

County of Santa Clara
Office of the County Clerk-Recorder
Business Division

County Government Center
70 West Hedding Street, E. Wing, 1st Floor
San Jose, California 95110 (408) 299-5688



Santa Clara County - Clerk-Recorder Office
State of California

File Number: ENV21187

ENVIRONMENTAL FILING

No. of Pages: 37

Total Fees: \$0.00

File Date: 11/07/2017

Expires: 11/28/2017

REGINA ALCOMENDRAS, Clerk-Recorder

By: Mike Louie, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Sunnyvale
2. PROJECT TITLE: 1023 N. Fair Oaks Ave. -- 14-Unit Townhouse Project
3. APPLICANT NAME: Highland Partners Group Inc. PHONE: 925-683-7052
4. APPLICANT ADDRESS: PO Box 1096 Danville, CA 94526
5. PROJECT APPLICANT IS A: ☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity
6. NOTICE TO BE POSTED FOR 20 DAYS.
7. **CLASSIFICATION OF ENVIRONMENTAL DOCUMENT**

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

- | | | |
|--|-------------|----------------|
| <input type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152) | \$ 3,078.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C)) | \$ 2,216.25 | \$ <u>0.00</u> |
| <input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSIÓN</u> (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 850.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 4. <u>PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS</u> | \$ 1,046.50 | \$ <u>0.00</u> |
| <input type="checkbox"/> 5. <u>COUNTY ADMINISTRATIVE FEE</u> (REQUIRED FOR a-1 THROUGH a-4 ABOVE)
Fish & Game Code §711.4(e) | \$ 50.00 | \$ <u>0.00</u> |

b. PROJECTS THAT ARE EXEMPT FROM DFG FEES

- | | | |
|---|----------|----------------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ <u>0.00</u> |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ <u>0.00</u> |

c. NOTICES THAT ARE NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- | | | | |
|--|--|--------|------------------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 0.00

*NOTE: "**SAME PROJECT**" MEANS NO CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE **SUBSEQUENT** FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (**INCLUDING COPIES**) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO (2) COPIES. (**YOUR ORIGINAL WILL BE RETURNED TO YOU AT THE TIME OF FILING.**)

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

(Fees Effective 01-01-2017)



PLANNING DIVISION
CITY OF SUNNYVALE
P.O. BOX 3707
SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2017-7453

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

PROJECT TITLE:

1023 N. Fair Oaks Avenue Residential Project

PROJECT DESCRIPTION AND LOCATION (APN):

FILE #: 2017-7453

Location: 1023 N. Fair Oaks Ave. (APN: 110-14-169)

Proposed Project: Applicant requests approval to demolish an existing approximately 7,600 s.f. restaurant and redevelop the site with 14 three-story townhomes and to subdivide one lot into 14 lots.

Special Development Permit and Vesting Tentative Map

Applicant / Owner: Highland Partners Group Inc. / Robert Nino & Nancy Bushnell

Environmental Review: Mitigated Negative Declaration

Staff Contact Ryan Kuchenig, (408) 730-7431, rkuchenig@sunnyvale.ca.gov

WHERE TO VIEW THIS DOCUMENT:

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on ~~August 14~~ ^{November 27}, 2017. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

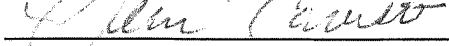
HEARING INFORMATION:

A Planning Commission public hearing on the project is scheduled for: ~~Monday, August 14~~ ^{November 27}, 2017 at 7:00 p.m. in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

TOXIC SITE INFORMATION:

(No) listed toxic sites are present at the project location.

Circulated On November 7, 2017

Signed: 
Gerri Caruso, Principal Planner

Project Title	1023 N. Fair Oaks Ave. – 14-Unit Townhouse Project
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Ryan Kuchenig, Senior Planner
Phone Number	(408) 730-7431
Project Location	1023 N. Fair Oaks Ave. (APN 110-14-169)
Applicant's Name	Highland Partners Group Inc.
Zoning	1023 N. Fair Oaks: M-S/ITR/R-3/PD (Industrial & Service/Industrial to Residential/Medium Density Residential/Planned Development)
General Plan	High Density Residential
Other Public Agencies whose approval is required	N/A

BRIEF PROJECT DESCRIPTION

The project includes the following related applications on a project site:

Special Development Permit: Construct 14 residential townhouse units (ownership) on a .81-acre site. The existing restaurant building will be demolished as part of this application. The proposed development consists of 14 three-story townhouse units positioned around a central driveway that runs from N. Fair Oaks Avenue to E. Weddell Avenue. Each unit maintains a private two-car garage. The project includes deviation to front yard setback and distance between buildings.

Vesting Tentative Parcel Map: Subdivide one lot into 14 lots and one common lot.

DETAILED PROJECT DESCRIPTION

Surrounding Uses and Setting: The project site (1023 N. Fair Oaks Avenue) is one lot located at the northwest corner of N. Fair Oaks Avenue and E. Weddell Avenue. The site is surrounded by similar residential townhouse development to the north and west. Three and four story apartments are located to the south across E. Weddell Avenue. A mobile home park is located across N. Fair Oaks to the east. With the exception of the mobile home park, surrounding development is either under construction (south) or was constructed within the last 10 years. The existing restaurant on the project site was established in 1982.

