

City of Sunnyvale  
**777 Sunnyvale-Saratoga Road**  
**Draft Initial Study and Mitigated Negative Declaration**

*Prepared by*  
City of Sunnyvale  
Community Development Department  
456 West Olive Avenue  
Sunnyvale, California 94086  
July 2016



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## Initial Study

### Background & Project Description

#### Project Title

777 Sunnyvale-Saratoga Road, 2015-7399

#### Lead Agency Name and Address

City of Sunnyvale  
Community Development Department  
456 West Olive Avenue  
Sunnyvale, California 94086

#### Contact Person and Phone Number

Ryan Kuchenig  
(408) 730-7431

#### Project Location

The project is located on a 5.22-acre site at 777 Sunnyvale-Saratoga Road within the City of Sunnyvale in Santa Clara County (Assessor's Parcel Number: 201-36-002). Please see Figure 1: *Regional Map* and Figure 2: *Vicinity Map*

#### Project Sponsor

Ware Malcomb  
2400 Camino Ramon, Suite 390,  
San Ramon, California 94583

#### General Plan Designation

Commercial General Business

#### Zoning

C-2/ECR: Highway Business /El Camino Real Precise Plan

#### Project Setting

The project site is an existing commercial site currently occupied by an existing Orchard Supply Hardware (OSH) building and parking area. The site was formerly used for orchards but has been developed for warehouse, retail, and parking uses since the late 1960s. Vehicular access to the site includes a right-in, right-out driveway off of South Mathilda Avenue and a secondary access from Sunnyvale-Saratoga Road. The entire site has been previously developed, as have the surrounding properties. The project site is surrounded by South Mathilda Avenue on the west, the Cherry Orchard Apartment Complex and the West Sunnyvale Shopping Center to the north, Sunnyvale-Saratoga Road to the east, and the Fall River Terrace Apartment Complex to the south.

### Project Background

The existing OSH building includes a hardware and nursery/garden building and customer pick-up building on the site. An outdoor storage area is located adjacent to the pick-up building. The nursery/garden center use for OSH (western portion of site) would remain. The main OSH building and nursery area have been recently completed for interior and exterior improvements that were authorized under a separate permit.

### Project Description

The project proposes a grocery retail business with a customer waiting area and pick-up location for retrieving purchased items at the arranged time. Customers would pre-order their grocery and retail items on the store's website prior to coming to the store to pick-up their order. When placing an order, customers will have the option of scheduling a specific 15 minute to 2-hour time-frame for pick-up. Upon arriving at the store within their pre-scheduled pick-up window, customers arriving in cars can drive into a designated pick-up area with nine parking stalls, where the purchased items will be delivered to their cars. Customers arriving on foot or bicycle can pick-up their items within the store. Hours of operation are proposed to be daily from 7 a.m. to 10 p.m. A total of 15 employees would work on-site at any given time. Employees on-site would direct customers into their assigned parking spaces. To avoid idling vehicles, customers that arrive outside of their assigned times will be directed to the main parking lot.

The proposed 11,600 square-foot grocery retail building would be located adjacent to the main OSH building in roughly the same location as the existing pick-up building. Approximately 6,100 square feet of the existing OSH building, an area currently used as a customer pick-up area, would be demolished. As a result of the demolition and new building, approximately 5,500 net new building square feet would be added to the site. In addition to the new building, a carport covering nine spaces would be located between the new building and Sunnyvale-Saratoga Road. The carport is intended as a pick-up area for customers of the new retail use. The 5.22-acre project site is inclusive of the existing Orchard Supply building and the proposed 11,600 square-foot grocery retail building that will replace the 6,100 square-foot customer pick-up facility. The proposed development would be located in the eastern portion of the site, with a development footprint of approximately 1.56 acres. Please see Figure 3: *Site Plan* and Figure 4: *Project Rendering*.

The entire property (OSH and proposed project) maintains three vehicular driveways along Sunnyvale-Saratoga Road and two driveways off South Mathilda Avenue. The parking and circulation at the eastern end of the site would be modified to accommodate the new grocery store pick-up area.

A one-way drive-aisle loop would be created for customers planning to park in the designated pick-up areas under a carport. A 10-foot, six-inch clearance bar would be installed between the building and carport to prevent large trucks from entering this area. This loop drive aisle is not required for fire access.

The project would maintain the drive aisle that extends along the north edge of the property. However, access to the drive aisle would be limited to the Sunnyvale Shopping Center to the north and from the western end of the OSH building. A new trash enclosure attached to the proposed grocery store building is planned along the north side of the building, which can be accessed by the drive aisle. Public improvements include upgrades to the driveway entrances, fire hydrant, and street lights adjacent to the project site.

### *Parking*

Currently, the OSH site is legal non-conforming because there are 289 parking spaces, which exceeds Municipal Code requirements of a maximum of 267 spaces. The proposed parking for the project site would be reconfigured from the existing parking layout. The proposed project reduces overall parking by approximately 55 spaces but still meets parking requirements with 252 spaces provided, where a minimum of 234 and a maximum of 292 are allowed for the combined OSH and new retail building. The proposal would upgrade bicycle parking to meet the required number of Class I and Class II spaces. A total of 15 bicycle spaces are required for the combined retail uses on site. The project proposes secured spaces will be provided inside the buildings and that three spaces will be in front of the new building.

### *Landscaping*

As a legal non-conforming use, the OSH site currently does not meet the 20% requirement for total landscaping or the 50% parking lot shading requirement. The project would increase the landscaping in the parking for the existing OSH by adding three new planters with large shade trees and expanding two. Landscaping for the site is increased from landscaping an existing amount to 17% of the 1.5-acre site. Proposed tree shading in the parking area of the 1.56-acre site will be 50%. Overall on the site, landscaping increased from 20,463 SF to 33,027 SF which is an increase from 9% to 14.5%. Tree shading is increased to 29% for the OSH site from 10%. No tree removals are proposed with this project. Please see Figure 6: *Landscape Plan*.

A pedestrian walkway (combination sidewalk and striped paving) that lies in front of the buildings on the site and the main corner entrance of the building connects to the public sidewalk along Sunnyvale-Saratoga Road. The landscape buffer adjacent to Sunnyvale-Saratoga Road would be widened as it extends southward.

### *Architecture*

The proposed commercial building utilizes modern architectural design with a combination of projecting walls composed of wood siding and recessed façades of grey plaster finish. A random pattern of bright green panels are interspersed within the siding to break up the facade. Green canvas awnings over the corner entrance are also provided. Storefront windows are located at the corner of the building and at a portion of the east elevation. Some minor improvements have been added to the façade since earlier designs, including a location for a future display window along the south elevation and possible additional window locations.

The carport which shelters the pick-up/loading spaces for patrons is designed with a steel “butterfly roof” structure that angles upward from the middle. The structure incorporates a combination of translucent yellow and green panels that are visible underneath the canopy. A roofed pedestrian walkway runs across the drive aisle from the carport to the new building.

#### *Green Building*

Green building standards require non-residential construction that exceeds 5,000 square feet to attain LEED Silver level design intent. The proposal indicates compliance by indicating that 50 LEED points will be achieved where a minimum of 50 points are required.

#### *Stormwater Management*

The Municipal Regional Permit for stormwater discharge requires all treatment be achieved through Low Impact Development (LID) measures such as infiltration, harvesting/use, and bio-filtration and limits the use of mechanical treatment. A preliminary Stormwater Management Plan (SWMP) has been provided, which demonstrates compliance through site design, source controls and bio-retention. A third-party certification of a final SWMP is required prior to issuance of building permits.

### Project Permits and Approvals

**Matrix of Project Approvals**

<b>Permit / Approvals</b>	<b>Approving Agency</b>
Special Development Permit	City of Sunnyvale
Grading Permit	City of Sunnyvale
Building Permit	City of Sunnyvale

### Other public agencies whose approval is required

None.





Source: Google Earth, 2015

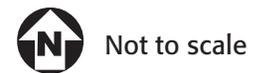
**FIGURE 2:** Vicinity Map  
777 Sunnyvale-Saratoga Road  
City of Sunnyvale

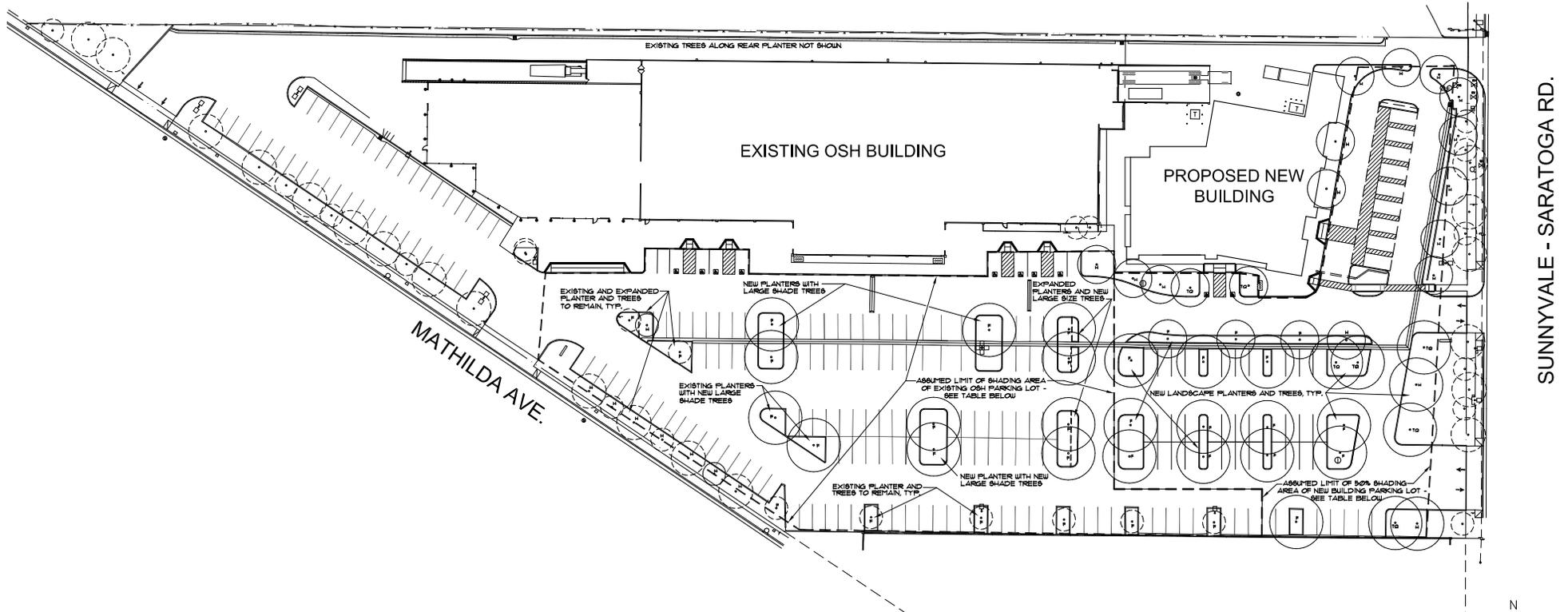




Source: Ware Malcomb, 2015

**FIGURE 4:** Project Rendering  
777 Sunnyvale-Saratoga Road  
City of Sunnyvale





SUNNYSVALE - SARATOGA RD.



PARKING LOT SHADE CALCULATION TABLE - PORTION OF EXISTING OSH PARKING LOT

KEY	BOTANICAL/COMMON NAME	CROWN DIAMETER	1" = FULL (S.F.)	10' = THREE QUARTER (S.F.)	1/2" = HALF (S.F.)	10' = QUARTER (S.F.)
-	NEW AND EXISTING LARGE TREES	35'	11 # 962 = 10,582	-	-	-
-	NEW AND EXISTING MEDIUM TREES	30'	-	5 # 353 = 1,765	-	-
-	NEW AND EXISTING SMALL TREES	25'	5 # 490 = 3,920	-	4 # 245 = 980	-

TOTAL ASSUMED PARKING LOT AREA AS OUTLINED ABOVE — 59,260 SF.  
TOTAL TREE SHADED AREA PER THE ABOVE TABLE — 17,241 SF. = 29%

PERCENT OF PERVIOUS TO IMPERVIOUS AREA CHANGE FOR THE ASSUMED PARKING LOT AREA AS OUTLINED ABOVE WITH NEWLY PROPOSED PLANTERS AS SHOWN

EXISTING PERVIOUS (LANDSCAPE) PERCENTAGE — 5.4%  
PROPOSED PERVIOUS (LANDSCAPE) PERCENTAGE — 10.2% = 88% INCREASE

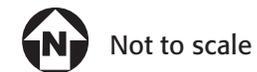
PARKING LOT SHADE CALCULATION TABLE - NEW BUILDING PARKING LOT

KEY	BOTANICAL/COMMON NAME	CROWN DIAMETER	1" = FULL (S.F.)	10' = THREE QUARTER (S.F.)	1/2" = HALF (S.F.)	10' = QUARTER (S.F.)
T1	PLATANUS ACERIFOLIA 'COLUMBIA' — LONDON PLANE TREE	35'	12 # 962 = 11,544	5 # 722 = 3,610	2 # 481 = 962	-
T2	FRAXINUS C. 'KRAUTER VESUVIUS' — PURPLE-LEAF PLUM	25'	3 # 490 = 1,470	2 # 360 = 720	13 # 245 = 3,185	-

TOTAL ASSUMED PARKING LOT AREA AS OUTLINED ABOVE — 42,321 SF.  
TOTAL TREE SHADED AREA PER THE ABOVE TABLE — 21,901 SF. = 50.8%

Source: Wilson & Associates, 2016

**FIGURE 5:** Landscape Plan  
777 Sunnysvale-Saratoga Road  
City of Sunnysvale



**Environmental Checklist**

Environmental Factors Potentially Affected by the Project

The environmental factors checked below would be potentially affected by this project, involving impacts identified as "Less Than Significant With Mitigation Incorporated" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology / Soils
	Greenhouse Gas Emissions	X	Hazards & Hazardous Materials		Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	X	Noise
	Population / Housing		Public Services		Recreation
	Transportation / Traffic		Utilities / Service Systems		Mandatory Findings of Significance

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.	X
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 potentially significant or a 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 adequately 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.	

  
Ryan Kuchenig, Project Planner

7/29/16  
Date

## Explanation of Environmental Checklist Responses

## Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>1. AESTHETICS. Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

*(a) Scenic vista*

**Less Than Significant Impact.** A scenic vista is generally described as a clear, expansive view of significant regional features possessing visual and aesthetic qualities of value to the community. There are no designated scenic vistas in the vicinity of the project site and the Project site and surrounding area are not characterized as a scenic vista. The project site is located in an urban area planned for commercial uses, on a property that has already been developed for commercial uses. As such potential impacts on a scenic vista are considered less than significant.

*(b) Scenic resources*

**No Impact.** No scenic resources such as historic buildings or rock outcroppings occur on the Project site. In addition, the Project site is not located within close proximity to a state designated scenic highway. According to the California State Scenic Highway Program, there are no State-designated scenic highways within or adjacent to the City<sup>1</sup>. Therefore, the proposed

<sup>1</sup> California Department of Transportation website, Officially Designated State Scenic Highways, <http://www.dot.ca.gov/hq/LandArch/scenic/schwyt.htm>, accessed February 14, 2013.

project would not affect scenic vistas or resources, including but not limited to trees, rock outcroppings, or historic buildings, within a State-designated scenic highway.

*(c) Visual Character*

**Less Than Significant Impact.** The proposed project would not substantially degrade the existing visual character or quality of the site or its surroundings, because the proposed grocery store use would be similar to existing retail development in the surrounding area. The project does not propose significant amounts of grading or landform alterations, incompatible uses, noise walls, substantial retaining walls, or significant vegetative clearing that could have the effect of changing the visual character of the project site or the surrounding area.

The proposed project would result in a change in the site appearance from a single OSH building to a OSH building with a grocery store added on to the east end of the building. The proposed development on the project site would be consistent with the existing development pattern in the area, which includes existing commercial retail and multi-family residential development. Therefore, potential impacts on visual character or quality is considered less than significant.

*(d) Create a new source of substantial light or glare*

**Less Than Significant Impact.** The project site currently generates light and glare from indoor and outdoor lighting, security lighting, and parking lot lighting. Sunlight that is reflected off of reflective building surfaces (windows, aluminum siding, etc.), equipment, and vehicles also generates glare from the project site and its surroundings. The proposed project would be required to have some outdoor lighting for nighttime use and security purposes. All lighting plans, including photometric studies are reviewed and approved by the Director of Community Development, prior to the issuance of a building permit. The lighting plans must show conformance with Section 19.42.050 of the Sunnyvale Municipal Code which regulates exterior lighting. Exterior lights must be shielded to prevent any glare or direct illumination on any public street or other property. For these reasons potential impacts from light and glare are considered less than significant.

**Aesthetics Cumulative Impacts**

The proposed project would be consistent with the land use and development regulations contained in the City of Sunnyvale General Plan. No other past, present, or reasonably foreseeable projects within the surrounding area have been identified that would cumulatively create significant adverse impact with regard to aesthetics or visual resources. While the proposed project plus any cumulative development could change the appearance of the area, no adverse impacts are identified and aesthetic impacts related to the proposed project are not expected to be cumulatively considerable. Therefore, no additional adverse cumulative aesthetic impacts would occur and potential impacts are considered less than cumulatively considerable.

## Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>2. AGRICULTURE RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

*(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (farmland)*

**No impact.** The City of Sunnyvale does not contain any prime farmland. The project site does not currently support any agricultural activities. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) has been mapped on the project site. As such,

the proposed project would have no impact on any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No mitigation is required.

*(b) Conflict with existing zoning for agricultural use or a Williamson Act contract*

**No impact.** The City of Sunnyvale does not contain any land that is zoned for agricultural use nor are there any lands under an active Williamson Act contract. Therefore, no conflicts exist in regards to zoning for agricultural use. As such, development of the proposed project would not conflict with either existing zoning for agricultural use or with lands under Williamson Act Contract, and therefore no impact would occur. No mitigation is required.

*(c) Conflict with existing zoning for forest land*

**No impact.** The City of Sunnyvale does not contain any land that is zoned for forest land or is protected under the Timberland Production zone. No forest land exists within or adjacent to the proposed project site. As such, there is no existing zoning for, or a cause for rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)) on the project site. Therefore, no impacts to forest land would occur and no mitigation is required.

*(d) Result in the loss of forest land*

**No impact.** No forest land occurs within or adjacent to the proposed project site. The proposed project site is zoned for commercial uses. No loss or conversion of forest land to non-forest use would occur. No mitigation is required.

*(e) Involve other changes resulting in a conversion of farmland or forest land*

**No impact.** The City of Sunnyvale does not contain any farmland. Development of the proposed project would not result in the conversion of any Farmland to urban uses. The project site is currently developed with the existing OSH store and parking areas. Given both the nature and location of the proposed project, conversion of land from Farmland or conversion of forest land to non-forest use would not occur. No impact would result, and thus, no mitigation is required.

Agricultural and Forest Resources Cumulative Impacts

There are no areas of specially designated farmland, Williamson Act lands, or forest lands within the project area, and thus no corresponding areas on the project site. Therefore, there are no cumulative agricultural or forest land impacts and no mitigation is required.

