



City of Sunnyvale

Notice and Agenda - Final Planning Commission

Monday, October 10, 2016

6:00 PM

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

Special Meeting - Study Session - 6:00 PM | Special Meeting - Public Hearing 7 PM

6 P.M. STUDY SESSION

1 Call to Order in the West Conference Room

2 Roll Call

3 Study Session

A [16-0963](#)

File #: 2013-7608

Locations: 696 N. Mathilda Ave. (APN: 204-01-003) and 380 San Aleso Ave. (APN: 204-01-004)

Zoning: MS/PD-70

Proposed Project:

PERRY PARK CONDITIONAL USE PERMIT to combine two parcels, demolish existing structures and construct a new 4,387 square foot restaurant with drive-thru.

Environmental Review:

Applicant / Owner: J.P. DiNapoli Companies, Inc. / Sequoia Del Ray LLC

Project Planner: Shetal Divatia, (408) 730-7637,
sdivatia@sunnyvale.ca.gov

B [16-0964](#)

File #: 2015-7624

Location: 767 N. Mathilda Ave. (APN: 165-43-021)

Zoning: MS/FAR100

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to redevelop an industrial site to a 6-story, 238-room hotel with surface parking. Proposed hotel Hilton Garden Inn.

Environmental Review: Mitigated Negative Declaration

Applicant / Owner: Architectural Dimensions /Sinogap LLC

Project Planner: Margaret Netto, (408) 730-7628,
mnetto@sunnyvale.ca.gov

4 Public Comment on Study Session Agenda Items

5 Adjourn Study Session

8 P.M. PLANNING COMMISSION MEETING

CALL TO ORDER

Call to Order in the Council Chambers

SALUTE TO THE FLAG

ROLL CALL

ORAL COMMUNICATIONS

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

CONSENT CALENDAR

- 1.A [16-0961](#) Approve Planning Commission Meeting Minutes of September 26, 2016

Recommendation: Approve Planning Commission Meeting Minutes of September 26, 2016 as submitted.

PUBLIC HEARINGS/GENERAL BUSINESS

- 2 [16-0959](#) **Proposed Project:** Public Comments on the Draft Environmental Impact Report for the Land Use and Transportation Element Update.
File #: 2016-7708
Location: Citywide
Applicant: City of Sunnyvale
Project Planners: Jeff Henderson and Trudi Ryan, (408) 730-7462, Horizon2035@sunnyvale.ca.gov
- 3 [16-0548](#) **Proposed Project:** Related General Plan Amendment and Rezoning applications:
GENERAL PLAN AMENDMENT:
- To change the land use designation from Residential High Density to Residential Low-Medium Density (Sunnytrees)

townhomes complex), a 5.05-acre site; and

- To change the land use designation from Residential Low Density to Residential Low-Medium Density (838 Azure Street), a 0.34-acre site

REZONE: Introduction of an Ordinance to rezone the 838 Azure Street site from Low Density Residential (R-0) to Low-Medium Density Residential with a Planned Development combining district (R-2/PD), 0.34-acre site.

File #: 2016-7078

Location: 838 Azure Street/842 Sunnyvale-Saratoga Road (APN: 211-18-030) and Sunnyside townhomes complex [821-836 Azure Street (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Drive (APNs: 211-41-050 through 211-41-055)]

Zoning: R-0 (838 Azure Street) / R-2/PD (Sunnyside townhomes complex)

Applicant / Owner: Xin Lu (838 Azure Street), City of Sunnyvale/Multiple property owners (Sunnyside townhomes complex)

Environmental Review: Mitigated Negative Declaration

Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Recommendation: Recommend to City Council Alternatives 1, 2 and 3: 1) Make the findings required by CEQA (in Attachment 3 of the report) and adopt the Mitigated Negative Declaration, 2) Adopt a resolution amending the General Plan land use designation from Residential Low Density to Residential Low-Medium Density for 838 Azure Street and from Residential High Density to Residential Low-Medium Density for Sunnyside; and 3) Make the finding that the zoning amendment (rezoning) is deemed to be in the public interest in (Attachment 3 in the report) and introduce an ordinance to rezone 838 Azure Street from R-0 to R-2/PD.

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

NON-AGENDA ITEMS AND COMMENTS

-Commissioner Comments

-Staff Comments

ADJOURNMENT

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.

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

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

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

Agenda Item

16-0963

Agenda Date: 10/10/2016

SUBJECT

File #: 2013-7608

Locations: 696 N. Mathilda Ave. (APN: 204-01-003) and 380 San Aleso Ave. (APN: 204-01-004)

Zoning: MS/PD-70

Proposed Project:

PERRY PARK CONDITIONAL USE PERMIT to combine two parcels, demolish existing structures and construct a new 4,387 square foot restaurant with drive-thru.

Environmental Review:

Applicant / Owner: J.P. DiNapoli Companies, Inc. / Sequoia Del Ray LLC

Project Planner: Shetal Divatia, (408) 730-7637, sdivatia@sunnyvale.ca.gov



City of Sunnyvale

Agenda Item

16-0964

Agenda Date: 10/10/2016

SUBJECT

File #: 2015-7624

Location: 767 N. Mathilda Ave. (APN: 165-43-021)

Zoning: MS/FAR100

Proposed Project:

SPECIAL DEVELOPMENT PERMIT to redevelop an industrial site to a 6-story, 238-room hotel with surface parking. Proposed hotel Hilton Garden Inn.

Environmental Review: Mitigated Negative Declaration

Applicant / Owner: Architectural Dimensions /Sinogap LLC

Project Planner: Margaret Netto, (408) 730-7628, mnetto@sunnyvale.ca.gov



City of Sunnyvale

Agenda Item

16-0961

Agenda Date: 10/10/2016

SUBJECT

Approve Planning Commission Meeting Minutes of September 26, 2016

RECOMMENDATION

Approve Planning Commission Meeting Minutes of September 26, 2016 as submitted.



City of Sunnyvale

Meeting Minutes - Draft Planning Commission

Monday, September 26, 2016

6:30 PM

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

Special Meeting - Study Session - 6:30 PM | Special Meeting - Public Hearing 7 PM

6:30 P.M. SPECIAL MEETING (Study Session)

1 Call to Order in the West Conference Room

2 Roll Call

3 Study Session

Overview of Single-Story Combining District Process

4 Public Comment on Study Session Agenda Items

5 Adjourn Study Session

7 P.M. SPECIAL PLANNING COMMISSION MEETING

CALL TO ORDER

Chair Harrison called the meeting to order in Council Chambers.

SALUTE TO THE FLAG

Chair Harrison led the salute to the flag.

ROLL CALL

Present: 6 - Chair Sue Harrison
Vice Chair Ken Rheaume
Commissioner Russell Melton
Commissioner Ken Olevson
Commissioner David Simons
Commissioner Carol Weiss

ORAL COMMUNICATIONS

Mei-Ling Stefan, Sunnyvale resident, said Single-Story Combining Districts (SSCD) create win-win situations for the City and homeowners and provide clarity for remodels. She said people whose needs cannot be satisfied by a single-story home will choose other housing options and noted that not all extended families want two-story houses. She said SSCDs can be removed the same way as they are created and that it is a democratic process.

CONSENT CALENDAR

MOTION: Commissioner Melton moved and Commissioner Simons seconded the motion to approve the Consent Calendar.

The motion carried by the following vote:

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

No: 0

- 1.A** [16-0925](#) Approve Planning Commission Meeting Minutes of September 12, 2016
- 1.B** [16-0829](#) File #: 2016-7621
Location: 791 Durshire Way (APN: 309-29-057)
Zoning: R-0 (Low Density Residential)
Proposed Project:
USE PERMIT: to allow a large family child care home within 300 feet of another large family child care home.
Applicant / Owner: Li Liu (applicant / owner)
Environmental Review: Class 1 Categorical Exemption, Existing Facilities
Project Planner: Momoko Ishijima, (408) 730-7532, mishijima@sunnyvale.ca.gov

STANDING ITEM: CONSIDERATION OF POTENTIAL STUDY ISSUES

MOTION: Commissioner Simons moved and Commissioner Melton seconded the motion to consider the standing item before the Public Hearing.

Commissioner Simons said he is uncertain about the length of time each item on the agenda will take, that speakers on the Study Issue item may not want to wait throughout the Public Hearing to speak and that his motion is a logical way of handling this issue.

The motion carried by the following vote:

Yes: 5 - Vice Chair Rheaume
Commissioner Melton
Commissioner Olevson
Commissioner Simons
Commissioner Weiss

No: 1 - Chair Harrison

Planning Officer Andrew Miner noted which potential Study Issues for 2017 have been sponsored by the Planning Commission and described the process for suggesting and sponsoring additional Study Issues.

Commissioner Simons and Planning Officer Miner discussed the process for deferring the Exploration of Creating Usable Open Space over Portions of Central Expressway Study Issue, and Planning Officer Miner noted that this study would not be handled by the Community Development Department.

Commissioner Melton said this is a creative idea by former Planning Commissioner Larry Klein.

Chair Harrison opened the Public Hearing.

No speakers.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Melton moved and Vice Chair Rheaume seconded the motion to sponsor the Study Issue: Exploration of Creating Usable Open Space over Portions of Central Expressway.

The motion carried by the following vote:

Yes: 5 - Chair Harrison
Vice Chair Rheaume
Commissioner Melton
Commissioner Olevson
Commissioner Simons

No: 1 - Commissioner Weiss

Planning Officer Miner discussed how the Evaluation of the Residential Single Story Combining District (SSCD) Process potential Study Issue for 2017 came about and he and Chair Harrison further discussed the Study Issue process.

Chair Harrison opened the Public Hearing.

Eran Dor, Sunnyvale resident, said there are many holes in the current SSCD process and suggested waiting for the completion of the study before proceeding with new applications.

Suzanne Shea, Sunnyvale resident, said a supermajority threshold is appropriate for SSCD applications and that if the threshold were increased one would find that the recent applications would still have passed. She said reaching the threshold can still be challenging and raising it too high would mean potentially never achieving it.

Patrick Shea, Sunnyvale resident, discussed a previous SSCD application and said he is interested in what can be done to streamline the process.

Mike Serrone, Sunnyvale resident, said if the Eichler Design Guidelines had more force of law we may not have seen as many SSCD applications, that he is concerned about the public benefit finding and urged proceeding with SSCD applications while the study is conducted.

Chair Harrison and Planning Officer Miner discussed the rule of law with regard to Eichler Design Guidelines.

Martin Griffiths, Sunnyvale resident, said misinformation has been spread about the process, especially with regard to coercion among neighbors. He said the 55 percent threshold may be too low, and that the rights of Eichler homeowners to privacy and to enjoy one's property are impacted by second story additions.

Chair Harrison confirmed with Senior Assistant City Attorney Rebecca Moon that there is no general Constitutional right to sunlight, but that Cities enact zoning laws to protect sunlight and privacy.

Chair Harrison discussed with Planning Officer Miner recommended and required features of second story additions used to protect neighbors' privacy.

Alik Eliashberg, Sunnyvale resident, encouraged sponsoring this Study Issue and said we should have a moratorium on future SSCD applications. He said the study should include a review of SSCD compatibility with the General Plan, the fiscal impact on the City and the impact on the vibrancy of a neighborhood.

Bertrand Chevalier, Sunnyvale resident, said the current process is a democratic one and has been working well.

Lena Govberg, Sunnyvale resident, said SSCDs restrict the housing stock, drive communities apart and impact property values.

Chair Harrison closed the Public Hearing.

Commissioner Weiss said since the inception of the SSCD process there is longitudinal data available for a study, and because of the housing crisis and many Eichler homes being 60 years old and likely need repair it would be remiss of us to not push this to be a Study Issue.

MOTION: Commissioner Melton moved and Vice Chair Rheame seconded the motion to sponsor the Study Issue: Evaluation of the Residential Single Story Combining District Process with the following additions:

- 1) To have the City review the merit of the required public interest finding to evaluate whether there is a more effective finding to make; and,
- 2) To have City staff look at opportunities to streamline the process.

Commissioner Melton noted that only City Council can approve a moratorium on SSCD applications.

FRIENDLY AMENDMENT: Vice Chair Rheame offered a friendly amendment to also include a consideration by staff of a limitation on how broad single story overlays can spread throughout the city. Commissioner Melton accepted.

Commissioner Melton thanked the public for coming out to speak, and said the Study Issue process is very long and this is the early part in the process. He said we now have a large number of SSCD applications stress testing the process and that residents are raising legitimate questions. He noted that in the original documents provided by staff it was predicted that the implementation of the Municipal Code on SSCDs may cause dissent or friction within the overlay areas, which is what we are seeing now. He said the reason he wants to have the study done is to look for opportunities to streamline the process and to review for effectiveness the public interest finding. He said he would like to see the public

interest finding removed from applications in the City and he suspects that if someone polled Council and the Planning Commission to define public interest you would get very different answers, which is concerning. He said the definition is so vague and instead of having a sober deliberation by public officials on the finding it turns into randomized opinions. He said the public interest finding makes it possible for a public official to conclude that they will find 100 percent of applications in or not in the public interest and that is a problem with due process.

Vice Chair Rheume said he can see both sides of the argument and that it is obvious we need to take a look at it. He said he added the Friendly Amendment to look at where overlays would be capped, that this is about SSCDs throughout the City not just Eichlers, and that it would be in the City's best interest to understand the definition of public interest.

Commissioner Simons commended Commissioner Melton for his motion, but said the addition makes him oppose the motion. He said there is no problem with original three overlays that have been in the City for years, that after the process was done we went through long recession and now during a boom time people want to have more prominent homes. He said he is concerned with reviewing different aspects of the process, but that he would be supportive of reviewing the threshold percentage and developing a means of communicating information to citizens. He said he appreciates those Planning Commissioners who are interested in more housing, but he does not think granny units will be built. He said he does not see a review of this as useful unless we are planning on getting rid of SSCDs and that this is a solution looking for problem. He said he is concerned with where many of the concerns brought up during outreach originates from and that he encourages consideration of alternatives.

FRIENDLY AMENDMENT: Chair Harrison offered a friendly amendment to include in the study impacts of SSCDs on property values and maintenance with the evaluation based on factual data made on standardized appraisal criteria. Commissioner Melton and Vice Chair Rheume accepted.

Chair Harrison said she is supporting the motion, that it is hard to make the finding on public interest without data and that this is a legal process based on legal facts. She said every other finding we make is whether it meets the policy exactly and without data she cannot see how anyone can make this finding so it is important to do the Study Issue.

The motion carried by the following vote:

- Yes: 5 -** Chair Harrison
Vice Chair Rheaume
Commissioner Melton
Commissioner Olevson
Commissioner Weiss
- No: 1 -** Commissioner Simons

Commissioner Weiss said we need to look at what other cities are doing to try to provide more housing for people at below market rates, that the 12.5 percent was set in 1980 and needs to be updated. She noted that developers love to build here and she does not see that if the percentage was increased to perhaps 15 percent it would prevent developers from starting projects here. She said an increase would open up opportunities for people who currently cannot afford to live here, would cut long commutes and establish more diverse communities. She said she would like to see what our surrounding cities are doing to address this issue and discussed with Planning Officer Miner why consultant costs are expected.

Chair Harrison opened the Public Hearing.
No speakers.
Chair Harrison closed the Public Hearing.

MOTION: Commissioner Weiss moved and Vice Chair Rheaume seconded the motion to sponsor the Study Issue: Consider Modifications to Increase the Below Market Rate Ownership Housing Requirement.

The motion carried by the following vote:

- Yes: 6 -** Chair Harrison
Vice Chair Rheaume
Commissioner Melton
Commissioner Olevson
Commissioner Simons
Commissioner Weiss
- No: 0**

Chair Harrison verified with Planning Officer Miner the other Study Issues that have been sponsored.

PUBLIC HEARINGS/GENERAL BUSINESS

2 [16-0784](#) File #: 2016-7113
Location: 540 Rockport Drive (APN: 202-02-004)
Zoning: R1
Proposed Project:
DESIGN REVIEW: For a 738 sq. ft. one-story addition to an existing 3,055 sq. ft. one-story single-family home resulting in 3,793 sq. ft. (3,168 sq. ft. living area and 625 sq. ft. garage) and 41% Floor Area Ratio (FAR).
Applicant / Owner: John Barton (applicant) / Arvind and Bharti Goel (owner)
Environmental Review: Categorically Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301 (Class 1, Existing Facilities)
Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

Planning Officer Andrew Miner presented the staff report.

Chair Harrison opened the Public Hearing.

Applicant John Barton provided additional information about the proposed project.

Commissioner Weiss confirmed with Mr. Barton that no trees are proposed for removal.

Commissioner Simons confirmed with Mr. Barton that the roof is proposed to be mission style.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Melton moved and Vice Chair Rheume seconded the motion for Alternative 1: Approve the Design Review with the Conditions of Approval in Attachment 4.

Commissioner Melton said he is glad the homeowner is moving forward on this nice looking project and is adding capital to the neighborhood.

Vice Chair Rheume said he can make the findings, that he likes the design and that the setbacks are in line and no deviations are requested. He said an addition like this is the advantage of having a large lot and he thanked the applicant for investing in the community.

Commissioner Olevson said he can make the finding that the basic design principles have been met and that no deviations or variations have been requested. He said the project is fairly simple to approve and that it has only come before the Planning Commission because of its size.

Chair Harrison said she supports the motion and likes the front treatment because it improves the look of the home.

The motion carried by the following vote:

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

No: 0

- 3 [16-0892](#) File #: 2016-7188
Location: 1454 Hampton Drive (APN: 313-13-021)
Zoning: R-0
Proposed Project: Appeal by the applicant of a decision by the Director of Community Development to deny a Design Review Permit application for a first-floor addition of 1,734 square feet to an existing one-story single-family residence, resulting in 2,856 square feet (2,347 square feet living area and 509 square feet garage) and 40.4 percent Floor Area Ratio (FAR). The project proposes a two-car tandem parking garage.
Applicant / Owner: MAC Design (applicant) / Timothy Vierra (owner)
Environmental Review: Categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15301.
Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Commissioner Melton recused himself from consideration of this item due to his ownership of property within 500 feet of the subject property.

Assistant Planner Aastha Vashist presented the staff report.

Vice Chair Rheume said if the front window is removed the character of the front of the home is lost and discussed with Planning Officer Andrew Miner the commonality in Sunnyvale of having a two-car garage at the front of the home. Vice Chair Rheume confirmed with Planning Officer Miner the location of a potential two-car garage, and commented on the 50-90 percent of foundation slab removal being a significant structural modification. Planning Officer Miner said with the changes proposed for the home it is feasible that a two-car garage could be constructed.