The site is within the Tasman Crossing Industrial to Residential area. The Tasman Crossing area is one of several areas in the City of Sunnyvale that were zoned in 1993 to transition from Industrial to Residential (ITR) uses. It is generally bound by State Route 237 to the north, Morse Ave. to the west, the John W. Christian Greenbelt/Hetch-Hetchy Right of Way to the south and Fair Oaks Ave. to the east. The area's proximity to the Santa Clara Valley Transportation Authority (VTA) Fair Oaks Light Rail Station is one of the reasons the area was considered for residential growth. The project site is one of the remaining unconverted uses in the immediate area.

Bus service is provided by the Santa Clara Valley Transportation Authority (VTA) with a stop for Route 26 directly in front of the adjacent development along N. Fair Oaks Avenue. Another bus stop for VTA Route 200 is within 0.3 miles of the project site to the north. The Fair Oaks light rail station (at Tasman Drive) is approximately .4 miles from the project site.

On-site Development: The project includes the full demolition of the existing restaurant building and site including the removal of 37 existing trees and construction of 14 residential townhouse units with site improvements. The proposed density is approximately 17.4 units per acre. Each of the homes contains three to four bedrooms (approx. 2,100 s.f. – 2,300 s.f. including two-car garages). The project will be serviced by individual trash bins for each of the units. The project consists of three buildings. Two buildings contain three units, while one building will contain eight units. Access to the site layout includes a central drive aisle which allows for vehicles to enter and exit off both N. Fair Oaks Avenue and E. Weddell Avenue. In addition to new sidewalks, internal walkways are provided throughout the site.

Of the 37 trees proposed for removal, 17 are considered "protected" per SMC 19.94, and are required to be replaced per the City's Tree Replacement Policy. The City's Tree Replacement Policy require a minimum one 24" box or three 15-gallon for tree sizes removed between 12" - 18" diameter; one 36" box or two 24" box trees for tree sizes removed between 19" - 24" diameter and one 48" or two 36" box, or four 24" box trees for tree sizes removed over 24" diameter. At least 26 trees of varying size will be added to the site.

The project will be utilizing the City's Green Building Incentive to achieve an additional 5 ft. of height over the maximum 35 ft. by meeting 110 points in Build-it-Green's Green Point rating system. The common lots will include landscaped areas, walkways, uncovered parking and driveway/circulation areas.

A Special Development Permit (SDP) is required for the proposed use and site and architectural review. Deviations from certain development standards such as height, setback or lot coverage requirements in the Sunnyvale Municipal Code (SMC) may be considered by the decision-making bodies with the SDP application. The project includes the following deviations:

- An average front yard setback of less than 20' along N. Fair Oaks Avenue;
- Distance between buildings on the same lot - 17 ft. is provided between the two three unit buildings where a minimum 26 ft. is required per SMC Section 19.48.030;
- Building height – The project will be utilizing the City's Green Building Incentive to achieve an additional 5 ft. of height over the maximum height allowed in the R-3 Zoning District Zoning District by meeting a minimum 110 points in Build-it-Green's Green Point rating system. With the incentive, the maximum height is increased from 35' to 40' height. The proposed maximum height for the project 38' 7 1/2"

Construction Activities and Schedule: Construction activities include full demolition of all existing structures and paving on the project site, grading, utility improvements and construction of three three-story buildings with surface parking, landscaping and off-site improvements. The project will be subject to the Sunnyvale Municipal Code requirements for construction noise and hours of construction contained in Chapter 16.08.030.

Construction of the project is estimated to span 16 to 20 months. Demolition, underground work and grading is estimated to span approximately two to three months. The vertical construction of the buildings is anticipated to take 14 to 17 months, with the final phase including paving and landscaping of the common areas. Due to the demolition and excavation activities, jackhammering may be necessary. However, construction will not include deep pile foundations or pile driving or other extremely high noise generating activities or significant vibration.

Off-site Improvements:

New curb, gutter, sidewalks, driveway approaches, street trees and street lights will be installed in the public right-of-way per City standard specifications. Signage to prohibit parking along the El Camino Real frontage will be installed to reserve right-of-way for future bike lanes. The applicant is required to coordinate with VTA to determine if any improvements are necessary to the existing bus stop on the El Camino Real frontage. Standard water, sewer, right-of-way and utility upgrades will be provided as required by the Municipal Code.

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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

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

☐ Yes
☒ No

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

☐ Yes
☒ No

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

☐ Yes
☒ No

DETERMINATION:

On the basis of this initial evaluation:

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

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

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

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

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

Checklist Prepared By: Ryan Kuchenig

Date: 11/6/17

Title: Senior Planner

City of Sunnyvale

Signature:

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

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
10. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Airport Comprehensive Land Use Plan (CLUP), Sunnyvale Zoning Map, Sunnyvale General Plan Map www.sunnyvaleplanning.com
11. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There are no private airstrips in or in the vicinity of Sunnyvale
12. For a project within the vicinity of Moffett Federal Airfield, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara County Airport Comprehensive Land Use Plan (CLUP)
13. Agricultural Resources - Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
14. Noise - Exposure of persons to or generation of noise levels in excess of standards established in the Noise Sub-Element, Noise limits in the Sunnyvale Municipal Code, or applicable standards of the California Building Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, SMC www.sunnyvaleplanning.com 19.42 Noise Ordinance http://qcode.us/codes/sunnyvale/view.php?topic=19&frames=off Project Environmental Noise Assessment by Edward L. Pack Associates, Inc., dated June 1, 2017
15. Noise -Exposure of persons to or generation of excessive ground borne vibration?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Environmental Noise Assessment by Edward L. Pack Associates, Inc., dated June 1, 2017
16. Noise - A substantial permanent or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description Project Environmental Noise Assessment by Edward L. Pack Associates, Inc., dated June 1, 2017
17. Biological Resources - Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
18. Biological Resources -Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
19. Biological Resources -Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
20. Biological Resources -Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMC 19.94 Tree Preservation Ordinance Sunnyvale Inventory of Heritage Trees Tree Report by Smith Tree Specialists, Inc dated November 5, 2017
21. Biological Resources -Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan and General Plan Map www.sunnyvaleplanning.com
22. Historic and Cultural Resources - Cause a substantial adverse change in the significance of a historical resource or a substantial adverse change in an archeological resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Character Chapter 4 of the Sunnyvale General Plan, Sunnyvale Inventory of Heritage Resources The United States Secretary of the Interior's "Guidelines for Rehabilitation" Criteria of the National Register of Historic Places
23. Historic and Cultural Resources - Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	California Health and Safety Code Section 7050.5(b), CEQA Guidelines Section 15064.5(e) Project description CHRIS/NWIC Letter, dated January 24, 2017
24. Public Services - Would the project result in substantial adverse physical impacts associated with the provision of new or expanded public schools, the construction of which could cause significant environmental impacts, in	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The following public school districts are located in the City of Sunnyvale: Fremont Union High School District, Sunnyvale Elementary School District, Cupertino Union School

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
order to maintain acceptable performance objectives?					District and Santa Clara Unified School District.
25. Air Quality - Conflict with or obstruct implementation of the BAAQMD air quality plan? How close is the use to a major road, hwy. or freeway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds Sunnyvale General Plan Map Sunnyvale Air Quality Sub-Element www.sunnyvaleplanning.com
26. Air Quality - Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds AB 32
27. Air Quality -Would the project conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds Sunnyvale Climate Action Plan 2014 AB 32
28. Air Quality -Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
29. Air Quality -Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
30. Air Quality -Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BAAQMD CEQA Guidelines Thresholds Sunnyvale General Plan Map Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com Air Quality, GHG and Health Risk Assessment by RCH Group, dated April 28, 2016
31. Seismic Safety -Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

Planning	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
Geologist for the area or based on other substantial evidence of a known fault?					
32. Seismic Safety - Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
33. Seismic Safety-Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
34. Seismic Safety-Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com
35. Tribal Cultural Resources - Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Resource List California Register of Historical Resources CHRIS/NWIC Letter, dated January 24, 2017
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Heritage Resource List California Register of Historical Resources National Register of Historic Places CHRIS/NWIC Letter, dated January 24, 2017

Further Discussion if "Less Than Significant" with or without mitigation:

1. Aesthetics – Scenic resources (Less than Significant) – The project site is in an urban area with a mix of commercial, residential and public uses that has no designated scenic resources. The project would result in the removal

of 37 existing trees on the .81-acre site. Per Sunnyvale Municipal Code (SMC) Chapter 19.94, Chapter 19.37 and the City's Tree Replacement Standards, the project will include replacement of trees and the installation of landscaping to improve the visual/aesthetic character of the area. Therefore, the proposed project would have a less than significant impact on scenic resources at the project site.

2-3. Aesthetics – Visual Character (Less than Significant) – Construction of the project will alter the visual character of the site and neighboring properties, which includes a one-story restaurant building. The project architectural style is mission, which is found throughout the City, including near the project site. The new buildings will reach a maximum height of 38' 7". The proposed project includes a request for a deviation to the minimum front yard setback, which can be considered through the Special Development Permit process.

The project is subject to the City's development approval process, where the rezoning request, the proposed use and design and architecture, and deviations from specified SMC standards will be considered. This review and approval process requires a public hearing by the Planning Commission. This review would ensure that the proposed design, construction materials and lighting would not adversely affect the visual quality of the area or create a substantial new source of light or glare. The City's implementation of the City-Wide Design Guidelines and staff's review of final development plans during the building permit review process, will ensure that the final design of the project is consistent with the approved plans. Therefore, impacts would be less than significant.

4. Population and Housing (Less than Significant) – The General Plan and Zoning designations for the project site allows the conversion of the existing industrial use to residential use at a maximum density of 24 units per acre. The project is at 17.4 units per acre, which is slightly less than the Council policy of meeting at least 75% of the maximum density allowed on a site; however, this request is not considered a Code deviation. The project density is compatible with the densities of the residential developments in the vicinity. Therefore, the impact is less than significant.

14-15. Noise (Less than Significant with Mitigation) – An Environmental Noise Analysis for the project was prepared by Edward L. Pack Associates, Inc., dated June 1, 2017. The report includes an analysis of the traffic noise levels inside the proposed residences. The noise exposures at the site were evaluated against the standards of the City of Sunnyvale Noise Element, Ref. (b). The analysis of the on-site sound level measurements indicates that the existing noise environment is due primarily to traffic sources on North Fair Oaks Avenue and East Weddell Drive. Highway 101 traffic noise is part of the distant background noise environment.