**Air Quality**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

*(a) Consistent with air quality plans*

**Less Than Significant Impact.** The project site is in the City of Sunnyvale, which is located within the San Francisco Bay Area Air Basin (SFBAAB). The Bay Area Air Quality Management District (BAAQMD) is responsible for assuring that the Federal and California Ambient Air Quality Standards are attained and maintained in the SFBAAB. The SFBAAB exceeds the state air quality standards for ozone (O<sub>3</sub>) and particulate matter (PM<sub>10</sub>, and PM<sub>2.5</sub>). The area is designated nonattainment for national standards of 8-hour ozone, 24-hour PM<sub>2.5</sub>, and state standards for 24-hour and annual PM<sub>10</sub>, and annual PM<sub>2.5</sub>.<sup>2</sup>

The 2010 Clean Air Plan, the regional air quality management plan for the SFBAAB, accounts for projections of population growth provided by the Association of Bay Area Governments (ABAG) and vehicle miles traveled provided by the Metropolitan Transportation Commission (MTC), and it identifies strategies to bring regional emissions into compliance with federal and state air

<sup>2</sup> BAAQMD. 2015. Air Quality Standards and Attainment Status. Website: <http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status>. Accessed: November 2, 2015.

quality standards. BAAQMD encourages local jurisdictions to include General Plan policies or elements that, when implemented, would improve air quality. Although air quality elements are not mandated, general plans are required to be consistent with any air quality policies and programs that exist within that jurisdiction.

For projects, the determination of a significant cumulative air quality impact should be based on the consistency of the project with the Bay Area's most recently adopted Clean Air Plan. A project would be consistent with the 2010 Clean Air Plan if the project would not exceed the growth assumptions in the plan. The primary method of determining consistency with the 2010 Clean Air Plan growth assumptions is consistency with the General Plan land use designations and zoning ordinance zoning designations for the site. If the General Plan growth forecast was adopted prior to the adoption of the 2010 Clean Air Plan, then it can be assumed that the 2010 Clean Air Plan incorporates the growth forecast from the General Plan.

The Clean Air Plan assumptions for projected air emissions and pollutants in Sunnyvale are based on the land use and development projection assumptions in the Sunnyvale General Plan (General Plan). The project site is currently has a land use designation of Commercial General Business (CGB) and zoned Commercial – Highway Business Zoning District/El Camino Real Combining District (C-2/ECR). The proposed grocery retail business would be consistent with the City's land use and zoning designations and growth assumption projected in the General Plan. As such, the proposed project would not significantly affect regional vehicle miles traveled pursuant to the CEQA Guidelines (Section 15206) because of its consistency with adopted land use plans in the City of Sunnyvale. In addition, the proposed project would not have the potential to exceed the level of population or housing foreseen in regional planning efforts.

As described below in Impact Statements III(b) and III(c), construction and operational air quality emissions generated by the proposed project would not exceed the BAAQMD's emissions thresholds. These thresholds are established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Because the proposed project would not exceed these thresholds, the proposed project would not be considered by the BAAQMD to be a substantial emitter of criteria air pollutants, and would not contribute to any non-attainment areas in the SFBAAB. Therefore, the project would be in compliance with the Clean Air Plan and impacts would be less than significant.

*(b) Air quality standards*

**Less Than Significant With Mitigation Incorporated.** Short-term air quality impacts are predicted to occur during grading and construction activities associated with implementation of the proposed project. Temporary air emissions would result from the following activities:

- Particulate (fugitive dust) emissions from demolition, grading, and building construction activities; and
- Exhaust emissions from the construction equipment and the motor vehicles of the construction crew.

## Total Daily Construction Emissions

Construction activities would include demolition, grading, building construction, paving, and application of architectural coatings. Project construction equipment would include concrete/industrial saws, rubber tired dozers, and tractors/loaders/backhoes during demolition; graders and rubber tired dozers during grading; generator sets, cranes, forklifts, tractors/loaders/backhoes, and welders during building construction; cement and mortar mixers, pavers, rollers, tractors/loaders/backhoes, and paving equipment during paving; and air compressors during architectural coating. Emissions for each construction phase have been quantified based upon the phase durations and equipment types. The analysis of daily construction emissions has been prepared utilizing the California Emissions Estimator Model (CalEEMod). Refer to Appendix A, Air Quality Study, for the CalEEMod outputs and results. **Table 1: Maximum Daily Construction Emissions**, presents the anticipated daily short-term construction emissions.

As seen in Table 1, unmitigated emissions would exceed significance thresholds; therefore, a potentially significant impact would occur with regard to construction emissions without mitigation.

**Table 1 – Maximum Daily Construction Emissions**

Emissions Source	Pollutant (pounds/day) <sup>1</sup>			
	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Construction Year</b>				
2016	6.7	71.8	14	8.9
2017	10.9	2.2	0.2	0.2
BAAQMD Thresholds <sup>2</sup>	54	54	82	54
<b>Is Threshold Exceeded After Mitigation?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>
ROG = reactive organic gases; NO <sub>x</sub> = nitrogen oxides; PM <sub>10</sub> = particulate matter 10 microns in diameter or less; PM <sub>2.5</sub> = particulate matter 2.5 microns in diameter or less				
Notes:				
1. Emissions were calculated using CalEEMod.				
2. Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, updated May 2011.				
Source: Rincon, Oppidan Online Ordering Grocery Store Project Air Quality Study, June 2016.				

## Fugitive Dust Emissions

Construction activities are a source of fugitive dust (also known as PM<sub>10</sub> and PM<sub>2.5</sub>) emissions that may have a substantial, temporary impact on local air quality. Fugitive dust is often a nuisance to those living and working within the vicinity of the project site. Fugitive dust emissions are associated with demolition, land clearing, ground excavation, cut and fill operations, and truck travel on unpaved roadways. Fugitive dust emissions also vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions.

PM<sub>10</sub> and PM<sub>2.5</sub> are both emitted during construction activities and as a result of wind erosion over exposed soil surfaces. Clearing and grading activities comprise the major sources of construction dust emissions, but traffic and general disturbance of the soil also generates significant dust emissions. PM<sub>10</sub> and PM<sub>2.5</sub> emissions can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors making quantification difficult. The highest potential for construction dust impacts would occur during the late spring, summer, and early fall months when soils are dry. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM<sub>10</sub> and PM<sub>2.5</sub> emissions from construction activities. BAAQMD considers fugitive dust emissions to be significant without implementation of Basic Construction Mitigation Measures. **Mitigation Measure AQ-1 would reduce this potential impact to less than significant.**

### ROG Emissions<sup>3</sup>

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates reactive organic gases (ROG), which are O<sub>3</sub> precursors. In accordance with the methodology prescribed by the BAAQMD, the ROG emissions associated with paving have been quantified with CalEEMod. Architectural coatings were also quantified with CalEEMod based upon the size of the building. As indicated in **Table 1**, the project would result in a maximum of 16.16 lbs/day of ROG emissions during construction activities. As such, construction ROG emissions would not exceed the BAAQMD threshold of 54 lbs/day. Therefore, a less than significant impact would occur with regard to ROG emissions. It should be noted that all Basic Construction Mitigation Measures would be implemented during construction to further reduce ROG emissions; refer to **Mitigation Measure AQ-1**.

### Construction Equipment and Worker Vehicle Exhaust

Exhaust emission factors for typical diesel-powered heavy equipment are based on the CalEEMod program defaults. Variables factored into estimating the total construction emissions include: level of activity, length of construction period, number of pieces/types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on-site or offsite.

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials and workers to and from the site. Emitted pollutants would include ROG, nitrogen oxides (NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub>. As seen in **Table 1**, BAAQMD thresholds would not be exceeded during construction activities associated with the proposed project with the exception of NO<sub>x</sub>. To reduce NO<sub>x</sub> emissions, the project would be required to implement Mitigation Measure AQ-2 to require construction contractors to use construction equipment with emission controls to further reduce NO<sub>x</sub>.

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<sup>3</sup> 3 ROG and VOCs are subsets of organic gases that are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. Although they represent slightly different subsets of organic gases, they are used interchangeably for the purposes of this analysis.

emissions. NO<sub>x</sub> reduction measures As shown in Table 2, Maximum Daily Mitigated Construction Emissions, with the implementation of Mitigation Measures AQ-2 mitigated construction emissions are reduced to less than significant.

**Table 2 - Maximum Daily Mitigated Construction Emissions**

Construction Year	ROG (lbs/day)	NO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (lbs/day)	PM <sub>2.5</sub> (lbs/day)
2016	1.6	27.8	6.1	3.8
2017	10.6	1.4	0.1	0.1
<b>Threshold of Significance</b>	<b>54</b>	<b>54</b>	<b>82</b>	<b>54</b>
<i>Thresholds Exceeded?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>
ROG = reactive organic gases; NO <sub>x</sub> = nitrogen oxides; PM <sub>10</sub> = particulate matter 10 microns in diameter or less; PM <sub>2.5</sub> = particulate matter 2.5 microns in diameter or less				
Notes:				
1. Emissions were calculated using CalEEMod.				
2. Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, updated May 2011.				
Source: Rincon, Oppidan Online Ordering Grocery Store Project Air Quality Study, June 2016.				

### Naturally Occurring Asbestos

Pursuant to guidance issued by the Governor's Office of Planning and Research, State Clearinghouse, Lead Agencies are encouraged to analyze potential impacts related to naturally occurring asbestos (NOA). Naturally occurring asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations.

Serpentinite and/or ultramafic rock are known to be present in 44 of California's 58 counties. These rocks are particularly abundant in the counties associated with the Sierra Nevada foothills, the Klamath Mountains, and Coast Ranges. The California Air Resources Board (CARB) has established two Airborne Toxic Control Measures (ATCMs) that address NOA. The first one regulates surfacing materials and amends an older ATCM for asbestos-containing serpentine. The second ATCM, which applies to construction, grading, quarrying, and surface mining operations, requires more stringent dust control measures at these operations. The requirements for road construction and maintenance differ somewhat from those for general construction and grading (e.g., development of a shopping center). Other requirements of the proposed ATCM address post-construction stabilization of disturbed areas. These areas must be revegetated, paved, or covered with at least three inches of non-asbestos-containing material. NOA-containing material may be transported if the loads are adequately wetted or covered with tarps.

According to the Department of Conservation Division of Mines and Geology, A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report (August 2000), the project site is located in an area where naturally occurring asbestos is not likely to be present. Impacts would be less than significant in this regard.

### Construction Odors

Potential odors could arise from the diesel construction equipment used on-site, as well as from architectural coatings and asphalt off-gassing. Odors generated from the referenced sources are common in the man-made environment and are not known to be substantially offensive to adjacent receptors. Additionally, odors generated during construction activities would be temporary. Therefore, construction odors are not considered to be a significant impact.

### Long-Term Operational Impacts

#### *Mobile Source Emissions*

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are all pollutants of regional concern (NO<sub>x</sub> and ROG react with sunlight to form O<sub>3</sub> [photochemical smog], and wind currents readily transport SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions have been estimated using CalEEMod. [Table 3, Long-Term Operational Air Emissions](#), presents the anticipated mobile source emissions. As shown in [Table 3](#), operational emissions generated by the proposed project would not exceed established BAAQMS thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and/or PM<sub>2.5</sub>.

#### *Area Source Emissions*

Area source emissions would be generated due to an increased demand for consumer products, additional landscaping, and architectural coatings associated with the development of the proposed project. As shown in [Table 3](#), unmitigated area source emissions from the proposed project would not exceed BAAQMD thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>.

#### *Energy Source Emissions*

Energy source emissions would be generated as a result of electricity and natural gas usage associated with the proposed project. The primary use of electricity and natural gas by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. As shown in [Table 3](#), energy source emissions from the proposed project would not exceed BAAQMD thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>.

Table 3 – Long-Term Operational Air Emissions

Emissions Source	Estimated Emissions (lbs/day) <sup>1</sup>					
	ROG	NO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO	SO <sub>x</sub>
<b>Existing On-Site Use (Hardware Superstore with Lumber Yard)</b>						
Area	1.5	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
<i>Total Area &amp; Energy Emissions</i>	1.5	<0.1	<0.1	<0.1	<0.1	<0.1
<b>Future On-Site Uses (Reduced Hardware Superstore with Lumber Yard)</b>						
Area	1.3	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	<0.1	<0.1	<0.1	<0.1	<0.1
<i>Total Area &amp; Energy Emissions</i>	1.3	<0.1	<0.1	<0.1	<0.1	<0.1
<b>Future On-Site Uses (Proposed Online Ordering Grocery Store)</b>						
Area	0.7	<0.1	<0.1	<0.1	<0.1	<0.1
Energy	<0.1	0.7	<0.1	<0.1	0.6	<0.1
Mobile <sup>2</sup>	3.3	4.5	2.4	0.7	26.5	<0.1
<i>Total Area, Energy &amp; Mobile Emissions</i>	4.1	5.2	2.5	0.7	27.1	<0.1
<i>Threshold of Significance<sup>3</sup></i>	54	54	82	54	N/A	N/A
<i>Thresholds Exceeded by Gross Emissions?</i>	No	No	No	No	No	No
<b>Net Increase in On-Site Emissions as a Result of the Project (Proposed Project Uses – Existing On-Site Uses)</b>						
<i>Difference (Future Uses Minus Existing Uses)</i>	3.9	5.2	2.5	0.7	27.1	<0.1
<i>Threshold of Significance</i>	54	54	82	54	N/A	N/A
<i>Threshold Exceeded by Net Emissions?</i>	No	No	No	No	No	No
ROG = reactive organic gases; NO <sub>x</sub> = nitrogen oxides; PM <sub>10</sub> = particulate matter 10 microns in diameter or less; PM <sub>2.5</sub> = particulate matter 2.5 microns in diameter or less; CO = Carbon Monoxide; SO <sub>x</sub> = Sulphur oxides						
Notes:						
1. Emissions were calculated using CalEEMod.						
2. Mobile emissions are not included in the hardware superstore emissions because the net change of existing trips was accounted for in the Traffic Report, which was used to calculate the project (Proposed Online Ordering Grocery Store) emissions. See Appendix for CalEEMod output (winter).						
3. Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines, updated May 2011.						
Source: Rincon, Oppidan Online Ordering Grocery Store Project Air Quality Study, June 2016.						

## Conclusion

As indicated in Table 3, unmitigated operational emissions from the proposed project would not exceed BAAQMD thresholds. The applicant does not propose any emergency generators. Thus, operational air quality impacts would be less than significant.

### Mitigation Measures – Air Quality

**AQ-1 BAAQMD Basic Construction Mitigation Measures.** Prior to issuance of any Grading or Demolition Permit, the City Engineer or Chief Building Official shall confirm that the

Grading Plan, Building Plans, and specifications stipulate that the following basic construction mitigation measures shall be implemented:

- Water all active construction areas to maintain 12 percent soil moisture.
- All grading shall be suspended when winds exceed 20 miles per hour.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (including but not limited to dirt, sand, or gravel.)
- 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. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Wind breaks and perimeter sand bags shall be used to minimize erosion.
- The amount of simultaneously disturbed surface shall be minimized as much as possible.
- Site access points from public roadways shall be paved or treated to prevent track-out.
- Replace vegetation in disturbed areas as quickly as possible.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points.
- 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.
- Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

**AQ-2 Tier 3 Protections on Specific Equipment, and Idling Limitation.** Prior to issuance of any Grading or Demolition Permit, the applicant shall submit to the satisfaction of the City Engineer or Chief Building Official, evidence that project contractors only operate construction equipment with Tier 3 engines or CARB-certified Level 3 Verified Diesel Emission Control System (VDECS), such as a diesel particulate filter (DPF), installed on Tier 3 equipment. Level 3 DPFs remove at least 85 percent of diesel particulate matter. DPF installation can also result in co-benefits for other criteria air pollutants, such as nitrogen oxides (NO<sub>x</sub>) and reactive organic gases. At a minimum, these Tier 3 protections shall be implemented on all skip loaders, loaders, forklifts, and air compressors used by contractors. Contractors shall be restricted to a two-minute idling limit on all construction equipment. As an alternative, the project shall achieve a performance standard of not exceeding the BAAQMD thresholds relating to NO<sub>x</sub>, which shall be demonstrated to the satisfaction of the City by a qualified air quality consultant.

*(c) Cumulative air quality impacts*

**Less Than Significant Impact.** No potential cumulative impacts on air quality standards have been identified based on the following analysis.

**Cumulative Short-Term Emissions**

The SFBAAB is designated nonattainment for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> for state standards and nonattainment for O<sub>3</sub> and PM<sub>2.5</sub> for federal standards. As discussed above, the project's construction-related emissions by themselves would not have the potential to exceed the BAAQMD significance thresholds for criteria pollutants.

Since these thresholds indicate whether an individual project's emissions have the potential to affect cumulative regional air quality, it can be expected that the project-related construction emissions would not be cumulatively considerable. The BAAQMD recommended Basic Construction Mitigation Measures are recommended for all projects whether or not construction-related emissions exceed the thresholds of significance. Compliance with BAAQMD construction-related mitigation requirements are considered to reduce cumulative impacts at a Basin-wide level. Therefore, construction emissions associated with the proposed project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

**Cumulative Long-Term Emissions**

The BAAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. The BAAQMD developed the operational thresholds of significance based on the level above which a project's individual emissions would result in a cumulatively

considerable contribution to the Basin's existing air quality conditions. Therefore, a project that exceeds the BAAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact. As depicted in Table 3, the proposed project's operational emissions would not exceed BAAQMD thresholds. Therefore, operational emissions associated with the proposed project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

*(d) Exposure of sensitive receptors*

**Less Than Significant Impact.** Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are the existing multi-family residential uses adjoining the project site to the northwest and to the south.

**Localized Carbon Monoxide Hotspots**

The SFBAAB is designated as attainment for carbon monoxide (CO). Emissions and ambient concentrations of CO have decreased dramatically in the SFBAAB with the introduction of the catalytic converter in 1975. No exceedances of the CAAQS or NAAQS for CO have been recorded at nearby monitoring stations since 1991. As a result, the BAAQMD screening criteria notes that CO impacts may be determined to be less than significant if a project is consistent with the applicable congestion management plan (CMP) and would not increase traffic volumes at local intersections to more than 24,000 vehicles per hour for locations in heavily urban areas, where "urban canyons" formed by buildings tend to reduce air circulation. Based on the scope of the proposed project (replacing an existing 6,100 SF OSH customer pick-up facility with an 11,600 square-foot take-out grocery store building), traffic would increase along surrounding roadways during long-term operational activities. However, according to the Traffic Memorandum for the proposed project, the entire project would generate 978 daily trips. Therefore, the project would not generate a significant number of vehicle trips and effects related to CO concentrations would be less than significant.

**Parking Structure Hotspots**

Carbon monoxide concentrations are a function of vehicle idling time, meteorological conditions, and traffic flow. Therefore, parking areas and in this case, parking stalls tend to be of concern regarding CO hotspots, as they are spaces with frequent cars potentially queuing during operating hours. Approximately nine parking stalls would be constructed designated for customers waiting for their orders to be brought to their vehicles. The take-out grocery store would operate by having customers place their order in advance; drive to the site; and park in the on-site parking stalls to have their order brought out to their vehicle. Vehicle idling would be discouraged with signs, notifications from staff to customers telling them not to idle, and scheduling. As the proposed project includes operational controls involving limitations on

vehicle queueing and discouraging vehicle idling on site, impacts in regards to parking areas CO hotspots would be less than significant.

