

**CEQA Checklist**

<b>Project Title</b>	888 Ross Drive
<b>Lead Agency Name and Address</b>	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
<b>Contact Person</b>	Margaret Netto, Senior Planner
<b>Phone Number</b>	(408) 730-7628
<b>Project Location</b>	888 Ross Drive Sunnyvale, CA 94086 (APNs: 110-07-035, 036)
<b>Applicant's Name</b>	Miramar Capital
<b>Zoning</b>	Peery Park Specific Plan - Innovation Edge (PPSP / IE)
<b>General Plan</b>	Peery Park
<b>Other Public Agencies whose approval is required</b>	Santa Clara County - Airport Land Use Commission

**BRIEF PROJECT DESCRIPTION**

The proposed project requires a Peery Park Plan Review Permit (PPRP) to allow redevelopment of a combined 8.98-acre existing office park with two five-story office/R&D buildings totaling 391,131 square feet in floor area, and a five-level parking structure to replace three existing office buildings. The project results in a 100% FAR (Floor Area Ratio), net new area-252,968 square feet.

The project is in the Peery Park Specific Plan (PPSP) area. Development in this area is guided by the standards in the PPSP. The PPSP was adopted and the Environmental Impact Report (EIR) was certified by City Council on September 20, 2016. The City Council adopted a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP).

## **DETAILED PROJECT DESCRIPTION**

### **Existing Site Conditions**

The combined 8.98-acre project site is located at 888 Ross Drive. The site is generally triangular in shape and is bordered by Highway 237 to the northwest, Sunnyvale West Channel (Santa Clara Valley Water District channel) and commercial buildings to the east and Highway 101 to the south. The site is currently occupied by three, one to two-story commercial buildings surrounded by asphalt paved parking lots, drive aisles and landscaped areas.

### **Surrounding Land Uses and Setting**

The surrounding uses are office and R&D buildings. The project site is in the northern part of the PPSP area. The PPSP was recently adopted to guide the transformation of the area into an innovative, cutting-edge workplace district.

### **On-Site Development**

The project site would be developed with two, five-story office/R&D buildings totaling 391,131 square feet. The height of the buildings would be 86-feet to the top of the penthouse. The main entrance to the buildings would face the Ross Drive turnaround. An approximately 56-foot-high, five-level parking structure would be located on the eastern property line. The new parking structure would provide 1,182 parking spaces. Combined parking for the entire site would be 1,212 parking spaces (30 surface spaces). The two parcels would be merged through a parcel map process to create one parcel.

A PPPRP is required for site and architectural review for new construction, additions or modifications of structures and property within the PPSP district. The proposed uses are permitted by right and is consistent with the uses envisioned for the PPSP area; therefore, no conditional use permit is required for the project. The project is in FAR Zone 1 and categorized as a Tier 3 Project in the PPSP, where sites may develop up to 100 percent FAR with the provision of either Defined and/or Flexible Community Benefits and Planning Commission recommendation and City Council review and approval.

There are 175 trees on the project site, and 129 which are considered “protected”. Ninety-two protected trees are proposed to be removed. The trees proposed for removal are in poor health or within the building footprints. The site is designed to preserve the existing mature Sequoia trees at the Ross Drive turnaround. Some of the interior Sequoia trees are also being preserved along with all the Sequoia trees on the eastern property line adjacent to the proposed parking structure. New landscaping would be planted all around each of the structures and the project perimeter including new street trees lining Ross Drive.

The project site would gain access from a full-access turnaround from Ross Drive to an auto court with specialty paving. The proposed project would maintain access to the nearby roadway network via four project driveways from Ross Drive.

The visitor driveway and parking garage driveway are proposed to allow two-way traffic. The drop-off ingress driveway is proposed to be a one-way driveway for the vehicles accessing the drop-off zones. The drop-off egress driveway is proposed to be a one-way driveway for vehicles exiting the site.

### **Construction Activities and Schedule**

On-Site Demolition and Construction: Construction activities include demolition of the existing buildings and site improvements and construction of the two five-story office/R&D buildings totaling 391,131 square feet in floor area, and a five-level parking structure. 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 at 24 months. Demolition is anticipated to commence in summer of 2021. Demolition and site work will span approximately one- month. The remaining time will include construction of the buildings, on-site and off-site improvements. Construction will not include deep pile foundations or pile driving, jackhammers or other extremely high noise-generating activities or significant vibration.

