines for acceptance of public park sites, it was concluded that a public park site was not feasible on the Property.

The Property has been extensively studied by Watt's consultants and others to confirm that it is suitable for residential development. The Regional Water Quality Control Board ("RWQCB") is the lead agency for the clean-up of the historical groundwater contamination under the Property. The groundwater contamination is primarily contained under the western half of the Property. The recently completed, fourth, Five-Year Review Report, dated January 2014, shows that significant progress has been made in remediating the groundwater contamination under the Property from the time of the original cleanup order. The groundwater contamination is being actively addressed through a groundwater extraction and treatment system, where the contaminated groundwater is removed from underground, is treated through a carbon filtration system, and the clean effluent is released in the storm water system with the approval by the RWQCB. In addition, as part of the redevelopment of the Property, a vapor mitigation plan will be adopted to address all areas where soil gas vapor contamination exists. The vapor mitigation plan shall be subject to approval by the RWQCB. Watt is planning to have installed vapor barriers beneath the buildings overlying the affected areas of soil gas vapor contamination as is expected to be recommended by the RWQCB. As a result of the historical agriculture use of the property, the level of pesticides in the soil in some portions of the Property is consistent with the background concentrations found in most of the existing and new residential developments throughout Santa Clara Valley, and will be addressed in a soils management plan which shall be subject to approval by the RWQCB.

Watt expects that the required approvals are (i) General Plan Amendment changing the land use designation from "Industry" to "Medium Density Residential", (ii) rezoning the Property from "MS" (industry) to "R-3" (medium density residential), Design Review (Building Architectural and Landscape Architectural), Financing Parcel Map, Tentative Tract Maps (for Condominium purposes), Final Maps, and compliance with the California Environmental Quality Act (CEQA).

The City will serve as the lead agency to determine the appropriate CEQA document required to analyze the Project's potential environmental impacts. As noted above, the ITR EIR included the Property and included program-level analysis of potential environmental impacts associated with development of the Property with 521 residential units. Watt is requesting that the City

consider preparing an addendum to the 2007 ITR EIR, if, based on the City's Initial Study, it can be determined that none of the conditions described in the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred. Watt understands that the final CEQA determination will be made by the City and will be subject to confirmation through new project-specific traffic, noise, air quality, and other technical analyses prepared by the City's consultants. In light of the magnitude of the existing office and manufacturing facilities and uses on the Property, we anticipate that the proposed Project will have a beneficial impact on the environment as compared to the existing uses. Watt has been working with our technical consultants to design the Project to maximize the protection of the environment, and we are committed to working with the City to provide information and support for the CEQA review of the Project.

Thank you in advance for your thoughtful consideration. We look forward to working with you toward the successful completion of the redevelopment of the Property.

Regards,

Watt Investments at Sunnyvale, LLC

A handwritten signature in black ink, appearing to read 'Max Frank', with a stylized flourish at the end.

Max Frank
Vice President

cc:

Robert Walker, Interim City Manager
Hanson Hom, Community Development Director
Trudi Ryan, Planning Officer
Shaunn Mendrin, Senior Planner ✓
Kent Steffens, Public Works Director
Joan Borger, City Attorney
Kathryn Berry, Senior Assistant City Attorney

Proposed Spancion Site Plan

Park (4.95 acres)

