



NOTICE OF DETERMINATION

Date: November 12, 2024

File Number: PLNG-2023-0880

To: X County Clerk
Santa Clara County
70 West Hedding Street
San Jose, California 95110

FROM: Planning Division
City of Sunnyvale
P.O. Box 3707
Sunnyvale, California 94088-3707

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814



SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: 1040 East El Caminero Real Project, considered under the El Camino Real Specific Plan

2017102082 City of Sunnyvale Planning Division 408-730-7444
State Clearinghouse Number Contact Person Telephone Number

Project Location (APN): 1040 to 1060 East El Camino Real (APN: 313-04-026), Sunnyvale, CA 94087

Project Description: Related applications on a 2.2-acre site:
SPECIAL DEVELOPMENT PERMIT: to consider the redevelopment of a shopping center with a 46-unit, three-story townhouse development; and
TENTATIVE MAP: to subdivide the existing lot into seven lots and four parcels and create 46 condominiums.

This is to advise that the City of Sunnyvale has approved the above described project on November 11, 2024 and has made the following determination regarding the above described project:

- 1. The Project [X will] [] will not have a significant effect on the environment.
2. X An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[] A Mitigated Negative Declaration was prepared for this project pursuant to the provision of CEQA.
3. Mitigation measures [X were] [] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X was] [] was not adopted for this project.
5. A statement of Overriding Considerations [X was] [] was not adopted for this project.
6. Findings [X were] [] were not made pursuant to the provisions of CEQA.

The Final EIR, Mitigated Negative Declaration or Negative Declaration and record of project approval is available to the general public at: Community Development Department, City Hall, 456 West Olive Avenue, Sunnyvale, California 94087.

Noren Caliva-Lopez
Signature, Principal Planner

11/13/2024

Date

Date Received for Filing at OPR



Sunnyvale

City Hall

456 West Olive Avenue

Sunnyvale, CA 94088-3707

TDD/TYY 408-730-7440

sunnyvale.ca.gov

Project was considered under the
El Camino Real Specific Plan Program EIR
(SCH # 2017102082)

- The project is consistent with the development density established by the Sunnyvale El Camino Real Specific Plan (ECRSP). There are no project specific significant effects that are peculiar to the project or its site or which cannot be substantially mitigated through uniformly applied development standards or policies. There are no environmental effects that were not analyzed as significant effects in the ECRSP EIR, no potentially significant off-site impacts or cumulative impacts that were not discussed in the ECRSP EIR, and no previously identified significant effects that will have a more severe adverse impact than discussed in the ECRSP EIR.
- The project is exempt from additional CEQA review per CEQA Guidelines section 15183 and Public Resources Code Section 21083.3.
- The ECRSP Program EIR was approved and NOD was filed as shown in Attachment 1.
- As per Fish and Wildlife and California Code sections:
Only **one filing is required** for each project, even if **multiple notices of determination are filed for a project**, unless the project is tiered or phased or separate environmental documents are required [(Fish and Wildlife 711.4 (g); 14 California Code of Regulations 753.5 (e)(3)]. The fee must be paid with the **first notice of determination that is filed; the applicant must attach copies of the receipt** to any additional notices of determination required for the project [(14 California Code of Regulations 753.5 (e)(4)]. The County Clerks and Office of Planning and Research are required to maintain records of all environmental documents received, and remit the filing fees monthly to the Department of Fish and Wildlife [(Fish and Wildlife 7411.4 (e)(1)].