Commissioner Weiss commented on a two-car garage being physically infeasible and discussed with Planning Officer Miner the requirement of a two-car garage.

Commissioner Simons noted that a tandem garage would result in having three parking spaces onsite while a two-car garage would have four, and he confirmed Assistant Planner Vashist that the number of bedrooms was considered as part of the garage requirement.

Chair Harrison opened the Public Hearing.

Applicant Mollyanne Sherman, with MAC design, and owner Timothy Vierra provided additional information about the proposed project.

Commissioner Weiss discussed with Ms. Sherman whether consideration was given to disconnect the workshop from the garage.

Vice Chair Rheume discussed with Ms. Sherman how the front elevation of the home will be balanced if the denial is upheld.

Commissioner Simons discussed with Ms. Sherman whether she has seen the use of car lifts in residential projects.

Commissioner Olevson commented on being troubled by the argument that it is too expensive to meet Sunnyvale codes and discussed with Ms. Sherman whether consideration was given to moving the bedrooms around to meet light and other requirements.

Chair Harrison discussed with Ms. Sherman whether the project started with a design that did not have a tandem garage, and discussed how the proposed project reduces significant structural impacts.

Vice Chair Rheume discussed with Ms. Sherman how a new conventional two-car garage impacts the existing home square footage and confirmed that a tandem garage being placed on new foundation.

Commissioner Weiss verified with Mr. Vierra that the family has three cars, one of which would always be parked in the driveway if a tandem garage is approved.

Alik Eliashberg, Sunnyvale resident, said this neighborhood needs investment and he is glad to see families improving it. He said a detached garage in the rear removes backyard space and creates safety issues and that if you touch walls code issues arise and costs increase.

Mr. Vierra and Samantha Vierra provided additional comments about the proposed project.

Chair Harrison closed the Public Hearing.

Chair Harrison noted that the proposed plan retains 25 percent of the walls and discussed with Assistant Planner Vashist what percentage of the structure would

be retained when comparing both plans. Assistant Planner Vashist noted that the Building Division concluded that there would be no significant structural change between doing a tandem versus two-car garage.

MOTION: Vice Chair Rheume moved and Commissioner Weiss seconded the motion for Alternative 2: Grant the appeal and approve the Design Review with the recommended conditions in Attachment 4.

Vice Chair Rheume said the applicant will already be making significant structural changes and he does not see how anything can be further moved to the right. He said that would take away the character of the house and place parking out of balance with the two car garage sticking out close to the street and a small window and small door. He said the Design Guidelines recommend avoiding that type of design and that he can make the findings to approve the appeal.

Commissioner Weiss said this plan is the most practical. She said the plan will preserve and improve the character of the neighborhood and sense of place, and that it is important to play up the welcoming front entrance of house rather than the garage which takes up an overwhelming percentage of the front facade. She said the applicant has made a good faith effort to come up with a reasonable alternative considering all of the limitations of the site.

FRIENDLY AMENDMENT: Commissioner Simons offered a friendly amendment to add two off street exterior parking spaces at the front of the house that would duplicate the other parking design. Vice Chair Rheume and Commissioner Weiss accepted.

Commissioner Simons said the most significant issue is maintaining the look and feel of the front house and maintaining its historical character, which is not within the Planning Commission's purview. He said we do have to consider whether it is a financial hardship for this particular design versus others, and that the proposed project will require spending extra money, especially to put in the material for parking in the front. He said he is interested in the discussion about how much will be changed, and he would like to keep the look and feel of the house but that is not an issue to be considered.

Commissioner Olevson said he is not supporting the motion and cannot make the findings. He said he sympathizes with trying to keep a family home looking as it was and with maintaining the character of the neighborhood, but that because there will be such extensive structural changes he does not think it would be a hardship to add a side by side garage. He said he does not think enough

exploration has been done to keep the living room in the front, which would address the light issues.

Chair Harrison said she is not supporting the motion and cannot make the finding that there would be too much structural change to construct the two car garage. She said based on the new walls added to the design there would be less structural change with a two car garage rather than a one car garage, and that she cannot make that finding which is actually the only issue.

The motion failed by the following vote:

Yes: 2 - Vice Chair Rheaume
Commissioner Weiss

No: 3 - Chair Harrison
Commissioner Olevson
Commissioner Simons

Recused: 1 - Commissioner Melton

Planning Officer Miner said the appeal has been denied and the action is final.

Chair Harrison confirmed with Planning Officer Miner that the applicant needs to return with a design that includes a two-car garage.

Commissioner Melton returned to the Council Chambers.

- 4 [16-0921](#) File #: 2016-7706
Location: 217 Moffett Park Dr. (APN: 110-34-006)
Zoning: MP-I
Proposed Project: Architectural review of a 5,000 square foot office building (previously approved) as part of a larger redevelopment project at 215 Moffett Park Drive.
Applicant / Owner: ArcTec, Inc. / Moffett Park Drive Owner LLC
Project Planner: Shétal Divatia, (408) 7637, sdivatia@sunnyvale.ca.gov

Planning Officer Andrew Miner presented the staff report and noted that it should show that 13 trees are proposed to be planted and that Condition of Approval (COA) BP-10 should list the Housing Mitigation Fee as \$48,700.

Commissioner Melton confirmed with Planning Officer Miner that the Planning Commission did make it a COA for the building to become a restaurant, and that staff is asking the Planning Commission to rescind that COA to change the building to an office. Commissioner Melton commented on his concern with waiving the original COA, and Planning Officer Miner said it is difficult to be in a position of holding hard to a condition without knowing if it is feasible and that he does not know the extent of effort the applicant went to to find a restaurant tenant. Senior Assistant City Attorney Rebecca Moon noted that a restaurant use is allowed by zoning, and Planning Officer Miner said both restaurant and office are allowed by zoning and the original application included a restaurant. Commissioner Melton discussed with Planning Officer Miner the difficulty of finding a restaurateur for this location.

Commissioner Simons discussed with Planning Officer Miner whether staff considered putting in sections of green wall to tie in with the building behind it, and Commissioner Simons commented on food and other services reducing single occupancy vehicle trips and said it would be odd to change this visible and accessible building to a lower intensity use of office.

Commissioner Weiss discussed with Planning Officer Miner whether consideration was given to a food court rather than a single restaurant. Commissioner Weiss said might be easier to attract smaller food businesses and that retail at that spot might be more desirable. She confirmed with staff that it is not within the Planning Commission's purview to require a restaurant and that the Commission is reviewing the architecture.

Vice Chair Rheume confirmed with staff that the zoning allows both a restaurant

and office and he commented on a restaurant not making sense in this spot.

Chair Harrison discussed with Planning Officer Miner the extra parking spaces in the plan and confirmed that the extra space could be kept as landscaping if a change in use requires additional spaces. Chair Harrison discussed with Planning Officer Miner how the applicant's provision of a bike lane changes what is required by the applicant.

Chair Harrison opened the Public Hearing.

Applicant Craig Almeleh, with ArcTec, Inc., provided additional information about the proposed project.

Commissioner Simons confirmed with Mr. Almeleh the interior height of the building and discussed whether the height could be raised.

Commissioner Olevson confirmed with Mr. Almeleh that the proposed design of the building is intended to allow multiple uses in the future. Property Owner David Wilbur with Four Corners discussed the original intended use of the building and the goal of bringing substantial architecture and completing the building along with others under construction at the site.

Commissioner Weiss discussed with Mr. Almeleh whether a vertical green wall is still being considered, and confirmed that the COA discussing plants for the vertical green wall is for screening the gas meters.

Chair Harrison said she did not realize that all parking spaces had been built, and discussed with Mr. Wilbur whether he would be amenable to using pots for landscaping in the parking area.

Commissioner Simons said he was expecting signage placement on the south side and discussed with Mr. Almeleh where signage would be placed and whether there was any discussion of alternatives on how the south side would be laid out in terms of design elements.

Planning Officer Miner noted that the landscaping was reduced because the sidewalk was widened, and clarified that it is not within the Planning Commission's purview to require a restaurant as there is nothing in the Design Review permit that talks about use.

Chair Harrison closed the Public Hearing.

MOTION: Commissioner Simons moved and Commissioner Olevson seconded the motion for Alternative 1: Make the Findings in Attachment 3, Approve the Major Moffett Park Design Review Permit subject to recommended conditions of approval in Attachment 4.

Commissioner Simons said there may be an issue on the south side which may just be conceptual and will look different once constructed, and that he likes many elements of the project. He said the main goal of an accessory building is to reduce traffic and provide services and he hopes this project will achieve that goal.

Commissioner Olevson said he is supporting the motion and can make all the findings. He said the project meets all of the requirements for the Mitigated Negative Declaration and the criteria for a Moffett Park Design Review. He said Use Permits are a separate issue and that the design fits and complements what has already been done.

Chair Harrison said she supports the motion, likes the different architectural planes and how the screens are incorporated on roof and for the garbage.

Planning Officer Miner noted that the Conditions of Approval require the plans to be revised to add additional or modified architectural detail or elements to the side and rear elevations facing Borregas Avenue and Moffett Park Drive, and that it seems as though the Planning Commission is fine with the current architecture.

Commissioner Simons clarified that the architecture may be the same or slightly modified, but that his intention was that staff would continue to work with the applicant on these details.

Chair Harrison confirmed this intention with Commissioner Olevson.

The motion carried by the following vote:

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

No: 0

NON-AGENDA ITEMS AND COMMENTS**-Commissioner Comments**

None.

-Staff Comments

Planning Officer Miner announced a ribbon cutting ceremony at the newest affordable housing development on October 5 at 620 East Maude, and said the cut-off for Planning Commission applications for the vacant seat was Friday and a new member will be appointed in November. He also discussed Planning-related City Council items and that he may ask for other special meetings to accommodate applications.

Senior Assistant City Attorney Moon announced that the Town Center sale has been closed.

ADJOURNMENT

Chair Harrison adjourned the meeting at 10:20 p.m.



City of Sunnyvale

Agenda Item 2

16-0959

Agenda Date: 10/10/2016

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: Public Comments on the Draft Environmental Impact Report for the Land Use and Transportation Element Update.

File #: 2016-7708

Location: Citywide

Applicant: City of Sunnyvale

Project Planners: Jeff Henderson and Trudi Ryan, (408) 730-7462, Horizon2035@sunnyvale.ca.gov



City of Sunnyvale

Agenda Item 3

16-0548

Agenda Date: 10/10/2016

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: Related General Plan Amendment and Rezoning applications:

GENERAL PLAN AMENDMENT:

- To change the land use designation from Residential High Density to Residential Low-Medium Density (Sunnytrees townhomes complex), a 5.05-acre site; and
- To change the land use designation from Residential Low Density to Residential Low-Medium Density (838 Azure Street), a 0.34-acre site

REZONE: Introduction of an Ordinance to rezone the 838 Azure Street site from Low Density Residential (R-0) to Low-Medium Density Residential with a Planned Development combining district (R-2/PD), 0.34-acre site.

File #: 2016-7078

Location: 838 Azure Street/842 Sunnyvale-Saratoga Road (APN: 211-18-030) and Sunnytrees townhomes complex [821-836 Azure Street (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Drive (APNs: 211-41-050 through 211-41-055)]

Zoning: R-0 (838 Azure Street) / R-2/PD (Sunnytrees townhomes complex)

Applicant / Owner: Xin Lu (838 Azure Street), City of Sunnyvale/Multiple property owners (Sunnytrees townhomes complex)

Environmental Review: Mitigated Negative Declaration

Project Planner: George Schroeder, (408) 730-7443, gschroeder@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Residential Low Density (838 Azure Street) and Residential High Density (Sunnytrees townhomes complex)

Zoning: R-0 (838 Azure Street) and R-2/PD (Sunnytrees townhomes complex)

Existing Site Conditions: Single-family home and accessory living unit (838 Azure Street) / 59 townhomes (Sunnytrees townhomes complex)

Surrounding Land Uses:

North: Shopping center

South: Single-family residential

East: Multi-family and single-family residential

West: Small-lot single-family residential (across Sunnyvale-Saratoga Road)

Issues: Land Use Compatibility, Future Redevelopment Potential

Staff Recommendation: Recommend to City Council to Make the Findings Required by CEQA and Adopt the Mitigated Negative Declaration; Amend the General Plan from Residential Low Density to Residential Low-Medium Density (838 Azure Street) and Residential High Density to Residential Low-Medium Density (Sunnytrees townhome complex); Make the Findings that the zoning amendment

(rezoning) is deemed to be in the public interest; and Introduce an Ordinance to rezone the 838 Azure Street site from R-0 to R-2/PD.

BACKGROUND

On October 13, 2015, a General Plan Amendment Initiation study (RTC No. 15-0185) was approved for 838 Azure Street/842 Sunnyvale-Saratoga Road (referred to hereafter as 838 Azure Street). The City Council authorized a study to consider amending the General Plan land use designation of 838 Azure Street from Residential Low Density, 0-7 dwelling units per acre (du/ac) to Residential Low-Medium Density (7-14 du/ac), and to consider residential low-medium zoning designations of R-1.5 (up to 10 du/ac), and R-2 (up to 12 du/ac). The other low-medium density zoning district, R-1.7/PD, requires a minimum 2-acre site, which eliminates it from consideration for the 838 Azure site.

The City Council's motion also included expanding the study area to the adjacent Sunnytrees townhome complex (Sunnytrees) to the north to make its General Plan and Zoning designations consistent. Although the zoning of the townhome complex is R-2/PD, the General Plan still reflects a high density designation. Council's direction was to consider changing the General Plan designation so that it reflected existing conditions.

The City Council also discussed providing pedestrian access through the Azure site, removing the existing driveway on Sunnyvale-Saratoga, and land use compatibility with the existing neighborhood.

The property owner of 838 Azure Street subsequently applied for the General Plan Amendment and Rezoning on February 2, 2016.

History of Land Uses

Both the 838 Azure Street and Sunnytrees sites were agricultural uses prior to their existing development. The 838 Azure Street site was developed around 1948 with a single-family home and eventually an accessory living unit. The Sunnytrees site was annexed into the City in 1971 and developed with 59 townhomes in 1973. At some point in the past, the Sunnytrees site was designated as Residential High Density General Plan designation, even though its existing unit count and zoning reflect a low-medium density.

Aside from various tree removal permits over the years and the recent General Plan Amendment Initiation study, there have not been any significant planning permits on either of the two sites since their original development.

EXISTING POLICY

The General Plan is the primary policy plan that guides the physical development of the City. When used together with a larger body of City Council policies, it provides direction for decision-making on City services and resources. The General Plan contains long-term goals and policies for the next 10-20 years and strategic actions for the next 5-10 years. Primary goals and policies pertaining to residential development that are relevant to the proposed amendment include the following:

General Plan Goal LT-3 Appropriate Mix of Housing - Ensure ownership and rental housing options in terms of style, size and density that are appropriate and contribute positively to the surrounding area.

Policy LT-3.4 - Determine appropriate density for housing based on site planning opportunities and

proximity to services.

Action LT-3.4b - Locate lower-density housing in proximity to existing lower-density housing.

General Plan Goal LT-4 Preserve and enhance the quality character of Sunnyvale's industrial, commercial and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Policy LT-4.1 - Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Action LT-4.1a Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.

Policy LT-4.2 Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.

Action LT-4.2a Integrate new development and redevelopment into existing neighborhoods.

Policy LT-4.4 Preserve and enhance the high quality character of residential neighborhoods.

Action LT-4.4a Require infill development to compliment the character of the residential neighborhood.

Council Policy 1.1.11 To develop specific guidelines regarding the intended circumstances and appropriate use of the PD Combining District. Justifications and benefits of applying the PD Combining District:

1. To facilitate development or redevelopment of a site to improve the neighborhood.
2. To allow for a proposed use that is compatible with the neighborhood but requires deviations from development standards for a successful project.
3. To facilitate desirable development of properties at significant intersections.
4. To allow for the development and creation of lots that are less than the minimum size required in the base zoning district.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration has been prepared and published in compliance with California Environmental Quality Act (CEQA) provisions and City guidelines (see Attachment 7). An initial study was prepared and found the General Plan Amendment and rezoning for both sites and the reasonably foreseeable development project at 838 Azure Street would not create any significant environmental impacts with implementation of standard construction mitigation measures pertaining to noise, biological and cultural resources, and air quality. A traffic study was not required since the project would not result in a significant increase in peak hour vehicle trips. There would also not be any significant environmental impacts resulting from a lower density General Plan designation for Sunnytrees, since the change reflects the current use of the site and there are no physical changes associated with the proposed amendment.

In addition to describing the impacts of the project on the environment, the initial study also discusses "planning considerations" that relate to City policies pertaining to existing conditions, such as existing traffic noise, air quality, and soil contamination from previous agricultural uses. The planning considerations identified in the initial study include interior and exterior noise mitigations to be consistent with General Plan standards, air filtration systems within units nearest Sunnyvale-Saratoga Road, and soil remediation. These may be required as conditions of approval as part of the future development permit for the 838 Azure Street site.

DISCUSSION

Present Site Conditions

838 Azure Street: The site is a double frontage lot with Sunnyvale-Saratoga Road on the west side and Azure Street on the east side. The site is located just north of the terminus with Cirrus Street. There is an existing masonry sound wall and driveway gate along the Sunnyvale-Saratoga Road frontage and an existing wood fence along the Azure Street frontage. The only vehicular access is from Sunnyvale-Saratoga Road; there is a pedestrian access gate on Azure Street.

Two one-story housing units in the Minimal Traditional style are currently located onsite, consisting of a main single-family home and a detached accessory living unit. A historic evaluation provided by the applicant indicated that the buildings have no historic significance. There are 18 trees onsite and two City street trees in the park strip along the Azure Street sidewalk. Ten of the onsite trees are considered protected trees per the Sunnyvale Municipal Code.

Generally, the surrounding uses are:

North: Sunnyside townhomes

South: Detached single-family residential [General Plan: Residential Low Density (0-7 du/ac)/Zoning: R-0]

East: Detached single-family residential [General Plan: Residential Low Density (0-7 du/ac)/Zoning: R-0]

West: Small-lot single-family residential across Sunnyvale-Saratoga Rd [General Plan: Residential Low-Medium Density (7-14 du/ac)/Zoning: R-2/PD].

See the maps in Attachments 4 and 6 for surrounding General Plan and zoning designations.

Sunnyside: This site borders the north side of the 838 Azure Street parcel and is generally located between Sunnyvale-Saratoga Road to the west and Cezanne Drive to the east. Brahms Way runs through the center of Sunnyside in an east-west direction, and then turns into Azure Street towards the southwest.