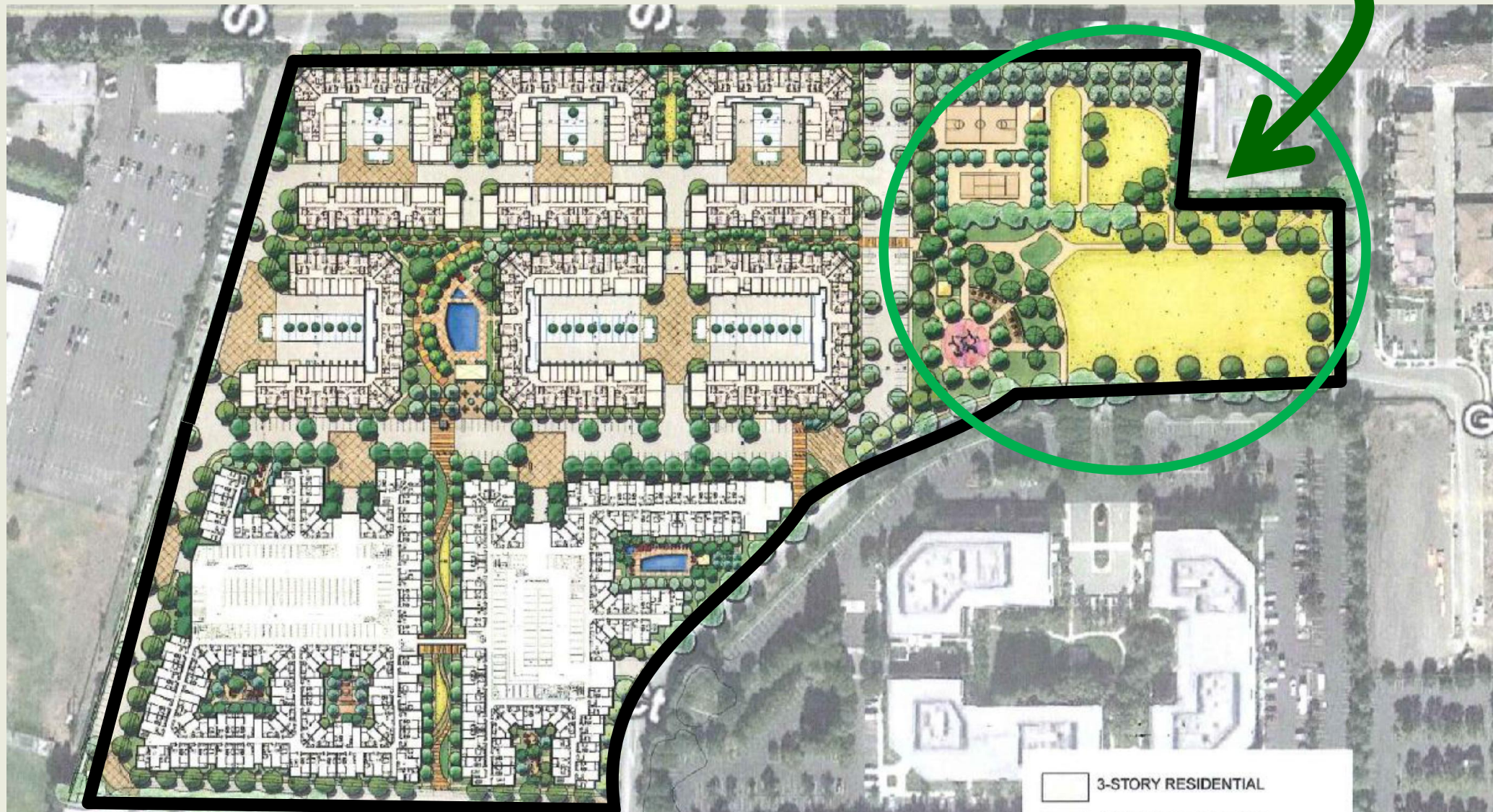
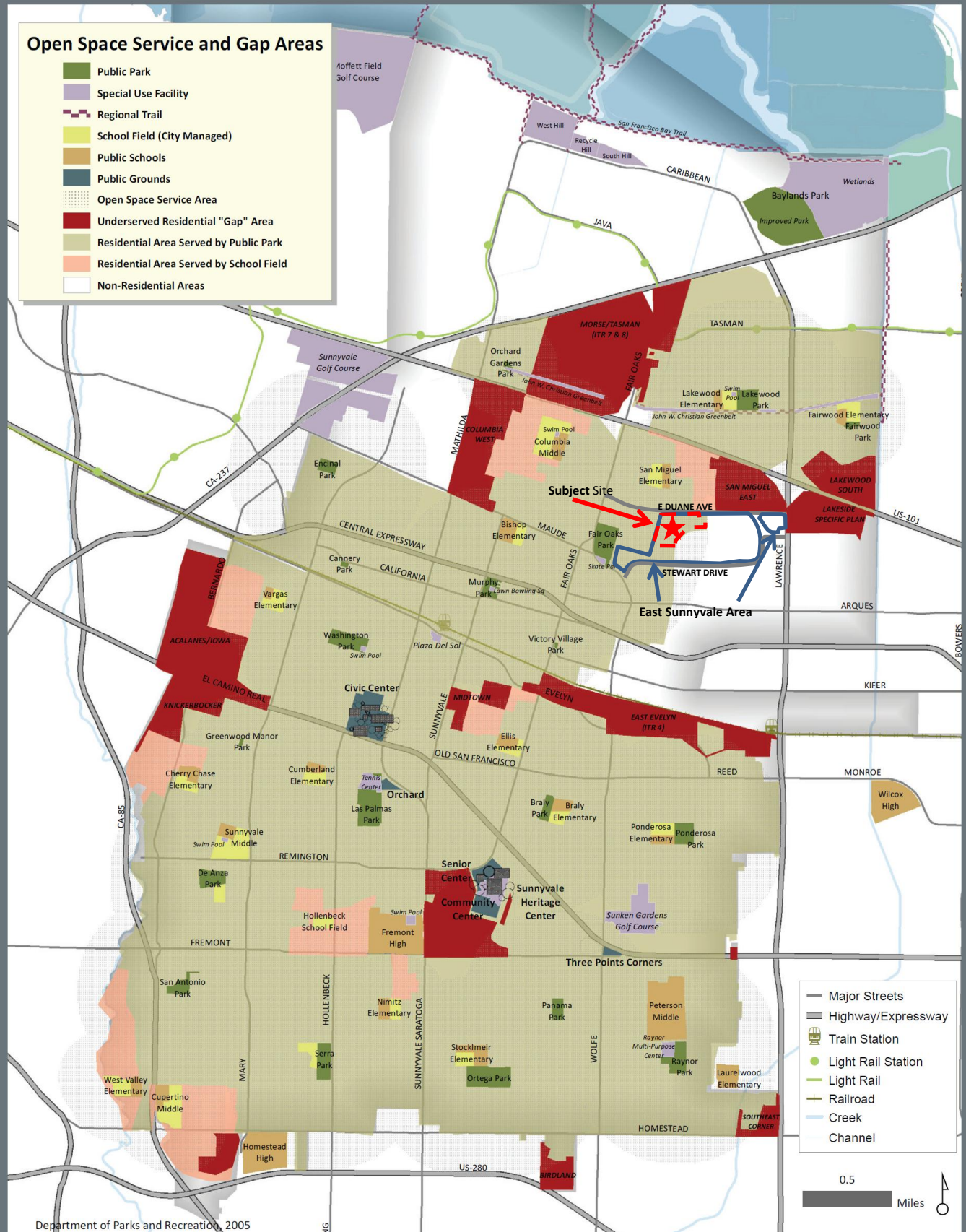


Figure 3-5
Park and School Field Service and Open Space Gap Areas





DATE: April 14, 2014
TO: Planning Commission
FROM: Trudi Ryan, Planning Officer
SUBJECT: Modification to Staff Recommendation:

14-0338 Adopt a Resolution to Update the Green Building Program for Residential Projects, Non-Residential Projects and Public Facilities

Staff recommends Alternative 2: Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities with modifications. The tables include the following:

Residential Projects:

- Raise the Build It Green point level for new construction to 110 points as the minimum and 150 points for the incentives;
- Modify the requirement for remodels, alterations, and additions to require the CalGreen mandatory measures for all projects, regardless of the project construction valuation.

Non-Residential Projects and Public Facilities:

- Maintain the LEED Silver level for new construction between 5,000 and 25,000 square feet and LEED Gold for incentives.
- Increase the LEED Level to Gold for new construction greater than 25,000 square feet and LEED Platinum for the incentives.
- Increase the standard for major alternations so that projects between 5,000 square feet and 25,000 square feet meet a LEED Certified Level and projects greater than 25,000 square feet meet LEED Silver.
- *Modification: Delete the exception to the Moffett Park area in the Citywide incentives (e.g. allow an additional 10% FAR in the Moffett Park area) and add a footnote specific to Moffett Park.*
 1. *In Moffett Park, up to an additional 10% FAR may be allowed, through approval of a Major Moffett Park Special Development Permit. Project must show green development features, transportation demand management or other sustainability measures significantly beyond those required to obtain the 15% or 20% density incentive.*

Public Facilities:

- Maintain the current standards for new construction, which requires LEED Gold for new buildings greater than 5,000 square feet (unless determined infeasible).
- Increase the standard for major alteration to match that of the non-residential projects.