### Risk and Health Hazards

According to Section 39655 of the California Health and Safety Code, a toxic air contaminant (TACs) is "an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health". In addition, substances that have been listed as Federal hazardous air pollutants (HAPs) pursuant to Section 7412 of Title 42 of the United States Code are TACs under the State's air toxics program pursuant to Section 39657 (b) of the California Health and Safety Code. TACs can cause various cancers, depending on the particular chemicals, their type, and duration of exposure. Additionally, some of the TACs may cause other health effects over the short or long term. TACs of particular concern for posing health risks in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter (DPM).

### Construction

BAAQMD recommends that evaluation of community risk associated with construction activity be addressed on a case-by-case basis, taking into consideration the specific construction-related characteristics of each project and proximity to off-site receptors. Construction-related activities could result in the generation of TACs, specifically diesel PM, from on-road haul trucks and off-road equipment exhaust emissions. Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. While off-site construction activity, such as on-road haul trucks, would result in diesel PM emissions, such emissions would be distributed along haul routes, rather than concentrated at the project site. Because of the short-term, distributed nature of these emissions, they would not contribute substantially to potential health risks near the project site, along haul routes, or elsewhere in the basin. Therefore, this analysis focuses on potential health risks associated with activity occurring on the project site during the construction phase.

The nearest potential sensitive receptors to the project site include the Cherry Orchard Apartments located immediately north and the Fall River Terrace residences located immediately south of the project site. Additionally, Cumberland Elementary School is located approximately 0.5 miles west and Valley Health Center hospital is located approximately 0.6 miles east of the project site. It is anticipated that the project would be constructed over a period of about six months, and would involve the use of standard diesel-powered construction equipment associated with demolition and building construction in an urban area (refer to Appendix A for the list of default construction equipment assumed by CalEEMod, as well as anticipated daily operation hours required to construct the project within the 12-month construction phase). The analysis is based on these environmentally conservative default assumptions; most construction projects employ fleets that have more modern, cleaner

engines (e.g., Tier 3 or higher), as required in Mitigation Measures AQ-2, and filters that are reflected in the default assumptions. Table 4, Maximum Daily Construction PM<sub>2.5</sub> Exhaust Emissions, shows the maximum daily emissions of PM<sub>2.5</sub> exhaust on-site during each phase of project construction, as well as the anticipated length of each phase of construction in working days.

**Table 4 – Maximum Daily Construction PM<sub>2.5</sub> Exhaust Emissions**

Construction Phase	On-Site PM <sub>2.5</sub> Exhaust (lbs/day) <sup>1</sup>	Duration (days)
Demolition	0.8	25
Site Preparation	1.5	3
Grading	1.9	8
Building Construction	0.8	21
Paving	0.7	10
Architectural Coating	0.2	16
PM <sub>2.5</sub> = particulate matter 2.5 microns in diameter or less.		
Notes:		
1. Emissions were calculated using CalEEMod.		
Source: Rincon, Oppidan Online Ordering Grocery Store Project Air Quality Study, June 2016.		

As shown in Table 4, on-site emissions of PM<sub>2.5</sub> exhaust would not exceed 1.9 lbs/day during construction of the project, and would not be expected to exceed 0.8 lbs/day for a period in excess of 20 days. As described in Section 3.2(a) of this report, Short-Term Construction Impacts, on-site and overall emissions of PM<sub>2.5</sub> would be far below the applicable BAAQMD regional threshold of 54 lbs/day during the construction period (refer to Table 2). In addition, the project vicinity is not an area where vertical and/or horizontal mixing is substantially limited (e.g., a tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway). Accordingly, dispersal of on-site emissions is not substantially limited. Because PM<sub>2.5</sub> emissions would be relatively low compared to the applicable BAAQMD regional threshold, and because the construction period would be well under one year (approximately six months), short-term emissions of PM<sub>2.5</sub> during the construction period would not reasonably be expected to result in an exceedance of the BAAQMD's annual average PM<sub>2.5</sub> concentration threshold of 0.3 µg/m<sup>3</sup> or the BAAQMD's cumulative annual average PM<sub>2.5</sub> concentration threshold of 0.8 µg/m<sup>3</sup>. Implementation of BAAQMD recommended dust and emission control BMPs would further reduce diesel PM exhaust emissions. Mitigation Measure AQ-1 requires that the dust control and other BMPs put forth by the BAAQMD are implemented during construction of the project. With the implementation of the BAAQMD-recommended BMPs pursuant to Mitigation Measure AQ-1, the construction of the project would not result in substantial emissions of PM<sub>2.5</sub>, and the impact associated with construction-period localized pollutant concentrations would be less than significant.

## Operations

The proposed grocery store would require up to four truck deliveries with transportation refrigeration units (TRU) per day that would generate TACs that could pose a possible risk to off-site uses. The BAAQMD’s Recommended Methods for Screening and Modeling Local Risks and Hazards (May 2011) was used to complete a screening-level health risk assessment. The BAAQMD recommends a two-tiered approach for screening-level health risk assessments: a screening-level analysis of project emissions using generally over-predictive assumptions and if the predicted health risk is not within acceptable levels, then more detailed dispersion modeling is necessary.

A screening-level individual cancer analysis was conducted to determine the maximum PM<sub>2.5</sub> concentration from diesel exhaust. This concentration was combined with the DPM exposure unit risk factor to calculate the inhalation cancer risk from project-related truck deliveries and idling at the closest sensitive receptors. The EPA AERMOD air dispersion model was used to evaluate diesel exhaust concentrations. The technical study and model output for this analysis is included in Appendix B, Health Risk Assessment. Based upon the results of the analysis, the calculated risk would be 1.19 in one million, which is below the Cancer Risk Threshold of 10 in one million. Additionally, operational emissions would not exceed the Chronic and Acute Hazard Index Threshold of 1.0. Therefore, the project would not result in a health risk related impacts.

*(e) Odors*

**Less Than Significant Impact.** According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project proposes a grocery retail store and does not include sources of food odors from food preparation, cooking, or baking, or any uses identified by the BAAQMD as being associated with odors.

Construction activity associated with the project may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short-term in nature and cease upon project completion. Any impacts to existing adjacent land uses would be short-term and are considered less than significant.

**Biological Resources**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>4. BIOLOGICAL RESOURCES. Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

*(a) Special-Status Species*

**No impact.** The project site has been previously developed as an existing OSH store and parking areas. All native vegetation has been removed from the site. The proposed footprint for the proposed store would be partially within the footprint of the existing OSH store and the remainder of the store would be within the existing parking lot area. No impacts to sensitive or special status species would occur. For this reason, the project would not result in any significant impacts related to habitat modifications or adverse impacts on sensitive plant and animal species. The project would have no impact on biological resources and no further study is necessary.

*(b) Riparian habitat or sensitive communities*

**No impact.** See response to IV(a) above. No new impacts, changes in circumstances, or new information related to the proposed project has been identified that would result in an impact on riparian habitat or other sensitive natural community. The project would have no impact on biological resources and no further study is necessary.

*(c) Wetlands*

**No impact.** The project areas do not contain any wetland areas including federally protected wetlands. Therefore, the project would not remove, fill, or hydrologically interrupt federally protected wetlands and no impact would occur and no further study is necessary.

*(d) Fish and wildlife*

**Less Than Significant with Mitigation Incorporated.** See response to IV(a) above. The project area is located in a highly urbanized area, is an existing commercial area that have been previously developed as parking areas, has been previously approved for development, does not contain nor provide corridors for resident or migratory wildlife. Furthermore, the project site is not a native wildlife nursery site because the project site does not grow native plants that are sold or distributed for planting in other areas. The project would not impede the use of any wildlife nursery sites because no wildlife nursery sites are located on the adjacent properties or in the surrounding vicinity. Therefore, the project would not interfere with wildlife species movement or with established wildlife corridors or nursery sites.

However, existing landscaping and structures on the project site could provide nesting habitat for non-special-status migratory birds and raptors. A nesting bird impacts analysis was prepared for the project and is included in Appendix C. If construction occurs during the breeding season (generally between February 1 to September 15), demolition and construction activities (e.g., tree and shrub removal, excavation, grading) that occur within the Project area could disturb or remove occupied nests of non-special-status migratory birds and raptors. This disturbance could cause nest abandonment and subsequent loss of eggs or developing young at active nests located in or near the project area. This impact is considered significant because the project could result in a substantial adverse effect (through loss of eggs or young) on species (migratory birds and raptors) that are protected by the MBTA and California Fish and Game Code Sections 3503 and 3503.5. Implementation of Mitigation Measure BIO-1 would reduce this impact to less than significant.

*(e) Conflict with local policies or ordinance include tree preservation*

**No impact.** See response to IV(a) above. The project is required to comply with the City's Tree Protection Ordinance (Sunnyvale Municipal Code 19.94) for trees that have been identified as protected. Protected trees that are removed during project construction shall be replaced with a specimen tree of at least a 36-inch box size tree. Therefore, the project would have no impact on biological resources as a result of conflicts with local policies and ordinances protection biological resources.

*(f) Conflict with adopted habitat conservation or natural community conservation plans*

**No impact.** There are no adopted local, regional or state habitat conservation plans that apply to the project site. Therefore, the proposed project would result in no impact related to conflicts with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No mitigation is required.

Biological Resources Cumulative Impacts

The project site has been previously developed as an existing OSH store and parking areas and does not support any sensitive plant or animal species. Future individual projects within the City affecting biological resources would be subject to technical review and would be required to comply with applicable requirements associated with protecting biological resources. Additionally, the project site does not have habitat conditions in which sensitive plant or animal species would occur. The proposed project's contribution to impacts on biological resources in combination with other past and future projects would be less than cumulatively considerable. Future development projects in the area would be required to comply with all standard regulatory requirements. Thus, the proposed project plus related cumulative projects would result in less than significant cumulative impacts to biological resources. Therefore, the proposed project would not have a cumulatively considerable impact on biological resources.

*Mitigation Measure – Biological Resources*BIO-1 Migratory Birds

Prior to the issuance of Grading Plans or improvement plans, the Project applicant shall demonstrate to the satisfaction of the Director of Community Development that the following notes are shown on the grading and improvement plans: All tree and building removal and initial grading of the site shall occur outside of the migratory bird and raptor breeding season (September 16 through January 31) unless the following requirements are implemented:

- If construction activities are scheduled to occur during the breeding season for non-special-status species (generally between February 1 to September 15)), a qualified wildlife biologist shall be retained to conduct the following focused nesting surveys, as follows:
  - Tree surveys shall be conducted within the Project site to look for nesting non-special-status migratory birds and raptors.
  - Surveys of all buildings shall be conducted to look for nesting non-special-status migratory birds and raptors.
  - The surveys shall be conducted between February 1 and September 15) and within one week prior to initiation of vegetation removal and ground disturbing activities.

- A summary report of the survey findings shall be submitted to the satisfaction of the Director of Community Development. If no active nests are detected during surveys, then no additional mitigation is required.
- If construction activities are scheduled to occur during the breeding season (generally between February 1 to September 15), and if surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer shall be established around the site to avoid disturbance or destruction of the nest site until after the breeding season, or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers shall be determined by a qualified wildlife biologist and shall depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed in order to make an appropriate decision on buffer distances. A summary report of the survey findings with the location of the active nests and required buffer distances shall be submitted to the satisfaction of the City Community Development Director.

**Cultural Resources**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

*(a) Historic resources*

**No impact.** There are no structures located on the existing parking area site that are greater than 50 years or that have been designated as potentially historical by the City's General Plan or any other list identifying historical properties. As per Title 14, California Code of Regulations Section 15064.5, a 'historical resources' is listed in, or eligible for listing in, the National Register of Historic Places or the Californian Register of Historic Resources or listed in a local register of historical resources or is determined by the lead agency when supported by substantial evidence, such as a cultural resource evaluation by a qualified or registered architectural historian. No 'historic resource' currently exists on the project site or within the immediate area of the site.

*(b) Archaeological resources*

**Less Than Significant with Mitigation Incorporated.** The proposed project site has been previously graded and developed with an existing OSH store and parking areas. However, the proposed project has the potential to impact unknown archaeological resources because grading activities may result in the discovery of unknown cultural resources that are buried beneath the ground surface. To reduce this potentially significant impact to a less than significant level, all construction related impacts of soil shall be monitored in accordance with **Mitigation Measure CULT-1**.

*Mitigation Measure – Cultural Resources*

**CULT-1 Unknown Cultural Resources.** If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. Consultation shall also include any Native American group that the archaeologist determines is culturally affiliated with the find. The parties shall determine whether preservation in place is feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space (i.e. landscaping); or capping and covering the resource. If avoidance is not feasible, as determined by the City, a qualified archaeologist, in consultation with the City, shall prepare and implement a detailed treatment plan. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals. Work may proceed on other

parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

**Mitigation Measure CULT-1** is included in this analysis as a way to protect unknown cultural resources that could be buried underneath the ground surface and would not be discovered until grading activities commenced for the proposed project. If no cultural resources are found during construction, none of the actions described in CULT-1 are required.

*(c) Paleontological/unique geological resources*

**Less Than Significant with Mitigation Incorporated.** The proposed development area has been previously developed as an existing OSH store and parking lots, and as such, do not contain any unique geologic features.

However, there is still a potential to uncover previously unknown paleontological resources that are buried beneath the ground surface during grading activities, particularly excavation. Impacts on significant paleontological resources are considered potentially significant and mitigation is required. The following mitigation measure would be required as a condition of approval for the proposed project.

*Mitigation Measure – Paleontological Resources*

**CULT-2 Paleontological Resources.** Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery, the City of Sunnyvale Community Development Department shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If any find is determined to be significant, representatives from the City and the paleontologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals. Work may proceed on other parts of the project site while mitigation for paleontological resources is being carried out.

Implementation of the above mitigation measure would reduce potentially significant impacts resulting from inadvertent damage or destruction to unknown paleontological resources located onsite during construction to a less than significant level.

*(d) Human remains*

**Less Than Significant Impact With Mitigation Incorporated.** The project sites are currently used parking areas and are not part of a formal cemetery or adjacent to a cemetery. Similar to

cultural and paleontological resources, the potential exists for accidental discovery of unknown human remains that exist below the ground surface and would only be discovered during grading activities.

State CEQA Guidelines Section 15064.5, subdivision (e) requires that excavation activities be stopped whenever human remains are uncovered and that the county coroner be called in to assess the remains. If the county coroner determines that the remains are those of Native Americans, the Native American Heritage Commission must be contacted within 24 hours. At that time, the lead agency must consult with the appropriate Native Americans, if any, as timely identified by the Native American Heritage Commission. Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

In addition to the mitigation provisions pertaining to accidental discovery of human remains, the State CEQA Guidelines also require that a lead agency make provisions for the accidental discovery of historical or archaeological resources, generally. Pursuant to Section 15064.5, subdivision (f), these provisions should include “an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place.”

The mitigation measure proposed in **CULT-3** is included in this analysis to reduce and minimize potential impacts on human remains should they be discovered during construction activity.

#### *Mitigation Measure – Cultural Resources*

**CULT-3 Human Remains.** If human skeletal remains are uncovered during construction, the construction contractor shall immediately halt work within 50 feet of the find, contact the Santa Clara County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. If the County Coroner determines that the remains are Native American, the project applicant shall contact the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the construction contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the project applicant has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

No known human remains have been identified onsite, however, this mitigation measure is included as a way to protect previously undiscovered human remains that could be buried

underneath the ground surface and would not be discovered until grading activities commenced for the proposed project. If no human remains are found during construction, none of the actions described in CULT-3 are required. For these reasons, potential impacts are considered less than significant with mitigation incorporated.

### Cultural Resources Cumulative Impacts

The chances of cumulative impacts occurring as a result of the proposed project implementation plus implementation of other projects in the region is not likely since all proposed projects would be subject to individual project level environmental review. The proposed project would implement **Mitigation Measures CULT-1, CULT-2, and CULT-3**. Project-related impacts would be less than significant with the incorporation of previously identified measures tailored to the project site. Due to existing laws and regulations in place to protect historical and cultural resources to prevent significant impacts to paleontological resources and human remains, no significant cumulative impacts are expected when the impacts of all other relevant projects are combined. In any event, the potential incremental effects of the proposed project would not be cumulatively considerable.

### Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>6. GEOLOGY AND SOILS. Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as 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?			X	
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) 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?		X		
d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

*(a) Exposure to adverse effects**(i) Earthquake fault rupture*

**Less Than Significant Impact.** The San Francisco Bay Area is one of the most seismically active regions in the United States. The significant earthquakes that occur in the Bay Area are generally associated with crustal movement along well-defined active fault zones of the San Andreas Fault system, which regionally trend in a northwesterly direction. The Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone (formerly known as a Special Studies Zone), or a Santa Clara County Fault Rupture Hazard Zone. Since no known surface expression of active faults crosses the site, fault rupture through the site is not anticipated, and the potential impact from fault rupture would be considered less than significant.

*(ii) Ground shaking*

**Less Than Significant With Mitigation Incorporated.** Ground shaking is the cause of most damage during earthquakes. The degree of shaking that would be expected at a particular site is dependent on the distance from the earthquake source, the magnitude of the earthquake, and the type, thickness, and condition of the geologic materials (bedrock, sediment, soil, fill). In accordance with the CBC, applicants for a building permit are required to determine the appropriate seismic design criteria for the proposed structures on the basis of soil type, the magnitude of the controlling seismic event, slip rate of the nearest fault, and distance to the nearest active fault. The structural design for the proposed structures would be based on Chapter 16 of the 2013 CBC, which provides criteria for the seismic design of buildings. They are established based on a series of tables and figures provided in Chapter 16 of the CBC that

address different site factors, including the soil profile in the upper 500 feet below grade and mapped spectral acceleration parameters based on distance to the controlling seismic source/fault system. As such, the applicant's geotechnical report would provide recommendations regarding the project design to account for the site specific soil conditions.

The following mitigation measure is included to ensure that the recommendations of the final geotechnical report are incorporated into the project grading and building plans.

*Mitigation Measure – Geology and soils*

**GEO-1 Geotechnical Recommendations.** Prior to the issuance of a grading permit or improvement plans in lieu of a grading permit, and building plans the applicant shall:

Demonstrate to the satisfaction of the City Engineer, that the recommendations of the project geotechnical report have been incorporated into the project grading and building plans.

With the incorporation of the **Mitigation Measure GEO-1**, review and enforcement of these site specific geotechnical design measures would occur during the grading permit and building permit process when design plans would be reviewed by City Staff. Therefore, potential impacts are considered less than significant with the incorporation of mitigation.

*(iii) Liquefaction*

**Less Than Significant with Mitigation Incorporated.** Potential impacts from an unstable geologic unit or liquefaction are considered less than significant because engineering practices that take into consideration the project specific soil properties would be incorporated into the project design. Implementation of **Mitigation Measure GEO-1** would reduce potential impacts to less than significant with mitigation incorporated.

*(iv) Landslides*

**No impact.** The project site is mostly flat and is not located near an existing hillside or sloped area. The risk of ground instability is reduced by adhering to relevant California Building Code requirements for grading and building design. As such, no impact from landslides on the project have been identified.