Sunnyside consists of 59-townhome units in a mix of one- and two-stories. Vehicular access is obtained from several driveways on Brahms Way and Azure Street. There are also pedestrian walkways accessed from these streets and Cezanne Drive. There is a main common area off of Brahms Way with a community pool. There are various onsite and street trees throughout the development.

The surrounding uses are:

North: A shopping center anchored by Safeway and 24-Hour Fitness

South: 838 Azure Street and other detached single-family residential [General Plan: Residential Low Density (0-7 du/ac)/Zoning: R-0]

East: A mixed-use shopping center and apartments [General Plan: Residential High Density (27-45 du/ac)/Zoning: C-2/ECR]

West: A small-lot single-family residential across Sunnyvale-Saratoga Road [General Plan: Residential Low-Medium Density (7-14 du/ac)/Zoning: R-1.5/PD]

See the map in Attachment 5 for surrounding General Plan and zoning designations.

General Plan and Zoning

The following table summarizes the existing and proposed General Plan and Zoning designations for each subject site:

Site	Current General Plan Land Use	Current Zoning	Proposed General Plan Land Use	Proposed Zoning
838 Azure Street (one parcel)	Residential Low Density	R-0	Residential Low-Medium Density	R-2/PD
Sunnytrees (59 individual parcels and one common area parcel)	Residential High Density	R-2/PD		R-2/PD (<i>No change</i>)

The project proposes to amend the 838 Azure Street site land use designation from Residential Low Density to Residential Low-Medium Density and rezone it from R-0 to R-2/PD in order to facilitate an intended four-lot residential development project. Four units would be the maximum number of units allowed under these designations. R-2 development standards are similar to single-family R-0 parcels in the neighborhood. A Planned Development (PD) combining district provides flexibility in establishing zoning standards for this infill lot to help achieve superior community design and public benefit. The proposed PD combining district is consistent with Council Policy 1.1.11 (PD Combining District Use Guidelines) since it would facilitate a project that would improve and be compatible with the neighborhood but requires deviations from development standards. The PD combining district also allows the City to modify, add or make other limitations to the underlying zoning standards. The proposed R-2/PD zoning is compatible with the density established by the proposed Residential Low-Medium Density General Plan land use designation.

Pursuant to City Council direction, staff is proposing to amend Sunnytrees' land use designation from Residential High Density to Residential Low-Medium Density. The purpose of this change is to bring the General Plan designation in line with the existing zoning and use on site. There is no foreseeable development proposal for the Sunnytrees site. A lower density land use designation would have no immediate impact in the physical development of the Sunnytrees site and would only affect future redevelopment proposals. If the General Plan Amendment for Sunnytrees is not approved, there would still be no change in its physical development, but there would be the future potential to rezone the site to high density residential to be consistent with its General Plan designation.

If the amendments are approved for both sites, both would have identical, contiguous General Plan and Zoning designations (R-2/PD). R-1.5/PD is the other zoning designation considered for the Azure site; this designation allows a development pattern not found elsewhere in the neighborhood and would result in a potential development of one less unit.

Staff sees the additional ownership unit allowable under the proposed R-2 zoning as an important contribution toward community housing issues, as noted in General Plan Policy LT-3.2. The

surrounding neighborhood is characterized by single family homes, duplexes, apartments, and townhome development, where there is no dominant type of land use. There is a General Plan/Zoning mix of Residential Low Density/R-0; Low-Medium Density/R-2 and R-2/PD; and High Density/R-4/PD General Plan and Zoning designations in the area. The proposed project at 838 Azure Street would not create a precedent. For example, a similar low-medium density General Plan Amendment and R-2/PD Rezoning request two blocks south of the site on Debussy Terrace was approved in 1999 for a 13-single-family home development.

Staff finds that the proposed Residential Low-Medium General Plan Amendments at both sites and R-2/PD rezoning at 838 Azure Street are compatible with their surroundings, where there is a mixture of residential land use designations. The density proposed for the site will serve as a transition and buffer between the existing low-medium density Sunnyside site to the north and the low density single-family homes to the south and east.

Balanced Growth Profile

The proposed changes to the land use designations will not materially change the Balanced Growth Profile. The 838 Azure Street site would only result in a net increase of two units. A lower density designation for the Sunnyside site would more closely reflect its existing unit count and would not change the Balanced Growth Profile.

Conceptual Development Project at 838 Azure Street

If the General Plan Amendment and Rezoning application is approved, a Special Development Permit (SDP) and Tentative Map (TM) would be required for the formal project review, since the site would be located within a Planned Development combining district and involves subdivision for ownership lots. Subsequent environmental review would also be required to analyze the project details and any new information since recordation of this initial study. Deviations from the Sunnyvale Municipal Code (SMC) may be considered with the SDP. The conceptual plans are presented only to assist in understanding the potential redevelopment of the site. The property owner of 838 Azure Street is requesting the General Plan Amendment and Rezoning to allow future consideration of their intended related project to demolish the two existing units and construct four, two-story single-family homes on individual ownership lots (see Attachment 8 for conceptual plans). The conceptual plans show a common area lot in the middle portion of the development with an open space area along Sunnyvale-Saratoga Road. A common vehicular driveway would be accessed from Azure Street, with branching individual driveways for each unit. The existing driveway gate and access to Sunnyvale-Saratoga Road would be removed and filled in with a continuation of the existing sound wall. A pedestrian access gate for the residents of the development would be provided on Saratoga-Sunnyvale Road. Staff will work with the applicant on the ultimate design to ensure compatibility and to lessen the removal of existing trees.

PUBLIC CONTACT

Neighborhood Outreach Meeting

The property owners of 838 Azure Street and City staff held a community outreach meeting on August 10, 2016. Property owners and residents within 1,000 feet of the site were notified, as well as the Stratford Gardens and Cherry Orchard neighborhood associations (See Attachment 9 for the City's and the applicant's outreach letters). The 838 Azure Street owners introduced their proposal

with conceptual plans. City staff also explained the reason for amending Sunnyside's General Plan designation.

The meeting was designed in an open house format and approximately 15-20 community members attended the meeting. The comments received were general support for the proposal, request for traffic calming in the neighborhood, and concerns about privacy and property value impacts, parking, blockage of views, and public safety with the proposed pedestrian gate to Sunnyvale-Saratoga Road. There were no objections to changing the Sunnyside's General Plan designation.

Staff received a follow-up comment from one of the meeting attendees (Attachment 10) not in support of the proposed project at 838 Azure Street due to concerns with the future related project's effect on property values; blockage of views; and traffic, parking, and construction-related impacts. The related four unit project will be considered at a separate hearing.

Native American Tribal Outreach per State of California SB 18 and AB 52

As required by State law and CEQA, the City sent letters via certified mail to local Native American tribes on June 22, 2016. No requests for consultation were received within the State-specified timelines.

Notice of Public Hearings

- Published in the Sun newspaper
- Posted on the 838 Azure Street and Sunnyside sites
- 1,546 notices were mailed to property owners and tenants within 1,000 feet of the project as shown in Attachment 2
- Stratford Gardens and Cherry Orchard neighborhood associations

See Attachment 1 for a map of the vicinity and mailing area for notices.

Staff Report

- Posted on the City of Sunnyvale's web site
- Provided at the Reference Section of the City of Sunnyvale's Public Library

Agenda

- Posted on the City's official notice bulletin board
- City of Sunnyvale's web site

ALTERNATIVES

Recommend to City Council:

1. Make the findings required by CEQA in Attachment 3 and adopt the Mitigated Negative Declaration.
2. Adopt a resolution amending the General Plan land use designation from Residential Low Density to Residential Low-Medium Density for 838 Azure Street (Attachment 4) and from Residential High Density to Residential Low-Medium Density for Sunnyside (Attachment 5).
3. Make the finding that the zoning amendment (rezoning) is deemed to be in the public interest (Attachment 3) and introduce an Ordinance to rezone 838 Azure Street from R-0 to R-2/PD (Attachment 6).
4. Provide direction on additional environmental review.

5. Deny the requests for General Plan Amendments and Rezoning.

STAFF RECOMMENDATION

Recommend to City Council Alternatives 1, 2 and 3: 1) Make the findings required by CEQA (in Attachment 3 of the report) and adopt the Mitigated Negative Declaration, 2) Adopt a resolution amending the General Plan land use designation from Residential Low Density to Residential Low-Medium Density for 838 Azure Street and from Residential High Density to Residential Low-Medium Density for Sunnyside; and 3) Make the finding that the zoning amendment (rezoning) is deemed to be in the public interest in (Attachment 3 in the report) and introduce an ordinance to rezone 838 Azure Street from R-0 to R-2/PD.

Staff supports the General Plan amendments for both sites and rezoning for the 838 Azure Street site given that there will be an appropriate transition between low-medium and low residential densities in the neighborhood, there is an established mix of residential densities in the neighborhood, potential environmental impacts can be mitigated to a less than significant level, and because both sites will result in consistent General Plan and Zoning designations. Site and architectural review for the 838 Azure Street future related project will be reviewed using City codes and design guidelines at a separate hearing.

Prepared by: George Schroeder, Associate Planner

Reviewed by: Gerri Caruso, Principal Planner

Reviewed by: Andrew Miner, Planning Officer

Reviewed by: Trudi Ryan, Community Development Director

Reviewed by: Kent Steffens, Assistant City Manager

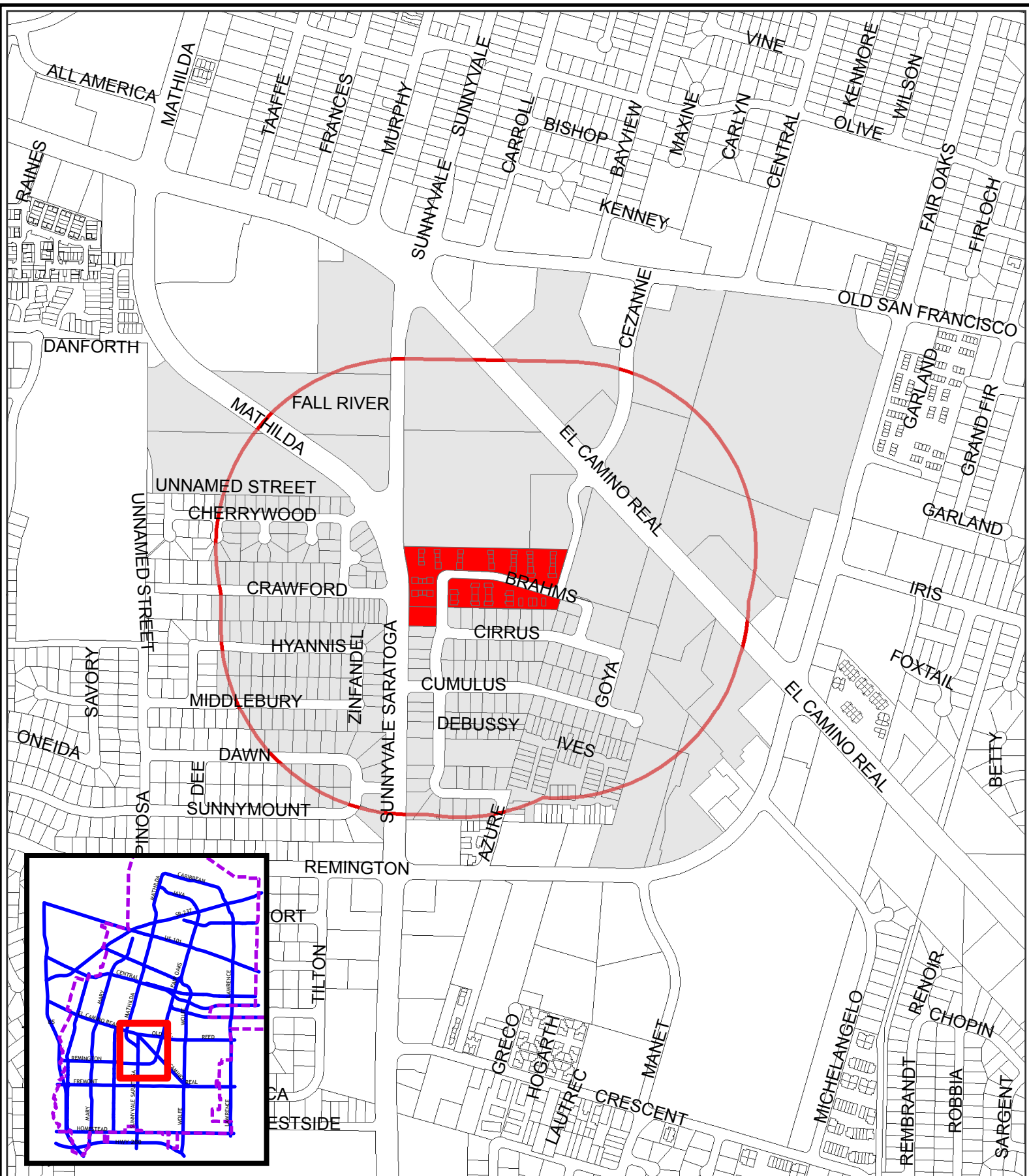
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

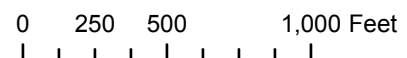
1. Not Used (for use with Report to Council)
2. Noticing and Vicinity Map
3. Recommended Findings
4. 838 Azure Street General Plan Resolution and Map
5. Sunnyside General Plan Resolution and Map
6. 838 Azure Street Rezoning Ordinance and Map
7. Initial Study - Mitigated Negative Declaration
8. Conceptual Plan Set
9. Staff and Applicant Outreach Letters
10. Public Comments

ATTACHMENT 1

This attachment number reserved for use with Report to Council.



2016-7078
838 Azure St. and Sunnyside HOA, 821-836 Azure St.,
103-180 Brahms Wy., and 817-827 Cezanne Dr.
1000 ft. area map



**RECOMMENDED FINDINGS
2016-7082**

California Environmental Quality Act – 838 Azure Street and Sunnytrees townhomes complex

In order to adopt the Mitigated Negative Declaration, the City Council must make the following findings per CEQA Guidelines Section 15074:

1. The Mitigated Negative Declaration was prepared and circulated for public review in accordance with the requirements of the California Environmental Quality Act.
2. The Planning Commission and City Council have read and considered the Mitigated Negative Declaration and the City Council makes the findings required by CEQA on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the proposed Project will have a significant effect on the environment.
3. The Mitigated Negative Declaration reflects the Planning Commission and City Council's independent judgment and analysis.
4. The mitigation measures listed in the Mitigated Negative Declaration will be incorporated as conditions of approval for the Project's subsequent Special Development Permit, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects.
5. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Ave., Sunnyvale, CA 94086.

General Plan Amendment and Rezoning – 838 Azure Street

1. The amendment to the general plan and zoning designation, as proposed, is deemed to be in the public interest. (*Finding Met*)

The property at 838 Azure Street is located adjacent to Sunnytrees (Sunnytrees has an existing Zoning designation of Low-Medium Density Residential and a proposed General Plan Designation of Residential Low-Medium). The surrounding area to the south and east is Low-Density Residential. There is also a mix of Low-Medium and High Density residential uses in the

neighborhood. The low-medium density proposed for 838 Azure Street will serve as a transition and buffer between the existing low-medium density Sunnytrees site to the north and the low density single-family homes to the south and east. A Planned Development combining district would also provide an opportunity for a creative development approach that will achieve superior community design and public benefit.

General Plan Amendment – Sunnytrees townhomes complex

1. The amendment to the general plan designation is deemed to be in the public interest. (*Finding Met*)

Sunnytrees' General Plan designation of Residential High Density is currently inconsistent with its low-medium density zoning designation. The proposed amendment would make the designations consistent, and would also have identical, contiguous General Plan and Zoning designations as 838 Azure Street. A lower density land use designation would have no immediate impact in the physical development of Sunnytrees and would only affect future redevelopment proposals, where additional units could be added under the current density allowance, but not as significantly as a high density designation, in order maintain the existing neighborhood pattern.

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING THE GENERAL PLAN TO
MODIFY THE GENERAL PLAN DESIGNATION FOR 838
AZURE STREET/842 SUNNYVALE-SARATOGA ROAD
FROM RESIDENTIAL LOW DENSITY TO RESIDENTIAL
LOW-MEDIUM DENSITY**

WHEREAS, 838 Azure Street/842 Sunnyvale-Saratoga Road (APN: 211-18-030) is a property located within a residential area surrounded by a low-medium density condominium development to the north, low density single-family homes to the east and south, and Sunnyvale-Saratoga Road to the west; and

WHEREAS, the applicant has proposed to change the land use designation for 838 Azure Street/842 Sunnyvale-Saratoga Road from Residential Low Density to Residential Low-Medium Density; and

WHEREAS, the proposed designation is consistent with the subject property land use and adjacent property development and designation; and

WHEREAS, a Mitigated Negative Declaration was prepared for the modification of the general plan designation for 838 Azure Street/842 Sunnyvale-Saratoga Road pursuant to Public Resources Code section 15070 and CEQA Guideline 15164, which evaluated the impacts of this project on the environment; and

WHEREAS, the Planning Commission considered the proposed amendment at a duly noticed hearing held on _____, 2016, and has recommended approval of the amendment affecting 838 Azure Street/842 Sunnyvale-Saratoga Road; and

WHEREAS, the City Council held a public hearing on _____, 2016, and considered the reports and documents on the proposed amendments presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. MODIFICATION OF LAND USE DESIGNATION. The City Council finds and determines that the General Plan amendments constitute a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the modifications from Residential Low Density to Residential Low-Medium Density for 838 Azure Street/842 Sunnyvale-Saratoga Road (APN: 211-18-030).
2. CEQA- MITIGATED NEGATIVE DECLARATION. The City Council hereby finds that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City Council, and finds on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence that project will have a significant effect on the environment. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects. The Director of Community Development may file a Notice of Determination with the County Clerk pursuant to CEQA guidelines. Any future project that may benefit from these changes will still need to undergo its own environmental review, if required by CEQA, and potential impacts may be determined at that time.