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

- Policy SN-8.1 which is to enforce and supplement state laws regarding interior noise levels of residential units;
- Policy SN-8.5 which states to comply with state of California noise guidelines for land use planning for the compatibility of land uses with their noise environments, except where the City determines that there are prevailing circumstances of a unique or special nature; and
- Policy SN-8.7 which states for residential uses to attempt to achieve an outdoor Ldn of no greater than 60 dBA for common recreational areas, backyards, patios, and medium and large-size balconies.

The results of the noise study indicate that the interior noise exposures will exceed the limits of the standards. The interior noise exposures in the most impacted planned living spaces closest to North Fair Oaks Avenue will be up to 53 and 54 dB DNL under existing and future traffic conditions, respectively. The interior noise exposures in the most impacted planned living spaces closest to East Weddell Drive will be up to 49 and 50 dB DNL under existing and future traffic conditions, respectively. The interior noise exposures will be up to 9 dB in excess of the City of Sunnyvale Noise Element standards. Noise mitigation measures for the interior living spaces will be required.

To achieve compliance with the City's interior noise level standard with a margin of safety, the Noise Analysis recommends the following measures, which will be incorporated into the recommended Project conditions of approval:

To achieve compliance with the 45 dB DNL limit of the City of Sunnyvale Noise Element standards, the following noise mitigation measures are required:

1. Maintain closed at all times all windows and glass doors of living spaces.
2. Install windows and glass doors rated minimum Sound Transmission Class (STC) 31 at all living spaces within 110 ft. of the centerline of North Fair Oaks Avenue and with a direct or side view of the road.
3. Install windows and glass doors rated minimum Sound Transmission Class (STC) 28 at all living spaces beyond 110 ft. of the centerline of North Fair Oaks Avenue and with a direct or side view of the road, and at all living spaces within 100 ft. of the centerline of East Weddell Drive and with a direct or side view of the road.
4. Install windows and glass doors with the minimum Sound Transmission Class (STC) ratings shown in Figure 1 (attached to this report).
5. Provide some type of mechanical ventilation for all living spaces with the closed window and glass door condition.

20. Biological Resources (Less than Significant) – A Preliminary Arborist Report was prepared by Smith Tree Specialists, Inc., dated November 5, 2017. A total of 37 trees were included in the report. The trees at this site are in fair to poor condition. The inventory indicates that 17 of the 37 trees fall into the protected category for tree removal, however, 10 of the 17 are Eucalyptus species and are considered to be an undesirable species for planting as per the Sunnyvale Urban Forestry Plan Draft dated 2014. A protected tree is defined as having a trunk size of at least 38 inches in circumference, as measured 4.5 feet from the ground. Tree removal is reviewed through the Special Development Permit process and replacement trees are required to be planted as a condition of the approval. The City's Tree Replacement Policy require a minimum one 24" box or three 15-gallon for tree sizes removed between 12" - 18" diameter; one 36" box or two 24" box trees for tree sizes removed between 19" - 24" diameter and one 48" or two 36" box, or four 24" box trees for tree sizes removed over 24" diameter. The project includes a proposal to plant at least 26 trees on the site, ranging from 15-gallon to 48-inch box trees, which will offset the loss of the existing trees in accordance with Sunnyvale Municipal Code Section 19.94 and the City's Tree Replacement Policy. The removal of the existing onsite trees is therefore a less than significant impact.

23. Historic and Cultural Resources (Less than Significant with Mitigation) –The project construction will include grading and land disturbance. Neither the project site nor the existing buildings are on the City of Sunnyvale list of Heritage Resources. A records search by the California Historical Resources Information System/Northwest Information Center of Sonoma State University (CHRIS/NWIC) was conducted for the project area in January 2017. Review of the NWIC base maps that reference cultural resources records and reports, historic-period maps and literature for Santa Clara County indicates that there have been no cultural resource studies that cover the project site. The project area contains no recorded archaeological resources. The State Office of Historic Preservation Historic Property Directory (OHP HPD) (which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places) lists no recorded buildings or structures within the proposed project area. In addition to these inventories, the NWIC base maps show no recorded buildings or structures within the proposed project area.

Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Santa Clara County have been found in areas with diversity of plant and animal species, near watercourses and bodies of water, and near areas populated with oak, laurel, hazelnut, and buckeye. The N. Fair Oaks Avenue project area is located at low elevation in a relatively flat portion of the Santa Clara Valley, near multiple drainages into the San Francisco Bay. Given the similarity of one or more of these environmental factors, there is a moderate potential for unrecorded Native American resources in the proposed N. Fair Oaks Avenue project area. The following mitigations are recommended to reduce any potential impacts to historic and cultural resources to a less than significant level should they be encountered during construction:

MITIGATIONS – HISTORIC AND CULTURAL RESOURCES

WHAT:

- (1) There is a moderate potential of identifying Native American archaeological resources and a low potential of identifying historic-period archaeological resources in the project area. Our usual recommendation would include archival research and a field examination. The proposed project area, however, has been highly developed and is presently covered with asphalt, buildings, or fill that

obscures the visibility of original surface soils, which negates the feasibility of an adequate surface inspection. It is recommended that prior to ground disturbance, a qualified archaeologist conduct further archival and field study to identify archaeological resources, including a good faith effort to identify archaeological deposits that may show no indications on the surface. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

- (2) Contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values.
- (3) If archaeological resources are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials and workers shall not alter the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
- (4) Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms.