City of Sunnyvale

Agenda Item

14-0338

Agenda Date: 4/14/2014

REPORT TO PLANNING COMMISSION

SUBJECT

Adopt a Resolution to Update the Green Building Program for Residential Projects, Non-Residential Projects and Public Facilities

REPORT IN BRIEF

As part of the City's 2009 green building program, staff was directed to return to Council approximately every 18 months to review the green building tables for possible implementation of three separate phases. This is the third phase of the program. The intent of each phase is to evaluate how the program is working and determine if the standards should be increased.

After almost four years of experience, the green building program is working well overall. Particularly important is that the program uses standardized green building checklists (LEED and GreenPoint Rated), which are commonly used throughout the Bay Area and nationally. Over the past several years the popularity and availability of green construction products and techniques has increased greatly. Therefore, staff is recommending adoption of the resolution in Attachment 1 which updates the green building program as follows:

Residential Projects:

- Raise the Build It Green point level for new construction to 110 points as the minimum and 150 points for the incentives;
- Modify the requirement for remodels, alterations, and additions to require the CalGreen mandatory measures for all projects, regardless of the project construction valuation.

Non-Residential Projects and Public Facilities:

- Maintain the LEED Silver level for new construction between 5,000 and 25,000 square feet and LEED Gold for incentives.
- Increase the LEED level to Gold for new construction greater than 25,000 square feet and LEED Platinum for the incentives.
- Increase the standard for major alterations to require projects between 5,000 square feet and 25,000 square feet meet a LEED Certified Level and projects greater than 25,000 square feet meet LEED Silver.

Public Facilities:

- Maintain the current standards for new construction, which requires LEED Gold for new buildings greater than 5,000 square feet (unless determined infeasible).
- Increase the standard for a major alteration to match that of the non-residential projects.

All proposed changes would be effective for all projects that submit building permit applications on or after November 1, 2014.

The Sustainability Commission discussed this item at its March 17, 2014 meeting. The Commission was in agreement with the above recommendation and voted 5-0 to adopt standards at least as rigorous as above. The Commission also moved to consider requiring conduit to be installed in all new residential buildings for future photovoltaic systems. Staff has not included this in the recommendation.

BACKGROUND

The first City-wide green building program was implemented in 2004 and included public awareness policies and incentives for non-residential development. That same year green building requirements specific to Moffett Park were included as part of the Moffett Park Specific Plan (MPSP). The MPSP incentivizes the development of Class A office buildings through a streamlined review process subject to the provision of green buildings. The MPSP acknowledges that the LEED standard may need to be changed over time to achieve the city's vision of a more sustainable and energy efficient community.

In March 2009, the City Council approved a city-wide green building program that became effective January 1, 2010. This included minimum green standards for all new construction and major alterations/additions. The adopted ordinance set up a framework for residential and non-residential projects that could be modified over time to require higher levels of "green" achievement. The program was designed in three phases, with each phase increasing the level of green building required. The first phase was effective January 2010, the second phase was fully effective in October 2012 (the non-residential requirements were implemented earlier in October 2011). This will be the third phase of the program.

The green building program uses three green building codes/standards and requires various types of construction to meet specified levels. Following is a summary of each code/standard.

CalGreen

First effective on January 1, 2011, CalGreen is the California Green Building Standards Code. CalGreen is developed by the State of California and is a part of the building codes. This code sets standards for green construction in California. Initially CalGreen was limited to new construction. However, the current version requires additions and many non-residential alterations to existing buildings to meet CalGreen requirements for the area under construction.

CalGreen includes mandatory standards as well as optional Tier 1 and Tier 2 standards. The mandatory requirements are minimum standards that are applicable to all covered projects. The Tier 1 and Tier 2 standards are optional levels of higher green standards that can be adopted by local jurisdictions. However, even the highest CalGreen Tier 2 level represents a lower standard than the GreenPoint Rated and LEED levels proposed below.

Build It Green

Build It Green is an independent non-profit organization committed to promoting green building. They have developed the GreenPoint Rated Checklist, which is a point based system providing options for a variety of green building techniques, allowing project designers and owners to select the items that are applicable or desirable for a specific project. The rating system is divided into categories for

energy, indoor air quality, resource conservation, water conservation, and community connectivity, with a minimum number of points required in each category.

LEED

LEED, or Leadership in Energy and Environmental Design, is a rating system developed by the United States Green Building Council (USGBC) that provides credits for green building features and assigns a LEED level (Certified, Silver, Gold, or Platinum) based on the number of credits achieved. Similar to the GreenPoint Rated Checklist, the LEED rating system includes categories for Location and Transportation, Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality, Innovation, and Regional Priorities.

EXISTING POLICY

Community Vision Statement

A regional leader in environmental sustainability...advocating to reduce dependence on non-renewable resources by providing greater transportation options, reducing waste, protecting our natural resources, and promoting alternative energy usage and research. We take environmental preservation and protection seriously and consider how each action will affect Sunnyvale for future generations.

Community Vision Goal III. Environmental Sustainability: To promote environmental sustainability and remediation in the planning and development of the City, in the design and operation of public and private buildings, in the transportation system, in the use of potable water and in the recycling of waste.

Green Building Requirements (Title 19)

19.39.030

- (h) The city council shall establish by resolution, and shall periodically review and update as necessary, green building standards for compliance. The standards for compliance shall include, but are not limited to, the following:
- (1) The types of projects subject to regulation (covered projects);
 - (2) The green building rating system to be applied to the various types of projects;
 - (3) Minimum thresholds of compliance for various types of projects; and
 - (4) Timing and methods of verification of compliance with these regulations.

ENVIRONMENTAL REVIEW

A Negative Declaration was prepared for the 2009 green building ordinance and program, and the proposed changes do not substantially exceed or create any negative impacts not already contemplated and studied in that negative declaration. Therefore, no additional environmental analysis is required to be performed to update the Green Building Tables.

DISCUSSION

Current Green Building Program

The current green building tables (Attachment 2) include graduated requirements based on the scope of projects. These tables require some level of green building for many projects, though there are small projects that do not have a green building requirement (such as re-roofing projects, small residential additions, and minor tenant improvements). This approach has been used to educate the public about green measures and to influence their development decisions. The minimum required green effort increases with larger projects and includes voluntary incentives for higher levels of green

building.