Adopted by the City Council at a regular meeting held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

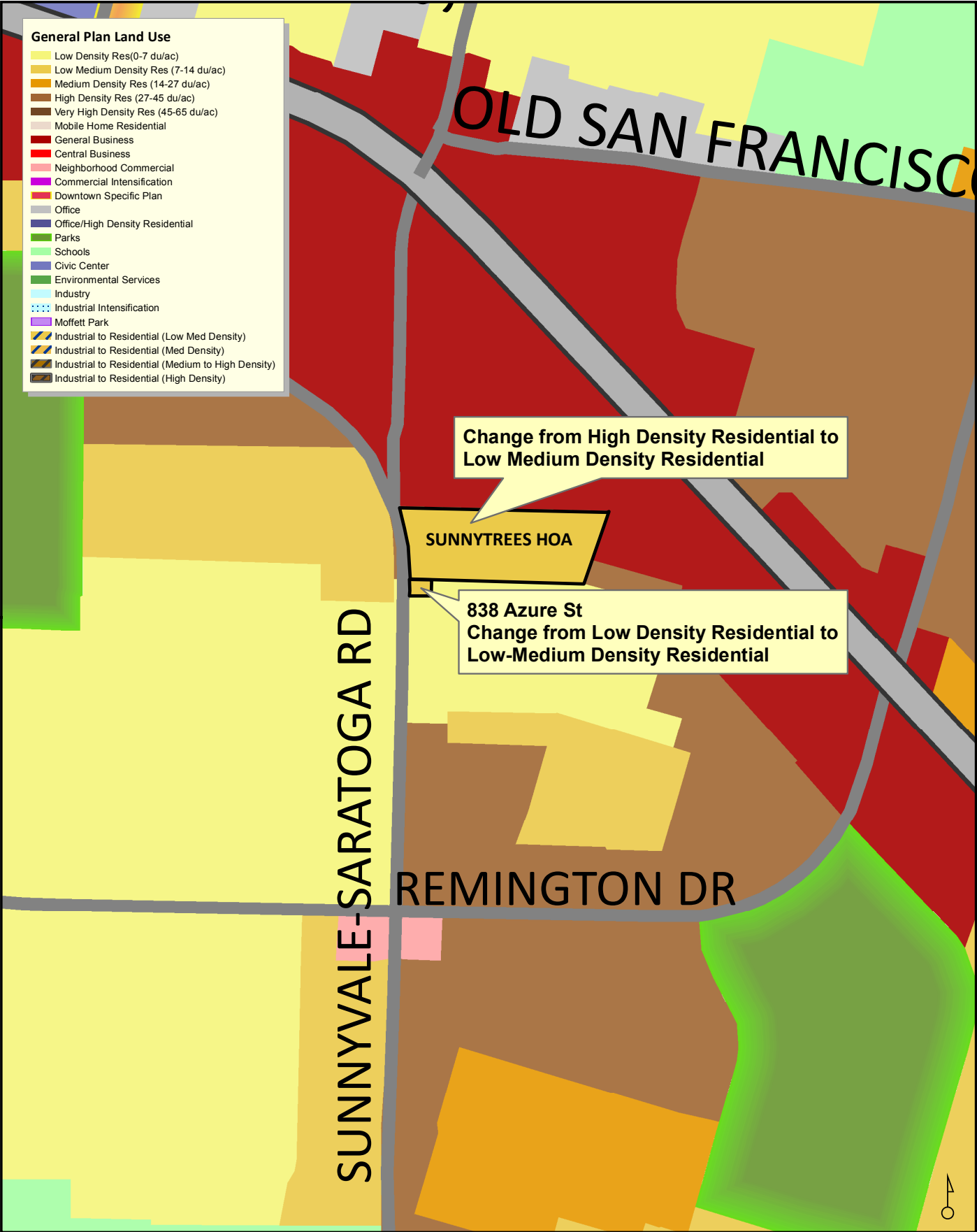
APPROVED AS TO FORM:

City Attorney



City of Sunnyvale
General Plan Land Use Map

838 Azure Street
Sunnytrees HOA



RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING THE GENERAL PLAN
DESIGNATION FOR THE SUNNYTREES HOA LOCATED
ON AZURE STREET, BRAHMS WAY AND CEZANNE
DRIVE FROM RESIDENTIAL HIGH DENSITY TO
RESIDENTIAL LOW-MEDIUM DENSITY**

WHEREAS, the Sunnytrees HOA located at 821-836 Azure St. (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Dr. (APNs: 211-41-050 through 211-41-055) is a low-medium density residential development surrounded by commercial properties to the north and east, high density residential to the southeast, low density single-family homes to the south, and Sunnyvale-Saratoga Road to the west; and

WHEREAS, the Sunnytrees HOA is currently designated Residential High Density in the General Plan, which is inconsistent with the density of the existing low-medium density development; and

WHEREAS, the applicant has proposed to change the land use designation for the Sunnytrees HOA from Residential High Density to Residential Low-Medium Density; and

WHEREAS, the proposed designation is consistent with the subject property land use and adjacent property development and designation; and

WHEREAS, a Mitigated Negative Declaration was prepared for the modification of the general plan designation for the Sunnytrees HOA pursuant to Public Resources Code section 15070 and CEQA Guideline 15164, which evaluated the impacts of this project on the environment; and

WHEREAS, the Planning Commission considered the proposed amendment at a duly noticed hearing held on _____, 2016, and has recommended approval of the amendment affecting the Sunnytrees HOA; and

WHEREAS, the City Council held a public hearing on _____, 2016, and considered the reports and documents on the proposed amendments presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. MODIFICATION OF LAND USE DESIGNATION. The City Council finds and determines that the General Plan amendments constitute a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the modifications from Residential High Density to Residential Low-Medium Density for the Sunnyside HOA located at 821-836 Azure St. (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Way (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Dr. (APNs: 211-41-050 through 211-41-055).
2. CEQA- MITIGATED NEGATIVE DECLARATION. The City Council hereby finds that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City Council, and finds on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence that project will have a significant effect on the environment. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects. The Director of Community Development may file a Notice of Determination with the County Clerk pursuant to CEQA guidelines. Any future project that may benefit from these changes will still need to undergo its own environmental review, if required by CEQA, and potential impacts may be determined at that time.

Adopted by the City Council at a regular meeting held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

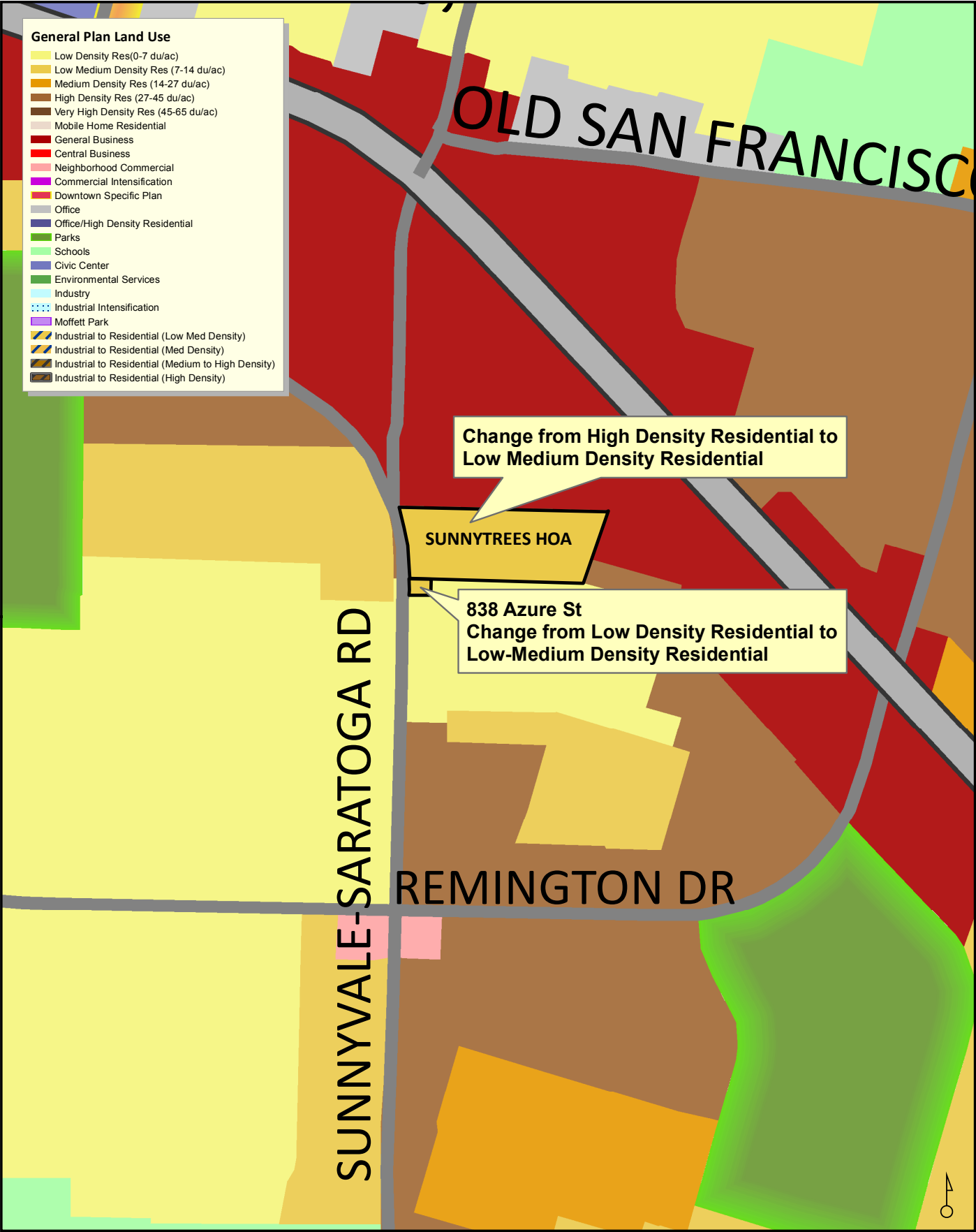
APPROVED AS TO FORM:

City Attorney



City of Sunnyvale
General Plan Land Use Map

838 Azure Street
Sunnytrees HOA



ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SUNNYVALE AMENDING THE PRECISE ZONING PLAN,
ZONING DISTRICTS MAP, TO REZONE CERTAIN PROPERTY
LOCATED AT 838 AZURE STREET/842 SUNNYVALE-
SARATOGA ROAD FROM R0 (LOW DENSITY RESIDENTIAL)
TO R2/PD (LOW MEDIUM DENSITY RESIDENTIAL-PLANNED
DEVELOPMENT)**

THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS
FOLLOWS:

SECTION 1. AMENDMENT OF PRECISE ZONING PLAN. The Precise Zoning Plan, Zoning Districts Map, City of Sunnyvale (Section 19.16.050 of the Sunnyvale Municipal Code) hereby is amended to rezone a certain property located at 838 Azure Street/842 Sunnyvale-Saratoga Road (APN: 211-18-030) from R0 (Low Density Residential) to R2/PD (Low Medium Density Residential-Planned Development). The location of the property is set forth on the scale drawing attached as Exhibit A.

SECTION 2. CEQA- MITIGATED NEGATIVE DECLARATION. The City Council hereby finds that the Mitigated Negative Declaration prepared for this ordinance has been completed in compliance with the requirements of the California Environmental Quality Act (CEQA) and reflects the independent judgment of the City Council, and finds on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence that project will have a significant effect on the environment. The mitigation measures listed in the Mitigated Negative Declaration have been incorporated as conditions of approval of the Project, including a program for reporting and monitoring the measures required to mitigate or avoid significant environmental effects. The Director of Community Development may file a Notice of Determination with the County Clerk pursuant to CEQA guidelines. Any future project that may benefit from these changes will still need to undergo its own environmental review, if required by CEQA, and potential impacts may be determined at that time.

SECTION 3. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 4. PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official newspaper for publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on _____, 2016,
and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council
held on _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

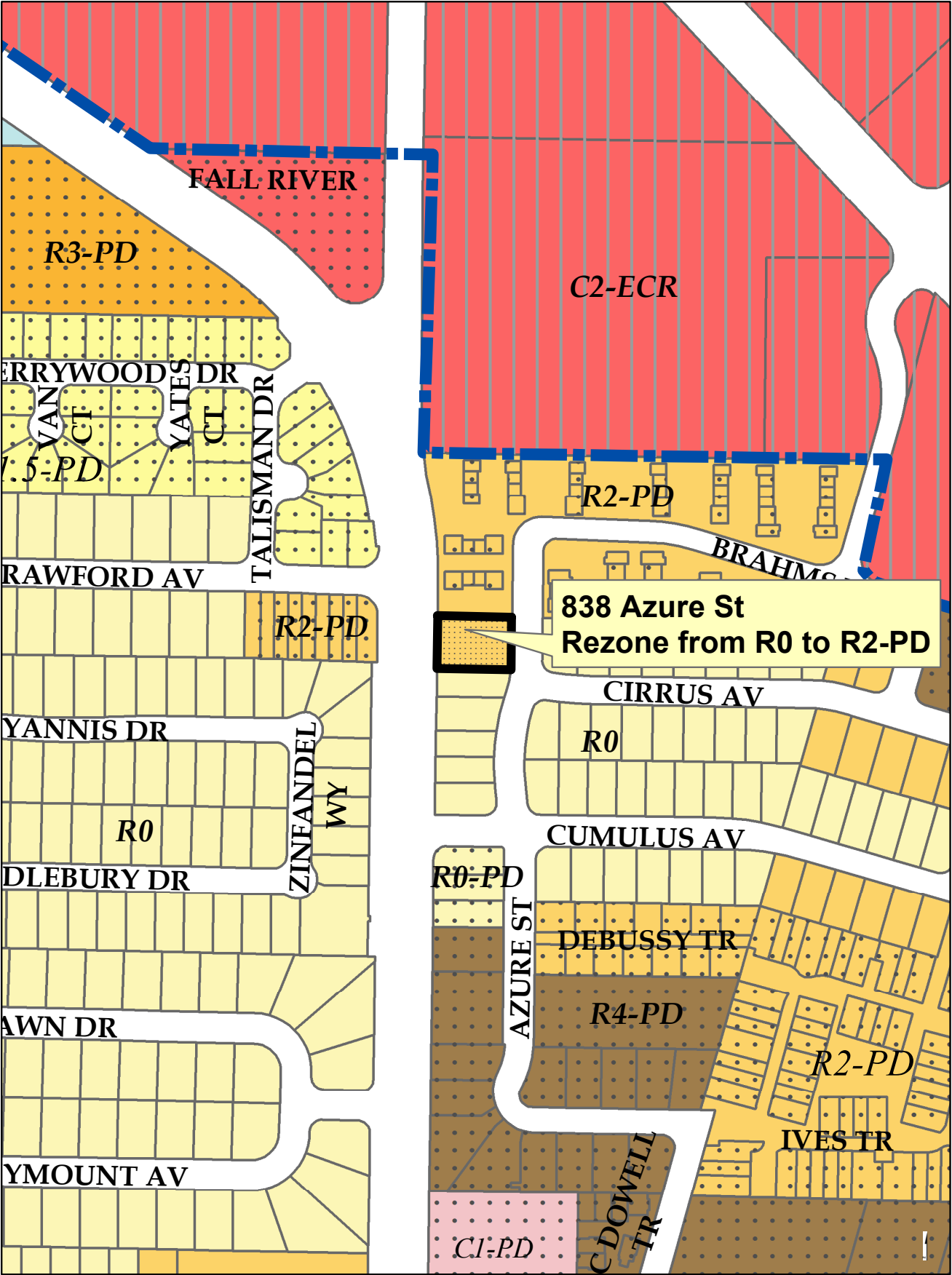
APPROVED AS TO FORM:

City Attorney



City of Sunnyvale

Zoning Map - 838 Azure Street



Project Title	838 Azure St. General Plan Amendment (GPA) and Rezoning and Sunnyside HOA GPA
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	George Schroeder, Associate Planner
Phone Number	(408) 730-7443
Project Location	838 Azure St./842 Sunnyvale-Saratoga Rd. – referred to as 838 Azure St. (APN: 211-18-030); and Sunnyside HOA [821-836 Azure St. (APNs: 211-41-013 through 211-41-032), 103-180 Brahms Wy (APNs: 211-41-001 through 211-41-059), and 817-827 Cezanne Dr. (APNs: 211-41-050 through 211-41-055)] Sunnyvale, CA 94087
Applicant's Name	Xin Lu (Applicant/Owner) – 838 Azure St. City of Sunnyvale (Applicant)/Multiple property owners – Sunnyside HOA
Zoning	R0 (Low Density Residential) – 838 Azure St. R2-PD – Sunnyside HOA
General Plan	Residential Low Density – 838 Azure St. Residential High Density – Sunnyside HOA
Other Public Agencies whose approval is required	None

BRIEF PROJECT DESCRIPTION

The proposed project includes the following related applications:

General Plan Amendment

- From Residential High Density to Residential Low-Medium Density (Sunnyside HOA)
- From Residential Low Density to Residential Low-Medium Density (838 Azure St)

Rezoning

- From R-0 to R-2/PD (838 Azure St)

DETAILED PROJECT DESCRIPTION**Surrounding Uses and Setting:**

838 Azure Street

The project site is a double frontage lot with Sunnyvale-Saratoga Road on the west side and Azure Street on the east side. The site is located just north of the terminus with Cirrus Street. There is an existing masonry sound wall and driveway gate along the Sunnyvale-Saratoga Rd. frontage and an existing wood fence along the Azure St. frontage. Vehicular access is from Sunnyvale-Saratoga Rd and there is also a pedestrian access gate on Azure St. The site's General Plan land use designation is Residential Low Density and is zoned R-0 (Low-Density Residential). The project proposes to amend the project site's land use designation to Residential Low-Medium Density and rezone to R-2/PD (Residential Low-Medium Density with a Planned Development overlay).

Two one-story housing units are currently located onsite, consisting of a main single-family home and a detached accessory living unit. County records indicate that the buildings were developed around 1948. The units are designed in the Minimal Traditional style that was common at the time of construction. Prior to the existing development, the site was historically used as agricultural land. There are 18 trees onsite and two City street trees in the park strip along the Azure St. sidewalk. 10 of the onsite trees are considered protected trees per City code.

The surrounding uses are the Sunnyside HOA townhomes to the north [General Plan: Residential High Density (27-45 du/ac)/Zoning: R-2/PD]; detached single-family residential to the south and east [General Plan: Residential Low Density (0-7 du/ac)/Zoning: R-0]; and small-lot single-family residential to the west across Sunnyvale-Saratoga Rd [General Plan: Residential Low-Medium Density (7-14 du/ac)/Zoning: R-2/PD].

Sunnyside HOA

Sunnyside HOA is a 59 townhome-unit project located adjacent to the north of the 838 Azure St. project site. At the 838 Azure St.'s General Plan initiation hearing on October 13, 2015, the City Council directed staff to study amending Sunnyside HOA's General Plan designation since it is adjacent to 838 Azure St. and its General Plan and zoning designations are inconsistent. The site's General Plan land use designation is Residential High Density and is zoned R-2/PD. The project proposes to amend the HOA's land use designation to Residential Low-Medium Density, which would be consistent with its existing zoning designation and the proposed 838 Azure St. land use and zoning designation.