Attachment 1 – ECRSP EIR NOD Filed on July 13, 2022

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: ENV24068

ENVIRONMENTAL FILING

No. of Pages: 3

Total Fees: \$3589.25

File Date: 07/05/2022

Expires: 08/04/2022

REGINA ALCOMENDRAS, Clerk-Recorder

By: Patricia Camarena, Deputy Clerk-Recorder

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: City of Sunnyvale
2. PROJECT TITLE: El Camino Real Specific Plan (ECRSP)
3. APPLICANT NAME: City of Sunnyvale PHONE: 408-730-7424
4. APPLICANT ADDRESS: 456 W. Olive Ave, Sunnyvale, CA 94086
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 30 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECTS THAT ARE SUBJECT TO DFG FEES

<input checked="" type="checkbox"/> 1. <u>ENVIRONMENTAL IMPACT REPORT</u> (PUBLIC RESOURCES CODE §21152)	\$ 3,539.25	\$ <u>3,539.25</u>
<input type="checkbox"/> 2. <u>NEGATIVE DECLARATION</u> (PUBLIC RESOURCES CODE §21080(C))	\$ 2,548.00	\$ <u>0.00</u>
<input type="checkbox"/> 3. <u>APPLICATION FEE WATER DIVERSION</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>	\$ 1,203.25	\$ <u>0.00</u>
<input checked="" 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>50.00</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 type="checkbox"/> NOTICE OF INTENT	NO FEE	\$ <u>NO FEE</u>
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8. OTHER: _____ FEE (IF APPLICABLE): \$ _____

9. TOTAL RECEIVED..... \$ 3,589.25

*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. IF THERE ARE ATTACHMENTS, PLEASE PROVIDE THREE (3) SETS OF ATTACHMENTS FOR SUBMISSION. (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)

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

County Clerk
County of: Santa Clara
Address: 70 W Hedding Street, East Wing, 7th Fl
San Jose, CA 95110

From:

Public Agency: City of Sunnyvale
Address: 456 West Olive Avenue
Sunnyvale, CA 94088-3707
Contact: Jeffrey Cucinotta, Senior Planner
Phone: 408-730-7424

Lead Agency (if different from above):

Address:

Contact:

Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2017102082

Project Title: El Camino Real Specific Plan (ECRSP)

Project Applicant: City of Sunnyvale

Project Location (include county): City of Sunnyvale, Santa Clara County

Project Description:

The El Camino Real Specific Plan (project) involves: 1) Potential buildout of 8,500 residential units and 3,980,000 square feet of commercial floor area. This represents a net increase (above existing conditions) of approximately 6,900 residential units and 730,000 square feet of commercial floor area (made up of approximately 426,000 square feet of retail commercial, 80,000 square feet of office commercial, and 224,000 square feet of hotel uses); 2) Establishing new base maximum residential densities, objective design guidelines, and development standards for nodes (near major intersections) and segments (areas between nodes); 3) Establishing minimum required commercial area for properties with mixed-use zoning; 4) Adoption of an Incentives Program, which would allow residential densities on certain sites above the base maximum densities in exchange for voluntary provision of community benefits; 5) Modifications to the circulation infrastructure to create an environment that is safe, comfortable, and appealing to users of different modes; and 6) Amendments to the Sunnyvale General Plan, Sunnyvale Municipal Code, and associated rezoning. See Exhibit A for a map of the ECRSP plan area boundaries.

This is to advise that the City of Sunnyvale has approved the above (Lead Agency or Responsible Agency)

described project on June 28, 2022 and has made the following determinations regarding the above (date) described project.

- 1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Electronic copy: https://bit.ly/ECRPlan, or hard copy: 456 W. Olive Ave, Sunnyvale, CA 94086

Signature (Public Agency): [Signature] Title: Principal Planner

Date: June 29, 2022 Date Received for filing at OPR:



Sunnyvale El Camino Real Corridor Plan (ECR Plan) Study Area





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

Receipt: 22-116353

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	\$3,589.25
	# Pages	3
	Document #	ENV24068
	Document Info:	CITY OF SUNNYVALE
	Filing Type	I
Total		\$3,589.25
Tender (Check)		\$3,589.25
Check #	100011924	
Paid By	CITY OF SUNNYVALE	

PLEASE KEEP FOR REFERENCE