*(b) Soil erosion*

**Less Than Significant Impact.** The project is subject to Provision C3 of the Municipal Regional Stormwater Permit Order No, R2-2009-0074 and the project applicant must submit a Stormwater Management Plan per Sunnyvale Municipal Code 12.60.140 prior to the issuance of a building permit. These measures would be enforced by City staff during the review process of the project grading plans. Implementation of these measures was required to ensure that the potential for soil erosion would be reduced or avoided and as a result, potential impacts are considered to be less than significant.

*(c) Unstable soil*

**Less Than Significant with Mitigation Incorporated.** With the incorporation of **Mitigation Measure GEO-1** discussed above, potential impacts from an unstable geologic unit or soil type are considered less than significant because engineering practices that take into consideration the project specific soil properties recommended in the project geotechnical report would be incorporated into the project design. Therefore, potential impacts are considered less than significant with mitigation incorporated.

*(d) Expansive soil*

**Less Than Significant with Mitigation Incorporated.** Expansive soils are generally high in clays or silts that shrink or swell with variation in moisture. If present and not properly treated, expansive soils may damage structures, either through heaving, tilting, or cracking of building foundations. Implementation of **Mitigation Measure GEO-1** would reduce potential impacts due to expansive soils to a less than significant because engineering practices that take into consideration the project specific soil properties would be incorporated into the project design. Therefore, potential impacts are considered less than significant with mitigation incorporated.

*(e) Soil capability to support septic tanks or alternative wastewater disposal systems where sewers are not available*

**No impact.** The proposed project does not propose nor require the use septic tanks or alternative wastewater disposal systems.

**Geology and Soils Cumulative Impacts**

The potential cumulative impact related to geology and soils is typically site specific. The analysis herein determined that the proposed project would not result in any impacts related to landform modification, grading, or the destruction of a geologically significant landform or feature with the implementation of the proposed project. Moreover, existing state and local laws and regulations are in place to protect people and property from substantial adverse geological and soils effects, including fault rupture, strong seismic groundshaking, seismic-induced ground failure (including liquefaction), and landslides. **Mitigation Measure GEO-1** requires the project grading design to incorporate geotechnical recommendations to address site specific soil conditions. Existing laws and regulations also protect people and property from adverse effects related to soil erosion, loss of topsoil, development on an unstable geologic unit or soil type that could result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse, or on expansive soils. As a result, the existing legal and regulatory framework would ensure that the incremental geological and soils effects of the proposed project would not result in greater adverse cumulative effects when considered together with the effects of other past, present, and reasonably foreseeable future projects in the region. The impacts of the proposed project related to geology and soils would be less than cumulatively considerable.

**Greenhouse Gas Emissions**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>7. GREENHOUSE GAS EMISSIONS. Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

*(a) Generate greenhouse gas (GHG) emissions*

**Less Than Significant Impact.****Global Climate Change**

California is a substantial contributor of global greenhouse gases (GHGs), emitting over 400 million tons of carbon dioxide (CO<sub>2</sub>) per year.<sup>4</sup> Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit (°F) over the next century. Methane (CH<sub>4</sub>) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO<sub>2</sub>, CH<sub>4</sub>, and nitrous oxide (N<sub>2</sub>O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO<sub>2</sub> concentrations ranged from 180 parts per million (ppm) to 300 ppm. For the period from approximately 1750 to the present, global CO<sub>2</sub> concentrations increased from a

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<sup>4</sup> California Energy Commission, California Greenhouse Gas Inventory for 2000-2013, June 30, 2015.

pre-industrialization period concentration of 280 ppm to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range.

### Regulations and Significance Criteria

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO<sub>2</sub>eq)<sup>5</sup> concentration is required to keep global mean warming below 2 degrees Celsius (°C), which in turn is assumed to be necessary to avoid dangerous climate change.

Executive Order S-3-05 set forth a series of target dates by which statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Assembly Bill (AB) 32 requires that the California Air Resources Board (CARB) determine what the statewide GHG emissions level was in 1990, and approve a statewide GHG emissions limit that is equivalent to that level, to be achieved by 2020. CARB has approved a 2020 emissions limit of 427 million metric tons (MMT) of CO<sub>2</sub>eq.

Due to the nature of global climate change, it is not anticipated that any single development project would have a substantial effect on global climate change. In actuality, GHG emissions from the proposed project would combine with emissions emitted across California, the United States, and the world to cumulatively contribute to global climate change.

In June 2008, the California Governor's Office of Planning and Research (OPR) published a Technical Advisory, which provides informal guidance for public agencies as they address the issue of climate change in California Environmental Quality Act (CEQA) documents.<sup>6</sup> This is assessed by determining whether a proposed project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan which includes nine Early Action Measures (qualitative approach). The Attorney General's Mitigation Measures identify areas where GHG emissions reductions can be achieved in order to achieve the goals of AB 32. As set forth in the OPR Technical Advisory and in the proposed amendments to the CEQA Guidelines Section 15064.4, this analysis examines whether the project's GHG emissions are significant based on a qualitative and performance based standard (CEQA Guidelines Section 15064.4(a)(1) and (2)).

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<sup>5</sup> Carbon Dioxide Equivalent (CO<sub>2</sub>eq) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

<sup>6</sup> Governor's Office of Planning and Research, *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*, 2008.

### Bay Area Air Quality Management District Thresholds

The Bay Area Air Quality Management District's (BAAQMD's) approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute considerably to a significant cumulative impact. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the proposed project would result in a cumulatively considerable contribution to a cumulatively significant impact to global climate change.

Table 5, *Bay Area Air Quality Management District GHG Thresholds*, presents the project-level thresholds for GHG emissions. It should be noted that the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, the BAAQMD recommends quantification and disclosure of construction GHG emissions. The BAAQMD also recommends that the Lead Agency should make a determination on the significance of these construction generated GHG emission impacts in relation to meeting AB 32 GHG reduction goals, as required by the Public Resources Code, Section 21082.2. The Lead Agency is encouraged to incorporate best management practices to reduce GHG emissions during construction, as feasible and applicable.

Exercising its own discretion as lead agency, the City of Sunnyvale relies on the thresholds within the Options and Justification Report (dated October 2009) prepared by the BAAQMD. The BAAQMD Options and Justification Report establishes thresholds based on substantial evidence and are consistent with the thresholds outlined in the 2010 CEQA Air Quality Guidelines. These recommendations still represent the best available science on the subject of what constitutes significant air quality and/or GHG effects for this project. Therefore, the BAAQMD's thresholds are used to analyze the project's GHG impacts on climate change. In addition, the discussion of the project's compliance with the local Climate Action Plan (impact VII.b) is incorporated by reference and also supports the conclusion that impacts will be less than significant.

Table 5 – Bay Area Air Quality Management District GHG Thresholds

Project Type	Construction-Related	Operational-Related
Projects other than Stationary Sources <sup>1</sup>	None	Compliance with Qualified Climate Action Plan OR 1,100 MTCO <sub>2</sub> eq/yr. OR
Stationary Sources <sup>1</sup>	None	10,000 MTCO <sub>2</sub> eq/yr.
MTCO <sub>2</sub> eq/yr. = metric tons of carbon dioxide equivalent per year		
Notes:		
<p>1. According to the BAAQMD CEQA Guidelines, a stationary source project is one that includes land uses that would accommodate processes and equipment that emit GHG emissions and would require a BAAQMD permit to operate. Projects other than stationary sources are land use development projects including residential, commercial, industrial, and public uses that do not require a BAAQMD permit to operate.</p> <p>2. SP = service population (residents + employees)</p> <p>3. 2010/2011 BAAQMD CEQA Guidelines (p. D-22) indicate that this threshold can be applied to all project types (residential or commercial/retail only and mixed use).</p>		
Source: Bay Area Air Quality Management District, <i>Options and Justification Report</i> , October 2009 and Bay Area Air Quality Management District, <i>CEQA Air Quality Guidelines</i> , May 2011.		

### City of Sunnyvale Climate Action Plan

In May 2014, the City of Sunnyvale prepared a Climate Action Plan (CAP) to streamline future environmental review of development projects in Sunnyvale by following the CEQA Guidelines and meeting the BAAQMD expectations for a Qualified GHG Reduction Strategy. The CAP would also identify how the City would achieve the state-recommended GHG emission reduction target of 15 percent below 2008 levels by the year 2020 (equivalent to 1990 emissions). The CAP provides goals and associated measures (reduction measures), in the sectors of energy use, transportation, land use, water, solid waste, and off-road equipment. Implementation of the CAP would reinforce and build upon these policies and programs to proactively reduce GHG emissions. The CAP includes the following:

- A GHG emissions inventory. The emissions sources calculated in the baseline GHG inventory include commercial, residential, and industrial electricity and natural gas use, on-road transportation, solid waste disposal, energy use and direct process emissions related to water and wastewater, and off-road equipment use for construction and lawn and garden activities. GHG emissions from these activities were calculated from activity data such as kilowatt hours of electricity, therms of natural gas, tons of waste disposed, and vehicle miles traveled (VMT) from trips with an origin or destination in Sunnyvale. The GHG emissions inventory utilizes a baseline year of 2008. In 2008, the community emitted approximately 1,270,170 metric tons of carbon dioxide equivalents (MT CO<sub>2</sub>e).
- GHG emission projections through year 2035 (consistent with target date set by Senate Bill [SB] 375). The projections rely on the Sunnyvale General Plan projections of housing, population, employment, and VMT projections within the City for 2020 (per SB 32) and

2035 (per SB 375). Based on projected growth, annual emission forecasts under “business as usual” conditions (no application of GHG reduction measures) are estimated at 1,810,160 MTCO<sub>2</sub>e by 2035 (43 percent increase).

- Identification of reduction targets. The City’s adopted CAP GHG reduction targets is to meet 15 percent below baseline levels by 2020 and progress toward the 80 percent below 1990 levels by 2050 baseline levels by 2020.
- Application of reduction strategies from CAP. The CAP reduction strategies quantify a diverse mix of regulatory and incentive-based programs. The reduction strategies aim to reduce GHG emissions from each source to avoid reliance on any one strategy or sector to achieve the target. The reduction strategies are separated by topic area to correspond with the different sectors of GHG emissions as follows: Open Space and Urban Forestry; Decrease Energy Consumption; Provide a Sustainable Energy Portfolio; Decrease Water Consumption; Reduce Landfilled Waste; Reduce Off-Road Equipment Emissions; Increase and Retain Awareness of Sustainability Issues; Improve Mobility Through Land Use Planning; Expand Sustainable Circulation and Transportation Options; and Optimize Vehicular Travel.
- Providing a GHG Emission Reduction Summary. Based on application of the reduction strategies and projected growth, estimated annual emissions can be reduced by 434,890 MTCO<sub>2</sub>e by 2020 and 649,210 MT CO<sub>2</sub>e by 2035.
- Implementation of adaptation measures from CAP. There are two types of adaptation measures: operational changes and increases to adaptive capacity. Operational measures assess climate change vulnerabilities and sensitive populations on a regular basis. They also address climate change adaptation in planning and public safety documents. Adaptive capacity measures are strategies that help prepare for and adjust to the impacts of climate change.
- Monitor progress through an Implementation Program. The implementation program outlines a path for the City to monitor progress and summarizes the GHG reductions that would occur through the implementation of the CAP.

#### City of Sunnyvale Green Building Program

The City Council adopted a green building program which became effective on January 1, 2010. On October 1, 2012, modifications were made to the program with new residential requirements. The following steps are needed to comply with the City’s green building program:

- Identify Minimum Standards: Minimum standards are based on the type of project and scope of work. Refer to the tables on the reverse side of this brochure to determine green building checklist requirements, level of achievement, and verification necessary for various types of projects.

- **Submit Building Permit Plans:** Building permit plans shall include the appropriate checklist on a plan sheet. All required/selected green building items shall be incorporated in the plans.
- **Verification of Green Building Measures:** City staff verification will be part of the regular plan review and inspection process. Green Point Rater/Leadership in Energy and Environmental Design (LEED) Accredited Professional (AP) verification requires the project LEED AP to provide a letter that states the project is designed to achieve the minimum points required. A similar letter, based on the actual construction, is required before occupancy/final inspection.

USGBC Certification verification is achieved by providing a letter prior to permit issuance that states, as designed, the plans will achieve the minimum points required and that the project has been registered with the USGBC. A similar letter is required before occupancy/final inspection and based on the actual construction and stating when the project will be submitted to the USGBC.

Incentives are offered for projects that exceed the minimum green building standards and are offered to encourage project applicants and developers to provide additional green building features. Projects that add additional buildings of floor area to an existing site, qualify for the incentive if all buildings at the existing site meet the incentive level through an applicable LEED program (i.e., new construction, core and shell, commercial interiors, existing buildings). The LEED standard for the existing buildings shall be met prior to occupancy of the new buildings.

### Project Impacts

The proposed project would result in direct and indirect emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub>, and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources, while indirect sources include emissions from electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. Project related GHG emissions were quantified with the California Emissions Estimator Model (CalEEMod), as recommended by the BAAQMD. CalEEMod relies upon vehicle trip rates and project specific land use data to calculate emissions. The project proposes to replace a 6,100 SF OSH customer pick-up facility with an 11,600 square foot building that would operate as a take-out grocery store with approximately 45 parking spaces, and a forecast trip generation of approximately 978 daily trips. **Table 6, Combined Annual Emissions of Greenhouse Gases**, presents the estimated CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> emissions of the proposed project. CalEEMod outputs with the GHG emissions data are contained within Appendix A.

**Table 6 –Combined Annual Emissions of Greenhouse Gases**

<b>Emission Source</b>	<b>Annual Emissions</b>
<b>Amortized Construction</b>	2.5 MT CO <sub>2</sub> e
<b>Operational</b>	
Area	<0.1 MT CO <sub>2</sub> e
Energy	252.2 MT CO <sub>2</sub> e
Solid Waste	60.8 MT CO <sub>2</sub> e
Water	10.2 MT CO <sub>2</sub> e
<b>Mobile</b>	
CO <sub>2</sub> and CH <sub>4</sub>	465.8 MT CO <sub>2</sub> e
N <sub>2</sub> O	10.2 MT CO <sub>2</sub> e
<b>Total</b>	<b>815.8 MT CO<sub>2</sub>e</b>

#### Direct Project-Related Sources of Greenhouse Gases

- Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 25 years, the assumed life of the project), then added to the operational emissions. It is noted that the BAAQMD has not adopted thresholds for GHGs associated with construction activities, but recommends that they are quantified and disclosed.
- Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. As noted in Table 6, the proposed project would result in negligible (0.10 MTCO<sub>2</sub>eq/yr) area source GHG emissions.
- Mobile Source. The project specific daily trips generation rates from the project Traffic Study was used to calculate mobile source emissions. The proposed project would directly result in 4,76 MTCO<sub>2</sub>eq/yr of mobile source-generated GHG emissions; refer to Table 6.

#### Indirect Project-Related Sources of Greenhouse Gases

- Energy Consumption. Energy consumption emissions were calculated using CalEEMod and project-specific land use data. Electricity would be provided to the project site via Pacific Gas and Electric Company (PG&E). The project would indirectly result in 252.2 MTCO<sub>2</sub>eq/year due to energy consumption; refer to Table 6.
- Solid Waste. Solid waste associated with operations of the proposed project would result in 60.8 MTCO<sub>2</sub>eq/year; refer to Table 6.
- Water Demand. The project operations would result in a demand of approximately 3.75 million gallons of water per year. Emissions from indirect energy impacts due to water supply would result in 10.2 MTCO<sub>2</sub>eq/year; refer to Table 6.

#### Total Project-Related Sources of Greenhouse Gases

As shown in Table 6, the total amount of project-related GHG emissions from direct and indirect sources combined would total 815.8 MTCO<sub>2</sub>eq/yr. As such, the project's GHG emissions

would be below the BAAQMD's 1,100 MTCO<sub>2</sub>eq/yr threshold. Therefore, emissions would not exceed the GHG significance threshold of 1,100 MTCO<sub>2</sub>eq/yr, and a less than significant impact would occur. An alternate analysis was conducted to compare the annual, un-amortized emissions to the BAAQMD bright-line threshold. GHG emissions over the six-month construction period were added to a six-month period of operational GHG emissions to arrive at total annual emissions for the first year of the project. The construction emissions of 62.5 MT CO<sub>2e</sub>, plus half of the operational annual emissions totals approximately 457 MT CO<sub>2e</sub>, which is less than the BAAQMD bright line threshold of 1,100 MT CO<sub>2e</sub>.

*(b) Conflict with GHG plans or regulations*

**Less Than Significant Impact.**

In May 20, 2014, the City of Sunnyvale adopted their Final CAP, which provides goals and associated reduction measures in the sectors of open space and urban forestry, energy use, transportation and mobility, land use, water, solid waste, and off-road equipment. [Table 7, Project Consistency with the CAP](#), discusses the project's consistency with the applicable CAP reduction measures.

As shown in [Table 7](#), the proposed project would be consistent with the applicable CAP reduction measures. Thus, the project would help implement the CAP, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. A less than significant impact would occur in this regard.

Cumulative Impacts

As stated above, the proposed project would not result in a significant impact regarding GHG emissions. It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory.<sup>7</sup> GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.<sup>8</sup> The additive effect of project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the proposed project as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would further reduce GHG emissions. This includes adherence to all federal, state, and local policies adopted for the purpose of reducing GHG emissions. The proposed project would result in a less than significant impact regarding GHG emissions. Therefore, the proposed project's cumulative GHG emissions would be considered less than significant.

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<sup>7</sup> California Air Pollution Control Officers Association, CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, 2008.

<sup>8</sup> Ibid.

Table 7 – Project Consistency with the CAP

Strategy	Project Consistency
<b>Decrease Building Energy Consumption</b>	
<b>EC-1: Lighting Efficiency.</b> Increase the use of efficient indoor and outdoor lighting technologies.	<b>Consistent</b> The project would be required to comply with Title 24 energy efficiency standards and would incorporate light emitting diode (LED) lights on the inside of the building. In addition, the streetlights included in the project would also incorporate LED lights which are more efficient than traditional lighting methods.
<b>EC-2: New Construction And Remodels.</b> Require green building practices in new residential and commercial development and remodels.	<b>Consistent</b> The project would comply with the City's Green Building Program and the City of Sunnyvale Municipal Code Chapter 19.39, Green Building Regulations, which implements sustainable development with development and construction practices.
<b>Decrease Water Consumption</b>	
<b>WC-2:</b> Reduce indoor and outdoor potable water use in residences, businesses, and industry.	<b>Consistent.</b> The project would comply with all applicable regulations and ordinances, including the State Landscape Ordinance and CalGreen standards as well as City of Sunnyvale Municipal Code Chapter 12.34, Water Conservation Restrictions, which require water use restrictions.
<b>Off-Road Equipment</b>	
<b>OR-2: Construction Equipment.</b> Reduce emissions from heavy-duty construction equipment by limiting idling and utilizing cleaner fuels, equipment, and vehicles.	<b>Consistent.</b> The project would be required to comply with Bay Area Air Quality Management District Basic Construction Mitigation Measure which includes dust control procedures such as limiting idling on-site vehicle speeds, minimizing idling times by shutting equipment off when not in use or reducing the maximum idling time to two minutes, and ensuring all construction equipment be properly maintained and tuned in accordance with manufacturer's specifications.
<b>Improve Mobility Through Land Use Planning</b>	
<b>LUP-3: Local Commerce and Food.</b> Increase the amount of locally generated and consumed goods in order to decrease the need for travel and promote healthier communities.	<b>Consistent.</b> The project proposes a take-out grocery store that places locally generated and commonly used consumer goods and services in proximity to nearby residential and commercial uses.
<b>LUP-5 Distributed Services.</b> Encourage the wider distribution of commonly used facilities and services in order to reduce the need for or length of vehicular trips to and from places of work and residence.	<b>Consistent.</b> Refer to LUP-3 Response.
<b>Optimize Vehicular Travel</b>	
<b>OVT-3: Circulation Efficiency.</b> Improve the flow and efficiency of vehicular traffic throughout the city to avoid idling and reduce fuel consumption.	<b>Consistent.</b> The project is designed to efficiently circulate traffic through the site by scheduling a maximum of approximately 40 pick-ups during the peak hours and requiring each vehicle to turn their engine off instead of idling in the waiting area at all times.
Source: PMC, City of Sunnyvale Climate Action Plan, adopted May 20, 2014.	

## Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) 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?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

*(a) Hazard through transport/use/disposal of hazardous materials*

**Less Than Significant Impact.** The major transportation route in proximity to the project site is El Camino Real. Transportation accidents involving hazardous materials could occur on any of the routes that would be utilized within the City, including Sunnyvale-Saratoga Road and South Mathilda Avenue, which provide access to the project site.

The proposed project would be developed as a grocery store and parking area, and is not expected to transport, use, or dispose of significant amounts of hazardous materials. Once the proposed project is constructed, hazardous materials would be limited to those associated with property maintenance and building operations, similar to the existing buildings in the surrounding area. These include common landscaping fertilizers, pesticides, paint, solvent, and petroleum products. Because these materials would be used in limited quantities, they are not considered a significant hazard to the public. Potential impacts associated with the proposed project are, therefore, considered less than significant.

*(b) Hazard through release of hazardous materials into the environment*

**Less Than Significant Impact With Mitigation Incorporated.** On behalf of Green Grocery, LLC, Moore Twining performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 for the Site located at 777 Sunnyvale Saratoga Road in the City of Sunnyvale and County of Santa Clara, California. The Phase I ESA was performed during June 2015. This Phase I Environmental Site Assessment is included in Appendix D. The standard for the Phase 1 ESA is ASTM E1527-13 which establishes the purpose of a Phase 1 as ensuring that good commercial and customary practice is employed to protect the user of the Phase 1 ESA from liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

The proposed project would replace 6,100 square feet of the OSH customer pick-up facility with a 11,600 square foot building that would operate as a take-out grocery store, and is not expected to transport, use, or dispose of significant amounts of hazardous materials. The Phase I ESA revealed no evidence of recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs) or historical recognized environmental conditions (HRECs) in connection with the site. The Phase I ESA did identify a Business Environmental Risk Consideration (BERC). A BERC does not represent a significant risk of contamination from the hazardous chemicals and/or wastes listed under CERCLA. Rather, they represent issues that a client may, as a business matter, wish to investigate further. The Phase I ESA identified the following BERC:

A review of historical documentation indicates that the site was occupied by an orchard from at least the late 1930s to the late 1960s. Therefore, there is a potential that environmentally persistent pesticides were applied to the site during this time. Because the site is reported to have been commercially developed since at least the early 1970s, the current potential impact to the site from these pesticides appears to be low. This BERC does not present an immediate significant hazard to the public or the environment, for the following reasons:

- The pesticide application that took place was prior to any large development in the area, and spanned across multiple properties in the area. The majority of the site has been paved, which removes the major exposure pathway. Risk of contamination of groundwater and stormwater is limited, as the pavement and buildings prevent infiltration and runoff. The historical agricultural use of the site and the associated chemical usage does not represent an REC but rather a BERCL due to the legal application of pesticides being exempt from CERCLA liability, as defined in the United States Health and Welfare Code Title 42, Chapter 103 (CERCLA), Subchapter I, Section 9607 (Liability), subsection (i).
- Moore Twining has performed multiple studies on historical agricultural land, with only a low percentage of these studies having concentrations of constituents of concern at levels above human health risk-based screening levels (RBSLs). The sole exception is arsenic, which commonly occurs naturally in California soils at levels above RBSLs. Common exposure pathways for these pesticides and heavy metals are inhalation and ingestion. The risk involved with regards to human health is for workers who will be interacting with the soil, whether tactilely or by breathing dust.
- The area subject to disturbance is a small portion of the project site, with the disturbed area comprising only 1.56 acres. This is a small project with a correspondingly small potential for disturbing soils.
- Much of the site was previously disturbed by agricultural uses and prior development. While specific information about the agricultural practices undertaken at the site are unknown, it is common at an agricultural site for the ground to have been tilled and disked, disturbing approximately the top two feet of soil. Similarly, the site is currently developed with structures and a parking lot, which means soils must have been disturbed during prior development. It is standard industry practice to remove all organic matter on the surface, to reach soil that is suitable for construction, which often results in removal of four to six inches of topsoil. Accordingly, the only areas where previously undisturbed soil is likely to be encountered is in the areas where grading activities will be conducted below the elevations disturbed previously. While it is possible that prior disturbance simply redistributed impacted soil, it is likely that at least some, if not most, of the contaminants that were present (if any) were already removed during the prior development.
- The project will be subject to the best management practices dictated by BAAQMD for dust control (see Mitigation Measure AQ-1) and by the State Water Resources Board for stormwater protection. These measures will help ensure that contamination at the site (if any) would not be disbursed into the air or released to stormdrains, but would instead either remain on the ground to be covered by new development, or hauled off site.

As explained in our Phase I ESA, even if pesticide contamination is present, it would not mean that the public or the environment would be harmed. Instead, as noted in the description of this BERCL quoted above, it would mean only that special handling would potentially be required during soil disturbance and during disposal, if required. Standard industry practices previously

mentioned, health and safety protocols would be maintained to assure that worker safety is priority. A licensed contractor will be hired to conduct the grading. The contractor will employ standard industry practices used as if pesticide and metal contamination was present in soil. In addition to the dust control measures previously mentioned, health and safety protocols would be maintained to assure that worker safety is priority. Workers will be required to wear gloves when handling soil, and will be required to wash their hands prior to eating. Soils that are to be off-hauled will be stockpiled and sampled prior to removal.

To ensure that any unknown hazardous materials will not cause offsite impacts, and that they are properly handled and disposed of Mitigation Measure HAZ-1 requires testing and proper disposal. Despite the low probability of the presence of contaminated soils, should they be detected through soil sampling, the project applicant will be required to handle and dispose of the soils in accordance with State requirements and industry standards, which require that contaminated wastes be hauled to a qualified, accepting facility. Currently, both the Altamont Landfill and the Kettlemen Hills Landfill are qualified and are accepting such wastes. Because of the low potential for the presence of pesticide contaminated soils at the project site and the implementation of Mitigation Measure HAZ-1, potential impacts are considered less than significant with mitigation incorporated.

#### *Mitigation Measure – Hazardous Materials*

**HAZ-1 Soils Testing and Disposal.** Prior to the issuance of a grading permit or improvement plans, the Project Applicant shall prepare and submit, to the satisfaction of the Community Development Director, a plan to test stockpiled soils prior to their export from the project site. The plan shall provide that soils samples shall be collected using industry-standard practices, tested for organochlorinated pesticides (OCPs) by EPA Method 8081 and for California Title 22 (CAM 17) Metals by EPA Method 6010, and disposed of only at a qualified facility, all as recommended by the applicant's environmental site assessment professional (Moore Twining Associates, Inc.) This plan, the conditions of which shall be incorporated into the first permit that includes ground disturbance, shall establish and describe procedures including, but not limited to: appropriate site control, sampling, remediation (if necessary), and disposal in accordance with applicable State and local requirements. In the event testing reveals unanticipated contaminants of concerns that exceed the California Human Health Screening Levels (CHHSLs) provided by the California Environmental Protection Agency, special handling procedures shall be implemented as directed by the environmental site assessment professional, which measures may include the use of dust masks during construction, dust control, and stockpile covering. The plan shall be amended, as necessary, to maintain the equivalent level of environmental protection, in the event new information becomes available that could affect the implementation of the plan.

Once the proposed project is constructed, hazardous materials would be limited to those associated with property maintenance and building operations, similar to other grocery store uses. These include common landscaping fertilizers, pesticides, paint, solvent, and petroleum

products. Because these materials would be used in limited quantities, they are not considered a significant hazard to the public. Potential impacts associated with the proposed project are, therefore, considered less than significant.

Based on the age of the existing building, the presence of asbestos containing materials (ACMs) is considered likely. Removal or disturbance of these structures may result in the airborne release of asbestos from ACMs. All asbestos-containing material found on the site must be removed prior to demolition or renovation activity in accordance with BAAQMD Regulation 11, Rule 2, including specific requirements for surveying, notification, removal, and disposal of material containing asbestos. Therefore, projects that comply with Regulation 11, Rule 2 would ensure that asbestos-containing materials would be disposed of appropriately and safely. As such potential impacts are considered to be less than significant.

*(c) Proximity of hazardous materials to schools*

**No impact.** No schools are presently located within one-quarter mile of the proposed project site. Any future school developed within the surrounding area would be subject to the oversight of the California Department of Toxic Substances Control, as required by State law. New school sites are required to be free of contamination or, if the properties were previously contaminated, they must be rehabilitated under DTSC's oversight. As a result, no impacts have been identified and no mitigation is required.

*(d) Located on noted hazardous materials site*

**Less Than Significant Impact.** The onsite address of 777 Sunnyvale Saratoga Road appears on the HAZNET and EMI databases due to its status as a hazardous materials generation and/or storage facility. According to information obtained from the EDR report and the current Hazardous Material Management Plan (HMMP) provided by the CSFP (dated February 25, 2105), materials stored at this address include aged or surplus organics, an unspecified solvent mixture and latex waste. Numerous 50 pound bags of fertilizers, 5-gallon cans of paint and water-proofing, and several 5-gallon containers of propane gas were observed inside and outside the warehouse building. Several pad-mounted transformers were observed on the site and appeared to be in good operating condition on the day of Moore Twining's Site reconnaissance. Solid waste appeared to be limited primarily to trash placed within several trash cans observed inside and outside the warehouse building. No staining, leakage, spills, or odors associated with these materials were found during this assessment.

Due to the reported age of the existing warehouse building, Moore Twining contracted ACC Environmental to conduct a hazardous building materials survey for the structure on the Site. All tested samples did not detect any hazardous building materials.

The findings of the Phase I ESA suggest that materials at the at the project site do not pose a significant hazard to the public or the environment. The assessment has revealed no evidence of recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs) or historical recognized environmental conditions (HRECs) in connection with the Site. Therefore, potential Impacts of hazardous materials are therefore less than significant.

*(e–f) Proximity to a public or private airport*

**No Impact.** The nearest airport is Moffett Federal Airfield located, approximately 2.5 miles north of the project site. The project area is not within the safety zones (or Comprehensive Land Use area) of the airfield. The project site is not located within an airport land use plan, nor within 2 miles of a public airport or public use airport. Therefore, no impact would result from implementation of the project and as such, no mitigation measures are required.

*(g) Impair implementation of an emergency response plan or emergency evacuation plan*

**No Impact.** The proposed project would not impair or physically interfere with an adopted emergency response or evacuation plan because the project does not include any actions that would interfere with emergency response and evacuation plan policies adopted by the City or other emergency agency responsible for emergency preparedness. Furthermore, primary access to all major roads would be maintained during construction of the proposed project. Therefore, no associated impacts would occur.

*(h) Expose people or structures to wildland fires*

**No Impact.** The project site is not located within a wildland urban interface zone. The proposed project would not expose people or structures to a risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas. The proposed project is located in an urban area, surrounded by existing development including mostly irrigated vegetation. The proposed project would not increase the risk of wildland fires. Therefore, the impact would be less than significant.

**Hazardous and Hazardous Materials Cumulative Impacts**

The incremental effects of the proposed project related to hazards and hazardous materials, if any, are anticipated to be minimal, and any effects would be site-specific. Therefore, the proposed project would not result in incremental effects to hazards or hazardous materials that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects.

## Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>9. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete 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 ground water table level (for example, 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)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow?				X

*(a) Violate water quality or waste discharge requirements*

**Less Than Significant Impact.** According to the Preliminary Grading and Drainage Plan prepared for the proposed project, potential water quality impacts could include short-term construction-related erosion/sedimentation and long-term operational stormwater discharge. If not managed properly, grading and construction activities could cause soils and other pollutants to enter the storm drain system. During heavy rains, this may degrade stormwater quality at downstream locations. To minimize water quality impacts associated with the proposed project, construction activities would be required to comply with a Storm Water Pollution Prevention Plan (SWPPP) consistent with the General Permit for Stormwater Discharge Associated with Construction Activity (Construction Activity General Permit). For operational activities, once the project construction is complete, the proposed project would implement Low Impact Development (LID) and Best Management Practices (BMP’s) per the City’s Municipal Regional Permit Oder Number R2-2009-0074, Provision C.3. The preliminary Stormwater Management Plan prepare for the project shows that the project includes a 1,500 square foot bio-retention area to detain stormwater. The biofiltration area consists of a landscaped area over a sandy loam soil to allow for surface water to infiltrate the soil to minimize the amount of pollutants that are carried offsite by stormwater flows. The biofiltration incudes and outlet pipe to discharge any overflow water into the existing stormdrain system.

At present, the entire project site (including OSH portion) has approximately 209,730 square feet of impervious surface area. Once the proposed project is developed, the site will contain 202,330 square feet of impervious area. As such the project will add 7,400 square feet of pervious area. The total amount of pervious surface area will increase from 8.2 percent to 11.4 percent. The decrease of impervious surfaces is expected to decrease runoff and therefore would not be expected to result in a significant change in downstream peak surface flows or runoff volumes from the project site. Therefore, potential impacts on water quality or waste discharge requirements are considered less than significant.

*(b) Substantially deplete or interfere with groundwater supplies*

**No Impact.** The proposed project would be supplied with water from the City municipal water supply and does not propose to use any groundwater. For this reason the proposed project would not use any groundwater resources or lower the local groundwater table. The project would incrementally decrease the amount of impervious area on the project site. The project design includes landscaped areas with biofiltration swales that are designed to collect surface water runoff and allow the water to infiltrate into the soil. Therefore, the project would have no impact on groundwater recharge.

*(c) Substantially alter existing drainage patterns and create erosion*

**No Impact.** The proposed project would not substantially alter the existing drainage patterns of the site or vicinity. The site does not include any streams or rivers, which could be altered by the proposed project resulting in substantial erosion and siltation on- or offsite. Surface water runoff would be collected in landscaped areas called biofiltration areas. The biofiltration areas are within the landscaped areas within the area proposed for development. The biofiltration areas are designed to allow surface water to infiltrate into the soil, rather than flow offsite. The infiltration process minimizes siltation and erosion offsite. As such, sedimentation would stay within the biofiltration area. Because the proposed project would not alter any existing streams or drainage patterns, and surface water runoff is controlled onsite, the proposed project would result in no potential impacts from erosion or siltation.

*(d) Alter drainage pattern and exceed runoff capacity*

**No Impact.** As described in Response IX(c) above, the proposed project would not substantially alter existing drainage patterns of the site or vicinity. An existing drainage course located offsite would not be altered by the proposed project. The site does not include any streams or rivers, which could be altered by the proposed project. Onsite surface run-off would be collected in proposed drainage facilities (bioretention areas and storm drains). The proposed project would provide detention and stormwater treatment systems to limit the release of stormwater from the site to pre-development conditions; thus, minimizing the potential for flooding to occur on- or offsite. Therefore, this project would have no impact on issues related to flooding.

*(e) Exceed runoff or storm drainage system capacity*

**Less Than Significant Impact.** The proposed stormwater control system is consistent with requirements on similar properties and proposes to direct drainage to public facilities and limit impact on adjacent properties. Although runoff from the proposed residence would be collected in a pipe system, storm flows would be discharged slowly into subsoils through the use of on-site biofiltration areas, protecting surface water quality. Design and sizing of on-site percolation areas would be subject to review and approval by the City, and such approval would reduce the potential for downstream flooding and erosion hazards. Potential impacts are considered less than significant.

*(f) Otherwise substantially degrade water quality*

**Less Than Significant Impact.** No significant impacts were found in regards to degrading water quality. No additional water quality impacts other than those described earlier in this section are anticipated. The proposed project is not anticipated to result in water quality impacts. Short-term impacts that could result from construction would be minimal and there are no long-term operational impacts on water quality. Thus, impacts in this regard would be less than significant.

*(g-h) Structures within 100-year flood hazard area*

**No impact.** The proposed project area is not located within a mapped 100-year flood hazard area and therefore no structures would be placed in such an area as part of the proposed project. Further, the project site is not located in, near, or next to a stream or watercourse that would be subject to flooding. Therefore, the project would not place housing within a flood hazard area and the project would have no impact with regards to flooding.

*(i) Hazards due to flood risk*

**No impact.** The proposed project area is not located within a 100-year floodplain or in a dam inundation risk area. The project would have no effect on flood flows. Therefore, no impact would occur.

*j) Inundation by seiche, tsunami, or mudflow*

**No impact.** The proposed project is not located in close proximity to an area subject to flooding due to tsunamis or seiches resulting in levee failure, and would not be subject to mudflows as a result of a seiche because the project is approximately 4 miles from the San Francisco Bay and approximately 125 feet higher in elevation. Additionally, due to the flat topography of the proposed project site, mudflows could not occur. As a result, no impact would occur.

Hydrology and Water Quality Cumulative Impacts

The potential impacts related to hydrology and storm water runoff are typically site specific and site specific BMPs are implemented at the project level. The analysis above determined that the implementation of the proposed project would not result in significant impacts. Therefore, the project would have no impact under most hydrology criteria, and therefore could not contribute toward a cumulative impact. In regards to project impacts that would be considered less than significant, such impacts are not expected to result in compounded or increased impacts when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects, as other projects will be subject to similar laws and requirements regarding hydrology practices. Potential impacts are considered less than cumulative considerable.

**Land Use and Planning**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>10. LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X

*(a) Physically divide an established community*

**No Impact.** The property is located within the C-2/ECR: Commercial - Highway Business Zoning District/El Camino Real Combining District, which is intended to provide commercial land uses along the El Camino Real Corridor. The proposed project is an infill development located on a property that is zoned for commercial development. The project does not propose any new roadways or other significant infrastructure improvements that would restrict access or require a diversion for existing travel routes. For these reasons the proposed project would have no impact related to physically dividing a community.

*(b) Consistency with land use plan or policy*

**No Impact.** The addition of approximately 4,280 square feet of building area requires approval of a use permit. The proposed project is consistent with the existing C-2 zoning classification and El Camino Real (ECR) Combining District requirements. The proposed project would be consistent and would not be in conflict with the City of Sunnyvale General Plan. Based on the existing zoning designations, the project site has an allowable building area of 37,818 square feet and 11,600 square feet is proposed to replace the existing 6,100 square feet. The maximum building height on the site is 55 feet and the project proposes a maximum height of 23 feet, six inches. No conflicts with any land use plan, policy or regulation have been identified. Therefore, the project has no impact as a result of conflicts with applicable land use plans or regulations adopted for the purpose of protecting the environment.