The Sunnyside HOA is located on the north side of the 838 Azure St. parcel and is generally located between Sunnyvale-Saratoga Rd. to the west and Cezanne Dr. to the east. Brahms Way runs through the center of the HOA in an east-west direction, and then turns into Azure St. towards the southwest.

The HOA was developed around 1973 and consists of 59-townhome units in a mix of one- and two-stories. Vehicular access is obtained from several driveways on Brahms Wy and Azure St. There are also pedestrian walkways accessed from these streets and Cezanne Dr. There is a main common area off of Brahms Wy with a community pool. There are various onsite and street trees throughout the development.

The surrounding uses are a shopping center anchored by Safeway and 24-Hour Fitness to the north; 838 Azure St. and other detached single-family residential to the south [General Plan: Residential Low Density (0-7 du/ac)/Zoning: R-0]; small-lot single-family residential to the west across Sunnyvale-Saratoga Rd [General Plan: Residential Low-Medium Density (7-14

du/ac)/Zoning: R1-5/PD]; and a mixed-use shopping center and apartments to the east [General Plan: Residential High Density (27-45 du/ac)/Zoning: C-2/ECR].

On-site Development:

838 Azure Street

If the General Plan Amendment and Rezoning application is approved, the proposed project at 838 Azure St. would consist of the complete demolition of the existing two units and construction of four, two-story single-family homes on individual ownership lots. There would be a common area lot in the middle portion of the development with an open space area along Sunnyvale-Saratoga Rd. The project would be served by a common vehicular driveway from Azure St., with branching individual driveways onsite for each unit. The existing driveway gate on Sunnyvale-Saratoga Rd. would be removed and filled in with a continuation of the existing sound wall. A pedestrian access gate for the residents of the development is proposed on Saratoga-Sunnyvale Rd. Pedestrian walkways to the units would also be accessible from Azure St. Unit sizes range from 1,760 to 1,931 square feet (2,180 to 2,351 square feet including garage area) and include three bedrooms each. Each unit would include a City standard two-car garage and two uncovered parking spaces, either on a driveway directly in front of the unit or on a surface parking stall nearby. Solid waste and recycling storage would be located in two small enclosures in the middle of the development. All 18 existing onsite trees are anticipated to be removed to accommodate the project.

If the General Plan Amendment and Rezoning application is approved, a Special Development Permit (SDP) and Tentative Parcel Map (TPM) would be required for the project's site and architectural review, since the site would be located within a Planned Development combining district and involves subdivision for ownership lots. Subsequent environmental review would also be required to analyze the project details and any new information since recordation of this initial study. Deviations from the Sunnyvale Municipal Code (SMC) may be considered by the Planning Commission with the SDP.

Sunnyside HOA

There is no development proposal for the HOA, only an amendment to the General Plan land use designation to be consistent with its existing zoning designation. An amendment in the General Plan designation from Residential High Density (27-45 du/ac) to Residential Low-Medium Density (7-14 du/ac) would have no immediate impact in the physical development of the HOA and would only affect future redevelopment proposals. If the General Plan Amendment for the Sunnyside HOA is not approved, there would still be no change in its physical development, but there would be the future potential to rezone the site to high density residential to be consistent with its General Plan designation.

Construction Activities and Schedule:

838 Azure Street

Construction details and schedule will be provided during the SDP and TPM review process, as construction would not immediately occur as part of the General Plan Amendment and Rezoning application. Eventual construction activities would include full demolition of the existing buildings and paving onsite and construction of four single-family homes with associated on-site and off-site improvements. Construction is not anticipated to include deep pile foundations or pile driving. The project will be subject to the Sunnyvale Municipal Code requirements for construction noise and hours of construction contained in Chapter 16.08.030 of the SMC.

Sunnytrees HOA

No physical changes at the Sunnytrees HOA are proposed as part of the General Plan Amendment.

Off-site Improvements:**838 Azure Street**

The extent of off-site improvements would be fully understood as part of the SDP and TPM review process. Off-site improvements would not immediately occur as part of the General Plan Amendment and Rezoning application. Anticipated improvements preliminarily identified by the City's Department of Public Works includes closure of the existing driveway approach on Sunnyvale-Saratoga Rd. and replacement with new curb, gutter, and sidewalk; new curb, gutter, sidewalk, and park strip along the Azure St. project frontage; upgrading existing streetlight fixtures along the project frontages to LED fixtures; slurry seal on portions of Sunnyvale-Saratoga Rd. and Azure St. along the project frontages; and utility undergrounding, new domestic water, sewer, and fire service lateral lines as required by the Municipal Code.

Sunnytrees HOA

No offsite improvements at the Sunnytrees HOA are proposed as part of the General Plan Amendment.

IMPORTANT NOTE TO THE READER

The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Sunnyvale currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this study. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an "environmental impact" as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this study will discuss "planning considerations" that relate to City policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

☐ Yes☒ No

Mandatory Findings of Significance? Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?

☐ Yes☒ No

Mandatory Findings of Significance? Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ Yes☒ No

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

Checklist Prepared By: George Schroeder

Date: 9/15/2016

Title: Associate Planner

City of Sunnyvale

Signature:

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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
10. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ , Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Moffett Field AICUZ
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off Noise Studies by Mei Wu Acoustics, dated April 11 and July 8, 2016
15. Noise - Exposure of persons to or generation of excessive ground borne vibration?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Noise Studies by Mei Wu Acoustics, dated April 11 and July 8, 2016
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Noise Studies by Mei Wu Acoustics, dated April 11 and July 8, 2016
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
18. Biological Resources - Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
19. Biological Resources - Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
20. Biological Resources - Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SMC 19.90 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Arborist Report by Monarch Consulting Arborists LLC, dated April 24, 2016
21. Biological Resources - Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Community Character Chapter 4 of the Sunnyvale General Plan, Sunnyvale Inventory of Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places Historic Evaluation by Strata Design Studio, dated June 10, 2016 California Historical Resources Information System (CHRIS) Letter, dated May 16, 2016
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	California Health and Safety Code Section 7050.5(b), CEQA Guidelines Section 15064.5(e) Project description California Historical Resources Information System (CHRIS) Letter,

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
					dated May 16, 2016
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School District and Santa Clara Unified School District.
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds AB 32 Project Climate Action Plan CEQA Checklist Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
27. Air Quality - Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale Climate Action Plan 2014 AB 32 Project Climate Action Plan CEQA Checklist Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
28. Air Quality - Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
29. Air Quality - Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Air Quality and Greenhouse Gas

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
ozone precursors)?					Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
30. Air Quality - Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines 2011 Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
31. Seismic Safety - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
33. Seismic Safety - Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety - Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

2. Aesthetics – Visual Character (Less Than Significant) – The proposed General Plan Amendment for both project sites and proposed Rezoning for 838 Azure St. would not include immediate construction to alter the visual character or quality of the site and its surroundings. However, a subsequent development project for the 838 Azure St. site is anticipated if the General Plan Amendment and Rezoning application is approved. Based on the conceptual site plan provided by the applicant, four new two-story single family homes would replace two existing residential units. The proposed project is subject to the Citywide Design Guidelines and Single-Family Design Techniques, and the design of the building and site layout will be in general conformance with the adopted design guidelines. The project would likely result in the removal of all the existing trees on-site. In accordance with Chapter 19.94 of the SMC, the project will provide replacement trees onsite as well as street trees along the Azure Street frontage. The replacement of trees and landscaping onsite and along the street frontages would improve the visual/aesthetic character of the area.

The proposed development and related landscaping improvements will be visually compatible with the surrounding neighborhood consisting of similar residential development. The proposed buildings would maintain similar scale but will be one story taller than adjacent buildings to the south and east. The City's implementation of the City-Wide Design Guidelines and review of development plans at a subsequent public hearing for the SDP and TPM process will ensure that the final design of the project is consistent with City

codes and guidelines. The project will not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, impacts would be less than significant.

4. Population and Housing (Less Than Significant) –

838 Azure St.

The project site currently has a General Plan designation of Residential Low Density (0-7 du/ac) and is zoned R-0 – Low Density Residential. The conceptual development project is four single-family homes and is inconsistent with the current land use designations, as only two units can currently be built onsite. As proposed, the project would amend the General Plan designation to Residential Low-Medium Density (7-14 du/ac) and rezone to R-2/PD (Low-Medium Density Residential with Planned Development overlay). These amendments would allow a maximum of four units to be built onsite. The proposed density is consistent with adjacent Sunnyside HOA townhome development to the north, as well as other small-lot single-family homes across Sunnyvale-Saratoga Rd. to the west. The project site would serve as a transition to the single-family neighborhood to the south and east. If the proposed General Plan Amendment and Rezoning application is approved, the project scope will be consistent with all applicable City land use regulations. If the General Plan Amendment and Rezoning application is not approved, the conceptual four-unit development project cannot be approved as proposed, as only two units would continue to be allowed. Therefore, impacts would be less than significant. **(Less Than Significant Impact)**

Sunnyside HOA

The project site currently has a General Plan designation of Residential High Density (27-45 du/ac) and is zoned R-2/PD, which are inconsistent. The proposed General Plan Amendment to Residential Low-Medium Density would be consistent with the existing R-2/PD zoning designation. If the General Plan Amendment is approved, there would be no changes in use or construction proposed for the Sunnyside HOA. Therefore, impacts would be less than significant. **(Less Than Significant Impact)**

8. Land Use Planning Conflict (Less Than Significant) – Changes in land use and zoning designations are not adverse environmental impacts in and of themselves, but they may create conditions that adversely affect existing uses in the immediate vicinity. The additional two units proposed at 838 Azure St. would result in a similar density as the adjacent Sunnyside HOA townhomes, but are more than what is currently planned for the site. The additional units may result in conflicts because of neighboring resident concerns regarding parking, traffic, and neighborhood compatibility. However, there is no evidence to suggest that an additional two units would result in significant environmental impacts to the surrounding neighborhood. Therefore, it is reasonable to assume that a four-unit project that serves as a transition from existing low-medium density residential to the north to existing low-density single-family residential to the south would not result in a land use conflict. The General Plan Amendment for the Sunnyside HOA would only make its designation consistent with the existing zoning designation, and would have no immediate or foreseeable physical change. Therefore, impacts would be less than significant. **(Less Than Significant Impact)**

14. Noise – Interior and Exterior Exposure (Less than Significant) – A noise study was prepared for the 838 Azure St. project by Mei Wu Acoustics, dated April 11, 2016 and July 8, 2016. The study is available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. A noise study was not prepared for the Sunnyside HOA project site since no physical change is proposed.

The study evaluated existing interior and exterior noise conditions and noise mitigations to be consistent with General Plan standards. The study noted that Sunnyvale-Saratoga Rd. is the major existing noise source at the project site. Noise measurements inside the existing main house closest to Sunnyvale-Saratoga Rd. ranged from 51 to 61 dBA with calculated Ldn's (day-night levels occurring over a 24-hour day) of 62 dBA. Exterior noise measurements on top of the main house's roof ranged from 58 to 84 dBA with calculated Ldn's of 78 dBA. Both interior and exterior Ldn's are higher than the levels specified in the General Plan, however it

was concluded that the main contribution to the high noise levels are existing traffic noise from Sunnyvale-Saratoga Rd.

As previously discussed, in December 2015, the California Supreme Court issued an opinion in “CBIA vs. BAAQMD” holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project’s future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations that address existing conditions affecting a proposed project, which are discussed below as planning considerations. Applicable General Plan policies include the following:

- Goal SN-8 which is to maintain or achieve a compatible noise environment for all land uses in the community. The goal further states that interior noise levels cannot exceed an Ldn of 45 dBA and a residential site with an exterior Ldn above 60 dBA needs a detailed noise study and mitigation plan. Residential areas are considered “normally acceptable” if the Ldn is below 60 dBA, while Ldn between 60 and 75 dBA is considered “conditionally acceptable,” and above 75 dBA is “unacceptable.”
- Policy SN-8.1 which is to enforce and supplement state laws regarding interior noise levels of residential units;
- Policy SN-8.5 which states to comply with state of California noise guidelines for land use planning for the compatibility of land uses with their noise environments, except where the City determines that there are prevailing circumstances of a unique or special nature; and
- Policy SN-8.7 which states for residential uses to attempt to achieve an outdoor L_{dn} of no greater than 60 dBA for common recreational areas, backyards, patios, and medium and large-size balconies.

The exterior and interior noise levels at the project site are not considered environmental impacts under CEQA and the recommendations below are provided as planning considerations for consistency with the General Plan:

- Interior Noise: Windows providing high acoustic insulation should be used:
 - If windows are located on the west wall (facing Sunnyvale-Saratoga Rd.), the windows should achieve a minimum OITC 36 rating. Windows on the east-facing walls will not require sound-rated windows.
 - If windows are located on the north and south walls, the windows should achieve a minimum OITC 33 rating.
 - Windows may be operable, however it is recommended to include a fresh air intake, preferably on the east side of the building which is subjected to lower sound levels.
 - All exterior walls should have a minimum STC-50 rating.
- Exterior Noise:
 - There should be no exposed recreational areas, backyards, patios, or balconies on the second story of the units.
 - The proposed pedestrian gate on the Sunnyvale-Saratoga Rd. sound wall should be constructed of any solid material with a density no less than two pounds per square foot. Materials meeting this standard include 0.5-inch thick wood, 0.5-inch outdoor plywood, 16 gauge steel sheet, and any masonry units. All gaps on the barrier should be sealed.
 - Following construction of the sound wall extension, sound reading should be taken to determine its efficacy.

As the above are not considered required CEQA mitigation measures, the City has the discretion to require the above as conditions of approval when considering the project. **(Less than Significant)**

15. Ground Borne Vibration Exposure (Less than Significant with Mitigation) – The noise study did not address construction noise impacts since the construction details are not available at this time. In absence of

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

MITIGATIONS – Construction-Related Noise

WHAT:

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

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

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

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

19. Biological Resources – Wildlife (Less than Significant with Mitigation) – While the entire 838 Azure St. site is disturbed and developed, raptors (such as falcons, hawks, eagles, and owls) and other migratory birds may utilize the large trees on-site for foraging or nesting. Nesting raptors are among the species protected under provisions of the Migratory Bird Treaty Act and California Department of Fish and Wildlife (CDFW) Code Sections 3503, 3503.5, and 2800. The proposed project would remove all the existing trees at the 838 Azure St. site. Construction disturbance near raptor nests can also result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment in the trees on the project site. Disturbance that

causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. The following mitigation measures will be implemented to avoid abandonment of raptor and other protected migratory birds nests, and reduce impacts to a less than significant level. Therefore, the following mitigation measures are recommended to reduce potential impacts on biological resources:

MITIGATION – Biological Resources - Wildlife

WHAT:

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

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

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

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

20. Biological Resources - Trees (Less than Significant with Mitigation) – An arborist report was prepared for the 838 Azure St. project by Monarch Consulting Arborists LLC., dated April 24, 2016. The report is available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. An arborist report was not prepared for the Sunnyside HOA project site since no physical change is proposed.

The report inventoried 23 trees – 18 of which are directly located onsite, two are in the public right of way park strip on Azure St., and three are on a neighboring property near the southeast corner of 838 Azure St. Of the 23 total trees, 14 are considered protected per City code (12" or greater in diameter or 38" or greater in circumference), 10 of which are located onsite. The report recommends removal of all 18 existing trees onsite (one Grapefruit tree, one Persimmon tree, one Stone Pine, two Avocado trees, two Orange trees, five Junipers, and six Privets) because of their condition and conflicts with the conceptual site development plan. The five other off-site trees can be retained as part of the project and will be required to be protected during construction.

The report notes that none of the trees have great structure or are in good health. Three trees are in fair condition with fair suitability for retention, eight trees are in fair condition with poor suitability for retention, and seven trees are in poor condition with poor suitability for retention. Trees in fair condition are characterized by minor problems, with at least one structural defect or health concern while trees in poor condition have major problems with multiple structural defects or declining health. Trees with fair suitability for retention are generally

in fair health with structural defects that may be mitigated by treatment while trees with poor suitability for retention have significant structural defects that cannot be mitigated and will continue to decline regardless of treatment. The City's Tree Replacement Standards require a minimum of thirteen 24-inch box trees; seven 24-inch box trees and three 36-inch box trees; twenty-one 15-gallon trees and three 36-inch box trees; or a combination of 15-gallon, 24-inch, and/or 36-inch box trees to be planted to offset the loss of protected trees.

With required mitigation measures of protecting adjacent trees and planting trees per the City's Tree Replacement Standards, the project would have a less than significant impact to tree resources. The following mitigation measures are below:

MITIGATION – Biological Resources- Trees

WHAT:

- (1) Provide tree replacements per the City's tree replacement standards. A tree replacement plan shall be provided.
- (2) Provide a tree protection plan to ensure retention of existing offsite trees that may be affected by the project construction. The plan shall include the following:
 - (a) All tree locations on the site plans and civil drawings.
 - (b) All tree protection measures on all the plans for trees to be retained. Refer to the project arborist report for general protection guidelines and specifications.
 - (c) Protect adjacent trees to be retained by placing tree protection fence at the setback to enclose the entire group to be retained (Tree 709, 710, and 711).
 - (d) Protect street trees # 720 and 721 by placing a fence at the curb and sidewalk edges.
- (3) Provide a copy of the project arborist report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect.
- (4) Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.
- (5) Arrange for the project arborist or landscape architect to monitor and document initial grading activity and no grading is to occur within any tree protection zone and approval for drainage modifications under the trees is required.
- (6) Provide a monthly monitoring schedule when activity is planned within the tree protection zone.
- (7) Place irrigation or soaker hoses on the existing grade within the dripline/tree protection zone or use automatic irrigation under trees # 709, 710, 711, 720, or 721.
- (8) Place two to four inches of organic mulch, coarse woody debris, chips from tree care operations under the trees and over the soaker hoses within the tree protection zone or maintain current irrigation regime.
- (9) If construction is to take place between June and October, the trees should be watered to help mitigate any root loss and reduce stress. Ten gallons per inch of trunk diameter of water should be used to irrigate the root zones once a week with a deep soaking.
- (10) If roots are expected to be cut, the work shall be supervised and documented by the project arborist. If tree roots two inches or larger are encountered, they must be cleanly cut back to a sound wood lateral root. The end of the root shall be covered with either a plastic bag and secured with tape or rubber band, or be coated with latex paint. All exposed root areas within the tree protection zone shall be backfilled or covered within one hour. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper three feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls.