The 2013 CalGreen was effective on January 1, 2014. This code version greatly increased the type of projects that are covered by the CalGreen standards. When first applicable in January of 2011, CalGreen only applied to new construction. Various modifications were made over the past few years and now the CalGreen applies to all residential additions, non-residential additions/alterations with a permit valuation of greater than \$200,000 as well as all new construction.

Staff has taken several actions to assist design professionals and homeowners in achieving the green building program requirements as well as the CalGreen requirements including the following:

- A website with information and links to resources at:
GreenBuilding.inSunnyvale.com <<http://www.GreenBuilding.inSunnyvale.com>>;
- Informational brochures and FAQs on the green building program; and
- Prescriptive checklists that provide applicants with pre-selected items that, if used, will ensure compliance with the green building requirements.

The structure of the current program has been well received by the development community and property owners. Staff has received positive feedback that the program requirements are clearly described and that the use of standardized green building checklists (LEED and GreenPoint Rated) is helpful as most design professionals are familiar with them.

Comparison of Requirements to Other Jurisdictions

As part of this phase of implementation, staff researched the green building requirements in other local jurisdictions. The summary is provided in Attachment 3. Many local jurisdictions rely only on the CalGreen code mandatory measures and have not adopted higher standards. Although some jurisdictions may have higher requirements for a specific project type and size, the overall program requirements in Sunnyvale's green building program is still a leader in the Bay Area.

Residential Projects

Minimum Standards for New Residential Construction

The minimum point level to achieve certification through the Build It Green organization is 50 points. Sunnyvale's program currently requires a minimum of 80 points so that we provide a green building standard above the minimum. Based on programs in other local jurisdictions, 80 points is still at the high end. Almost half of the jurisdictions surveyed did not have any green building requirements beyond the State mandated CalGreen.

While working with design professionals and homeowners, staff has found that the awareness and understanding of green building requirements has increased significantly. The GreenPoint Rated Checklist is commonly used throughout the Bay Area, allowing design professionals to apply their knowledge and experience from projects across different geographical areas to projects in Sunnyvale.

Staff recommends continued use of the generally accepted GreenPoint Rated Checklist for residential construction. With the objective of Sunnyvale maintaining a leadership role in promoting green building construction, staff recommends increasing the minimum GreenPoint Rated requirement from the current 80 points to 110 points for all new construction. This point level would

be higher than the minimum required from Build It Green and would be the highest standards among local jurisdictions surveyed. Staff also recommends increasing the points required for the incentives to 150 (from 110). Based on current trends in green building construction, staff believes the higher point requirement will challenge residential builders but is still an achievable level.

Minimum Standards for Residential Alterations

Alterations to existing buildings include a wide range of projects from replacing a sewer line to a large addition. Many of the smaller projects do not affect enough change in an existing building to achieve a minimum green building point level. Therefore, the alteration projects are separated into the following threshold categories based on improvement value:

- Single-family/duplex - up to \$100,000 and over \$100,000
- Multi-family - up to \$250,000 and over \$250,000

Currently, the higher level category for each type of residential building requires that the project meet the CalGreen requirements that are applicable to the scope of work. However, with the adoption of the 2013 CalGreen, that code applies to residential additions, as well as new construction.

Staff recommends strengthening the requirement for all alterations to include the CalGreen items that are applicable to the scope of the alteration (the CalGreen code only applies to new residential construction or additions). For example, if the alteration included remodeling the bathroom, in addition to the standard energy efficiency upgrades required by the California Energy Efficiency Regulations, the project would also need to meet the CalGreen requirements for low VOC adhesives and paints.

Requirements for Verification of Residential Green Building Items

An important factor in assuring the green building thresholds are met is the verification that these items are included in the construction documents and are installed properly. Currently, the standard requirement is that these items are verified by a GreenPoint Rater, but the project is not required to be submitted to the Build It Green organization for verification. If an incentive is used, the current program requires the project to be submitted to the Build It Green organization for certification.

Staff has received feedback that the certification process through the Build It Green organization can be expensive and time-consuming. Also, the official certification comes several months after the construction is complete and the building is occupied. The goal of the green building program is to achieve high levels of green construction, but without increasing unnecessary costs. Staff recommends maintaining the current practice that all GreenPoint Rated Checklists be verified by a GreenPoint Rater, and not requiring submittal for formal certification.

Residential Incentives

The green building program provides incentives for new residential construction to encourage a higher "green" level for obtaining 110 Build It Green points (rather than the current standard of 80 points). The incentives include an option for additional lot coverage, building height, or density.

One residential project under construction has taken advantage of the green building incentive. The Carmel Partners projects at the former Town and Country site adjacent to Plaza del Sol (approved in October 2011) will achieve a minimum of 110 GreenPoint Rated Checklist points and was approved

with a 5% density bonus. Several other projects that are currently in the entitlement review or building permit review phases are planning to use the incentive for the density bonus (e.g. Iron Work which is two approved developments on E. Evelyn Avenue being developed by Prometheus Real Estate Group and two pending E Weddell projects proposed by Raintree Partners and Sares-Regis Group). Staff has received inquiries regarding the use of the green building incentive for other projects that are in the pre-application phase.

Non-Residential Projects

Minimum Standards for New Non-Residential Construction

The minimum LEED level is Certified followed by Silver then Gold with Platinum as the highest level. The current green building program requires non-residential projects larger than 5,000 square feet to meet a LEED Silver level.

Staff recommends increasing the minimum LEED requirement for new non-residential buildings greater than 25,000 square feet to LEED Gold as the standard. The LEED Silver level would remain for new buildings between 5,000 square feet and 25,000 square feet. Buildings less than 5,000 square feet would maintain the current CalGreen requirement. Staff recommends maintaining the current level for buildings less than 25,000 square feet as higher LEED levels may be disproportionately more expensive for smaller sized buildings.

Minimum Standards for Non-Residential Alterations

Non-residential building alterations vary widely in scope and square footage of affected area. Therefore, the current standards for the non-residential alterations are applicable to projects that affect a significant portion of the building (structural, mechanical, plumbing, and electrical alterations) and contain the following square footage threshold:

- 5,000 to 50,000 square feet - LEED Checklist, no minimum points required
- Greater than 50,000 square feet - LEED Checklist with Certified Level

The 2013 CalGreen also requires non-residential alterations with a project valuation greater than \$200,000 to meet the CalGreen items that are applicable to the scope of work.