*(c) Conflict with any applicable habitat conservation plan or natural community conservation plan*

**No Impact.** There are no adopted habitat conservation or natural community conservation plans that are applicable to properties within Sunnyvale. The project does not result in an impact on any sensitive plant or animal species covered by a habitat conservation plan or natural community conservation plan, nor does it hinder the implementation or establishing of such plans. As such, the project would have no impact with regard to conflicts with any applicable habitat conservation plan or natural community conservation plan.

Cumulative Impacts

The project has no impacts and therefore could not contribute towards any cumulative impacts. The proposed project is an infill development located on a property that is zoned for commercial development. The project does not propose any new roadways or other significant infrastructure improvements that would restrict access or require a diversion for existing travel routes. The project does not result in an impact on any sensitive plant or animal species covered by a habitat conservation plan or natural community conservation plan, nor does it hinder the implementation or establishing of such plans. For these reasons, the project would cumulatively contribute to land use conflicts and potential impacts are considered less than cumulative considerable.

**Mineral Resources**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>11. MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

*(a–b) Loss of availability of a known mineral resource or locally-important mineral resource recovery site*

**No Impact.** The Lehigh Permanente Quarry, the closest active commercial rock quarry operating in Santa Clara County, is located approximately five miles southeast of the project site. The project does not propose to interfere with the continued operation of the Lehigh

Permanente Quarry. The project site is not delineated within the City's General Plan, a specific plan, or other land use plan as a locally-important mineral resource recovery site. As such, the project would have no impact with regard to the loss of availability of a locally important mineral recovery site.

### Cumulative Impacts

The project has no impacts and therefore could not contribute towards any cumulative impacts.

### Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>12. NOISE. Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

*(a) Exposure to, or generation of, noise in excess of standards*

**Less Than Significant Impact with Mitigation Incorporated.** Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air, and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear deemphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. On this scale, the human range of hearing extends from approximately three dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between three dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of three dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are a number of metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level (Leq), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period of time is often evaluated based on the Day-Night Sound Level (Ldn). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Typical Ldn noise levels for light and medium density residential areas range from 55 dBA to 65 dBA.

Two of the primary factors that reduce levels of environmental sounds are increasing the distance between the sound source to the receiver and having intervening obstacles such as walls, buildings, or terrain features between the sound source and the receiver. Factors that act to increase the loudness of environmental sounds include moving the sound source closer to the receiver, sound enhancements caused by reflections, and focusing caused by various meteorological conditions.

### State of California

The State Office of Planning and Research Noise Element Guidelines include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The Noise Element Guidelines contain a land

use compatibility table that describes the compatibility of various land uses with a range of environmental noise levels in terms of the Community Noise Equivalent Level (CNEL).

## City of Sunnyvale

### General Plan

The Safety and Noise Chapter of the Sunnyvale General Plan establishes goals and policies for reducing noise levels in Sunnyvale. Policies aimed at reducing noise levels must address specific sources of unwanted noise, as well as noise-sensitive receptors. The Safety and Noise Chapter contains guidelines for use in land use planning to reduce future noise and land use incompatibilities (Figure 6-5 of the Safety and Noise Chapter) and summarized in **Table 8, Land Use Compatibility for Community Noise Environments**.

Sunnyvale has also established standards for noise impacts from new development on existing uses. These noise limits are shown in **Table 9, Significant Noise Impacts from New Development on Existing Land Use**, (from Figure 6-6 of the Safety and Noise Chapter).

**Table 8 – Land Use Compatibility for Community Noise Environments**

Land Use Category	Community Noise Exposure (Ldn or CNEL, dBA)		
	Normally Acceptable	Conditionally Acceptable	Clearly Unacceptable
Residential, Hotels, Motels	55 – 60	60 – 75	75 – 85
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds	55 – 65	65 – 80	80 – 85
Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches	55 – 60	60 – 75	75 – 85
Office Buildings, Commercial and Professional Businesses	55 – 70	70 – 80	80 – 85
Auditoriums, Concert Halls, Amphitheaters	N/A	55 – 70	80 – 85
Industrial, Manufacturing, Utilities, Agriculture	55 – 70	70 – 85	N/A
NA: Not Applicable; Ldn: average day/night sound level; CNEL: Community Noise Equivalent Level			
Notes: <u>Normally Acceptable</u> - Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. <u>Conditionally Acceptable</u> - Specific land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in the design. <u>Clearly Unacceptable</u> – New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.			
Source: City of Sunnyvale, General Plan Safety and Noise Element, 2011.			

**Table 9 – Significant Noise Impacts from New Development on Existing Land Use**

<b>L<sub>dn</sub> Category of Existing Development</b>	<b>Noise Increase Considered “Significant” over Existing Noise Levels</b>
Normally Acceptable	An increase of more than 3 dBA and the total L <sub>dn</sub> exceeds the “normally acceptable category”
Normally Acceptable	An increase of more than 5 dBA
Conditionally Acceptable	An increase of more than 3 dBA
Unacceptable	An increase of more than 3 dBA
<i>Source: City of Sunnyvale, General Plan Safety and Noise Element, 2011.</i>	

### **Municipal Code**

Chapter 16.08 (Administrative Code) of the City’s Municipal Code specifies noise limits for construction activities. The Municipal Code restricts construction activities to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays. There shall be no construction activity on Sunday or federal holidays when city offices are closed. The ordinance also states that no loud environmentally disruptive noises, such as air compressors without mufflers, continuously running motors or generators, loud playing musical instruments, radios, etc., are allowed where such noises may be a nuisance to adjacent residential neighborhoods.

Chapter 19.42 (Operating Standards) of the Municipal Code includes noise limits from certain properties. Specifically, Section 19.42.030 of the Municipal Code states the following:

- a) Operational noise shall not exceed 75 dBA at any point on the property line of the premises upon which the noise or sound is generated or produced; provided, however, that the noise or sound level shall not exceed 50 dBA during nighttime or 60 dBA during daytime hours at any point on adjacent residentially zoned property. If the noise occurs during nighttime hours and the enforcing officer has determined that the noise involves a steady, audible tone such as a whine, screech or hum, or is a staccato or intermittent noise (e.g., hammering) or includes music or speech, the allowable noise or sound level shall not exceed 45 dBA.
- b) Powered equipment used on a temporary, occasional or infrequent basis which produces a noise greater than the applicable operational noise limit set forth in subsection (a) shall be used only during daytime hours when used adjacent to a property with a residential zoning district. Powered equipment used on other than a temporary, occasional or infrequent basis shall comply with the operational noise requirements. For the purpose of this section, powered equipment does not include leaf blowers. Construction activity regulated by Title 16 of this code shall not be governed by this section.
- c) It is unlawful for any person to make or allow to be made a nighttime delivery to a commercial or industrial establishment when the loading/unloading area of the establishment is adjacent to a property in a residential zoning district. Businesses legally

operating at a specific location as of February 1, 1995, are exempt from this requirement.

- d) A “leaf blower” is a small, combustion engine-powered device used for property or landscape maintenance that can be hand-held or carried on the operator’s back and which operates by propelling air under pressure through a cylindrical tube. It is unlawful for any person to operate a leaf blower on private property in or adjacent to a residential area except between the hours of 8:00 a.m. and 8:00 p.m. Effective January 1, 2000, all leaf blowers operated in or adjacent to a residential area shall operate at or below a noise level of sixty-five dBA at a distance of fifty feet, as determined by a test conducted by the American National Standards Institute or an equivalent. The dBA rating shall be prominently displayed on the leaf blower.

Additionally, Municipal Code Section 19.48.100 includes the following standards related to mechanical equipment:

Mechanical equipment, such as but not limited to heating or air conditioning units, shall not be located between the face of building and the street, and shall be screened from view. Any mechanical equipment which is higher than eighteen inches must meet the side and rear yard setbacks of the zoning district of the property where such equipment is located. All mechanical equipment shall comply with the noise requirements set forth in Section 19.42.030.

#### Existing Mobile Sources

The majority of the existing noise in the project area is generated from vehicle sources along Mathilda Avenue, and Sunnyvale Saratoga Road. According to the General Plan Safety and Noise Element Figure 6-7, the recorded average noise levels along Mathilda Avenue are 70 to 74 dBA Ldn and along Sunnyvale Saratoga Road between Mathilda Avenue and El Camino Real are 65 to 69 dBA Ldn, measured 50 feet from the edge of each major roadway. Additionally, existing noise in the project vicinity is generated from Santa Clara Valley Transportation Authority transit services that serve the project site, located approximately 650 feet northeast of the project site.

#### Existing Stationary Sources

The project area is located in an urbanized area. The primary sources of stationary noise in the project vicinity are urban-related activities associated with the operations of commercial uses to the north and east, and multi-residential uses to the northwest and south. The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

#### Short-Term Construction

Construction of the proposed project would occur over approximately a one-year period and would include demolition, grading, building construction, paving, and application of architectural coatings. Ground-borne noise and other types of construction-related noise impacts would typically occur during excavation activities of the grading phase. This phase of

construction has the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in **Table 10, Maximum Noise Levels Generated by Construction Equipment**. It should be noted that the noise levels identified in **Table 10** are maximum sound levels ( $L_{max}$ ), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

**Table 10 – Maximum Noise Levels Generated by Construction Equipment**

Type of Equipment	Acoustical Use	$L_{max}$ at 50 Feet (dBA)
Concrete Saw	20	90
Crane	16	81
Concrete Mixer Truck	40	79
Backhoe	40	78
Dozer	40	82
Excavator	40	81
Forklift	40	78
Paver	50	77
Roller	20	80
Tractor	40	84
Water Truck	40	80
Grader	40	85
General Industrial Equipment	50	85
Note: 1 – Acoustical Use Factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a		
<i>Source: Federal Highway Administration, Roadway Construction Noise Model (FHWA-HEP-05-054), January 2006.</i>		

Pursuant to Municipal Code Section 16.08.030, construction activities may occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 8:00 a.m. and 5:00 p.m. Saturdays, and is prohibited on Sundays and holidays. These permitted hours of construction are included in the code in recognition that construction activities undertaken during daytime hours are a typical part of living in an urban environment and do not cause a significant disruption. The potential for construction-related noise to affect nearby residential receptors would depend on the location and proximity of construction activities to these receptors. It should be noted that the noise levels depicted in **Table 10** are maximum noise levels, which would occur sporadically when construction equipment is operated in proximity to sensitive receptors. Hours of construction would be limited to the time limits specified in the Municipal Code. Additionally, to further reduce the potential for noise impacts, **Mitigation Measure NOI-1** would be implemented to incorporate best management practices during construction and ensure that nuisance noise does not occur. Implementation of **Mitigation Measure NOI-1** would further

minimize impacts from construction noise as it requires construction equipment to be equipped with properly operating and maintained mufflers and other state required noise attenuation devices. Thus, with mitigation, a less than significant noise impact would result from construction activities.

### Long-Term Operational impacts

#### **Off-Site Mobile Noise**

Future development generated by the proposed project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. Based on the Transportation Operations Analysis, prepared by Kimley-Horn (dated January 2016, included as Appendix E), the proposed project would incrementally increase traffic along surrounding roadways during long-term operational activities. The Traffic Memorandum concludes that the proposed project would result in a nominal increase in daily trips as the project is forecasted to generate approximately 978 daily trips. Therefore, the proposed project would not result in a substantial amount of additional traffic on adjacent roadways, and subsequently vehicular noise in the vicinity of existing and proposed land uses would remain relatively the same. Therefore, a less than significant impact would occur in this regard.

#### **On-Site Mobile Noise**

The project proposes to replace a 6,100 SF OSH customer pick-up facility with an 11,600 square-foot grocery retail building with a carport covering approximately nine parking spaces, intended as a pick-up area for customers. The project site is surrounded by developed general commercial buildings and multi-family residences, and the on-site vehicles would not generate excessive noise as speeds would be similar to the existing operations. Further, the project would generate an increase of approximately 978 daily trips, and would be similar to the noise environment in the existing area (general commercial). The project would not generate substantial noise levels in exceedance of City standards, and a less than significant impact would occur.

#### **Stationary Noise Impacts**

The proposed project is anticipated to generate noise that is typical of these facilities including delivery trucks traveling on the site, mechanical equipment, and parking lot activities.

#### **Slow-Moving Trucks (Deliveries)**

The proposed project may involve occasional deliveries from slow-moving trucks. Typically, trucks used to make deliveries can generate a maximum noise level of 75 dBA at a distance of 50 feet. These are levels generated by a truck that is operated by a typically experienced driver with typically applied accelerations. Higher noise levels may be generated by the excessive application of power. Lower levels may be achieved, but would not be considered representative of a nominal truck operation.

The project proposes four truck delivery trips per day. Any deliveries to the project site would occur via the existing three facility entrances along Sunnyvale-Saratoga Road and two driveways along South Mathilda Avenue. These are typical noise levels of vehicles accessing the site and similar to traffic associated with parking lots. In addition, the project involves warehouse, and docking operations consisting of grocery retail item deliveries. It should be noted that intervening structures and walls would further attenuate noise generated by truck and loading dock noise. Similar to the adjacent Orchard Supply Hardware (OSH) and commercial uses in the project vicinity, impacts from the proposed truck deliveries would not result in substantially greater noise levels than currently exist on and surround the project site. Therefore, stationary noise impacts from slow-moving trucks would be less than significant.

### **Mechanical Equipment**

Typically, mechanical equipment noise is 55 dBA at 50 feet from the source. Heating, ventilating, and air conditioning (HVAC) units would be included on the roof of the proposed grocery retail building. Additionally, the HVAC units would be shielded by a parapet, which would further attenuate noise. As the project would not place mechanical equipment associated with the project near residential uses, noise from the HVAC units would not be perceptible at the nearest residents (existing multi-family residences located approximately 100 feet to the south of the proposed building). Impacts from mechanical equipment would be less than significant.

### **Parking Areas**

Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up and car passbys may be an annoyance to adjacent noise-sensitive receptors. Estimates of the maximum noise levels associated with some parking lot activities are presented in [Table 11, Typical Noise Levels Generated by Parking Lots](#). Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 48 feet for normal speech to 50 dBA at 50 feet for very loud speech. It should be noted that parking lot noise are instantaneous noise levels compared to noise standards in the CNEL scale, which are averaged over time. As a result, actual noise levels over time resulting from parking lot activities would be far lower.

The proposed parking for the project site would be reconfigured from the existing parking layout. The project proposes a reduction of total parking by approximately 37 parking spaces to nine onsite parking spaces. The closest that the proposed parking area would be located to noise-sensitive receptors is 100 feet to the south and 400 feet to the northwest. Parking lot noise would be partially masked by background noise from existing adjacent traffic along Sunnyvale Saratoga Road and the existing OSH building, adjacent to the proposed building. Additionally, parking lot noise currently exists in the project vicinity from current operations associated with the existing OSH, and commercial, restaurant, and office uses to the north and east of the project site. Therefore, the nearby residential uses would not be exposed to

excessive noise from the parking area. The proposed parking would not result in substantially greater noise levels than currently exist at the project site. Noise associated with parking lot activities is not anticipated to exceed the City's Noise Standards during operation. Therefore, noise impacts from parking lots would be less than significant.

**Table 11 – Typical Noise Levels Generated by Parking Lots**

Noise Source	Maximum Noise Levels
Car door slamming	63 dBA Leq
Car starting	60 dBA Leq
Car idling	61 dBA Leq

*Mitigation Measure – Noise*

**NOI-1 Construction Noise.** Prior to Grading Permit issuance, the Project Applicant shall demonstrate, to the satisfaction of the City of Sunnyvale Community Development Department that the proposed project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
- Property owners and occupants located within 100 feet of the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Sunnyvale Community Development Department, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.
- The Contractor shall provide evidence that a construction staff member would be designated as a Noise Disturbance Coordinator and would be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Department. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.
- Prior to issuance of any Grading or Building Permit, the Project Applicant shall demonstrate to the satisfaction of the Community Development Department that

construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools.

- Construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Pursuant to the Municipal Code Chapter 16.08, construction activities shall occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 7:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays.

*(b) Exposure to ground borne vibration or ground borne vibration*

### **Less Than Significant Impact.**

#### **Short-Term Construction**

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the Federal Transit Administration (FTA) guidelines show that a vibration level of up to 0.50 inch per second (in/sec) (102 velocity decibels [VdB]) is considered safe and would not result in any construction vibration damage. The vibration produced by construction equipment is illustrated in [Table 12, Typical Vibration Levels for Construction Equipment](#).

**Table 12 – Typical Vibration Levels for Construction Equipment**

Equipment	Approximate peak	Approximate peak	Approximate peak
Large bulldozer	0.089	0.011	0.0014
Loaded trucks	0.076	0.010	0.0012
Small bulldozer	0.003	0.0004	0.0005
Notes: 1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2. 2 – Calculated using the following formula: $PPV_{\text{equip}} = PPV_{\text{ref}} \times (25/D)^{1.5}$ where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines D = the distance from the equipment to the receiver			
<i>Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006.</i>			

Groundborne vibration decreases rapidly with distance. As indicated in Table 12, based on the FTA data, vibration velocities from typical heavy construction equipment operation that would be used during project construction range from 0.003 to 0.644 in/sec peak particle velocity (PPV) at 25 feet from the source of activity. With regard to the proposed project, groundborne vibration would be generated primarily during grading activities on-site and by off-site haul-truck travel. The nearest sensitive receptor to the proposed project is multi-family residences located 100 feet to the south. As indicated in Table 12, based on the FTA data, vibration velocities from typical heavy construction equipment operation that would be used during project construction range from 0.003 to 0.089 inch-per-second PPV at 25 feet from the source of activity, and would range from 0.0004 to 0.011 inch-per-second PPV at 100 feet and 0.0005 to 0.0014 inch-per-second PPV at 400 feet. As construction activities would occur approximately 100 feet away from the closest sensitive receptors, the proposed construction activities would not exceed the 0.2 in/sec PPV significance threshold for vibration. Therefore, vibration impacts associated with pile driving and other construction equipment used for the project would be less than significant.

#### Long-Term Operational impacts

The project proposes a grocery retail store with nine parking spaces that would not generate ground-borne vibration that could be felt at surrounding uses. The proposed project would not involve railroads or substantial heavy truck operations, and therefore would not result in vibration impacts at surrounding uses. As such, no impact would occur in this regard.

#### *(c) Ambient noise levels*

**Less Than Significant Impact.** See discussion in XII(a), above.

#### *(d) Substantial temporary noise increase*

**Less Than Significant Impact.** See discussion in XII(a), above.

*(e-f) Excessive noise level near a public or private airport*

**No Impact.** The closest private airstrip is the Moffett Federal Airfield, which is located 2.75 miles northwest of the project site. According to Comprehensive Land Use Plan Santa Clara County Moffett Federal Airfield, the proposed project is not located within the Airport Influence Area. There is no public airport, public use airport, or private airstrip located within two miles of the project site. Therefore, the proposed project would not expose people residing or working in the area to excessive noise levels and no impacts would occur in this regard.