Off-site Improvements: Existing curb cuts and driveways off Ross Drive Avenue would be replaced with new curb cuts, driveways, sidewalks and landscaping would be installed along the Ross Drive frontage as per City/Perry Park Specific Plan standards. 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 “**Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR**” or “**New Significant Impact**” as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics and Visual Resources          | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                       |
| <input type="checkbox"/> Air Quality                              | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Recreation                            |
| <input type="checkbox"/> Cultural Resources & Historic Structures | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Transportation, Circulation & Traffic |
| <input type="checkbox"/> Greenhouse Gas Emissions                 | <input type="checkbox"/> Population/Housing            | <input type="checkbox"/> Utilities & Infrastructure            |
|   |  | <input type="checkbox"/> Mandatory Findings of Significance    |

#### CEQA Section 15168 - Program EIR.

(c) Use With Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

(4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR

**(see checklist for further information):**

Does the Project have additional potential environmental effects that were not covered in a Program EIR?

☐ Yes

☒ No

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 environmental effect on the environment that has not been considered in the Peery Park Specific Plan EIR, Mitigation Measures and Monitoring Plan ☒

I find that although the proposed project could have a significant effect on the environment not covered in the Peery Park Specific Plan Program EIR, 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 not covered in the Peery Park Specific Plan Program EIR, 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 not covered in the Peery Park Specific Plan Program EIR, 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. ☐

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Checklist Prepared By: Margaret Netto

Date:08/10/20

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Title: Senior Planner

City of Sunnyvale

Signature:

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## Environmental Checklist

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This Environmental Checklist compares the environmental impacts that would result from the implementation of the proposed project to the impacts previously identified for the site under the implementation of the PPSP, to determine whether the proposed project's environmental impacts were adequately addressed in the PPSP EIR per CEQA Guidelines Sections 15162 and 15168, as described under *Section 3.0* above.

The checkboxes in the Environmental Checklist indicate whether the proposed project would result in environmental impacts, as described below:

- **Equal or Less Severity of Impact than Previously Identified in PPSP EIR** – The severity of the specific impact of the proposed project would be the same as or less than the severity of the specific impact described in the PPSP EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR** – The proposed project's specific impact would be substantially greater than the specific impact described in the PPSP EIR.
- **New Significant Impact** – The proposed project would result in a new significant impact that was not previously identified in the PPSP EIR.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the PPSP EIR, the checkbox for **Equal or Less Severity of Impact Previously Identified in PPSP EIR** is checked. Where the checkbox for **Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR** or **New Significant Impact** is checked, there are significant impacts that are:

- Due to substantial changes in the project (CEQA Guidelines Section 15162[a][1]);
- Due to substantial changes in circumstances under which the project will be undertaken (CEQA Guidelines Section 15162[a][2]); or
- Due to substantial new information not known at the time the EIR was certified [CEQA Guidelines Sections 15162(a)(3)].

A discussion of the project's impact under the thresholds identified for reach resource follows the checklist.



## Aesthetics

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.1 Aesthetic and Visual Resources Impact AES-1
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.1 Aesthetic and Visual Resources Impact AES-4 Arborist Report by HMM, dated August 21, 2020
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.1 Aesthetic and Visual Resources Impact AES-2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.1 Aesthetic and Visual Resources Impact AES-6

### Analysis

As discussed in the PPSP EIR, there are no designated scenic vistas or state-designated scenic highways in the project vicinity. The project site does not contain other scenic resources such as rock outcroppings or historic buildings.

Redevelopment of the site would alter the visual character of the site, but it would not substantially degrade the visual character or quality of the site and its surroundings. Currently the site is occupied by three, two-story office buildings surrounded by asphalt paved parking lots, drive aisles and landscaped areas. The existing buildings would be demolished to construct two five-story office/R&D buildings totaling 391,131 square feet in floor area, and a five-level parking structure. The building heights proposed are within the maximum allowed in the PPSP and City's Zoning Code. The proposed architectural style is contemporary and is consistent with the vision and design guidelines described in the PPSP.

An arborist report was completed by HMM, dated August 21, 2020. There are 175 trees on the project site, and 129 which are considered "protected". Ninety-two protected trees are proposed to be removed. The trees proposed for removal are in poor health or within the building footprints. The site is designed to preserve the existing mature Sequoia trees at the Ross Drive turnaround. Some of the interior Sequoia trees are also being preserved along with all the Sequoia trees on the eastern property line adjacent to the proposed parking structure. New landscaping would be planted all around each of the structures and the project perimeter including new street trees lining Ross Drive.