Staff recommends the requirement for all alterations be strengthened as follows:

- 5,000 to 50,000 square feet - LEED Checklist with Certified Level
- Greater than 50,000 square feet - LEED Checklist with Silver Level

CalGreen items would still be applicable to projects based on the valuation, but the LEED standards are generally higher and would result in a “greener” project.

Requirements for Verification of Non-Residential Green Building Items

As with the residential projects, certification of the LEED checklist through the USGBC is currently required for projects that use an incentive. Other projects are verified by a LEED Accredited Professional (LEED AP). Staff has received positive feedback on the current LEED AP verification process, as the process to certify through the USGBC is expensive and time-consuming. Also similar to the residential projects, staff recommends maintaining the existing practice that all LEED levels be verified by a LEED AP and not requiring certification through the USGBC.

Non-Residential Incentives

The green building program provides incentives for new non-residential construction to encourage a higher level of green construction. The higher LEED levels allow a project to increase the FAR allowed.

Several office projects have been approved with the green building incentive and more are in the entitlement review phase. This incentive has proven to be popular among office developers. Currently, there is a very high demand for new office buildings within the City. Due to this high demand, the City's development reserve (within the MPSP area) and development pool (over the rest of the City) are being reduced. Therefore, staff is recommending a significant increase in the non-residential incentive level for buildings greater than 25,000 square feet. Staff recommends the incentive for these buildings be increased to LEED Platinum, the highest LEED level, while maintaining LEED Gold as the incentive for buildings between 5,000 square feet and 25,000 square feet.

Public Facilities

The current requirements for Public Facilities are included in Attachment 2.

The principle for public facility requirements has been that these should exceed the requirements for private developments, as the City should set an example of the importance of green building. Even with the staff recommended updates to the non-residential requirements, the current standards for new construction of public facilities are higher than that for private developments.

The current standards for major alterations of public facilities are higher than private developments, but the recommended modifications of private development will be higher. Therefore, staff is recommending that private facilities meet the same requirements for major alterations as recommend for private as follows:

- 5,000 to 50,000 square feet - LEED Checklist with Certified Level
- Greater than 50,000 square feet - LEED Checklist with Silver Level

Staff believes it will be difficult for major alterations of public facilities to exceed these requirements because City facilities can range greatly in scope (i.e. park buildings, fire stations, water treatment facilities, Community Center Theater, etc.) and do not necessarily meet the typical office/commercial characteristics.

Implementation of Updated Requirements

The recommended implementation date for the updated green building tables is November 1, 2014. The green building tables are applicable based on when a project is submitted for building permits, similar to other building codes. Similar to the adoption of updated building codes, a six-month period between adoption and implementation provides adequate time for customers that are currently preparing construction plans to complete their plans and submit before the changes are effective. Projects with planning approval for a green building density bonus would need to submit building plans prior to the effective date to use the green building density bonus contemplated in the planning permit, or comply with the new green building standards if permits are submitted after November 1, 2014. Staff will advise developers with pending applications of any changes that

Council approves.

Staff has continuously heard from the development community that green building has the least cost impact when it is considered at the very early planning stages of a project, including the preliminary site plan. The recommended implementation date of November 1, 2014 provides adequate time for customers to submit plans for projects in the final design phase as well as provide notice to applicants with upcoming projects to plan accordingly.

Sustainability Commission Meeting

This item was included on the Sustainability Commission meeting of March 17, 2014 for discussion. The Commission was in support of raising the standards to those recommended in this report. Several items were discussed, including how this relates to the Climate Action Plan (CAP), how CalGreen and GreenPoint Rated/LEED compare, and the possibility of requiring photovoltaic ready items for new residential construction.

In order to achieve the greenhouse gas (GHG) emission reductions levels of Assembly Bill 32 and Senate Bill 375, a CAP is scheduled to be considered by the Council in May. The CAP provides a framework of options the Council could adopt that would reduce GHG emissions. The various options will then be weighed based on various factors such as cost, impact on the community, and amount of GHG reduction achieve. While some of these options will affect construction, staff believes the CAP items should be evaluated as a package and decisions made on how best to achieve the GHG goals, rather than as part of the scheduled update to the existing green building program.

As discussed in the Background section above, the proposed GreenPoint Rated and LEED levels are a higher green standard than the highest CalGreen level of Tier 2. Therefore, staff recommends continuing with the GreenPoint Rated and LEED programs.

The Sustainability Commission also requested that staff consider the possibility of requiring new residential construction to be photovoltaic ready by installing conduit from the electrical panel to the roof to allow for future photovoltaic wiring. The intent of this is to allow easier installation of photovoltaic panels should a homeowner choose to install them in the future.

On July 1, 2014, a new version of the California Energy Efficiency Standards (CEES) will be effective. These standards will include a requirement that all new residential developments of 10 or more units include a minimum of 250 square feet of clear area (free of plumbing vents and roof vents) on the roof to allow for photovoltaic panels to be installed.

Staff believes that the CEES requirement reduces the barriers to future photovoltaic installation by ensuring that adequate roof area is provided to locate future panels. Staff does not recommend an additional requirement for conduit to be installed as this has not been a barrier to photovoltaic panel installations in existing houses. The conduit installation is one of the easier parts of the installation and needs to be sized and located based on the size and design of the photovoltaic panels. So, if conduit were to be pre-installed in new construction, it may or may not be effective for a future photovoltaic system.

The City Council is scheduled to consider this item on April 29, 2014.

FISCAL IMPACT

The staff recommended changes to the green building program would not have a fiscal impact. If further modifications are made to the green building program, there may be a fiscal impact to the Building Division as additional plan review and inspection resources may be needed if significant new requirements are implemented.

PUBLIC CONTACT

Public contact was made through posting of the Planning Commission agenda on the City's official-notice bulletin board, on the City's website, and the availability of the agenda and report in the Office of the City Clerk.

Notices were sent to the neighborhood associations, developers and design professionals involved in development in Sunnyvale, and posted at the One-Stop Permit Center.

This item was also on the March 17, 2014 Sustainability Commission meeting agenda as a Public Hearing item for discussion.

ALTERNATIVES

1. Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities which includes the following:

Residential Projects:

- Raise the Build It Green point level for new construction to 110 points as the minimum and 150 points for the incentives;
- Modify the requirement for remodels, alterations, and additions to require the CalGreen mandatory measures for all projects, regardless of the project construction valuation.

