8. Usha Chatwani, P.E., Associate Civil Engineer, Community Project Review Unit, Santa Clara Valley Water District; May 15, 2003

Comment 8.01: Drainage and Water Quality. "Flood control lines" and "flood control drainages" should be referred to as "flood protection facilities." Delete misleading sentence in Draft EIR subsection 11.1.1.

Response: Comment acknowledged. The text in subsection 11.1.1 (pages 11-1 and 11-2), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.02: Drainage and Water Quality. Clarifications regarding description of flood control facilities in Draft EIR subsection 11.1.6.

Response: Comment acknowledged. The text in subsection 11.1.6 (page 11-6), in section 3 herein (Revisions to the Draft EIR), has been revised to include the additional information provided by the District.

Comment 8.03: Drainage and Water Quality. Significant drainage and water quality impacts must be mitigated on a project-by-project basis. Cumulative assessment of water runoff impacts should be performed and provided to the Water District.

Response: The EIR authors agree that drainage and water quality impacts must be mitigated on a project-by-project basis; Draft EIR subsection 11.3.2 (Impacts and Mitigation Measures) includes text and mitigation describing such requirements.

The EIR authors do not agree that a cumulative assessment of water runoff over the entire project area is warranted. Subsection 11.3.2 (under "Local Storm Drainage System Impacts") states,"Project-facilitated development in the downtown area would be limited to areas that are already substantially developed; therefore, additional impervious surface and related storm water runoff due to project-facilitated development would be minimal." Considering this fact and the mitigation measures already in place, a project-wide cumulative analysis of water runoff impacts is considered unnecessary.

Comment 8.04: Drainage and Water Quality. Table identifying "beneficial uses for groundwater" should be included in EIR subsection 11.1.5.

Response: This information is not necessary for adequate evaluation of potential water quality impacts. Rather, the definitive source for groundwater information for the Santa Clara Valley is the Water District's website (www.valleywater.org). Among other information, the website includes the District's Groundwater Management Plan and 2001 Groundwater Conditions Report. Pertaining to groundwater information in the EIR, the Draft EIR contains all information necessary to evaluate potential environmental impacts of the proposed Downtown Improvement Program Update, to the degree of specificity and level of technical detail required by CEQA Guidelines sections 15146 and 15147, respectively.

Comment 8.05: Drainage and Water Quality. Corrections to "depth to water" data.

Response: Comment acknowledged. The text in subsection 11.1.5 (pages 11-5 and 11-6), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.06: Drainage and Water Quality. Clarifications to "basin storage capacity" data.

Response: Comment acknowledged. The text in subsection 11.1.5 (pages 11-5 and 11-6), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.07: Drainage and Water Quality. Correction to statement regarding water quality.

Response: Comment acknowledged. The text in subsection 11.1.5 (pages 11-5 and 11-6), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.08: Drainage and Water Quality. Correction to text regarding "groundwater degradation."

Response: Comment acknowledged. The text in subsection 11.1.5 (pages 11-5 and 11-6), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.09: Drainage and Water Quality. Agreement with Draft EIR *Mitigation 11-1* regarding erosion, sedimentation, and urban runoff pollutants.

Response: Comment acknowledged; no response is required.

Comment 8.10: Drainage and Water Quality. Please clarify statement regarding storm drain flow (Draft EIR page 11-9).

Response: Comment acknowledged. The text in subsection 11.2.2 (page 11-9), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.11: Drainage and Water Quality. Clarification to text regarding Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) (Draft EIR page 11-9).

Response: Comment acknowledged. The text in subsection 11.2.2 (page 11-9), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.12: Drainage and Water Quality. Correction to sentence regarding "providing additional groundwater inputs" (Draft EIR page 11-9).

Response: Comment acknowledged. The text in subsection 11.2.2 (page 11-9), in section 3 herein (Revisions to the Draft EIR), has been revised.

Comment 8.13: Drainage and Water Quality. Clarification regarding District and local municipality responsibilities regarding floodplain zoning and flood proofing (Draft EIR page 11-9).

Response: Comment acknowledged. The text in subsection 11.2.2 (pages 11-9 and 11-10), in section 3 herein (Revisions to the Draft EIR), has been revised.

9

BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

ALAMEDA COUNTY
Roberta Cooper
Scott Haggerty
(Chairperson)
Nate Miley
Shelia Young

CONTRA COSTA COUNTY
Mark DeSaulnier
Mark Ross
Gayle Uilkema
(Secretary)

MARIN COUNTY
Harold C. Brown, Jr.