Consistent with the PPSP EIR, the project is subject to the City's Tree Preservation Ordinance and current Tree Replacement Policy. One hundred eighty-five replacement trees including 25 street trees, 96-24-inch box trees and 50—36-inch box trees would replacement trees. The project will not result in new or more significant

impacts to aesthetics than disclosed in the PPSP EIR. (No New Impact)

The PPSP EIR concluded that the implementation of the PPSP would change the visual character of the PPSP area. Development consistency with the applicable design guidelines and development standards in the PPSP would enhance the character and quality of the area and avoid significant, adverse changes in visual character.

#### Agricultural and Forestry Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
d) Result in a loss of forest land or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>

#### Analysis

The project site is not designated as farmland. It is developed, zoned and designated for urban development. The project would have no impacts on agricultural or forestry uses, and would not result in new or more significant impacts to agricultural or forestry resources than disclosed in the PPSP EIR. (No New Impact)

## Air Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.2 Air Quality Impact AQ-4
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.2 Air Quality Impact AQ-1
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.2 Air Quality Impact AQ-5
d) Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.2 Air Quality Impact AQ-5
e) Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.2 Air Quality

### Analysis

The PPSP EIR concluded that the implementation of the PPSP would not conflict with or obstruct implementation of the 2010 Clean Air Plan because the projected growth is consistent with local and regional policies. The amount of development proposed by the project is included in the PPSP. In conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines and PPSP EIR, the project must implement mitigation measure MM AQ-1 and MM AQ-2 from the PPSP EIR to control dust and exhaust during construction and mitigate any potential air quality impacts. The PPSP EIR concluded that the buildout of the PPSP (construction and operation) would not result in significant odor impacts because standard construction requirements would minimize odors from construction activity and the planned land uses (included the proposed office and commercial uses) are not odor generating land uses such as agricultural uses, wastewater treatment plants, and landfills. The project would not result in new or more significant impacts to air quality than disclosed in the PPSP EIR. (No New Impact)

Biology

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant Arborist Report by HMM, dated August 21, 2020
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant

### *Analysis*

The project area is fully developed, does not contain potential natural habitats (such as riparian corridors or wetlands) for any sensitive species identified as a candidate, sensitive or special status species and is not a wildlife corridor. As noted in the PPSP EIR, the area does not contain riparian corridors, wetlands, or any other sensitive habitat. Amec Foster Wheeler performed a site investigation (June 2013) and observed that the Sunnyvale West Channel runs primarily through a concrete pipe and a small portion passes through an earthen canal; as such, the channel lacks connectivity. Due to the lack of connectivity, implementation of the project would not interfere with migratory fish or wildlife corridors as no fish species or vegetation are known to occur in the small portion of the artificial channel located within the project area.

Furthermore, the potential increase in pollutants associated with any development adjacent to the Channel that could enter storm water runoff and impact water quality in the Guadalupe Slough would be addressed via compliance with existing federal, state, and local water quality regulations, including compliance with National Pollutant Discharge Elimination System (NPDES) and Storm Water Pollution Prevention Plan (SWPPP) requirements, and the Streamside Development Review regulations of the City's Zoning Ordinance (Sec. 19.81.020, Guidelines and Standards for Land Use Near Streams). As a result, the project would not conflict with any policies or ordinances protecting biological resources. Therefore, implementation of the proposed project would not result in significant impacts to biological resources and further analysis of these resources is not required (No new impact).

Trees on the site, however, provide potential nesting habitat for raptors and migratory birds. Should active nests be present, tree removal and other construction activities could result in loss or abandonment of the nest and result in an impact to these species. As required by the Migratory Bird Treaty Act (MBTA), the following standard measures will be incorporated into the project conditions of approval and standard requirements to reduce potential impacts:

#### **BIRD NESTING**

Construction activities shall avoid the nesting season to the extent feasible.

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

The project, with the implementation of the above standard measure, would not result in new or more significant impacts to nesting birds than disclosed in the PPSP EIR. (No New Impact)

The primary biological resource onsite is trees. An arborist report was completed by HMM, dated August 21, 2020. There are 175 trees on the project site, and 129 which are considered "protected". Ninety-two protected trees are proposed to be removed. The trees proposed for removal are in poor health or within the building footprints. The site is designed to preserve the existing mature Sequoia trees at the Ross Drive turnaround. Some of the interior Sequoia trees are also being preserved along with all the Sequoia trees on the eastern property line adjacent to the proposed parking structure. New landscaping would be planted all around each of the structures and the project perimeter including new street trees lining Ross Drive.