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

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

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

22. Historic and Cultural Resources – Adverse Change in Significance (Less than Significant) – The existing structures on the 838 Azure St. project site are more than 50 years old. A California Historical Resources Information System (CHRIS) letter dated May 16, 2016 noted that the project area contains no recorded buildings or structures, but at least one unrecorded building, and recommended that this resource be assessed by a professional familiar with architecture and Santa Clara County history. A subsequent Historic Evaluation dated June 10, 2016 was prepared by Strata Design Studio – a firm with extensive experience in historic architecture and building condition assessments. The historic evaluation and CHRIS letter are available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m.

The study evaluated the site according to the criteria of the California Register of Historic Resources and the CEQA guidelines. The study concluded the following:

- The buildings onsite are not representative of important patterns of development that occurred in California or Sunnyvale, and are not associated with events that have made a significant contribution to broad patterns of California's history and cultural heritage.
- At various times the buildings were occupied by local residents of notable accomplishments, but the buildings are not associated with the lives of persons of significant historical importance.
- The building types are of a vernacular style common to that period and do not embody the distinctive characteristics of a type, period, regions, or method of construction that represents an important creative architectural example.

Therefore, the buildings onsite are not eligible for the California or Sunnyvale register of historic resources, and demolition would result in a less than significant impact.

23. Historic and Cultural Resources – Disturbance of Cultural Remains (Less than Significant with Mitigation) – The eventual 838 Azure St. project construction will include grading and land disturbance. No physical change is proposed at the Sunnyside HOA. A CHRIS letter dated May 16, 2016 documents a records search that reviewed pertinent base maps, cultural resources records and reports, historic-period maps, and literature from Santa Clara County. The records search found no record of any cultural or archaeological resources or historic structures that formally covered the project site. As discussed in Item 22, the letter noted at least one unrecorded building, but a subsequent historic evaluation found no historical significance to the buildings onsite. There is also a low potential for unrecorded Native American resources on the project site. As required by CEQA, the City sent letters via certified mail to local Native American tribes on June 22, 2016. No requests for consultation were received within the State-specified timelines. Since there is a low potential for discovery of cultural resources, and the following mitigations are recommended to reduce the potential impact to less than significant level:

MITIGATION – Historic and Cultural Resources

WHAT:

- (1) An archeological monitor and a Native American representative must monitor ground disturbing demolition, grubbing, scraping, grading, trenching and any other excavation within the project site. Archeological monitoring must be continued until the archeologist and Native American monitors are satisfied that no significant cultural deposits will be impacted by the project.
- (2) If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner as well as a qualified archeologist (if not already present) must be

notified immediately so that an evaluation can be performed. Procedures at this point are prescribed by law. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated. Once the Most Likely Descendant has inspected the discovered remains, the remains can be reinterred with appropriate dignity.

- (3) Archeological monitoring must be conducted following the procedures specified below in the event that potentially significant cultural deposits or human burials are found during the development:
- (a) Monitoring will consist of directly watching the major excavation process. Monitoring will occur during the entire work day, and will continue on a daily basis until a depth of excavation has been reached at which resources could not occur. This depth is estimated as usually about 5 feet below grade at the beginning of the project, but may require modifications in specific cases, and will be determined by the monitoring archeologist based on observed soil conditions.
 - (b) Spot checks will consist of partial monitoring of the progress of excavation over the course of the project. During spot checks all soils material, open excavations, recently grubbed areas, and other soil disturbances will be inspected. The frequency and duration of spot checks will be based on the relative sensitivity of the exposed soils and active work areas. The monitoring archeologist will determine the relative sensitivity of the parcel.
 - (c) If prehistoric human interments (human burials) are encountered within the project area, all work must be halted in the immediate vicinity of the find. The County Coroner, project superintendence, and the Agency Liaison should be contacted immediately. The procedures to be following at this point are prescribed by law.
 - (d) If significant cultural deposits other than human burials are encountered, the project should be modified to allow the artifacts or features to be left in place, or the archaeological consultant should undertake the recovery of the deposit or feature. Significant cultural deposits are defined as archaeological features or artifacts that associate with the prehistoric period, the historic era Mission and Pueblo Periods and the American era up to about 1900.
 - (e) Whenever the monitoring archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit will be stopped, and the excavation inspected by the monitoring archaeologist. If the suspected remains prove to be non-significant or non-cultural in origin, work will recommence immediately. If the suspected remains prove to be part of a significant deposit, all work should be halted in that location until removal has been accomplished. If human remains (burials) are found, the County Coroner must be contacted so that they (or a designated representative) can evaluate the discovered remains and implement proper contacts with pertinent Native American representatives.
 - (f) Equipment stoppages will only involve those pieces of equipment that have actually encountered significant or potentially significant deposits, and should not be construed to mean a stoppage of all equipment on the site unless the cultural deposit covers the entire building site.
- (4) During temporary equipment stoppages brought about to examine suspected remains, the archaeologist should accomplish the necessary tasks with all due speed.

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

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

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

24. Public Services – Schools (Less than Significant) – The project site at 838 Azure St. is located within the Sunnyvale School District and Fremont Union High School District. In both districts, all new residential developments are required to fully offset their anticipated impact on demand for schools by paying a school impact fee as set by the Districts. The City requires evidence of school impact fee payment prior to issuance of building permits. Therefore, impacts on public schools will be less than significant.

25. Air Quality – Conflict with BAAQMD Air Quality Plan (No Impact) – An Air Quality and Greenhouse Gas Assessment for the 838 Azure St. site was prepared by Illingworth & Rodkin, Inc. dated April 19, 2016. A study was not prepared for the Sunnytrees HOA project site since no physical change is proposed. The study is available for review at the City of Sunnyvale's Community Development Department, Monday through Friday between 8 a.m. and 5 p.m. The project at 838 Azure St. would not conflict with the Bay Area 2010 Clean Air Plan since the size of the project would have emissions below BAAQMD thresholds.

26 and 27. Air Quality – Greenhouse Gases (Less than Significant) - The air quality study notes that the 838 Azure St. project does not exceed the screening size for significant greenhouse gas emissions. Therefore, a refined greenhouse gas analysis is not necessary to conclude that the greenhouse gas emissions for the project would be less than significant. Moreover, the project is subject to the City's Climate Action Plan, and a checklist has been prepared to document consistency.

28. Air Quality – Violate any Air Quality Standard (Less than Significant) – The air quality study notes that the 838 Azure St. project would not contribute substantially to existing or projected violations of air quality standards since the size of the project would have emissions below BAAQMD thresholds.

29. Air Quality – Cumulatively Considerable Net Increase of Pollutants (Less than Significant with Mitigation) – The air quality study notes that construction exhaust and operational period emissions from the 838 Azure St. project would be less than significant due to the size of the project. However, construction activities, particularly during site preparation and grading, would temporarily generate dust, including disturbed soils at the construction site and trucks carrying uncovered loads of soils. Implementation of the below mitigation measures to control construction emissions would reduce this impact to a less than significant level:

MITIGATION – Air Quality – Cumulatively Considerable Net Increase of Pollutants

WHAT:

- 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title

13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- 7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 8) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- 9) All diesel-powered construction equipment larger than 50 horsepower and operating onsite for more than two days continuously shall meet US EPA particulate matter emission standards for Tier 2 engines or equivalent. Equipment retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) would exceed this standard.

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

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

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

30. Air Quality – Exposure to Sensitive Receptors (Less than Significant) –The air quality study notes that the 838 Azure St. project would place new residences in close proximity to Sunnyvale-Saratoga Rd., a high-volume roadway with over 10,000 average daily trips (ADT). Sunnyvale-Saratoga Rd. is also the only toxic air contaminant (TAC) affecting the project site. The study notes that the maximum increased cancer risk from traffic on Sunnyvale-Saratoga Rd. at the project site is 5.2 in 1,000,000, which is below BAAQMD's threshold of significance of 10 in 1,000,000. Therefore, it can be concluded that traffic on Sunnyvale-Saratoga Rd. does not pose a significant cancer risk.

The study also modeled fine particulate matter (PM_{2.5}) exposures from Sunnyvale-Saratoga Rd. at the project site, where exposures of 0.4 micrograms per cubic meter (µg/m³) would be considered significant, as they would exceed the PM_{2.5} threshold of greater than 0.3 µg/m³. The PM_{2.5} exposures above the threshold would affect any portion of the site developed with residential dwelling units that are within 60 feet of the site boundary with Sunnyvale-Saratoga Rd.

As previously discussed, in December 2015, the California Supreme Court issued an opinion in "CBIA vs. BAAQMD" holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project's future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations that address existing conditions affecting a proposed project, which are discussed below as planning considerations. Applicable General Plan policies include the following:

- Goal EM-11 which is to improve Sunnyvale's air quality and reduce the exposure of its citizens to air pollutants.
- Policy EM-11.1 that states the City should actively participate in regional air quality planning.
- Policy EM-11.3 that requires all new development to utilize site planning to protect citizens from unnecessary exposure to air pollutants.

The fine particulate matter exposure at the project site is not considered an environmental impact under CEQA and the recommendations below are provided as planning considerations for consistency with the General Plan:

- To the greatest degree possible, plant vegetation along the site boundary with Sunnyvale-Saratoga Rd. This barrier would include trees and shrubs that provide a vegetative barrier.
- Install air filtration at units within 60 feet of the western site boundary with Sunnyvale-Saratoga Rd. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, a ventilation system should meet the following minimal design standards:
 - A MERV13 filter or higher rating;
 - At least one air exchange(s) per hour of fresh outside filtered air; and
 - At least four air exchange(s) per hour recirculation.
- As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system should be developed. Recognizing that emissions from air pollution sources are decreasing, the maintenance period will last as long as significant annual fine particulate matter exposures are predicted. Subsequent studies could be conducted by an air quality expert approved by the City to identify the ongoing need for the filtered ventilation systems as future information becomes available.
- The lease agreement and other property documents should: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

As the above are not considered required CEQA mitigation measures, the City has the discretion to require the above as conditions of approval when considering the project. **(Less than Significant)**

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
35. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
36. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
for designated roads or highways?					
37. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
38. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
39. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
40. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
41. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
42. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
					Program http://www.vta.org/cmp/

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

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
43. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
44. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
45. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
46. Geology and Soils - Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Municipal Code 12.60, City of Sunnyvale Storm Water Quality Best Management Practices Guideline Manual
47. Geology and Soils - Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal

					Code
48. Geology and Soils - Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code

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

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

47 and 48. Geology and Soils (Less than Significant) – A geotechnical report will be required during the 838 Azure St. SDP and TPM review process, and subsequent impacts, if any, will be disclosed at that time.

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
49. Utilities and Service Systems - Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
50. Utilities and Service Systems - Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
51. Utilities and Service Systems - Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
52. Utilities and Service Systems - Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
53. Utilities and Service Systems - Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project’s projected demand in addition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
to the provider's existing commitments?					
54. Utilities and Service Systems - Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
55. Hydrology and Water Quality - Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Regional Water Quality Control Board (RWQCB) Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/
56. Hydrology and Water Quality - Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
57. Hydrology and Water Quality - Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Water District Groundwater Protection Ordinance www.valleywater.org
58. Hydrology and Water Quality - Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems in a manner which could create flooding or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
59. Hydrology and Water Quality - Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RWQCB, Region 2 Municipal Regional Permit http://www.waterboards.ca.gov/ City of Sunnyvale Stormwater Quality Best Management Practices (BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
60. Utilities and Service Systems - Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
61. Public Services Infrastructure - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

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

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

Public Safety – Hazardous Materials	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans

64. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com
65. Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com Title 20 of the City of Sunnyvale Municipal Code Phase I Environmental Site Assessment by AEI Consultants dated March 25, 2016 Shallow Soil Investigation/Phase II ESA by AEI Consultants dated July 19 and August 19, 2016
66. Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
67. Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	State of California Hazardous Waste and Substances Site List (Cortese List), Department of Toxic Substance Control
68. Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

65. Hazards and Hazardous Materials (Less than Significant) – A Phase I Environmental Site Assessment, as well as a Shallow Soil Investigation/Phase II for the 838 Azure St. project was prepared by AEI Consultants, dated March 25, 2016, July 19, 2016, and August 19, 2016, respectively. Assessments were not prepared for the Sunnyside HOA site since no physical change is proposed. The studies are available for review at the City of Sunnyvale’s Community Development Department, Monday through Friday between 8 a.m. and 5 p.m.

The Phase I identified that the site was historically used for agricultural purposes, including an orchard. Based on the agricultural use, agricultural chemicals including organochlorine pesticides (OCPs) can potentially be found in soils. Two subsequent soil investigations were performed to determine the extent of soil contamination. To assess whether the concentration of OCP’s observed presented a potential unacceptable risk to human health, the results were compared to the environmental screening levels (ESLs) developed by the California Regional Water Quality Control Board, San Francisco Bay Region for residential direct contact. The results are summarized as follows:

- Dieldrin, Chlordane, and Arsenic were detected above the ESL.
- Other OCPs including, p,p-dichlorodiphenyldichloroethane (p,p-DDD), p,p-dichlorodiphenyldichloroethene (p,p-DDE), p,p-dichlorodiphenyldichloroethene (p,p-DDT), endrin, and heptachlor epoxide were detected, but at concentrations below their respective ESLs.

The shallow soil investigation recommended that dieldrin and pesticide-impacted soils be delineated to appropriate residential ESLs and removed from the site for proper off-site disposal. A soils management plan should be used to notify contractors of the presence of OCPs and arsenic and outline how the impacted soils should be characterized, removed and documented for proper disposal options.

As previously discussed in *Section 4.0*, in December 2015, the California Supreme Court issued an opinion in “CBIA vs. BAAQMD” holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project’s future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations (including Policy SN-1.1 that states to make land use decisions based on an awareness of hazards and potential hazards for the specific parcel of land and Policy SN-1.5 that states to promote a living and working environment safe from exposure to hazardous materials) that address existing conditions affecting a proposed project, which are discussed below as planning considerations, not CEQA impacts. Note that existing hazardous materials conditions would not be exacerbated by the project (e.g., project construction or remediation) such that the existing conditions would impact (or worsen) hazardous materials conditions off-site. The recommendations below are provided as planning considerations for consistency with the General Plan:

- Prior to redevelopment of the project site, the Santa Clara County Department (DEH) of Environmental Health or the Department of Toxic Substances Control (DTSC) should be contacted to evaluate potentially required soil mitigation measures. All required mitigation measure should be completed under the oversight of an appropriate regulatory agency. Additional soil sampling may be required to better characterize the contamination at the site.

In addition, it is recommended that the project implement the following measures to protect construction workers by establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials.

- Prior to issuance of grading and/or building permits, a Health and Safety Plan (HSP) should be developed to establish appropriate protocols for working in contaminated materials. The HSP should include protocols for air monitoring during all site work. Each contractor should be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines.
- Prior to issuance of grading and/or building permits, a Site Management Plan (SMP) should be developed to establish management practices for handling contaminated soil, soil vapor, ground water, or other materials. Prior to the start of any construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding site risk management procedures, including copies of the HSP and SMP, should be provided to the contractors for their review, and each contractor should provide such information to its subcontractors. The SMP measures should be incorporated into the project design documents. The SMP should include a discussion of the following:
 - Site control procedures to control the flow of personnel, vehicles and materials in and out of the site.
 - Measures to minimize dust generation, storm water runoff and tracking of soil off-site.
 - Dewatering protocols, if dewatering is anticipated, including methods to evaluate water quality and discharge/disposal alternatives; the pumped water should not be used for on-site dust control or any other on-site use. If long-term dewatering is required, the means and methods to extract, treat and dispose ground water also should be presented and should include treating/discharging ground water to the sanitary sewer under a Publicly Owned Treatment Works permit or treating/discharging ground

water to the storm drain system pursuant to a California Regional Water Quality Control Board – San Francisco Bay Region NPDES permit.

- Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handling procedures should be described.
- Perimeter air monitoring for dust during any activity that significantly disturbs site soil (e.g., mass grading, foundation construction, excavating or utility trenching) to document the effectiveness of dust control measures.
- Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during site development activities.
- Protocols to characterize/profile soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be implemented. Soil in contact with ground water should be assumed contaminated. All soil excavated and transported from the site should be appropriately disposed at a permitted facility.
- Stockpiling protocols for “clean” and “impacted” soil; the contractor may require temporary stockpiling adjacent to excavation areas.
- Decontamination procedures to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-site transfer.
- Procedures to evaluate and document the quality of any soil imported to the site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors. Protocols should be developed and implemented in the event elevated VOC vapors are released during excavation activities.
- Measures to reduce soil vapor and ground water migration through trench backfill and utility conduits. Such measures should include placement of low-permeability backfill “plugs” at specified intervals on-site and at all locations where the utility trenches extend off-site. In addition, utility conduits that are placed below ground water should be installed with water-tight fittings to reduce the potential for ground water to migrate into the conduits.
- Because the site is known to have pollutants with the potential for mobilization, the civil engineer should design the bottom and sides of the vegetated swales and water features (if incorporated into building designs) to be lined with a minimum 10-mil heavy duty plastic to help prevent site infiltration.
- Measures to help reduce the potential for downward migration of contaminated groundwater.