Non-Residential Projects and Public Facilities:

- Maintain the LEED Silver level for new construction between 5,000 and 25,000 square feet and LEED Gold for incentives.
- Increase the LEED Level to Gold for new construction greater than 25,000 square feet and LEED Platinum for the incentives.
- Increase the standard for major alternations so that projects between 5,000 square feet and 25,000 square feet meet a LEED Certified Level and projects greater than 25,000 square feet meet LEED Silver.

Public Facilities:

- Maintain the current standards for new construction, which requires LEED Gold for new buildings greater than 5,000 square feet (unless determined infeasible).
- Increase the standard for major alteration to match that of the non-residential projects.

2. Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities with modifications.

3. Take no action and maintain the current green building standards.

RECOMMENDATION

Alternative 1: Adopt the Resolution in Attachment 1 to Update the Green Building Tables for Residential Buildings, Non-Residential Projects, and Public Facilities.

The staff recommendation considers the Council's adopted policy to have the City be a leader in green building and sustainability, ease of use of the program, and minimum impact on express plan reviews at the One-Stop Permit Center. In order to be a leader and maintain ease of use of the program, staff is recommending continued use of the standardized programs (GreenPoint Rated and LEED), but require a higher level than most other jurisdictions. This approach provides some level of consistency for design professionals in that they can familiarize themselves with these programs. While a higher point level may be the standard in Sunnyvale, it is based on the same overall programs.

Prepared by: Diana Perkins, Permit Center Coordinator

Reviewed by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director, Community Development

Approved by: Robert A. Walker, Interim City Manager

ATTACHMENTS

1. Draft Resolution to Update the Green Building Tables
2. Current Green Building Program Requirements
3. Green Building Requirements from Other Local Jurisdictions
4. Sustainability Commission draft minutes from March 17, 2014

RESOLUTION NO. ____-14

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE TO UPDATE AND ADOPT THE GREEN
BUILDING TABLES AND CLARIFY INCENTIVES**

WHEREAS, on August 27, 2008, the City Council directed staff to develop sustainable building guidelines for new construction, remodels and additions to buildings in the City; and

WHEREAS, on March 24, 2009, the City Council adopted Resolution 368-09, the Green Building Tables, which included a phased approach to full implementation of green building intent for building construction throughout the City; and

WHEREAS, the Green Building Tables were to be reviewed by the City Council after approximately 18 months to provide information on effectiveness of the policies and opportunity to refine its impacts; and

WHEREAS, on September 13, 2011, the Green Building tables were reviewed and revised to provide that all non-residential zoning districts an additional 10% floor area ratio will be allowed as an incentive for implementing green building techniques; and

WHEREAS, on April 24, 2012, the Green Building tables were reviewed and revised to provide increased requirements for residential construction and alterations, and new requirement for public facilities; and

WHEREAS, on April 29, 2014, the Green Building tables are again reviewed and revised to provide increased requirements for residential construction and alterations, non-residential construction and alterations, and public facilities; and

WHEREAS, the Green Building Tables attached hereto as Exhibit "A" will be an integral part of shaping an improved future for development of property throughout the City of Sunnyvale, meeting the City's goals of sustainability.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT the City Council of the City of Sunnyvale adopts the Green Building Tables (as revised) attached hereto as "Exhibit A" and directs staff to apply the requirements listed in the Green Building Tables to all building construction (as appropriate) in the City of Sunnyvale. These updated tables become effective November 1, 2014.

Adopted by the City Council at a regular meeting held on _____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit "A"

Green Building Updated Tables

Residential Projects

Type of Project	Minimum Standard	Verification/ Review	Voluntary Incentives
All New Construction	GreenPoint Rated Checklist v4.2 or later (which includes CALGreen) with 110 points minimum	Green Point Rater	Achieve 150 points, with Green Point Rater verification, and the project can increase lot coverage by 5%. Multi-family projects have the option to increase building height by 5', lot coverage by 5%, or receive a 5% density bonus.
Remodel, Alteration, and Additions	CalGreen Mandatory Measures as applicable to the scope of work	--	--

Non-Residential Projects

Type of Project	Minimum Standard	Verification/ Review	Voluntary Incentives
New Construction and Initial Tenant Improvements*			
≤ 5,000 sq. ft.	CALGreen Mandatory Measures	City staff	--
> 5,000 sq. ft. to 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Silver Level	LEED AP	City-Wide (Excluding Moffett Park): The project can increase an additional 10% FAR or height by 10' to achieve LEED Gold with LEED AP verification. Moffett Park Specific Plan Area: The project can increase an additional 15% FAR (MP-I) or 20% FAR (MP-TOD) to achieve LEED Gold with LEED AP verification.
> 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Gold Level	LEED AP	City-Wide (Excluding Moffett Park): The project can increase an additional 10% FAR or height by 10' to achieve LEED Platinum with LEED AP verification. Moffett Park Specific Plan Area: The project can increase an additional 15% FAR (MP-I) or 20% FAR (MP-TOD) to achieve LEED Platinum with LEED AP verification.
Major Alterations (structural, mechanical, plumbing, and electrical alterations)			
≤ 5,000 sq. ft.	CALGreen Mandatory Measures	City staff	--
> 5,000 - 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Certified Level	LEED AP	--
> 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Silver Level	LEED AP	--

Public Facilities*

Type of Project	Minimum Standard	Verification/ Review	Voluntary Incentives
New Construction**			
≤ 5,000 sq. ft.	CALGreen Mandatory Measures	City staff	N/A
> 5,000 sq. ft.	LEED Gold Level	LEED AP	N/A
Major Alterations			
≤ 5,000 sq. ft.	CALGreen Mandatory Measures	City staff	--
> 5,000 - 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Certified Level	LEED AP	--
> 25,000 sq. ft.	CALGreen Mandatory Measures and LEED Silver Level	LEED AP	--

* Unless determined infeasible based on the type of building or scope of work.