Consistent with the PPSP EIR, the project is subject to the City's Tree Preservation Ordinance and current

Tree Replacement Policy. One hundred eighty-five replacement trees including 25 street trees, 96-24-inch box trees and 50—36-inch box trees would be planted. The project will not result in new or more significant impacts to trees than disclosed in the PPSP EIR. (No New Impact)

## Cultural Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.3 Cultural Resources Impact CR-2
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.3 Cultural Resources Impact CR-4 CHRIS letter dated May 21, 2018
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.3 Cultural Resources Impact CR-3
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.3 Cultural Resources Impact CR-4

### Analysis

The buildings on the project site are not considered a historic resource as defined by CEQA Section 15064.5. Existing historic resources within the PPSP area are Libby Tower and Mellow's Nursery and Farm, neither of which are on the project site. The State Office of Historic Property lists no previously recorded buildings or structures within or adjacent to the proposed project area. (No new impact)

While the project area does not contain any known archaeological resources, there is a potential for unknown buried archaeological resources to be encountered during redevelopment of the project area. There is one previously recorded Native American resource that is immediately adjacent to the project area (P-43-00032 is a Native American habitation site with evidence of historic-era deposits). The project site is located on a broad alluvial plain. The undifferentiated alluvial deposits within the project area date from the Holocene age and have been known to overlay archaeological material with sterile alluvium of varying depths. Given the similarity of these environmental factors, there is a high potential of identifying unrecorded Native American resources in the project area.

Consistent with the project-specific record research results by California Historic Resources Information System, dated November 8, 2018, and the records search for the PPSP EIR, the project must implement mitigation measures MM CR-3, MM CR-4, MM CR-5 and MM CR-6 to reduce impacts to unknown, buried archaeological or paleontological resources to a less than significant level. With the implementation of these measures, the project would not result in new or more significant impacts than identified in the PPSP EIR. (No New Impact)

## Geology and Soils

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure, including liquefaction?</li> <li>iv. Landslides?</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><i>Section 4.4 Areas Found Not to be Significant</i></p> <p><i>Project Geotechnical Report by ENGEO dated November 21, 2018</i></p>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><i>Section 4.4 Areas Found Not to be Significant</i></p> <p><i>Project Geotechnical Report by ENGEO dated November 21, 2018</i></p>
<p>c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><i>Section 4.4 Areas Found Not to be Significant</i></p> <p><i>Project Geotechnical Report by ENGEO dated</i></p>



Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant Project Geotechnical Report by ENGEO dated November 21, 2018
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 4.4 Areas Found Not to be Significant

#### Analysis

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 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 building permits to be issued for the project. The Geotechnical Report prepared by ENGEO dated November 21, 2018, concluded the site is suitable for the proposed development.

As concluded in the PPSP EIR, the existing state and City building and grading regulations would reduce or avoid significant geology and soil impacts. The project does not propose the use of septic tanks or alternative wastewater disposal systems. The project would not result in new or more significant geology and soils impacts than identified in the PPSP EIR. (No New Impact)

## Greenhouse Gas Emissions

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.4 Greenhouse Gas Impact GHG-1</i>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.4 Greenhouse Gas Impact GHG-1</i>

### Analysis

The development of the project (including demolition, construction and operation) would generate greenhouse gas emissions. The certified 2016 PPSP concluded that the buildout of the PPSP (which includes the development of the project) would result in significant and unavoidable greenhouse gas emissions. Consistent with the PPS EIR, the project shall implement the following mitigation measures from the PPSP EIR:

- MM AQ-1 Fugitive Dust Plan
- MM AQ-2 Construction-Related Emissions Reduction Plan
- MM GHG-1

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in a new or more significant greenhouse gas emissions. (No New Impact)