As the above are not considered required CEQA mitigation measures, the City has the discretion to require the above when considering the project. **(Less than Significant)**

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
69. Public Services Parks - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

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

Responsible Division: Planning Division

Completed by: George Schroeder Date: 9/15/2016

City of Sunnyvale General Plan:

Sunnyvale General Plan Consolidated in (2011)

generalplan.InSunnyvale.com

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

City of Sunnyvale Climate Action Plan 2014**City of Sunnyvale Municipal Code:**

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

Specific Plans:

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

Environmental Impact Reports:

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

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

Maps:

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

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

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

Lists / Inventories:

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

- The Federal EPA Superfund List
www.epa.gov/region9/cleanup/california.html
- The Hazardous Waste and Substance Site List
www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Guidelines and Best Management Practices

- Storm Water Quality Best Management Practices Guidelines Manual 2007
- Sunnyvale Citywide Design Guidelines
- Sunnyvale Industrial Guidelines
- Sunnyvale Single-Family Design Techniques
- Sunnyvale Eichler Guidelines
- Blueprint for a Clean Bay
- Santa Clara Valley Water District (SCVWD) Guidelines and Standards for Land Use Near Streams
- The United States Secretary of the Interior 's Guidelines for Rehabilitation
- Criteria of the National Register of Historic Places

Transportation:

- California Department of Transportation Highway Design Manual
- California Department of Transportation Traffic Manual
- California Department of Transportation Standard Plans & Standard Specifications
- Highway Capacity Manual
- Institute of Transportation Engineers - Trip Generation Manual & Trip Generation Handbook
- Institute of Transportation Engineers - Traffic Engineering Handbook
- Institute of Transportation Engineers - Manual of Traffic Engineering Studies
- Institute of Transportation Engineers - Transportation Planning Handbook
- Institute of Transportation Engineers - Manual of Traffic Signal Design
- Institute of Transportation Engineers - Transportation and Land Development
- U.S. Dept. of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices for Street and Highways & CA Supplements
- California Vehicle Code
- Santa Clara County Congestion Management Program and Technical Guidelines
- Santa Clara County Transportation Agency Short Range Transit Plan
- Santa Clara County Transportation Plan
- Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division

- Statewide Integrated Traffic Records System
- Sunnyvale Zoning Ordinance – including Titles 10 & 13
- City of Sunnyvale General Plan – land Use and Transportation Element
- City of Sunnyvale Bicycle Plan
- City of Sunnyvale Neighborhood Traffic Calming Program
- Valley Transportation Authority Bicycle Technical Guidelines
- Valley Transportation Authority Community Design & Transportation – Manual of Best Practices for Integrating Transportation and Land Use
- Santa Clara County Sub-Regional Deficiency Plan
- City of Sunnyvale Deficiency Plan
- AASHTO: A Policy on Geometric Design of Highways and Streets

Public Works:

- Standard Specifications and Details of the Department of Public Works
- Storm Drain Master Plan
- Sanitary Sewer Master Plan
- Water Master Plan
- Solid Waste Management Plan of Santa Clara County
- Geotechnical Investigation Reports
- Engineering Division Project Files
- Subdivision and Parcel Map Files

Miscellaneous Agency Plans:

- ABAG Projections 2013
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines 2011 Thresholds

Building Safety:

- California Building Code,
- California Energy Code
- California Plumbing Code,
- California Mechanical Code,
- California Electrical Code
- California Fire Code
- Title 16.52 Sunnyvale Municipal Code
- Title 16.53 Sunnyvale Municipal Code
- Title 16.54 Sunnyvale Municipal Code
- Title 19 California Code of Regulations
- National Fire Protection Association (NFPA) standards

OTHER:**Project Specific Information**

- Project Description
- Conceptual Project Development Plans dated August 2016
- Noise Studies by Mei Wu Acoustics, dated April 11 and July 8, 2016
- Arborist Report by Monarch Consulting Arborists LLC, dated April 24, 2016
- Historic Evaluation by Strata Design Studio, dated June 10, 2016
- California Historical Resources Information System (CHRIS) Letter, dated May 16, 2016
- Air Quality and Greenhouse Gas Assessment by Illingworth & Rodkin, Inc., dated April 19, 2016
- Phase I Environmental Site Assessment by AEI Consultants dated March 25, 2016
- Shallow Soil Investigation/Phase II ESA by AEI Consultants dated July 19 and August 19, 2016
- Project Climate Action Plan CEQA Checklist

Summary

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

Section 1: Consistency with CAP Forecasts

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

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

☐ Yes

☒ No

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

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

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

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

*If **no**, the project does not include any emissions sources that were assumed in CAP growth forecasts. Therefore, the project may trigger additional changes to the physical environment that were not considered in the CAP. CAP measures may be used to mitigate GHG emissions, but project-level analysis of GHG emissions using the California Emissions Estimator Model (CALEEMod) or another method must be prepared by a qualified air quality consultant.*

*If **yes**, the project may include emissions sources mitigated by the CAP. Therefore, any sources identified in 1B may be eligible to claim consistency with the CAP. All stationary sources regulated by the Bay Area Air Quality Management District shall be analyzed separately. Other sources that were analyzed in the CAP may still qualify for streamlining, should the project demonstrate consistency with the CAP as outlined in **1C** and following sections below.*

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

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

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

General Plan Amendment

- From Residential High Density to Residential Low-Medium Density (Sunnytrees HOA)
- From Residential Low Density to Residential Low-Medium Density (838 Azure St)

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

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

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

	Existing & Proposed Project			Proposed Project's Net Effect on Citywide Forecasts		
	Existing or Allowed Under Existing Zoning (A)	Proposed Project (B)	Net Change from Existing Zoning (C=B-A)	2020 CAP Forecast (D)	Proposed Project's Net Effect on Citywide 2020 Forecast (E = D+C)	Would Net Effect of Project Exceed the Citywide 2020 CAP Forecast?
Population				145,020		
Jobs				89,750		
Households / Dwelling Units	2	4	2	59,660	59,662	No

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

The project would result in an increase in GHG emissions by less than 40 metric tons per year, which is well below the BAAQMD bright-line threshold of 1,100 metric tons for individual projects. Therefore, the project increase in emissions is considered negligible or less than significant.

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

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

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

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

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

a) Conflict with an applicable plan, program, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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

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

Section 2: Consistency with CAP Measures

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

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

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

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

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

Standards for Climate Action Plan Consistency/Private Development

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

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
Yes	OS-2	Provide availability and access to outdoor space for recreation or social purposes, including access to public open spaces on privately owned property such as retail shopping centers	The project is subject to useable open space and landscaping per unit requirements of the City's landscaping ordinance. Conceptual plans demonstrate initial consistency with these standards and final plans will be required as part of a separate Special Development Permit (SDP) application, if the General Plan Amendment and Rezoning is approved.

Yes	OS-3.1	Continue to implement the City's Tree Preservation requirements.	The project arborist report recommends removal of all 18 existing trees onsite due to their condition and location within the proposed site improvements. The City's Tree Replacement Standards require a minimum of thirteen 24-inch box trees; seven 24-inch box trees and three 36-inch box trees; twenty-one 15-gallon trees and three 36-inch box trees; or a combination of 15-gallon, 24-inch, and/or 36-inch box trees to be planted to offset the loss of protected trees. The project is required to meet the City's Tree Replacement Standards, and the details will be finalized as part of the SDP process.
Yes	EC-2.2	Continue to require energy-efficient siting of buildings. Buildings should be oriented and landscape material should be selected to provide maximum energy efficiency for the buildings	A minimum of 80 points on the GreenPointRated checklist for each new home is required to comply with the Green Building requirement. The details will be finalized as part of the SDP process.
Yes	WC-2.3	Require new open space and street trees to be drought-tolerant	The project is required to comply with the Water-Efficient Landscaping requirements, and the details will be finalized as part of the SDP process.
Yes	LW-2.1	Require multi-family homes to participate in the City's Multi-family Recycling Program	N/A, conceptual plans show a detached single-family project.
Yes	LW-2.2	Select materials to be targeted for diversion methods, services or technologies based on the results of the Zero Waste Strategic Plan	The Zero Waste Strategic Plan is already being implemented.
No	CA-1.7	Actively promote the use of alternative modes of transportation as safe modes of travel. When applicable, promote viable programs sponsored by 511.org, the BAAQMD and other recognized agencies on the City's website and publications	The 838 Azure St. site is located approximately within 0.4 miles of a VTA bus stop at El Camino Real and Sunnyvale Ave and 0.3 miles at the Sunnyvale-Saratoga Rd. and Remington Dr. bus stop. The conceptual plans show a pedestrian access gate for residents to conveniently access the Sunnyvale-Saratoga Rd. sidewalk, which provides a direct route to nearby services and transit.
No	CTO-1.1	Incorporate the provisions of AB 1358, the California Complete Streets Act of 2008, into roadway design, construction and maintenance activities	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along the Sunnyvale-Saratoga Rd. project frontage.

No	CTO-1.2	Implement the street space allocation policy (RTC 8-085, April 28, 2009) in coordination with road reconstruction or resurfacing projects to provide road configurations that accommodate all travel modes.	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along the Sunnyvale-Saratoga Rd. project frontage.
No	CTO-1.3	Require new development to provide cross-parcel access and linkages from the development entrance to the public sidewalk system, transit stops, nearby employment and shopping centers, schools, parks and other parcels for ease of pedestrian and cyclist access	The conceptual plans show a pedestrian access gate for residents to conveniently access the Sunnyvale-Saratoga Rd. sidewalk, which provides a direct route to nearby services and transit. Existing public sidewalks will be improved as part of the project, details of which to be finalized as part of the SDP process.
Yes	CTO-1.4	Improve pedestrian safety and comfort through design elements such as landscaped medians, pedestrian-level amenities, sidewalk improvements and compliance with ADA design standards, particularly for areas serving high volumes of traffic.	The existing sidewalk, street trees, and street lights will be upgraded to comply with current City standards as part of the SDP process.
No	CTO-1.5	Improve bicycle facilities and perceptions of comfort through pavement marking/coloring, physical separation, specialized signs and markings and other design elements.	The existing public street in front of the property is not being modified. There is an existing Class II bikeway along the Sunnyvale-Saratoga Rd. project frontage.
Yes	CTO-1.6	Require sidewalks to be a minimum of 6 feet wide in order to allow side-by-side walking at identified locations that currently serve high pedestrian traffic volumes or locations planned to serve high volumes of pedestrian traffic.	The existing sidewalks will be upgraded to comply with current City standards as part of the SDP process.
Yes	CTO-2.1	Require public areas and new development to provide bicycle parking consistent with the VTA Bicycle Technical Guidelines, as amended.	Each home is required to have a City standard two-car garage, which has been found to have sufficient storage space for resident bicycle parking.
No	CTO-3.1	Continue sponsoring projects to provide transit rider amenities at bus stops and rail stations.	N/A, conceptual plans show a single-family project
No	CTO-4.1	Require existing and future major employers to utilize a variety of transportation demand management measures such as flexible work schedules, telecommuting,	N/A, the project is for residential use.

		guaranteed rides home, low or no cost transit passes, parking “cash-out” incentives and other programs that provide employees with alternatives to single-occupant commutes.	
Yes	EP-2.3	Prevent buildings and additions from shading more than 10% of roofs of other structures.	A solar study will be required per City standards during the SDP process.
No	EP-2.3	Continue to allow and encourage solar facilities above paved parking areas.	N/A, conceptual plans show a single-family project
Yes	OR-1.3	In project review, encourage the replacement of high-maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.	The project is required to comply with the Water-Efficient Landscaping requirements, and details will be finalized during the SDP review process.
Yes	OR-2.1	Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.	This is a standard condition of approval that will be implemented during construction.
Yes	OR-2.2	Construction equipment must be maintained per manufacturer's specifications	This is a standard condition of approval that will be implemented during construction.
Yes	OR-2.3	Planning and Building staff will work with project applicants from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:	This is a standard condition of approval that will be implemented during construction.
		a. Substitute electrified or hybrid equipment for diesel and gasoline powered equipment where practical	
		b. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas	

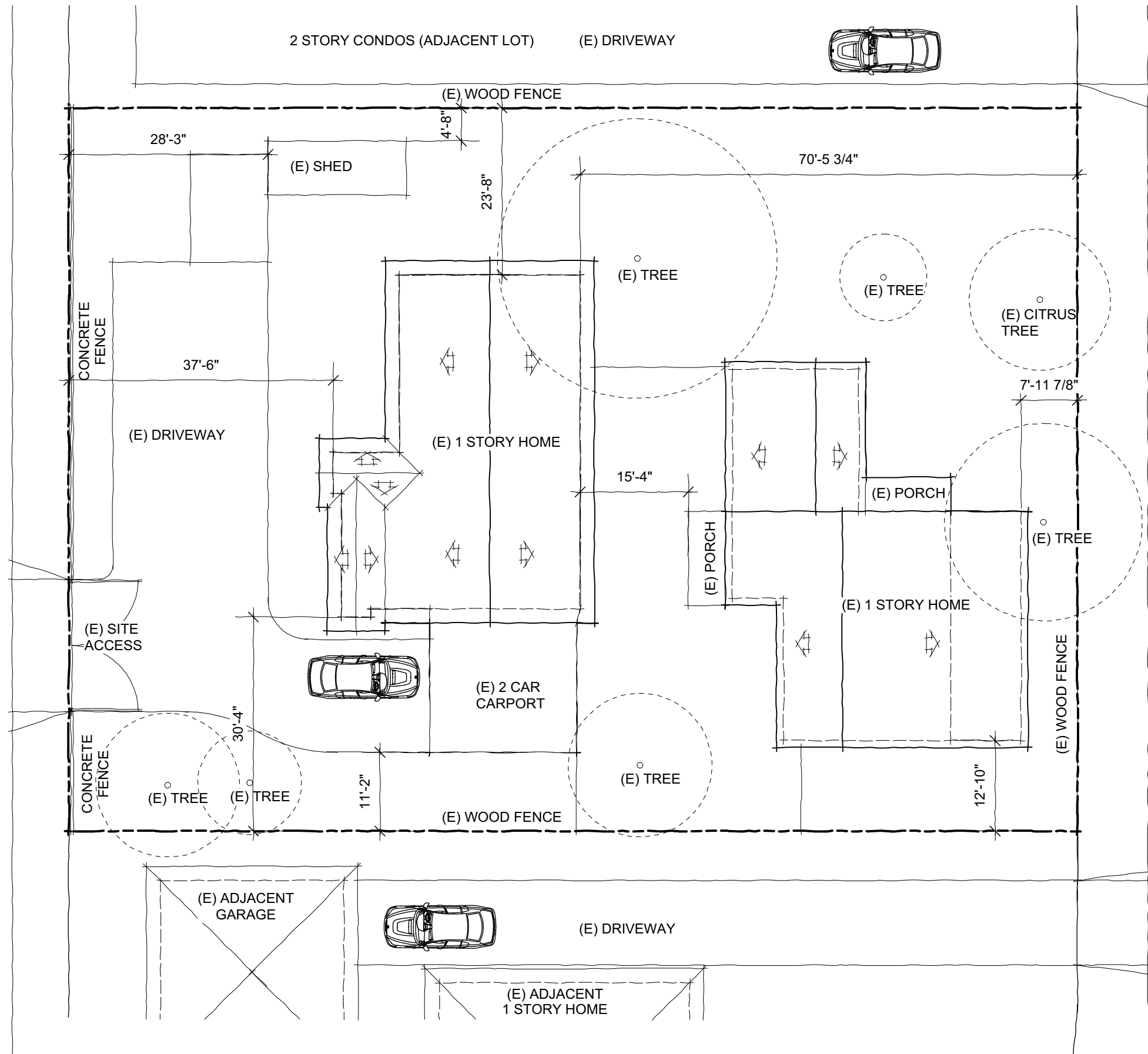
		(LNG), propane or biodiesel.	
		c. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.	
		d. Limit heavy-duty equipment idling time to a period of three minutes or less, exceeding CARB regulation minimum requirements of five minutes.	

Section 3: Minimum Recommended Content for Environmental Analysis

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

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

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



AZURE ST.

EXISTING SITE PLAN

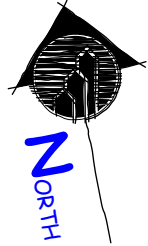
SITE AREA 14.656 S.F.

SCALE 1/16" = 1'-0"



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C.L. SARATOGA-SUNNYVALE RD



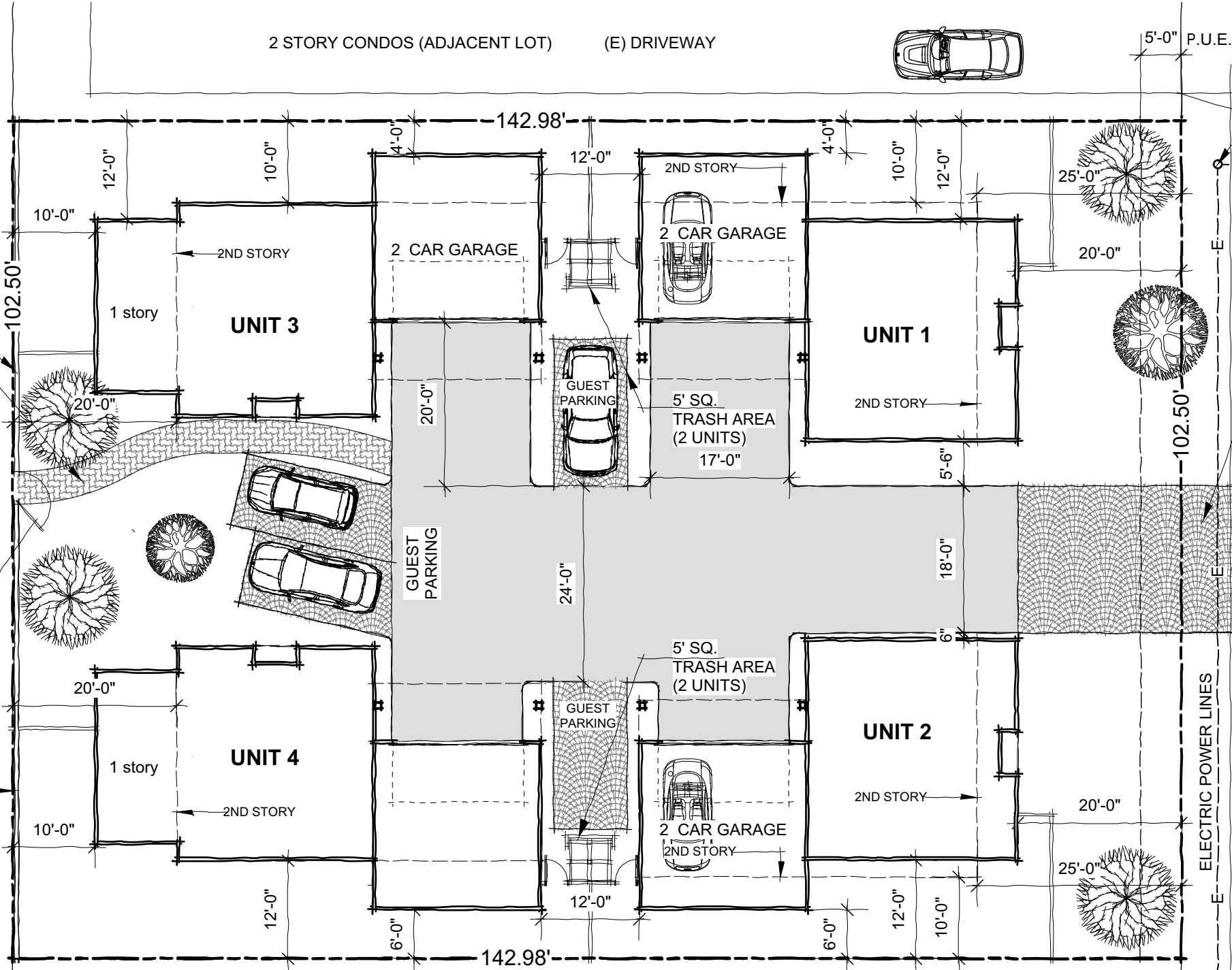
(E) SOUNDWALL

PEDESTRIAN TRAIL TO ACCESS SUNNYVALE-SARATOGA RD.