Noise Cumulative Impacts

With the implementation of **Mitigation Measure NOI-1**, the potential noise impacts as a result of exposure to construction noise levels from project site would be reduced to less than significant. Noise increases associated with project construction would occur in areas immediately adjacent to the site as well as areas adjacent to access and haul routes. Construction activities would be limited by City Code requirements for limiting construction hours and would limit construction activities and related noise to daytime hours. However, each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate. There are no approved, pending, or potential projects located immediately adjacent to the site that would contribute to cumulative construction-related noise increases in areas immediately adjacent to the site.

As noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. Stationary noise sources would be limited in their impacts as the cumulative projects and proposed project would be separated by intervening structures. Due to site distances and these intervening structures, and the temporary nature of construction activities, cumulative stationary noise impacts would be less than significant. As noted above, the proposed project would not result in stationary long-term equipment that would significantly affect surrounding sensitive receptors. Thus, the project would not contribute to cumulative impacts and impacts in this regard are not cumulatively considerable.

Project implementation would not create a noticeable change in ambient traffic noise levels. As a result, the proposed project would not create cumulatively considerable noise impacts due to the relatively low trip generation. All future development within the project area and surrounding region would be subject to comply with City and State guidelines regarding noise abatement and insulation standards. There are no approved, pending, or potential projects located immediately adjacent to the site and therefore, no cumulative operational noise increases are expected to occur in areas immediately adjacent to the site (no impact). Therefore, the project would result in less than significant cumulative noise impacts

**Population and Housing**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>13. POPULATION AND HOUSING. Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

*(a) Population growth*

**Less Than Significant Impact.** The project does not propose any new residential units or new businesses that would directly induce substantial population growth. The addition of approximately 4,820 square feet of commercial space would not induce substantial growth in the area because it would not result in a substantial number of new jobs that would require a significant increase in the housing supply in the area, or result in new development pressures in undeveloped areas. The project does not propose the extension of any roadways or infrastructure such as water or sewer service, nor significantly expand any of those services in a fashion that would remove a barrier to growth that previously inhibited growth in the area. The project would not change any of the population growth projections evaluated in the City of Sunnyvale General Plan. Therefore, the project would have a less than significant impact on population growth.

*(b–c) Housing and resident displacement*

**No Impact.** The project area does not contain any existing housing units and would not cause any existing housing units to be displaced. The proposed project would not necessitate the construction of replacement housing elsewhere. As a result, there would be no impacts on housing displacement.

**Public Services**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:</b>				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

*(a) Fire protection*

**Less Than Significant Impact.** The Sunnyvale Department of Public Safety Fire Services provides fire protection services to the project area. There are three fire stations (of the six fire stations within the City of Sunnyvale) that would serve the project area. Currently, Station 1 would provide the primary fire protection service to the Specific Plan area, with Stations 3 and 4 providing auxiliary support when needed. Station 1 is located at 171 North Mathilda Avenue, approximately 1.5 miles from the project area, near the intersection of the Central Expressway and Mathilda Avenue.

Station 3 is located at 910 Ticonderoga Drive, approximately 1.8 miles from the project area.

Station 4 is located at 996 South Wolfe Road, approximately 1.7 miles from the project area.

The Department of Public Safety has the following response time goals:

1. Fire response to Emergency Events will be responded to within 5 minutes 42 seconds or less from dispatch to on-scene arrival for 92% of emergency events.
2. The response time to a Fire Event will be within 6 minutes 14 seconds or less from dispatch to on-scene arrival by Fire apparatus for 86% of emergency events.
3. Fire response to EMS Events will be responded to within 5 minutes 42 seconds or less from dispatch to on-scene arrival for 92% of EMS emergency events.

The increased employment generated by the proposed project would not exceed the planned fire protection provision for the City. The project site is located within City limits and is surrounded by existing uses that are currently within the service areas of the Sunnyvale Fire Department. No new equipment or new fire stations would be required to serve the proposed project. The project does not require an extension of the existing fire service area that would significantly extend response times. The project would be designed to meet the current Building Code requirements, and the fire department would require project plans prior to issuance of a building permit to ensure adequate emergency services can be provided. As such, the impact would be less than significant.

*(b) Police protection*

**Less Than Significant Impact.** Public Safety services for the project site include police protection by the City of Sunnyvale Police Services Bureau. The police department serves approximately 24 square miles and a population of approximately 141,000 residents. The location of the Public Safety office that would serve the project area is 700 All America Way, approximately 1 mile away near Mathilda Avenue and El Camino Real.

The average response times to calls within the City are recorded by “emergency” or “urgent”. The average response time for emergency calls is 4 minutes, 41 seconds. The average response time for urgent calls is 5 minutes, 54 seconds.

The employment generated from development on the project site would not represent a substantial increase, and the project site is currently within the service area of the Sunnyvale Police Station at 700 All American Way, therefore the proposed project would not trigger the need to construct new police or altered facilities. The project will not result in a significant increase in traffic congestion that could inhibit the police department’s ability to meet its response time goals. Additionally, there is no projected significant increase in the number of calls for police service in the project area. Therefore, the effect on police protection will result in a less than significant impact.

*(c) Schools*

**Less Than Significant Impact.** The project area is located within the jurisdictions of the Sunnyvale School District (SSD) and Fremont Union High School District (FUHSD). SSD encompasses an area within, but not coterminous with the City of Sunnyvale, while the FUHSD includes sections of the Cities of Sunnyvale, Cupertino, Saratoga and San Jose within its service area. SSD provides services to elementary through middle school grade students while FUHSD provides service to high school students.

**Sunnyvale School District**

Elementary through Middle School students in the vicinity of the project area are served by the Sunnyvale School District (SSD). Of the ten schools within SESD, eight are elementary schools and two are middle schools. District enrollment is approximately 6,800 students. The District has experienced steady enrollment growth over the past few years and this trend is expected to continue for the foreseeable future. All schools within the SSD were built 25 or more years ago

and are in need of renovation. In November 2004, voters in the Sunnyvale School District approved Measure P, a \$120 million General Obligation Bond measure, to maintain a safe learning environment at Sunnyvale's elementary and middle schools by upgrading infrastructure, improving and expanding school libraries, repairing aging facilities, and constructing new classroom and student report facilities. In November 2013, voters in the Sunnyvale School District passed Measure G, a \$96 million school bond measure to continue rebuilding Sunnyvale School District. The bond proceeds provide funding for technology improvements, comparable classrooms for all students and increasing energy efficiency efforts throughout Sunnyvale School District. However, these bond measure funds are expected to cover only a portion of the district-wide modernization program, and are insufficient to create the capacity needed to serve future growth in student enrollment. To accommodate additional students that would occur with new commercial development, SSD charges a fee of \$0.33 per every square foot of commercial office space.

#### Fremont Union High School District

FUHSD operates five high schools within the cities of Sunnyvale, San Jose and Cupertino. The nearest school to the project area is Fremont High School (FHS), which serves high school students in the City of Sunnyvale. FHS is located at 1279 Sunnyvale-Saratoga Road and has a projected enrollment of approximately 2,024 and 2,336 in grades 9-12 for the school 2014/15 year. The District does not currently use portable or temporary classrooms at Fremont High School, but will be adding at least 16 more classrooms at Fremont High School in the next three years, with an expectation that more will be needed by the year 2020. FUHSD currently has no plans for new schools, but is experiencing long term enrollment growth estimated to be over 2,000 additional students in the next 10 years. Additional classrooms, equipment, supplies and staff will be needed to meet these enrollment challenges. Currently, the fees from FUHSD are \$0.19 or \$0.20 per square foot on commercial/industrial development.

Implementation of the proposed project would not result in the direct addition of new housing units. However, there is a relationship existing between commercial development and an increase in the number of school-age children as the result of increased employees who reside within the school district. Therefore, the SSD and FUHSD require the payment of development fees based on a per square foot basis of new commercial development. These fees are collected at the building permit stage and are paid prior to building construction. The payment of school fees is consistent with Section 65995(3)(h) of the California Government Code and addresses indirect impacts on school facilities and potential impacts are considered less than significant.

#### *(d) Parks*

**Less Than Significant Impact.** The closest park to the Project area is the Las Palmas Park, located approximately half a mile west of the project area. No changes to this park and trail are proposed with the current project. The proposed project will not create a significant increase in population and therefore not bring in a significantly higher number of new park users, therefore the project will not result in a need for any new recreational area. The project will not significantly affect the surrounding residential area or interfere with park planning projects.

Therefore, potential impacts are considered to be less than significant. See Section XV for further discussion of impacts on recreation.

*(e) Other public facilities*

**Less Than Significant Impact.** Other public utilities include natural gas, electric and cable service. According to the MPSP, natural gas and electric power are supplied to the MPSP area by Pacific Gas and Electric Company (PG&E) under a franchise agreement with the City of Sunnyvale. Although the infrastructure for these services may be realigned within some areas within the project site, impacts are considered less than significant because no new facilities would need to be constructed to serve the project. For these reasons, potential impacts would be less than significant.

Cumulative Impacts

The proposed project would not result in a significant impact to any public services or facilities and does not contribute to cumulatively considerable impacts on public services when combined with other proposed projects in the area. The proposed project and other proposed and pending projects in the surrounding area would not result in growth beyond what has been planned in the General Plan. Potential cumulative impacts are considered not to be cumulatively considerable and less than significant.

**Recreation**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. RECREATION. Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

*(a) Increase the use of existing recreation facilities*

**Less Than Significant Impact.** As stated in Section XIV, the proposed project would not result in a significant increase in the population or result in a significantly higher number of park users. The proposed project would not result in an increase in the use of recreational facilities such

that physical deterioration would occur or be accelerated. The proposed project’s impact on existing neighborhood and regional parks would be less than significant.

*(b) Include recreational facilities or the construction or expansion of recreational facilities*

**No Impact.** No additional offsite recreational facilities are proposed nor are required for project implementation. The project will have no impact on parks and recreational facilities, and no mitigation is required.

**Recreation Cumulative Impacts**

As identified in the analysis above, the proposed project would not result in a potentially significant impact on recreational facilities and services. In regards to project impacts that are considered to be less than significant, such impacts are not expected to result in compounded or increased impacts when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. Nearby projects would be of a size that would also most likely not impact recreational facilities. Therefore, no cumulative impacts on recreational facilities would result from proposed project implementation.

**Transportation/Traffic**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>16. TRANSPORTATION/TRAFFIC. Would the project:</b>				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
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?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?		X		
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

*(a) Conflict with applicable transportation plans or ordinances, including congestion management plans*

#### **Less Than Significant Impact.**

#### **Intersections, Streets, Highways, and Freeways**

The proposed project will generate new vehicular trips that will increase traffic volumes on the nearby street network. To assess changes in traffic conditions associated with the proposed project, the following intersections in **Table 13, Study Intersections** were analyzed. Weekday intersection turning movement volumes for study intersections were collected from September 2013, May 2014, December 2014, June 2015, and December 2015. Volumes were collected during the AM (7:00-9:00 AM) peak period and PM (4:00-6:00 PM) peak period on a weekday when local schools were in session.

**Table 13 – Study Intersections**

#	Intersection
1	S Mary Avenue / El Camino Real
2	S Pastoria Avenue-Hollenbeck Avenue / El Camino Real
3	S Mathilda Avenue / El Camino Real
4	S Sunnyvale Avenue / El Camino Real
5	Cezanne Drive / El Camino Real
6	S Fair Oaks Avenue / El Camino Real
7	S Mathilda Avenue / Southwest Project Driveway
8	Sunnyvale-Saratoga Road / East Project Driveway
9	Sunnyvale-Saratoga Road / Southeast Project Driveway
10	S Mathilda Avenue - Sunnyvale-Saratoga Road / Talisman Drive – Sunnyvale-Saratoga Road

Source: Kimley-Horn, 2016

The number of proposed project trips anticipated to be generated by the proposed project is provided in detail in the Transportation Operations Analysis (Appendix E). Project trips were estimated using the trip generation factors for the grocery store land use compiled by the Institute of Transportation Engineers (ITE) in the publication Trip Generation, 9th Edition.<sup>9</sup> The project would demolish and replace 6,100 square feet of the existing OSH store and therefore, a trip credit was given for the portion of the store is which is being replaced. With the removal of the OSH customer pick-up area approximately 65 pallets of concrete and masonry would be removed from the store and would no longer be available for purchase. The Traffic Operations Analysis addressed the initial rough estimate of 6,780 square feet of existing home improvement superstore space to be demolished, and determined that its replacement with the proposed 11,600 square foot grocery store project would generate 978 net new daily trips, including 29 net new AM peak hour trips and 95 net new PM peak hour trips. **Table 14, Project Trip Generation** shows how the how the trips are divided between the AM and PM peak hours. Subsequently, the applicant determined, based upon more precise calculations, that approximately 6,100 feet of or existing store would be demolished, which is 680 square feet less than initially estimated. Because the trip generation rates for home improvement superstores are relatively low, the 680 square foot difference amounts to an addition of 21 daily, 1 AM peak and 2 PM peak hour trips of net new trips. These additional net new trips represent a de minimus difference in traffic, and do not affect the conclusion of the traffic operations analysis.

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<sup>9</sup> ITE rates are derived from nationwide surveys taken of different types of land uses. Each land use surveyed in a category encompasses generally similar characteristics, such as grocery stores or home improvement superstores. They are not broken down according to specific attributes of any given use within those land use categories, such as which grocery store has wider aisles or which hardware store has a larger customer pick-up area. Using ITE rates is standard engineering practice and is used within the City of Sunnyvale. The ITE Trip Generation Handbook does not allocate trip generation rates according to areas within any given land use category, such as the customer aisle area within a grocery store, or the customer pick-up dock of a hardware store. There is no reliable ITE data available that would allow the city to parse the data that finely. Attempting to allocate trip generation rates to separate sections within buildings would entail speculation, and would create a false impression of a level of final detail and precision that is not supported by the data.

Table 14 – Project Trip Generation

TIME PERIOD		LAND USE	Trips		
			In	Out	Total
Daily	Existing	Home Improvement Superstore (55.104 KSF)	(847)	(847)	(1,694)
	Project	Home Improvement Superstore (48.324 KSF)	743	743	1,486
		Supermarket (11.6 KSF)	593	593	1,186
		<b>Net New Trips</b>	<b>489</b>	<b>489</b>	<b>978</b>
AM Peak	Existing	Home Improvement Superstore (55.104 KSF)	(47)	(35)	(82)
	Project	Home Improvement Superstore (48.324 KSF)	41	31	72
		Supermarket (11.6 KSF)	24	15	39
		<b>Net New Trips</b>	<b>18</b>	<b>11</b>	<b>29</b>
PM Peak	Existing	Home Improvement Superstore (55.104 KSF)	(63)	(65)	(128)
	Project	Home Improvement Superstore (48.324 KSF)	55	58	113
		Supermarket (11.6 KSF)	56	54	110
		<b>Net New Trips</b>	<b>48</b>	<b>47</b>	<b>95</b>

Source: Kimley-Horn 2016

Project impacts were determined by comparing conditions with the proposed project to those without the proposed project. Significant impacts for signalized intersections are created when traffic from the proposed project causes the LOS to fall below a specific threshold. For unsignalized intersections, a deficient LOS suggests recommendations for improvements to the type of traffic control, such as signalization. A peak hour signal warrant was evaluated to determine if the intersection met the volume requirements for a traffic signal.

Consistent with the significance impact criteria documented in the Transportation Impact Analysis Guidelines<sup>10</sup>, VTA accepts a minimum level of service of LOS E for a County intersection or Congestion Management Program (CMP) intersection. The City utilizes the same VTA criterion for all intersections on regionally significant roadways such as El Camino Real, Sunnyvale-Saratoga Road, and Mathilda Avenue. Therefore, the following conditions would result in a significant impact at a CMP intersection or regionally significant roadway intersection:

1. If the intersection operates at an acceptable LOS (i.e. LOS A, B, C, D, or E) without the project and degrades to an unacceptable LOS (i.e. LOS F) with the project, then it is a significant impact.
2. If the intersection operates at an unacceptable LOS (i.e. LOS F) without the project and the project increases the average control delay for the critical movements by four (4) or more seconds and increases the critical volume to capacity (v/c) by 0.01 or more, then it is a significant impact.

<sup>10</sup> Transportation Impact Analysis Guidelines, Santa Clara Valley Transportation Authority Guidelines, October 2014.

- a. If the addition of project traffic reduces the amount of average control delay for a critical movement (i.e. negative change in delay) and the project increases the v/c by 0.01 or more, then it is a significant impact.

Mitigation for intersections with a significant impact must improve the LOS back to without Project conditions or better. It should be noted that The VTA CMP guidelines dictate that a freeway segment be analyzed if the project adds the traffic equivalent of at least one percent of the freeway segment's capacity. No freeway analysis was conducted or required because the proposed project would not add sufficient traffic to any freeway segments per the VTA guidelines.

The LOS standard for City of Sunnyvale intersections is LOS D except for City of Sunnyvale intersections that are designated as regionally significant, which allows for a minimum level of service of LOS E. Therefore, the following conditions would result in a significant impact at a City intersection:

1. If the intersection operates at an acceptable LOS (i.e. LOS A, B, C, or D) without the project and degrades to an unacceptable LOS (i.e. LOS E, or F) with the project, then it is a significant impact.
2. If the intersection operates at an unacceptable LOS (i.e. LOS E, or F) without the project and the project increases the critical-movement delay of four (4) or more seconds and increased the critical volume to capacity (v/c) by 0.01 or more, then it is a significant impact.

Traffic operations were evaluated at the study intersections under existing conditions plus traffic generated by the project. Results of the analysis are presented in [Table 15, Existing Plus Project Intersection Level of Service Summary](#). All study intersections function within acceptable standards under this analysis scenario. In addition, none of the unsignalized intersections met the peak hour signal warrant for the Existing Plus Project condition in the AM and PM peak hours.

To evaluate potential impacts from proposed project plus other recently approved, traffic volumes from approved but not yet constructed projects were incorporated according to the information provided by the City. Traffic from the approved but not yet constructed projects was added to the existing traffic. The Existing Plus Background volumes were evaluated at the study intersections Results of the analysis are presented in [Table 16, Existing Plus Background Plus Project Intersection Level of Service Summary](#). All study intersections function within acceptable standards under this analysis scenario.

In addition, none of the unsignalized intersections met the peak hour signal warrant for the Existing Plus Background Plus Project condition in the AM and PM peak hours.

The City of Sunnyvale does not consider potential deficiencies related to queuing to be an environmental impact under CEQA because queue lengths are determined by signal operational parameters and can generally be modified with changes to signal timing. The identification of

transportation intersection impacts within the Transportation Operations Analysis (included in Appendix E) is based on the physical capacity of the transportation system. Excessive queue lengths, by themselves, are not evidence of capacity deficiencies but of the signal timing parameters that have been established. As such, no mitigation is required.

#### Transit System, Pedestrian and Bicycle Facilities

Transit riders can utilize the Santa Clara Valley Transportation Authority (VTA) bus routes that operate along El Camino Real, South Pastoria Avenue, South Sunnyvale Avenue, and South Fair Oaks Avenue adjacent to the project site. There are bus stops for VTA buses on either side of El Camino Real and South Fair Oaks Avenue that provide access to the local transit system.