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

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

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

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

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

Responsible Division: Planning Division

Completed by: Ryan Kuchenig

Date: 11/6/17

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
36. Exceeds the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all modes of transportation including nonmotorized travel and all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian walkways, bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
37. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measurements, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
38. Results in a change in air traffic patterns, including either an increase in air traffic levels or a change in flight patterns or location that results in substantial safety risks to vehicles, bicycles, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
39. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Project Description
40. Conflict with adopted policies, plans, or programs regarding public transit or nonmotorized transportation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/
41. Affect the multi-modal performance of the highway and/or street and/or rail and/or off road nonmotorized trail transportation facilities, in terms of structural, operational, or perception-based measures of effectiveness (e.g. quality of service for nonmotorized and transit modes)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/

Transportation	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
42. Reduce, sever, or eliminate pedestrian or bicycle circulation or access, or preclude future planned and approved bicycle or pedestrian circulation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com</p> <p>Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/</p>
43. Cause a degradation of the performance or availability of all transit including buses, light or heavy rail for people or goods movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Land Use and Transportation Chapter 3 of the Sunnyvale General Plan www.sunnyvaleplanning.com</p> <p>Santa Clara Valley Transportation Authority Congestion Management Program http://www.vta.org/cmp/</p>

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

Building	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
44. Hydrology and Water Quality - Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
45. Hydrology and Water Quality - Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Insurance Rate Map Effective 5/18/09 www.sunnyvaleplanning.com , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
46. Hydrology and Water Quality - Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1995 ABAG Dam Inundation Map www.abag.ca.gov , California Building Code, Title 16 (Building) of the Sunnyvale Municipal Code
47. Geology and Soils -Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sunnyvale Municipal Code 12.60, Storm Water Quality Best Sunnyvale Management Practices Guideline Manual Geotechnical Evaluation by Earth Systems Pacific, dated April 14, 2017
48. Geology and Soils -Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter of the Sunnyvale General Plan, www.sunnyvaleplanning.com California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code Geotechnical Evaluation by Earth Systems Pacific, dated April 14, 2017
49. Geology and Soils -Be located on expansive soil, as defined by the current building code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	California Plumbing, Mechanical, and Electrical Codes and Title 16 (Building) of the Sunnyvale Municipal Code Geotechnical Evaluation by Earth Systems Pacific, dated April 14, 2017

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

44-46. Hydrology and Water Quality (No Impact) – The California Building Code contains a series of building code requirements to address safety issues regarding seismic shaking, flooding, and soil types. In addition, Title 16.62 of the Sunnyvale Municipal Code requires a series of measures for provisions to reduce flood-related hazards to buildings. These standards are suggested by the Federal Emergency Management Agency and required by code by the City of Sunnyvale. These standards must be met for a building permit to be issued.

47-49. Geology and Soils (Less than Significant) – A Geotechnical Evaluation report was prepared by Earth Systems Pacific, dated April 14, 2017. The study concluded that the subject property is suitable for the proposed development from a geotechnical engineering and geologic viewpoint. The report provides preliminary recommendations which will need to be updated and revised, as necessary, prior to construction, once detailed plans are available. The report concludes that the site is geotechnically suitable for the planned townhomes and other improvements. The project will include site grading for each building, which will be subject to a grading permit through the City's building permit process. Groundwater was encountered at 10 feet during the study, but is not anticipated to have an adverse impact on the construction or performance of the development. Recommendations to limit the effects soil expansion will be included in the final geotechnical report. As stated in the preliminary report, perimeter foundations should extend 24 inches below the adjacent soil pad grade and 18 inches below grade for interior foundations. Through implementation of the Building Code, standard procedures for structural analysis and through implementation of measures specified in a final geotechnical report during the building permit process, impacts would be less than significant.

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

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

Engineering	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
through the alteration of the course of a stream or river?					(BMP) Guidance Manual for New and Redevelopment Projects www.sunnyvaleplanning.com
62. Utilities and Service Systems: Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com
63. Public Services Infrastructure? Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Management Chapter 7 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

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

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

Public Safety – Hazardous Materials		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
66.	Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com
67.	Hazards and Hazardous Materials - Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan, www.sunnyvaleplanning.com Title 20 of the City of Sunnyvale Municipal Code Phase I Environmental Site Assessment by Piers Environmental Services in November 2016
68.	Hazards and Hazardous Materials - Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sunnyvale Zoning Map www.sunnyvaleplanning.com
69.	Hazards and Hazardous Materials - Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	State of California Hazardous Waste and Substances Site List (Cortese List), Department of Toxic Substance Control Phase I Environmental Site Assessment by Piers Environmental Services in November 2016
70.	Hazards and Hazardous Materials - Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Safety and Noise Chapter 6 of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

67. Hazards and Hazardous Materials (Less than Significant) – A Phase I Environmental Site Assessment was prepared by Piers Environmental Services in November 2016. This assessment has revealed no evidence of Recognized Environmental Conditions (RECS), Historical RECs (HREC) or Controlled RECs (CREC) associated with the subject property. Based upon historical research conducted for this and the previous investigation, the Property has been developed with the currently existing restaurant building since 1982. From approximately 1965 to 1980, the Property was developed with a concession stand structure for an adjacent drive-in movie theater. Prior to 1965, the Property was a fruit tree orchard. The prior use of the Property for agriculture is of potential environmental concern as it implies the use of agricultural chemicals such as pesticides and fertilizers. However, these chemicals, except for metals, attenuate by natural processes over time. As it has been since at least 1963 since that use, and as the potential exposure pathways at the Property are largely blocked, the potential for residual chemicals in the subsurface soils at the Property does not appear to warrant any further investigation.