## Hazards and Hazardous Materials

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.5 Hazards and Hazardous Materials Impact HAZ-2 Phase 1 Environmental Site Assessment by Partner Dated 11/21/18
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by Partner Dated 11/21/18
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by Partner Dated 11/21/18
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.5 Hazards and Hazardous Materials Impact HAZ-3 Phase 1 Environmental Site Assessment by Partner Dated 11/21/18</i>
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.5 Hazards and Hazardous Materials ALUC letter dated 07/13/20</i>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by Partner Dated 11/21/18</i>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.5 Hazards and Hazardous Materials Phase 1 Environmental Site Assessment by Partner Dated 11/21/18</i>

A Phase I environmental site assessment was completed for the project site by Partner, dated June 22, 2018. The study concluded that there is evidence of a recognized environmental condition in connection with the project site. Based on the conclusions of this assessment, Partner recommends no further assessment of the soil, soil vapor, and groundwater conditions appears to be warranted at this time. Continued maintenance and operation of the air handling system to have positive pressure will provide an engineering control that effectively mitigates the potential for vapor intrusion. Vapor intrusion measures have been incorporated into the project. The project would not result in new or more significant impacts than identified in the PPSP EIR. (No New Impact)

The project site is within the Airport Influence Area for the Moffett Federal Airfield, as defined by the Moffett Federal Airfield Comprehensive Land Use Plan. The CLUP includes land use compatibility policies and standards, which forms the basis for evaluating the land use compatibility of individual projects with the Airfield and its operations. Santa Clara County Airport Land Use Commission (ALUC) staff has determined, the project site is within a small portion of the 65 dBA CNEL noise contour and outside of the inner safety zone and turning safety zone and consistent with ALUC height policies as defined in the CLUP. An Avigation Easement is required to be dedicated to the United States Government on behalf of Moffett Federal Airfield, consistent with the CLUP. The project has also received a Determination of No Hazard to Air Navigation by Federal Aviation Administration, dated July 13, 2020 (No New Impact)

## Hydrology and Water Quality

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will 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 will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
f) Otherwise substantially degrade water quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
j) Inundation by seiche, tsunami, or mudflow?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>

#### *Analysis*

As discussed in the PPSP EIR, the project is required to comply with existing regulations to reduce water quality impacts to a less than significant level, including Municipal Code Section 12.60.155 regarding low impact development site design; City's building and grading standards; General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit Order 2009-009-DWQ); National Pollution Discharge Elimination System Permit; and SWPPP guidance. The project would not result in new or more significant hydrology and water quality impacts than identified in the PPSP EIR. (No New Impact)

## Land Use

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.6 Land Use and Planning Impact LU-1</i>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.6 Land Use and Planning Impact LU-2 ALUC letter dated 07/13/20</i>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.6 Land Use and Planning Impact LU-3</i>

### Analysis

The redevelopment of the project site with office use is consistent with the PPSP, the City's General Plan and Zoning Ordinance, and would not introduce a new land use to the area or divide an established community. The PPSP EIR concluded that implementation of the PPSP (including redevelopment of the project site with office) would be compatible with surrounding land uses and would not physically disrupt or divide adjacent established communities. (No New Impact)

The project is also subject to the CLUP, with which the ALUC has determined the project to be consistent by dedicating an aviation easement. (No New Impact)



## Mineral Resources

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 4.4 Areas Found Not to be Significant</i>

### Analysis

The project site does not contain any known mineral sources. (No New Impact)

## Noise

Would the project result in:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-2 Noise Analysis prepared by Charles M. Salter dated March 3, 2019</i>
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-2 Charles M. Salter dated March 3, 2019</i>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-3 Charles M. Salter dated March 3, 2019</i>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-4 Charles M. Salter dated March 3, 2019</i>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-5</i>
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.7 Noise Impact NOI-5 Charles M. Salter dated March 3, 2019</i>

### Analysis

The proposed use is not anticipated to be noise generating and there are no sensitive land uses in the immediate vicinity. The nearest residential area is a hotel 350 feet southeast of the project site along Highway 101. The nearest residential neighborhood is 1,100 feet southwest of the project site. The noise environment at the site and in the surrounding areas results primarily from vehicular traffic along Highway 237 and Highway 101. The Noise Analysis prepared by Charles M. Salter dated March 3, 2019 concluded that traffic noise from automobiles on the project site would be less than or the same as the current parking lot because any additional parking would be in the parking structure. The proposed development would not result in a "significant noise impact" on existing development per the Sunnyvale General Plan. (No New Impact)

Construction-related noise, however, is anticipated, as described in the PPSP EIR. Construction would not include deep pile foundations or pile driving or extremely high noise-generating activities or significant vibration. Consistent with the PPSP EIR, the project shall implement the following mitigation measures to reduce construction-related noise impacts:

- MM NOI-1 Additional Project Review
- MM NOI-4a Construction Noise Control Measures
- MM NOI-4b Pile Driving Noise-Reducing Techniques and Muffling Devices

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in new or more significant noise impacts. (No New Impact)

The project site is within the Airport Influence Area for the Moffett Federal Airfield, as defined by the Moffett Federal Airfield Comprehensive Land Use Plan. The CLUP includes land use compatibility policies and standards, which forms the basis for evaluating the land use compatibility of individual projects with the Airfield and its operations. Santa Clara County Airport Land Use Commission (ALUC) staff has determined, the project site is within a small portion of the 65 dBA CNEL noise contour and outside of the inner safety zone and turning safety zone and consistent with ALUC height policies as defined in the CLUP. An Aviation Easement is required to be dedicated to the United States Government on behalf of Moffett Federal Airfield, consistent with the CLUP. The project has also received a Determination of No Hazard to Air Navigation by Federal Aviation Administration, dated July 13, 2020 (No New Impact)

## Population and Housing

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.8 Population and Housing Impact PH-1</i>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.8 Population and Housing Impact PH-1</i>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.8 Population and Housing Impact PH-1</i>

### Analysis

The PPSP EIR concluded that the development of the PPSP (which includes development of the proposed project) would not induce substantial population growth in the City. The project site does not contain housing units; therefore, it would not displace existing housing or residents. The project would not result in new or more significant impacts to population and housing than identified in the PPSP EIR. (No New Impact)

**Public Services**

	<b>Equal or Less Severity of Impact Previously Identified in the PPSP EIR</b>	<b>Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR</b>	<b>New Significant Impact</b>	<b>Where the Impact was Analyzed in the PPSP EIR</b>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:  Fire Protection? Police Protection? Schools? Parks? Other Public Facilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>Section 3.9 Public Services Impact PH-1-3</i>  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.9 Public Services Impact PH-1-3</i>
c) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.9 Public Services Impact PH-1-3</i>

**Analysis**

The PPSP concluded that buildout of the PPSP (which includes the proposed project) would not significantly affect fire, police and emergency medical response time and coverage ability or service. (No New Impact)

Pursuant to Senate Bill 50 (SB 50), and as discussed in the PPSP EIR, the payment of developer fees to the Sunnyvale School District and Fremont Union High School District would fully mitigate impacts to schools to a less than significant level. The project shall pay the appropriate SB 50 fees. The project, therefore, would not result in new or more significant school impacts than identified in the PPSP EIR. (No New Impact)

As discussed in the PPSP EIR, it is anticipated that during the workday, employees in the PPSP area would use new open space areas rather than existing parks near the PPSP area due to the proximity of these new facilities to their jobs. The project includes configuring over 40% of the site as open space or landscaping. The PPSP EIR concluded that the impacts from the buildout of the PPSP (which includes the development proposed by the project) on local and regional parks would be less than significant. The project would not

result in new or more significant impacts to park and recreational facilities than identified in the PPSP EIR. (No New Impact)

**Transportation, Circulation, and Traffic**

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 Transportation TOA prepared by Wood Rodgers dated May 2020.</i>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 Transportation TOA prepared by Wood Rodgers dated May 2020.</i>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 Transportation TOA prepared by Wood Rodgers dated May 2020.</i>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 TOA prepared by Wood Rodgers dated May 2020.</i>
e) Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 Transportation TOA prepared by Wood Rodgers dated May 2020.</i>

Would the project:	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.10 Transportation TOA prepared by Wood Rodgers dated May 2020.</i>

#### Analysis

As noted previously, the proposal is an office project, demolishing the existing buildings and improvements. Assuming full occupancy, the proposed project is estimated to generate 206 net new AM peak hour trips and 228 net new PM peak hour trips. Based on this level of vehicle traffic, a detailed traffic study is not required as the land use assumptions on site are consistent with those outlined in the Peery Park Specific Plan. Therefore, it is anticipated that the existing roadway system can accommodate the incremental increase in the trips. No traffic impacts are anticipated. (No New Impact)

A Transportation Operations Memorandum (TOM) was prepared for the site by Wood Rodgers, Inc. dated May 2020. This analysis has been performed to determine any operational deficiencies the proposed project may cause on surrounding transportation facilities and potential improvements that could be implemented to address any project-related operational deficiencies. The report concluded, the project generated trips are not projected to cause queuing deficiencies at any of the study intersections (No new impact).