** Provide electric car chargers at a minimum of 3% of the parking spaces



Current Green Building Program Requirements

Non-Residential Projects

NON-RESIDENTIAL			
Type of Project	Minimum Standard	Verification/Review Requirement	Voluntary Incentives
New Construction and Initial Tenant Improvements			
≤ 5,000 s.f.	CALGreen Mandatory Measures	Verified/Reviewed by City Staff	--
> 5,000 s.f. (excluding Moffett Park Specific Plan area)	CALGreen Mandatory Measures and LEED Checklist with Silver Level	Verification by LEED AP	Achieve LEED Gold Level with USGBC certification and the project can increase: 10% FAR OR 10 ft. height.
Moffett Park Specific Plan > 5,000 s.f.	CALGreen Mandatory Measures and LEED Checklist with Silver Level	Verification by LEED AP	Achieve LEED Checklist Gold Level and the project can increase: 15% FAR (MP-I) 20% FAR (MP-TOD) Achieve LEED Gold Level with USGBC certification and the project can increase: 10% FAR additional
Major Alterations (structural, mechanical, plumbing, and electrical alterations)			
5,000 - 50,000 s.f.	LEED Checklist: <i>no minimum points required</i>	Verified/Reviewed by City Staff	--
> 50,000 s.f.	LEED Checklist : Certified Level	Verification by LEED AP	--

PUBLIC FACILITY*			
Type of Project	Minimum Standard	Verification/Review Requirement	Voluntary Incentives
New Construction**			
≤ 5,000 s.f.	CALGreen Mandatory Measures	Verified/Reviewed by City Staff	N/A
> 5,000 s.f.	LEED Checklist : Gold Level	Verification by LEED AP	N/A
Major Alterations			
>5,000 - 25,000 s.f.	LEED Checklist	Verification by LEED AP	N/A
>25,000 s.f.	LEED Checklist : Certified Level	Verification by LEED AP	N/A

* Unless determined infeasible based on the type of building or scope of work.

** Provide electric car chargers at a minimum of 3% of the parking spaces

Residential Projects*

SINGLE-FAMILY AND DUPLEX RESIDENTIAL			
Type of Project	Minimum Standard	Verification/Review Requirement	Voluntary Incentives
New Construction			
All	GreenPoint Rated Checklist V4.2 or later: 80 points minimum and CalGreen Mandatory Measures	Verification by GreenPoint Rater	Achieve 110 points with GreenPoint Rater verification and the project can increase: 5% lot coverage
Residential Alterations to existing			
Up to \$100,000 construction valuation**	None	N/A	None
> \$100,000 construction valuation*	CalGreen Mandatory Measures as applicable to the scope of work	Verified/Reviewed by City Staff	None

**Valuation per square foot of construction is determined in the annually adopted fee resolution

MULTI-FAMILY RESIDENTIAL (including condominiums, townhouses and apartments)			
Type of Project	Minimum Standard	Verification/Review Requirement	Voluntary Incentives
New Construction			
All	GreenPoint Rated Checklist V4.2 or later: 80 points minimum and CalGreen Mandatory Measures	Verification by GreenPoint Rater	Achieve 110 points with GreenPoint Rater verification and the project can increase: 5% lot coverage, OR 5 ft. height OR 5% density
Residential Alterations to existing			
Up to \$250,000 construction valuation*	None	N/A	None
> \$250,000 construction valuation**	CalGreen Mandatory Measures as applicable to the scope of work	Verified/Reviewed by City Staff	None

**Valuation per square foot of construction is determined in the annually adopted fee resolution

*All new residential projects can receive credit for three Build It Green points if electric car charging units are installed at a minimum of 3% of the required parking spaces (the number of electric car chargers should always be rounded up to the next whole number).

Local Residential Green Building Program Requirements for Various Jurisdictions

Updated 3/17/2014

Jurisdiction	Residential		Non-Residential	
	Remodel, Alteration or Addition	New	Major Alteration	New
City of Santa Clara	CalGreen	CalGreen	CalGreen	CalGreen
City of Mountain View	CalGreen	<p><5 Units:</p> <ul style="list-style-type: none"> • CalGreen <p>≥5 Units:</p> <ul style="list-style-type: none"> • CalGreen • BIG - 70 Points 	CalGreen	<p>≤ 5,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen <p>5,000 – 25,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Certified <p>>25,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Silver
City of San Jose	None	<p><10 Units:</p> <ul style="list-style-type: none"> • CalGreen • BIG/LEED Checklist-no points <p>≥10 Units:</p> <ul style="list-style-type: none"> • CalGreen • BIG - 50 Points 	None	<p><25,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Checklist-no points <p>>25,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Silver
City of Gilroy	CalGreen	CalGreen	CalGreen	CalGreen

Jurisdiction	Residential		Non-Residential	
	Remodel, Alteration or Addition	New	Major Alteration	New
City of Milpitas	CalGreen	<p>< 5 Units:</p> <ul style="list-style-type: none"> • CalGreen • BIG or LEED – no points <p>>5 units:</p> <ul style="list-style-type: none"> • CalGreen Mandatory • BIG– 50 points 	CalGreen	<p>≤25,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen <p>25,000 – 50,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Certified <p>>50,000 sq.ft.</p> <ul style="list-style-type: none"> • CalGreen • LEED Silver
City of Palo Alto	<p>Single-Family >1,250 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen with significant local amendments <p>Multi-Family >50% of sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen with significant local amendments 	<p>>1,250 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen • BIG - 70 Points, +1 point for each 70 sq. ft. over 2,550 sq. ft. (with local mandatory points required) 	<p>>5,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen with significant local amendments 	CalGreen with significant local amendments
City of Cupertino	<p>Single-Family:</p> <ul style="list-style-type: none"> • CalGreen <p>Multi-Family Major:</p> <ul style="list-style-type: none"> • CalGreen • BIG - 50 Points 	<p>≤ 9 units:</p> <ul style="list-style-type: none"> • CalGreen <p>>9 units:</p> <ul style="list-style-type: none"> • CalGreen • BIG - 50 Points 	<p>>35,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen • LEED Certified 	<p><25,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen <p>25,000 - 50,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen • LEED Certified <p>>50,000 sq.ft.:</p> <ul style="list-style-type: none"> • CalGreen • LEED Silver