Community Services	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source Other Than Project Description and Plans
71. Public Services Parks - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com SMC Chapter 18.10
72. Recreation - Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com SMC Chapter 18.10
73. Recreation - Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use and Transportation Chapter of the Sunnyvale General Plan, Community Character Chapter of the Sunnyvale General Plan www.sunnyvaleplanning.com

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

71-72. Recreation (Less than Significant) – The project will generate an increase in the use of existing park facilities. Through implementation of the City’s Park Dedication requirement, which requires an in-lieu payment of approximately \$691,558.56 (fee subject to increase every fiscal year) to be used for the purpose of providing and maintaining park or recreational facilities, this impact is less than significant.

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City of Sunnyvale General Plan:

Sunnyvale General Plan Consolidated in (2011)

generalplan.inSunnyvale.com

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

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

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

Specific Plans:

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

Environmental Impact Reports:

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

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

Maps:

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

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

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

Lists / Inventories:

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

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

Guidelines and Best Management Practices

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

Transportation:

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

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

Public Works:

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

Miscellaneous Agency Plans:

- ABAG Projections 2013
- Bay Area Clean Air Plan
- BAAQMD CEQA Guidelines 1999 Thresholds

Building Safety:

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

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OTHER :**Project Specific Information**

- Project Description
- Sunnyvale Project Environmental Information Form
- Project Development Plans and Preliminary Storm Water Management Plan dated August 18, 2017
- Project Environmental Noise Analysis by Edward L. Pack Associates, Inc., dated June 1, 2017
- Preliminary Arborist Report by Smith Tree Specialists, Inc., dated November 5, 2017
- California Historical Resources Information System/Northwest Information Center of Sonoma State University (CHRIS/NWIC) Records Search Letter, dated January 24, 2017
- Phase I Environmental Site Assessment by Piers Environmental Services, dated November 14, 2016
- Geotechnical Evaluation by Earth Systems Pacific, dated April 14, 2017
- Project GreenPoint Rated Checklist
- Project Preliminary Construction Schedule

Summary

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

Section 1: Consistency with CAP Forecasts

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

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

☐ Yes

☒ No

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*If **yes to one or more indicators above**, the proposed project's net effect on citywide 2020 forecasts would exceed the 2020 CAP forecast assumptions. Therefore, the project may trigger additional emissions not assumed in CAP growth forecasts. Any projects that exceed the 2020 forecasts may still rely on the CAP for identification of measures and standards for mitigation. However, since such projects exceed the assumptions of the CAP forecast, it is recommended that the project demonstrate anticipated project-level GHG emissions estimates using CALEEMod or another tool. (estimates prepared by consultant).*