REAR OF PROPERTY

(N) GATE IN SOUNDWALL

(E) SOUNDWALL TO REMAIN
(E) DRIVEWAY ACCESS TO BE CLOSED



ELECTRICAL POLE

ELECTRIC POWER LINES

DECORATIVE PAVING @ ENTRY OF DRIVEWAY

FRONT OF PROPERTY

AZURE ST.

ELECTRIC POWER LINES

PROJECT DATA:

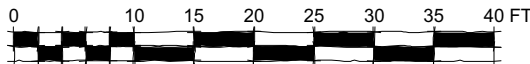
SITE AREA 14,659.10 S.F.

EXISTING:		LOT COVERAGE 37%	
UNITS	2	UNIT 1 F.P.	1318 S.F.
STORIES	1	UNIT 2 F.P.	1318 S.F.
COVERED PARKING	2	UNIT 3 F.P.	1417 S.F.
PROPOSED:		UNIT 4 F.P.	1417 S.F.
UNITS	4	TOTAL	5470
UNIT 1	1760 S.F.		
GARAGE	420 S.F.		
UNIT 2	1760 S.F.		
GARAGE	420 S.F.		
UNIT 3	1931 S.F.		
GARAGE	420 S.F.		
UNIT 4	1931 S.F.		
GARAGE	420 S.F.		
		$\frac{5470}{14659} = 0.373 = 37\%$	
		F.A.R.	0.61
		USABLE OPEN SPACE	2,060 S.F.
		•U.O.S. PER UNIT	515 S.F.
		TOTAL LANDSCAPE	5,616 S.F.
		•L/S PER UNIT	1,404 S.F.
STORIES	2		
COVERED PARKING	8		
GUEST PARKING	8		
MAX. HEIGHT	27'-0"		

• PROPOSED SITE PLAN •

SITE AREA 14.659 S.F. - 1 UNIT/3664 S.F. - LOW/MEDIUM DENSITY - 4 SINGLE RESIDENCES

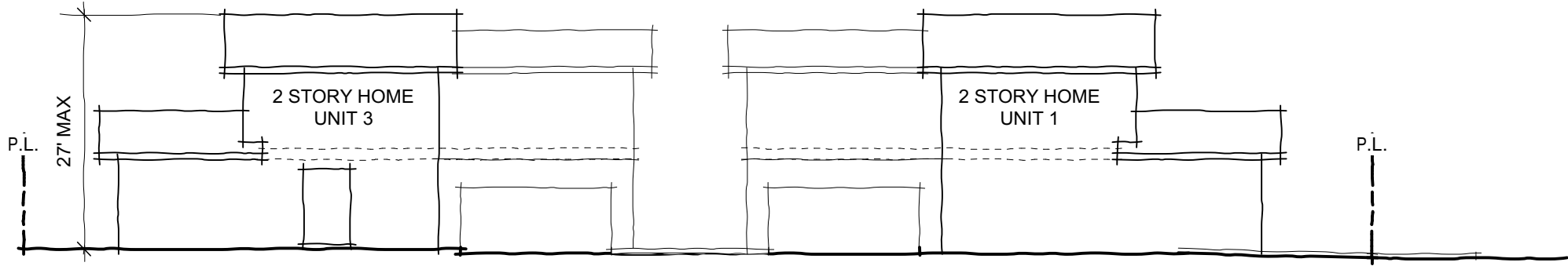
SCALE 1/16" = 1'-0"



Azure Street
General Plan Amendment
842 Sunnyvale-Saratoga Rd, Sunnyvale, Ca.
Project # 23017
Revised 7-28-2015

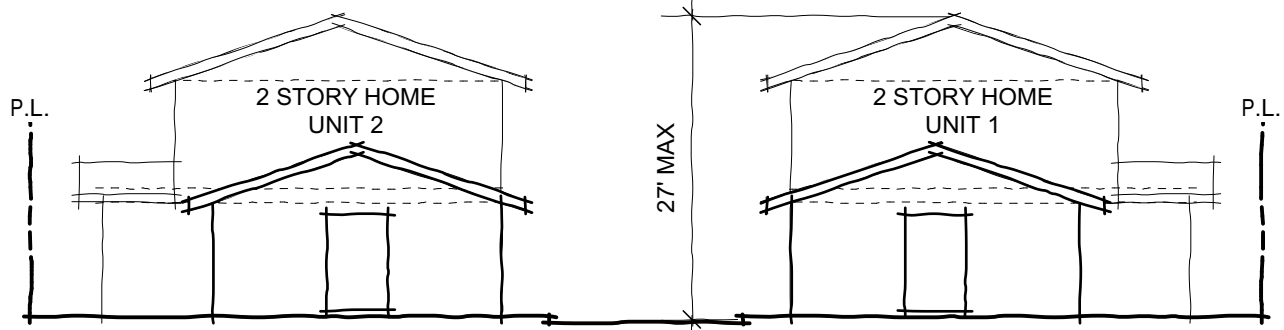


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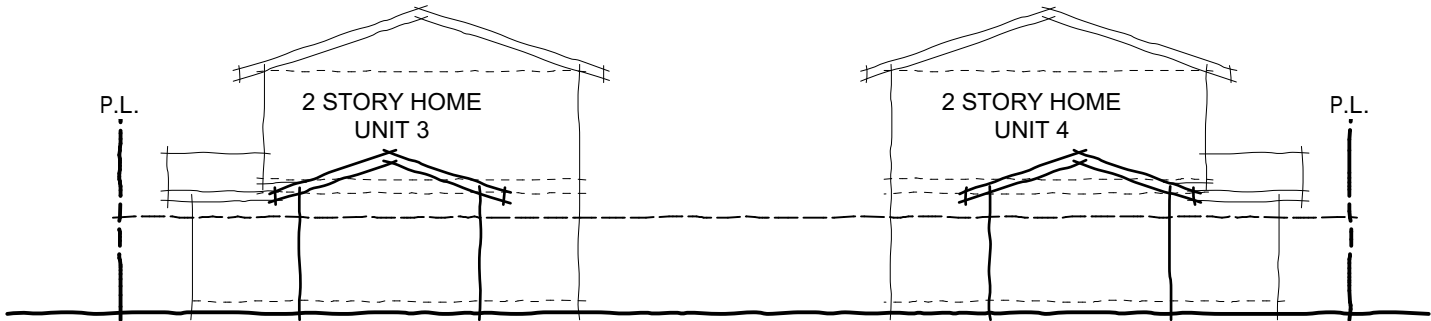
ELEVATION 1 , MASSING

VIEW FROM PROPOSED INTERIOR PRIVATE STREET
SCALE 1/16" = 1'-0"



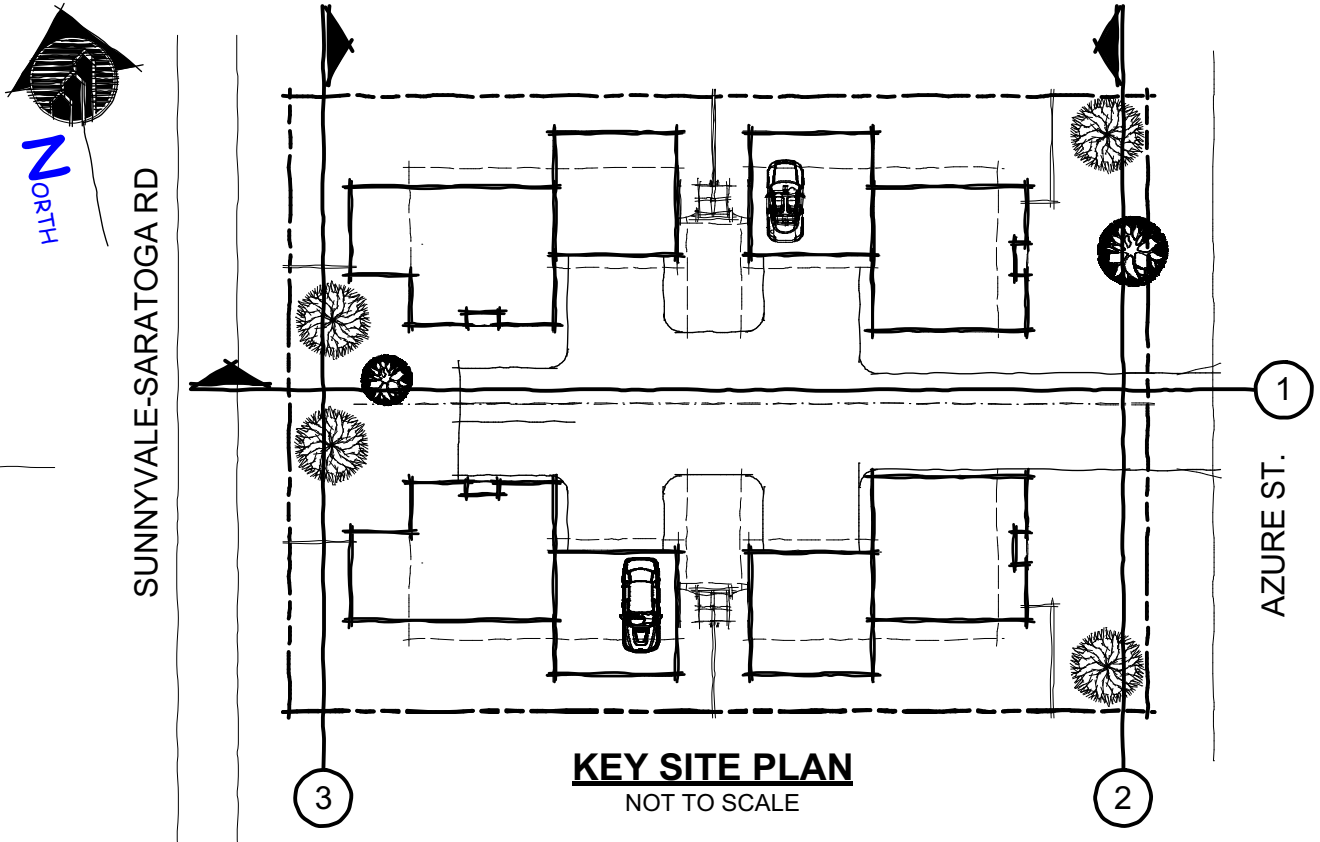
ELEVATION 2 , MASSING

VIEW FROM AZURE STREET
SCALE 1/16" = 1'-0"



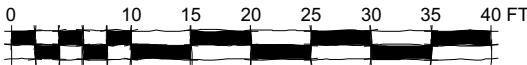
ELEVATION 3 , MASSING

VIEW FROM SUNNYVALE-SARATOGA STREET
SCALE 1/16" = 1'-0"



• PROPOSED MASS ELEVATIONS •

SCALE 1/16" = 1'-0"





EXISTING VIEW FROM AZURE STREET
NO VEHICULAR ACCESS OR DRIVEWAY TO SITE



EXISTING ADJACENT TO PROPERTY 2 STORY BUILDINGS WITH
DRIVEWAY AT AZURE STREET, TOWNHOMES



SITE VEHICULAR ACCESS DRIVEWAY
@ SARATOGA-SUNNYVALE RD
(FAST & HEAVY TRAFFIC STREET)



EXISTING 2 STORY HOMES IN NEARBY SUBDIVISION BY PARAGON DESIGN
(DEBUSSY TERRACE)



EXISTING ADJACENT PROPERTY WITH
DRIVEWAY AT AZURE STREET



SITE VEHICULAR ACCESS DRIVEWAY
@ SARATOGA-SUNNYVALE RD
(HEAVY TRAFFIC STREET & PEDESTRIAL SIDEWALK)



July 20, 2016

RE: **General Plan Amendment and Rezoning Application, file no. 2016-7078
838 Azure Street (APN 211-18-030) and potentially Sunnytrees HOA**

Dear Property Owner/Resident,

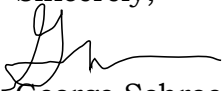
I am contacting you because the City is considering a change in the General Plan designation for properties within the Sunnytrees HOA in conjunction with a forthcoming private development application at the nearby property at 838 Azure Street. The property owner of 838 Azure Street filed an application to change the General Plan and zoning designation of their property to allow consideration of up to four units to be constructed onsite. At the initial public hearing for the 838 Azure Street project, the City Council directed staff to include Sunnytree HOA's General Plan designation in the study since it is adjacent to 838 Azure Street. Also, the General Plan and zoning designations for the Sunnytrees HOA are currently inconsistent.

The current General Plan designation for all properties within the Sunnytrees HOA is *Residential High Density*, while the zoning designation is *Low-Medium Density Residential with a Planned Development overlay (R2-PD)*. The City Council directed staff to study changing the HOA's General Plan designation to *Residential Low-Medium Density* in order to be consistent with the existing zoning designation. This change would have no immediate impact in the physical development of the HOA and would only affect future redevelopment proposals, where the allowable density and unit count would remain substantially the same.

The property owner of 838 Azure Street is requesting to change the General Plan designation from *Residential Low Density* to *Residential Low-Medium Density*, as well as change the zoning designation from *Low-Density Residential (R0)* to *Low-Medium Density Residential with a Planned Development overlay (R2-PD)*. The property owner is holding a community meeting to introduce this application to nearby property owners and residents on **Wednesday, August 10th, 2016 in the Sunnyvale Community Center, Neighborhood Room (550 E. Remington Drive) from 7:30 pm to 8:30 pm**. You will receive a separate notice sent from the property owner. I will be available prior to the property owner's outreach meeting from **6:30pm to 7:30pm (on the same date and meeting location)** to discuss the potential change in General Plan designation for Sunnytrees HOA.

If you have any questions or comments, please contact me at (408) 730-7443 or gschroeder@sunnyvale.ca.gov.

Sincerely,


George Schroeder
Associate Planner

Community Meeting

4 New Single Family Home Development
838 Azure St, Sunnyvale, CA 94087

August 10th, 2016 7:30PM-8:30 PM

**Sunnyvale Community Center
Neighborhood Room
550 E. Remington Drive,
Sunnyvale, California**

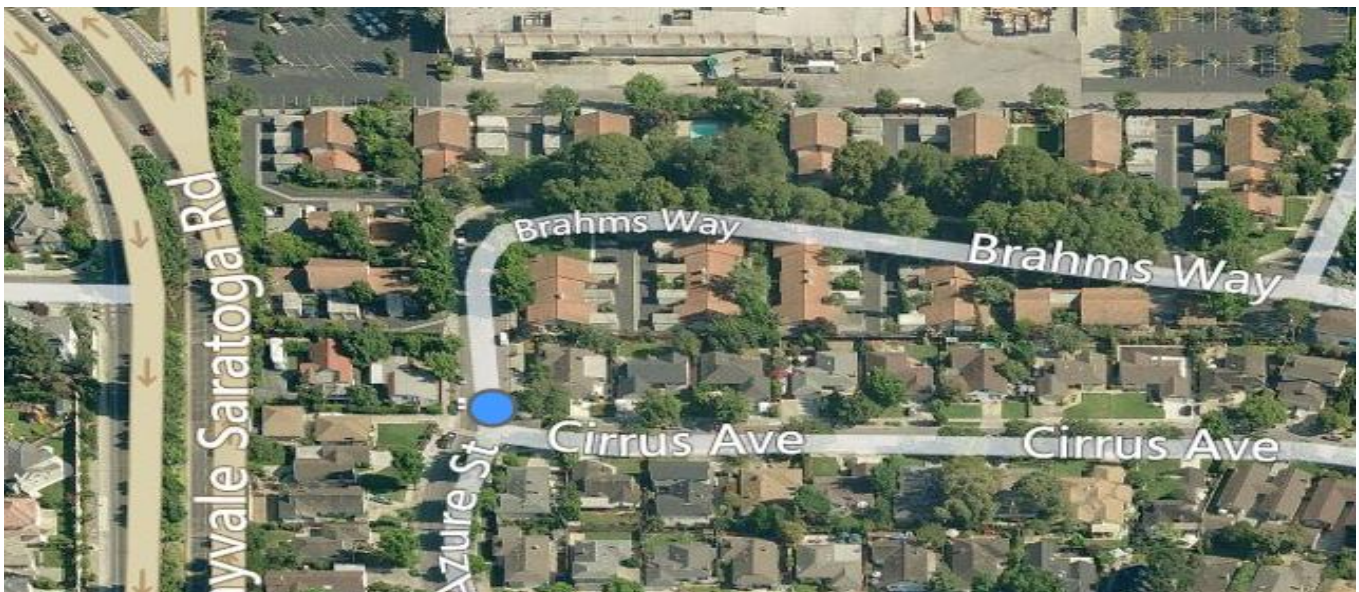
Please feel to join us on a presentation for a new residential development project. Our plan is to develop **4 new two-story houses on the site located at 838 Azure Street, Sunnyvale, California**. The purpose of this meeting is to provide a forum for surrounding property owners/ residents to review the proposal and to identify issues so they can be considered as part of the application process. We will try to answer questions on how our development project meets the City's General Plan and development regulations.

Please note that this meeting is based upon preliminary plans which may change slightly during the process in the future. You may receive an official notice from the City of Sunnyvale regarding your opportunity to participate by submitting written comments and/ or by attending a public hearing.

For more information, please contact the developer, William Lei at (415)992-7774 or william.lei@shinecap.com, or the city planner, George Schroeder at (408)730-7443 or gschroeder@sunnyvale.ca.gov.

We look forward to discussing the project with you.

Project Location





George Schroeder <gschroeder@sunnyvale.ca.gov>

General Plan 838 Azure Street

Andrei Korobkov [REDACTED]

To: GSchroeder@sunnyvale.ca.gov

Sun, Aug 28, 2016 at 12:54 PM

Dear Mr. George Schroeder,

Being residents of 833 Azure St. since 2000 and, as such, the closest neighbors of 838 Azure St., we are absolutely against the new 838 Azure St. owners requests to change designation and zoning from low density to low-medium density and build four houses on 838 Azure St. lot. New owners are trying to squeeze the lot they purchased for profit.

However, we believe that

- the increase of residential density formal and informal will lower our property value;
- two of those four houses will be located too close to our house blocking views and disturbing our privacy;
- human and car traffic and car parking on Azure St. will increase;
- building four houses instead of repairing the old one will require much longer construction

reducing our quality of live.

Please, take this letter as a reflection of formal public opinion and request to not increase residential density and not build four houses at 838 Azure lot.

Thank you for your consideration,

Andrei & Julia Korobkov

833 Azure Street