Transit vehicles for the transit routes in the study area are expected to use the shared right-of-way with other motorists. The proposed project is anticipated to incrementally increase the vehicle delay at the study intersections, it is expected that transit vehicle delay may incrementally increase as well. However, as noted in the tables above, the increases in vehicle delay are all less than four seconds in the AM and PM peak hours. This increase in transit vehicle delay would not affect the overall schedule for the transit routes and potential impacts are considered less than significant.

There are existing sidewalks along the project site's frontage on Sunnyvale-Saratoga Road and on Mathilda Avenue. It is anticipated that pedestrians would use these sidewalks along the project site's frontages to access the adjacent land uses and the transit stops nearby. At each of the signalized intersections near the project site there are striped crosswalks for each direction, allowing pedestrians to more safely cross the adjacent roadways. Therefore, potential impacts on pedestrian facilities are considered less than significant.

Bicyclists will have direct access to the project site using bicycle lanes on S Mathilda Avenue and Sunnyvale-Saratoga Road. These bicycle lanes provide access to the project site and other bicycle facilities throughout the City. The project is not proposing any bicycle facility upgrades off-site.

The proposed project does not appear to impact the safety of bicyclists or have any hazardous design features impeding the use of bicycles. Since the proposed project does not conflict with any adopted policies or plans related to bicycle activity, the proposed project will have a less than significant impact on bicycle facilities.

#### *(b) Conflict with applicable congestion management plan*

**Less Than Significant Impact.** The Santa Clara County Valley Transportation Authority (VTA) is the applicable congestion management agency responsible for establishing LOS standards for CMP-designated roads and highways. The City utilizes the same VTA LOS standards for all intersections on regionally significant roadways such as El Camino Real, Sunnyvale-Saratoga Road, and Mathilda Avenue. The traffic generated by the proposed project, 978 net new daily trips, including 29 net new AM peak hour trips and 95 net new PM peak hour trips. As shown in Tables 15 and 16 no conflict with an applicable VTA LOS standards would occur as a result of

the proposed project. As a result, impacts are considered less than significant. No mitigation is required.

*(c) Alter air traffic patterns*

**No Impact.** The proposed project does not include any aviation components or structures where height would be an aviation concern. Additionally, no substantial new air traffic would be generated at the local airports in Santa Clara County as a result of the proposed project. The proposed project would not result in any impacts on air traffic pattern or an increase in traffic levels or a change in location that would result in a safety risk because the project is a grocery retail development that is not located near an airport and the development of the project would not affect airport operations at an airport.

*(d) Design feature hazards*

**Less Than Significant Impact.** The project does not include any roadway improvements or new driveways. Entry into the proposed buildings would utilize existing driveways on South Mathilda Avenue and Sunnyvale-Saratoga Road. All driveways are existing unsignalized intersections. The South Mathilda Avenue driveway is restricted to right-in and right-out operations. The Sunnyvale-Saratoga Road driveways allow full access to the site. There are no proposed changes to these existing driveways with the proposed Project. The project driveways were determined to operate at an acceptable LOS with minimal queuing with the addition of the proposed project.

*(e) Adequate emergency access*

**Less Than Significant Impact.** The internal circulation of the site has been reviewed by the City Public Safety Department to ensure the project has been designed to accommodate the City's emergency vehicles with adequate access and turning radii. Therefore, emergency access impacts are considered less than significant and no mitigation is required.

*(f) Conflict with other transit policies*

**Less Than Significant Impact.** The proposed project does not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The project does not require roadway or intersection improvements that would conflict with adopted plans for implementing public transit, bicycle, or pedestrian facilities. Potential impacts are considered less than significant and no mitigation is required.

Table 15 – Existing Plus Project Intersection Level of Service Summary

	Intersection	LOS Criteria	Jurisdiction	Control	Existing						Existing Plus Project									
					AM Peak			PM Peak			AM Peak					PM Peak				
					LOS	Delay (sec) <sup>1</sup>	v/c Ratio	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	v/c Var.	Crit. Delay Var.	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	v/c Var.	Crit. Delay Var.
1	S Mary Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	D+	36.0	0.649	D	39.5	0.758	D+	36.0	0.651	0.002	0.1	D	39.7	0.764	0.006	0.3
2	S Pastoria Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	C	30.2	0.512	C	30.3	0.577	C	30.2	0.513	0.001	0.0	C	30.2	0.582	0.005	-0.1
3	S Mathilda Avenue / El Camino Real <sup>2,3,4</sup>	E	City/ Caltrans	Signal	D+	38.8	0.773	D	47.1	0.774	D+	38.8	0.774	0.001	0.0	D	47.3	0.779	0.005	0.3
4	S Sunnyvale Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	C	31.0	0.407	C	31.4	0.593	C	31.2	0.411	0.004	0.3	C-	32.3	0.616	0.023	1.3
5	Cezanne Drive / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	B-	18.9	0.360	B-	19.7	0.459	B-	18.9	0.360	0.000	0.0	B-	19.6	0.460	0.001	0.0
6	S Fair Oaks Avenue / El Camino Real <sup>2,3</sup>	E	City/ Caltrans	Signal	D	39.1	0.531	D	39.1	0.755	D	39.1	0.531	0.000	0.0	D	39.2	0.756	0.001	0.0
7	S Mathilda Avenue / Southwest Project Driveway <sup>4</sup>	D	City	SSSC	B	14.4	0.042	A	9.6	0.030	B	14.4	0.045	0.003	0.0	A	9.6	0.032	0.002	0.0
8	Sunnyvale-Saratoga Road / East Project Driveway <sup>5</sup>	E	City	SSSC	B	11.3	0.017	B	14.6	0.060	B	11.7	0.030	0.013	0.2	C	16.3	0.139	0.079	0.5
9	Sunnyvale-Saratoga Road / Southeast Project Driveway <sup>5</sup>	E	City	SSSC	A	9.5	0.013	B	10.9	0.035	A	9.8	0.014	0.001	0.1	B	12.2	0.042	0.007	0.3
10	S Mathilda Avenue - Sunnyvale-Saratoga Road / Talisman Drive - Sunnyvale-Saratoga Road <sup>4,5</sup>	E	City	Signal	B-	18.4	0.514	C	25.1	0.515	B-	18.5	0.517	0.003	0.1	C	25.3	0.518	0.003	0.2

- 1 The average control delay is reported for signalized intersections. The delay for the worst movement is reported for SSSC intersections.
- 2 El Camino Real is a regionally significant roadway with LOS E threshold.
- 3 S Mathilda Avenue / El Camino Real (#2), S Fair Oaks / El Camino Real (#5) are CMP intersections with LOS E threshold.
- 4 Mathilda Avenue is a regionally significant roadway with LOS E threshold between Carribbean Drive and El Camino Real.
- 5 Sunnyvale-Saratoga Road is a regionally significant roadway with LOS E threshold between El Camino Real and I-280.

Source Kimley-Horn, 2016

Table 16 – Existing Plus Background Plus Proposed Project Intersection Level of Service Summary

	Intersection	LOS Criteria	Jurisdiction	Control	Existing Plus Background						Existing Plus Background Plus Project									
					AM Peak			PM Peak			AM Peak					PM Peak				
					LOS	Delay (sec) <sup>1</sup>	v/c Ratio	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	v/c Var.	Crit. Delay Var.	LOS	Delay (sec) <sup>1</sup>	v/c Ratio	v/c Var.	Crit. Delay Var.
1	S Mary Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	D+	37.3	0.707	D	40.4	0.785	D+	37.3	0.709	0.002	0.0	D	40.6	0.790	0.005	0.3
2	S Pastoria Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	C	30.0	0.550	C	29.8	0.595	C	30.0	0.550	0.000	0.0	C	29.7	0.599	0.004	-0.1
3	S Mathilda Avenue / El Camino Real <sup>2,3,4</sup>	E	City/ Caltrans	Signal	D	40.3	0.812	D	47.8	0.787	D	40.3	0.813	0.001	0.1	D	48.0	0.793	0.006	0.3
4	S Sunnyvale Avenue / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	C	31.0	0.427	C	31.5	0.606	C	31.3	0.431	0.004	0.3	C-	32.4	0.629	0.023	1.4
5	Cezanne Drive / El Camino Real <sup>2</sup>	E	City/ Caltrans	Signal	B-	18.3	0.372	B-	19.4	0.468	B-	18.2	0.373	0.001	0.0	B-	19.4	0.470	0.002	-0.1
6	S Fair Oaks Avenue / El Camino Real <sup>2,3</sup>	E	City/ Caltrans	Signal	D	40.4	0.573	D	39.6	0.764	D	40.4	0.574	0.001	-0.1	D	39.7	0.765	0.001	0.0
7	S Mathilda Avenue / Southwest Project Driveway <sup>4</sup>	D	City	SSSC	B	14.5	0.043	A	9.6	0.030	B	14.6	0.046	0.003	0.0	A	9.7	0.033	0.003	0.0
8	Sunnyvale-Saratoga Road / East Project Driveway <sup>5</sup>	E	City	SSSC	B	11.5	0.018	B	14.8	0.061	B	11.8	0.030	0.012	0.2	C	16.6	0.142	0.081	0.5
9	Sunnyvale-Saratoga Road / Southeast Project Driveway <sup>5</sup>	E	City	SSSC	A	9.5	0.013	B	10.9	0.036	A	9.9	0.015	0.002	0.0	B	12.3	0.043	0.007	0.3
10	S Mathilda Avenue - Sunnyvale-Saratoga Road / Talisman Drive - Sunnyvale-Saratoga Road <sup>4,5</sup>	E	City	Signal	B-	18.8	0.524	C	25.3	0.525	B-	18.9	0.527	0.003	0.1	C	25.5	0.529	0.004	0.2

- 1 The average control delay is reported for signalized intersections. The delay for the worst movement is reported for SSSC intersections.
- 2 El Camino Real is a regionally significant roadway with LOS E threshold.
- 3 S Mathilda Avenue / El Camino Real (#2), S Fair Oaks / El Camino Real (#5) are CMP intersections with LOS E threshold.
- 4 Mathilda Avenue is a regionally significant roadway with LOS E threshold between Carribbean Drive and El Camino Real.
- 5 Sunnyvale-Saratoga Road is a regionally significant roadway with LOS E threshold between El Camino Real and I-280.

Source Kimley-Horn, 2016

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Cumulative Transportation and Traffic Impacts

The low volume of traffic generated by the proposed project would not result in any significant direct impacts on any intersections or roadway segments. The project is consistent with the land use designation and development density established by the existing zoning, community plan, and General Plan policies for the 2009 General Plan Update. The 2009 General Plan and the City's traffic impact fee program already account for the cumulative traffic impacts of development under the General Plan, and project-specific review will allow any localized impacts to be addressed by ensuring that each development project contributes its fair share to correcting any such problems. Therefore, cumulative impacts are considered less than cumulatively considerable.

**Utilities and Service Systems**

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>17. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) 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?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project-projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

*(a) Wastewater treatment requirements*

**Less Than Significant Impact.** The Donald M. Somers Water Pollution Control Plant (WPCP) provides wastewater treatment for the City of Sunnyvale. The treatment plant is located at the northern terminus of Borregas Avenue, approximately 4.5 miles north of the site.

The WPCP is designed to treat an average of 29.5 million gallons of wastewater per day (MGD). In 2015, the plant treats an average dry weather effluent flow of approximately 14.5 MGD, well within the plant capacity. Based on growth projections, the City does not anticipate that flows would exceed the capacity of the overall collection system; however, specific locations within the collection system may require additional capacity in the future. Additionally, components of the system, such as piping, manholes, pumps, etc., would also require replacement as they exhaust their life expectancy.

The City is currently undergoing a master planning effort to rebuild the Water Pollution Control Plant over the next 20 years through the development of a Water Pollution Control Plant Master Plan. The plan is to upgrade existing outdated equipment and to address the Plant’s current and future challenges. A Program Environmental Report is currently in process for the Water Pollution Control Plant Master Plan. A Final EIR is expected by the second or third quarter of 2016.

The proposed project will not significantly impact capacity or operations at the treatment plant. The project is consistent with the existing land use designations and proposed densities of the project site. The project would not result in the need for additional capacity at the wastewater treatment plant or additional wastewater infrastructure to be built offsite. Therefore, potential impacts due to increased wastewater flows and demand for sanitary sewer conveyance and treatment facilities generated by the proposed project would be less than significant.

*(b) Wastewater treatment facilities*

**Less Than Significant Impact.** Please see Response XVII (a) above and Response IVII(d) below. The WPCP has adequate capacity to accommodate the needs of the proposed project. Therefore, water or wastewater impacts related to implementation of the proposed project would be less than significant.

*(c) Stormwater drainage facilities*

**Less Than Significant Impact.** The construction of new stormwater drainage facilities or expansion of existing facilities would not be required for the proposed project, because the project would not increase the amount of surface water runoff leaving the site. Therefore, the construction of new stormwater drainage facilities would not cause a significant impact as no such construction is required; impacts would be considered less than significant and no mitigation is required.

*(d) Water supply*

**Less Than Significant Impact.** The City of Sunnyvale has been identified as the water purveyor for the proposed project. The City owns and operates both potable and non-potable water distribution systems for domestic water service residential and non-residential consumption, and recycled water for large landscape irrigation. The potable system serves drinking water to its residents living in an area of approximately 24 square miles. Service area elevation ranges from sea level at the north end to approximately 300 above mean sea level at the southwest end of the City. The potable system maintains service pressures by hydraulically separating the system into three distinct pressure zones – Zone I, II and III. The City's potable water system consists of over 340 miles of distribution pipeline ranging in size from 4-inch to 36-inch in diameter. The existing water distribution system provides water throughout the project area.

Recycled water in the project area is tertiary treated wastewater diverted from discharge and treated for reuse in industrial processes, landscape irrigation, and other non-potable uses. It is used by businesses and the City of Sunnyvale for landscape and golf course irrigation, and decorative ponds.

The City's 2010 Urban Water Supply Management Plan projects that supplies will be sufficient for demand from planned growth during normal, single dry and multiple dry years, through increased groundwater pumping and implementation of drought conservation programs, without the need for rationing. The water distribution for the proposed project will be consistent with the system dictated by the City's general plan. The project would not be a water intensive use and it would plant water efficient landscaping. No additional expansion of existing facilities will be necessary as a result of the project. As such, the proposed project would create no significant impact on water facilities and service.

*(e) Wastewater treatment capacity*

**Less Than Significant Impact.** As explained in response XVII (a), the WPCP would provide wastewater services to the proposed project and has adequate facilities to accommodate development of the project site. Thus, no additional impacts would result from the proposed project and impacts would be considered less than significant.

*(f) Adequate landfill capacity*

**Less Than Significant Impact.** Sunnyvale provides a broad range of solid waste management services to its residents and businesses by way of a municipal solid waste utility. The three

major service components are the collection of solid waste and recyclables, Sunnyvale Materials Recovery and Transfer Station (SMaRT Station®) operation, and disposal. Currently, the City of Sunnyvale disposes solid waste at the Kirby Canyon Landfill, located at 901 Coyote Creek Golf Drive in San Jose. The disposal site is operated by Waste Management of Northern California. At the SMaRT Station, a materials recovery facility sorts recyclable materials from refuse delivered from the cities of Sunnyvale, Mountain View and Palo. Other parts of the facility receive and prepare for marketing source separated recyclables and compostable materials delivered by the cities. Residues from these processes are consolidated in large transfer trailers for delivery to the landfill. The City has landfill capacity under contract through 2021, with an option to extend the disposal agreement for up to 10 years (to 2031) if the landfill operator agrees and is able to extend its land lease.

Solid waste is collected by a private company, Bay Counties Waste Services, under a contract with the City of Sunnyvale. The contract is exclusive, meaning that no other company is allowed to collect solid waste. The exclusive agreement also gives the City the ability to enforce community standards for service quality, collection hours, truck and container colors, maintenance and cleanliness, graffiti removal, use of clean air fuels, etc. The SMaRT Station is also currently operated under a separate contract by Bay Counties Waste Services.

The City has a Zero Waste Policy in place (Zero Waste Policy 3.2.4) that directs staff to reduce the amount of waste being disposed. In addition, Council has approved a Zero Waste Strategic Plan that requires 70-90% diversion of material from the landfill. In order to comply, the construction phase would need to include a comprehensive materials management plan in accordance with the City's Green Building requirements as well as adequate planning and space for both recycling and garbage containers. The post-occupancy phase of the project would need to include comprehensive recycling and waste reduction activities, including source separated recycling and food and yard trimmings collection for composting.

The addition of the proposed project would not significantly change the amount of solid waste generated within the City because the development would not significantly change the number of people working and living within the City and not significantly alter the amount of waste generated within the City. As the project is consistent with the existing General Plan, potential impacts are considered less than significant

*(g) Solid waste regulation compliance*

**No Impact.** The proposed project will comply with AB 939 (California Integrated Waste Management Act of 1989) mandating a 50% diversion rate, as well as AB 341 (Mandatory Commercial Recycling), which dictates the requirements for the statewide commercial recycling program. The project does not propose any land use that would interfere with waste management plans and would be consistent with the regulations and statutes set forth by the general plan. There would be no impact in regards to compliance with solid waste regulations.

## Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Issues	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:</b>				
a) 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?				X
b) 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.)			X	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

*(a) Degrade quality of the environment*

**No Impact.** 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 were considered in the response to each question in the respective sections (Sections IV and V) of this checklist. In addition to project specific impacts, this evaluation considered the project's potential for significant cumulative effects. There is no substantial evidence that there are biological or cultural resources that are affected or associated with this project. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

*(b) Cumulatively considerable impacts that are individually limited*

**Less Than Significant Impact.** Per the criteria for evaluating environmental impacts in this Initial Study, the potential for adverse cumulative effects were considered in the response to each

question in sections I through XVIII of this checklist. In addition to project specific impacts, this evaluation considered the project's potential for incremental effects that are cumulatively considerable. As a result of this initial study, no cumulative effects associated with the proposed project have been identified. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

*(c) Effects on humans of environmental impacts*

**Less Than Significant Impact.** The project proposes to develop a new grocery store on an existing commercial site consistent with the existing zoning for the property and would not involve any physical improvements or changes in the environment that would adversely affect human beings. Mitigation measures have been identified that would address potential impacts on human beings, specifically measures for air quality, seismic hazards, and noise to reduce health hazards to humans. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**SOURCE REFERENCES**

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Sunnyvale Department of Community Development.

City of Sunnyvale. 2011. Sunnyvale Municipal Code. Current through Ordinance 2982-12 and the December 2012 code supplement. Available online at <http://qcode.us/codes/sunnyvale/>.

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Michael Baker International, 2015. Health Risk Assessment for the Oppidan Online Ordering Grocery Store Project. November.

Moore Twining Associates, Inc., 2015. Phase I Environmental Site Assessment, Green Grocery, LLC, 777 Sunnyvale Saratoga Road. June.

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Rincon, 2016. Air Quality Study and Greenhouse Gas Study, Oppidan Online Ordering Grocery Store Project. June.

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Appendix A

**Air Quality Study and Greenhouse Gas Study**

Appendix B  
**Health Risk Assessment**

Appendix C  
**Nesting Bird Impacts Analysis**

Appendix D

**Phase I Environmental Assessment**

Appendix E  
**Transportation Operations Analysis**