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

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

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

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

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

Section 2: Consistency with CAP Measures

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

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

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

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

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

Standards for Climate Action Plan Consistency/Private Development

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

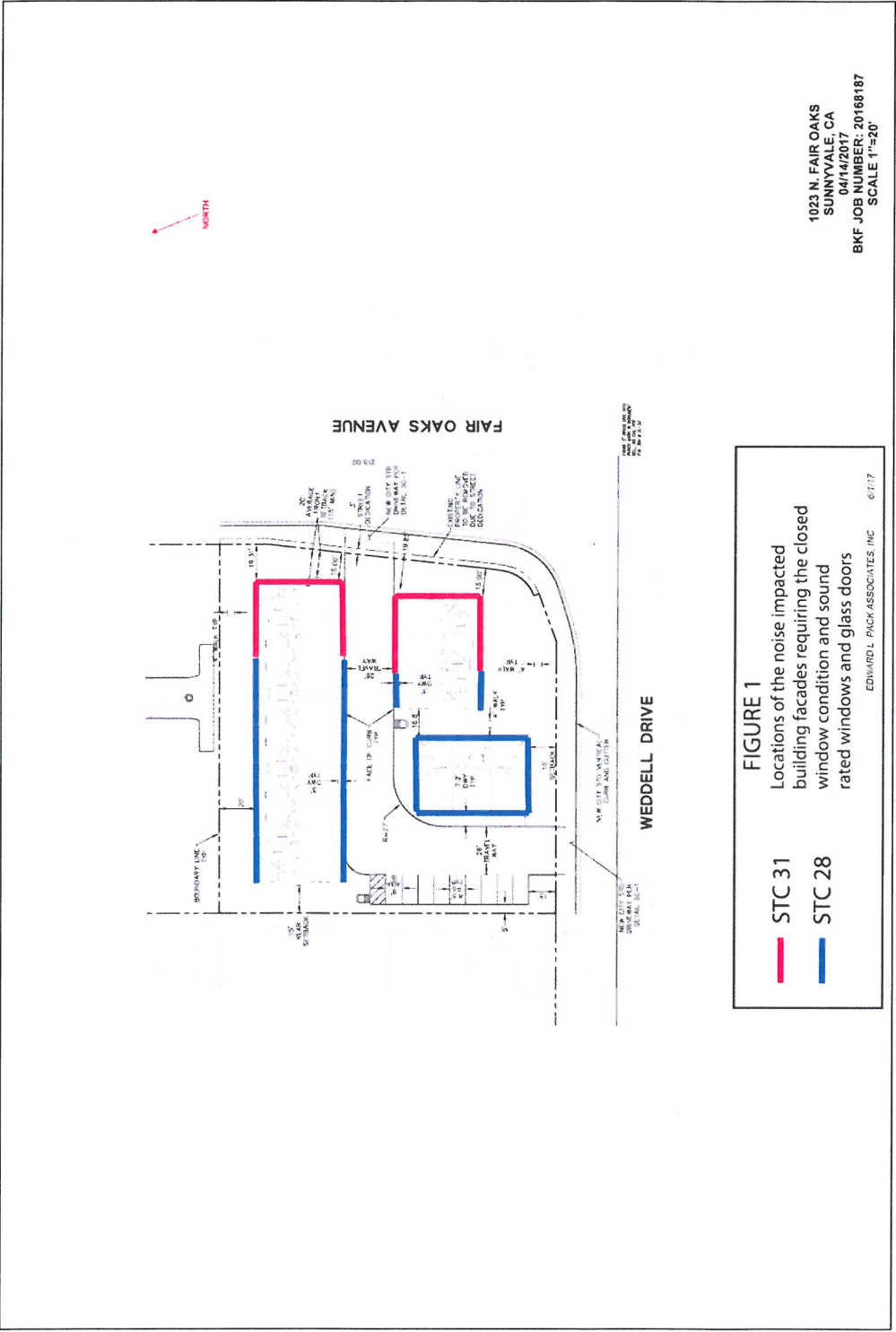
Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
Yes	OS-2	Provide availability and access to outdoor space for recreation or social purposes, including access to public open spaces on privately owned property such as retail shopping centers	The project includes a common outdoor open space behind the units at the north end and towards the street corner. A mixed-use development with retail and grocery uses is located .25 mile away to the north from the project site along N. Fair Oaks Ave. Seven Seas Park is also located approx. 25 mile away from the site to the west along E. Weddell Ave.

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
Yes	OS-3.1	Continue to implement the City's Tree Preservation requirements.	A total of 37 trees are proposed for removal, and 17 of them are "protected trees". The project will replace the protected trees with 24 new trees that include a combination of 15-gallon, 24-inch box and 48-inch box trees. The project includes 12 15-gallon 13 24-inch box trees and one 48-inch box trees. This meets the Tree Preservation ordinance requirements.
Yes	EC-2.2	Continue to require energy-efficient siting of buildings. Buildings should be oriented and landscape material should be selected to provide maximum energy efficiency for the buildings	A GreenPoint Rated Checklist has been provided with 110 points targeted. Many of the points relate to energy efficiency in building siting and construction, and water-efficiency in landscaping.
Yes	WC-2.3	Require new open space and street trees to be drought-tolerant	The project has been designed to comply with the Water-Efficient Landscaping requirements.
Yes	LW-2.1	Require multi-family homes to participate in the City's Multi-family Recycling Program	This is a code requirement.
Yes	LW-2.2	Select materials to be targeted for diversion methods, services or technologies based on the results of the Zero Waste Strategic Plan	The Zero Waste Strategic Plan is already being implemented.
No	CA-1.7	Actively promote the use of alternative modes of transportation as safe modes of travel. When applicable, promote viable programs sponsored by 511.org, the BAAQMD and other recognized agencies on the City's website and publications	The project site is within the Tasman Crossing industrial to residential area, and is subject to the Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan. The project will include the installation of new, wider sidewalks and will be required to pay a Sense of Place Plan fee, which will be used towards improvements to pedestrian, bicycle and transit linkages within the area, in accordance with the Plan. The site is located within 1/2 mile of the Fair Oaks Light Rail Station with direct sidewalk access.
No	CTO-1.1	Incorporate the provisions of AB 1358, the California Complete Streets Act of 2008, into roadway design, construction and maintenance activities	Street dedication and sidewalk improvements (increased width) encourage pedestrian use. Bike lanes currently exist and will remain along N. Fair Oaks Ave and E. Weddell Ave. No street parking is provided along the project frontage.
No	CTO-1.2	Implement the street space allocation policy (RTC 8-085, April 28, 2009) in coordination with road	Street dedication and sidewalk improvements (increased width) encourage pedestrian use. Bike lanes