Jurisdiction	Residential		Non-Residential	
	Remodel, Alteration or Addition	New	Major Alteration	New
Santa Clara County	Additions >500 sq. ft.: <ul style="list-style-type: none"> • CalGreen • BIG – no points 	1,200-3,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • BIG - 50 Points >3,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • BIG - 50 Points, +1 point for each 100 sq. ft. over 3,000 sq. ft. 	CalGreen	CalGreen
City and County of San Francisco	<25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen ≥25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • BIG - 75 Points 	≤ 9 units: <ul style="list-style-type: none"> • CalGreen >9 units: <ul style="list-style-type: none"> • CalGreen • BIG - 75 Points 	≤25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen >25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • LEED Gold 	≤25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen >25,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • LEED Gold
City of Sunnyvale (current)	Single-Family Remodels or additions >\$100,000 : <ul style="list-style-type: none"> • CalGreen Multi-Family Remodels or additions >\$250,000 : <ul style="list-style-type: none"> • CalGreen 	<ul style="list-style-type: none"> • CalGreen • BIG - 80 Points 	5,000-50,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • LEED – no points 50,000 sq.ft. and greater: <ul style="list-style-type: none"> • CalGreen • LEED Certified 	≤ 5,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen >5,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen • LEED Silver
City of Sunnyvale (proposed)	CalGreen	<ul style="list-style-type: none"> • CalGreen • BIG - 110 Points 	5,000-50,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen 5,000-25,000 sq.ft.: <ul style="list-style-type: none"> • LEED Certified >25,000 sq.ft.: <ul style="list-style-type: none"> • LEED Silver 	≤5,000 sq.ft.: <ul style="list-style-type: none"> • CalGreen 5,000 – 25,000 sq.ft.: <ul style="list-style-type: none"> • LEED Silver >25,000 sq.ft.: <ul style="list-style-type: none"> • LEED Gold



City of Sunnyvale
Meeting Minutes - Draft
Sustainability Commission

ATTACHMENT A
Page 1 of 4

Monday, March 17, 2014

7:00 PM

West Conference Room, City Hall, 456 W.
Olive Ave., Sunnyvale, CA 94086

CALL TO ORDER

The meeting was called to order at 7:05 p.m. by Vice Chair Srivastava.

SALUTE TO THE FLAG

ROLL CALL

Present: 5 - Commissioner Gerald Glaser
Commissioner Dan Hafeman
Commissioner Petya Kisyoova
Commissioner Bruce Paton
Vice Chair Amit Srivastava

Absent: 1 - Commissioner Barbara Fukumoto

Commissioner Fukumoto (absence excused)

Council Liaison: Mayor Jim Griffith (present)

PRESENTATION

1 PRESENTATION - Water Conservation

Water and Sewer Division Manager Mansour Nasser provided a presentation to the Commission regarding the current status of California's water supply situation, Sunnyvale's supply sources, water conservation programs and potential actions that may be brought forward in response to the drought.

PUBLIC ANNOUNCEMENTS

Vice Chair Srivastava opened the public hearing to public comments.

There were no comments.

Vice Chair Srivastava closed the public hearing.

CONSENT CALENDAR

2 Draft Minutes of the Sustainability Commission Meeting of
January 21, 2014.

Commissioner Kisyova moved and Commissioner Hafeman seconded the motion to approve the consent calendar. The motion carried.

Yes: 4 - Commissioner Hafeman
Commissioner Kisyova
Commissioner Paton
Vice Chair Srivastava

No: 0

Absent: 1 - Commissioner Fukumoto

Abstain: 1 - Commissioner Glaser

PUBLIC COMMENTS

Vice Chair Srivastava opened the public hearing to public comments.

There were no comments.

Vice Chair Srivastava closed the public hearing.

PUBLIC HEARINGS/GENERAL BUSINESS

3 Discussion: Updating the Green Building Program

Commissioner Glaser moved and Commissioner Hafeman seconded the motion to recommend Council adopt Green Building Standards no less rigorous than those presented by staff and that staff consider including requirements for PV readiness for residential and commercial new construction. The motion carried by unanimous vote.

Yes: 5 - Commissioner Glaser
Commissioner Hafeman
Commissioner Kisyova
Commissioner Paton
Vice Chair Srivastava

No: 0

Absent: 1 - Commissioner Fukumoto

4 Discussion and Possible Action: Nomination of Sustainability
Commission Representative to the Lawrence Station Area
Plan (LSAP) Citizens Advisory Group (CAG)

Commissioner Glaser moved and Commissioner Kisyova seconded the motion to nominate Commissioner Fukumoto as the Sustainability Commission representative to the Lawrence Station Area Plan Citizen Advisory Group ,if willing, and if not to take up the issue at the next meeting. The motion carried by unanimous vote.

Yes: 5 - Commissioner Glaser
Commissioner Hafeman
Commissioner Kisyova
Commissioner Paton
Vice Chair Srivastava

No: 0

Absent: 1 - Commissioner Fukumoto

5 Discussion and Possible Action: Approval of Sustainability
Commission Annual Workplan

Commissioner Glaser moved and Commissioner Paton seconded the motion to approve the Sustainability Commission Annual Workplan as modified. The motion carried by a unanimous vote.

Yes: 5 - Commissioner Glaser
Commissioner Hafeman
Commissioner Kisyova
Commissioner Paton
Vice Chair Srivastava

No: 0

Absent: 1 - Commissioner Fukumoto

6 Discussion and Possible Action: Draft Climate Action Plan

The Sustainability Commission reviewed and discussed the Draft Climate Action Plan (CAP) in preparation for the staff report and public hearing at their April meeting. The Commission discussed a letter sent to them by the Silicon Valley Association of Realtors (SVAR) regarding the SVARs request that the Commission consider recommending Council remove a CAP provision requiring mandatory water and energy efficiency disclosure at the time of sale of a home.

The Commission commented on the lack of substantiated data provided by the realtors association of the impact from the measure and would welcome additional information and specific data, such as impacts to transactions times, etc.

7 Discussion and Possible Action: Selection of Commission Chair and Vice Chair

The Sustainability Commission deferred this item until the April meeting.

COMMISSIONER ORAL COMMENTS

Commissioner Hafeman commented that every other light bulb has been removed from the streetlights downtown near the new Solstice development. Commissioner Hafeman is interested in hearing from staff regarding how that occurred and whether it was done as a result of a complaint from Solstice or if a light survey had been conducted and determined it was appropriate to make the change.

Commissioner Paton reported attending some training sessions provided by the Elkhorn Slough Coastal Training Program regarding climate communication and climate engagement. Commissioner Paton also reported attending a program called Reimagining Our Future, that talked about visualizing a more positive future.

Commissioner Hafeman reported attending a meeting regarding the Lawrence Expressway road modification plan.

ADJOURNMENT

Vice Chair Srivastava adjourned the meeting at 10:00 p.m.