The traffic analysis for this project tiered off of the cumulative analysis completed for the Peery Park Specific Plan. On September 20, 2016, City Council adopted a Statement of Overriding Considerations for the Peery Park Specific Plan's significant and unavoidable impacts related to transportation and certified the EIR and Mitigation Measures and Monitoring Report (MMRP). As identified in the PPSP EIR, the project shall implement the following mitigation measures related to transportation, circulation and traffic impacts:

- **MM T-1** Construction Impact Mitigation Plan
- **MM T-2a** Third Westbound Left-Turn Lane at the intersection of Mary Avenue and Central Expressway
- **MM T-2b** County of Santa Clara Expressway Plan 2040 Fee
- **MM T-3** Valley Transportation Authority Valley Transportation Plan 2040 Fee
- **MM T-6a** Transportation Management Agency
- **MM T-6b** Transportation Impact Fee

The project, with the implementation of the above mitigation measures from the PPSP EIR, would not result in new or more significant transportation, circulation and traffic impacts. The project would not result in new or more significant impacts to transportation than disclosed in the PPSP EIR and will be required to pay their fair share for mitigation measures identified in the PPSP EIR. (No New Impact)

The project has been reviewed by the City Fire Prevention Division and Transportation Division and does not contain design features that will substantially increase hazards or result in inadequate emergency access. The project will not result in a change to air traffic patterns. (No New Impact)



## Utilities and Service Systems

Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-1</i>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-2</i>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-2</i>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-2</i>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-5</i>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-6</i>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Section 3.11 Public Services Impact UT-7</i>

### Analysis

The PPSP EIR concluded that buildout of the PPSP (which includes the proposed project) would likely require improvements to the existing water and wastewater system as applicable. Consistent with the PPSP EIR, the project shall pay the Peery Park Infrastructure Fees (mitigation measures MM UT-1 and MM UT-2) to ensure adequate financing for funding of water and infrastructure improvements. The project, therefore, would not result in a significant impact to the water or wastewater system with the implementation of the mitigation measures identified in the PPSP EIR. (No New Impact).

### Mandatory Findings of Significance

	Equal or Less Severity of Impact Previously Identified in the PPSP EIR	Substantial Increase in Severity of Previously Identified Significant Impact in PPSP EIR	New Significant Impact	Where the Impact was Analyzed in the PPSP EIR
a) 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) 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 past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### Analysis

Implementation of the identified mitigation measures in this environmental checklist and compliance with applicable policies and regulations, the proposed project would not result in new or more significant impacts than identified in the PPSP EIR. The project will be subject to the PPSP EIR MMRP. (No New Impact)



**WHEN:** These mitigations shall be incorporated by reference into conditions of approval (Attachment 5) for the Peery Park Conditional Use Permit and the Peery Park Plan Review Permit) prior to its final approval by the City's Planning Commission. The conditions will become valid when the application is approved and prior to building permit issuance.

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

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

Responsible  
Division:

Planning Division

Completed  
by:

Margaret Netto

Date: 08/10/20

### **City of Sunnyvale General Plan:**

Sunnyvale General Plan Consolidated in (2011)

[generalplan.InSunnyvale.com](http://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:**

- Peery Park Specific Plan 2016

### **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
- Peery Park Specific Plan 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](http://www.geotracker.waterboards.ca.gov)
- The Federal EPA Superfund List  
[www.epa.gov/region9/cleanup/california.htm](http://www.epa.gov/region9/cleanup/california.htm)
- The Hazardous Waste and Substance Site List  
[www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://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 dated June 3, 2020
- Project Construction Schedule
- Project Draft Storm Water Management Plan dated August 1, 2020
- Project Arborist Report by HMM, dated August 21, 2020
- Project Phase 1 Environmental Site Assessment by Partner dated June 22, 2018
- Project Airport Land Use Commission Consistency Determination letter by Santa Clara County Airport Land Use Commission dated July 13, 2020
- Project Determination of No Hazard to Air Navigation by Federal Aviation Administration dated July 13, 2020
- Project Geotechnical Report by ENGEO dated November 21, 2018
- CHRIS letter dated November 8, 2018
- Transportation Operations Memorandum prepare by Wood Rodgers dated May 2020