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
		reconstruction or resurfacing projects to provide road configurations that accommodate all travel modes.	currently exist and will remain along N. Fair Oaks Ave and E. Weddell Ave. No street parking is provided along the project frontage.
No	CTO-1.3	Require new development to provide cross-parcel access and linkages from the development entrance to the public sidewalk system, transit stops, nearby employment and shopping centers, schools, parks and other parcels for ease of pedestrian and cyclist access	The project site is within the Tasman Crossing industrial to residential area, and is subject to the Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan. The project will include the installation of new, wider sidewalks and will be required to pay a Sense of Place Plan fee, which will be used towards improvements to pedestrian, bicycle and transit linkages within the area, in accordance with the Plan. The project also incorporates enhanced paving to highlight pedestrian crossings within the site. The site is located within 1/2 mile of the Fair Oaks Light Rail Station with direct sidewalk access.
Yes	CTO-1.4	Improve pedestrian safety and comfort through design elements such as landscaped medians, pedestrian-level amenities, sidewalk improvements and compliance with ADA design standards, particularly for areas serving high volumes of traffic.	The existing sidewalk, street trees, and street lights will be upgraded to comply with current City standards, including a wider sidewalk for a better pedestrian experience.
No	CTO-1.5	Improve bicycle facilities and perceptions of comfort through pavement marking/coloring, physical separation, specialized signs and markings and other design elements.	The existing public street in front of the property is not being modified. However, the project will be required to pay a Sense of Place fee per the Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan, which will be used towards improvements to the pedestrian and bicycle facilities within the Plan area.
Yes	CTO-1.6	Require sidewalks to be a minimum of 6 feet wide in order to allow side-by-side walking at identified locations that currently serve high pedestrian traffic volumes or locations planned to serve high volumes of pedestrian traffic.	The existing sidewalk will be upgraded to comply with current City standards.
Yes	CTO-2.1	Require public areas and new development to provide bicycle parking consistent with the VTA Bicycle Technical Guidelines, as amended.	The project complies with bicycle parking requirements by providing oversized garages for the parking of bicycles. Additional locations for bicycle racks are

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
			also proposed within common areas of the site.
No	CTO-3.1	Continue sponsoring projects to provide transit rider amenities at bus stops and rail stations.	A bus stop lies next to the townhomes directly adjacent to the site to the north. The project will be required to pay a Sense of Place Plan fee, which will be used towards improvements to pedestrian, bicycle and transit linkages within the area.
No	CTO-4.1	Require existing and future major employers to utilize a variety of transportation demand management measures such as flexible work schedules, telecommuting, guaranteed rides home, low or no cost transit passes, parking "cash-out" incentives and other programs that provide employees with alternatives to single-occupant commutes.	The project is for residential use.
Yes	EP-2.3	Prevent buildings and additions from shading more than 10% of roofs of other structures.	A solar study was completed, demonstrating that existing adjacent roofs will not be shaded more than 10% by the project.
No	EP-2.3	Continue to allow and encourage solar facilities above paved parking areas.	City of Sunnyvale Code allows for solar installations. A solar array is not proposed at this time.
Yes	OR-1.3	In project review, encourage the replacement of high-maintenance landscapes (like grass turf) with native vegetation to reduce the need for gas-powered lawn and garden equipment.	The project has been designed to comply with the Water-Efficient Landscaping requirements and does not include any turf.
Yes	OR-2.1	Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]) or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.	This is a standard condition of approval that will be implemented during construction.

Applicable? (Yes or No)	Measure	Action Item/Project Standard	Describe whether standards are applicable and how the project demonstrates consistency with applicable standards
Yes	OR-2.2	Construction equipment must be maintained per manufacturer's specifications	This is a standard condition of approval that will be implemented during construction.
Yes	OR-2.3	Planning and Building staff will work with project applicants from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:	This is a standard condition of approval that will be implemented during construction.
		a. Substitute electrified or hybrid equipment for diesel and gasoline powered equipment where practical	
		b. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.	
		c. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.	
		d. Limit heavy-duty equipment idling time to a period of three minutes or less, exceeding CARB regulation minimum requirements of five minutes.	





Regina Alcomendras
 Santa Clara County
 Clerk-Recorder
 (408) 299-5688
<https://www.clerkrecorder.org>

Receipt: 17-232654

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$0.00
	# Pages	37
	Document #	ENV21187
	Document Info:	CITY OF SUNNYVALE
	Filing Type	F
Total		\$0.00
Change (Cash)		\$0.00

PLEASE KEEP FOR REFERENCE

1

11/7/17 3:20 PM mlouie

**2016 ENVIRONMENTAL FILING FEE CASH RECEIPT**

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER:

ENV21187

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SUNNYVALE	LEAD AGENCY EMAIL	DATE 11/07/2017
COUNTY/STATE AGENCY OF FILING SANTA CLARA	DOCUMENT NUMBER	
PROJECT TITLE 1023 N. FAIR OAKS AVE.- 14-UNIT TOWNHOUSE PROJECT		
PROJECT APPLICANT NAME HIGHLAND PARTNERS GROUP INC.	PROJECT APPLICANT EMAIL	PHONE NUMBER (925) 683-7052
PROJECT APPLICANT ADDRESS PO BOX 1096	CITY DANVILLE	STATE CA
		ZIP CODE 94526

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR) \$3,070.00 \$ _____
☐ Mitigated/Negative Declaration (MND)(ND) \$2,210.25 \$ _____
☐ Certified Regulatory Program document (CRP) \$1,043.75 \$ _____

☐ Exempt from fee
☐ Notice of Exemption (attach)
☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
☐ County documentary handling fee \$ _____
☐ Other \$ _____

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other

TOTAL RECEIVED \$ \$0.00

SIGNATURE X <i>Mike Louie</i>	AGENCY OF FILING PRINTED NAME AND TITLE Mike Louie, Deputy County Clerk-Recorder
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