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Brad Wagenknecht

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Willie Brown, Jr.
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Jake McGoldrick

SAN MATEO COUNTY
Jerry Hill
Marland Townsend
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Liz Kniss
Julia Miller
Dena Mossar
(Vacant)

SOLANO COUNTY
John F. Silva

SONOMA COUNTY
Tim Smith
Pamela Torliatt

William C. Norton
EXECUTIVE OFFICER/APCO

May 15, 2003

RECEIVED
MAY 21 2003
PLANNING DIVISION

Diana O'Dell
Planning Division
City of Sunnyvale
456 West Olive Street
Sunnyvale, CA 94086

Subject: Downtown Sunnyvale Improvement Program Update

Dear Ms. O'Dell:

Bay Area Air Quality Management District (District) staff have reviewed the Draft Environmental Impact Report (DEIR) for the Downtown Sunnyvale Improvement Program Update. The project is a proposed revision to the 1993 Downtown Specific Plan which would allow for up to 760 additional housing units, 232,750 additional square feet of office space and 12,240 additional square feet of public facility space within a 125-acre area of downtown Sunnyvale.

We are pleased to note the City's plans to adopt policies and programs that will help implement the smart-growth strategies that resulted from the Smart Growth Strategy/Regional Livability Footprint Project. These strategies will encourage mixed-use, transit-oriented, in-fill development in downtown Sunnyvale. We commend the City for recognizing the air quality benefits of downtown Sunnyvale's relatively transit and service rich location, especially with regard to planning for higher density in-fill development within walking distance of the future Sunnyvale Caltrain/inter-modal transit station. 9.01

In the *Air Quality* section, the DEIR states that even after implementation of the proposed mitigation measures, project-level and cumulative effects on air quality "would represent a significant unavoidable impact." Therefore, we strongly encourage the City to require implementation of all feasible mitigation measures to reduce air quality impacts, as discussed below.

Motor vehicles constitute the largest source of air pollution in the Bay Area; therefore, the District has a strong interest in reducing automobile trips and promoting alternative modes of transportation. Transportation Demand Management (TDM) measures listed in the *Air Quality* section are important and should be vigorously implemented, but they remain a generic list without defined roles for implementation. We urge the City to develop more specific TDM programs for future development in the downtown area and to specify which of the City's departments will be responsible for overseeing the implementation of each mitigation measure. For example, the City might indicate that their Public Works Department will be responsible for working with project sponsors to implement a parking cash-out program for downtown employers. We encourage the City to include the implementation of a parking cash-out program as a condition for project approval throughout the downtown Sunnyvale planning area. 9.02

9

We suggest that the City consider additional mitigation measures to reduce the air quality impacts of this project. We encourage the City to work with project sponsors and transit service providers to implement a downtown shuttle services that will link the project area with the future multi-modal transit station. One of the proposed TDM measures is the provision of transit passes for employees, and we specifically recommend the Santa Clara Valley Transportation Authority's EcoPass program as a convenient and effective transit subsidy program. 9.03

Planning for bicycle and pedestrian access is another important aspect of encouraging alternative modes of transportation. In the *Air Quality* chapter, the DEIR lists bicycle and pedestrian mitigation measures aimed at improving the project's air quality impacts. These are primarily mitigation measures focused on providing bicycle parking, storage and bike lanes, where feasible, but do not mention connections between Downtown Sunnyvale and the greater local and regional bicycle routes. We recommend that the City include such connections in the FEIR in order to encourage more bicycle commute trips as well as mid-day commercial and retail trips. The implementation of such specific and comprehensive TDM measures should be part of each specific project's conditions of approval. 9.04

District staff are also concerned about the amount of particulate matter that could be produced from woodburning stoves and fireplaces. We encourage the City to require that project sponsors install only clean-burning natural gas fireplaces in the proposed residential units if fireplaces are included in the units. 9.05

If you have any questions regarding these comments, please contact Suzanne Bourguignon, Environmental Planner, at (415) 749-5093.

Sincerely,

William C. Norton
Executive Officer/APCO

WN:SB

cc: BAAQMD Director Liz Kniss
BAAQMD Director Julia Miller
BAAQMD Director Dena Mossar

9. William C. Norton, Executive Officer/APCO, Bay Area Air Quality

Comment 9.01: General. "Pleased to note" proposed project's policies and programs for implementing smart growth strategies.

Response: Comment pertains to general merits of proposed project; no response is necessary.

Comment 9.02: Air Quality, Transportation and Parking. Transportation demand management (TDM) measures identified in Draft EIR air quality chapter should indicate specific TDM programs and implementation responsibilities (e.g., for parking cash-out programs).

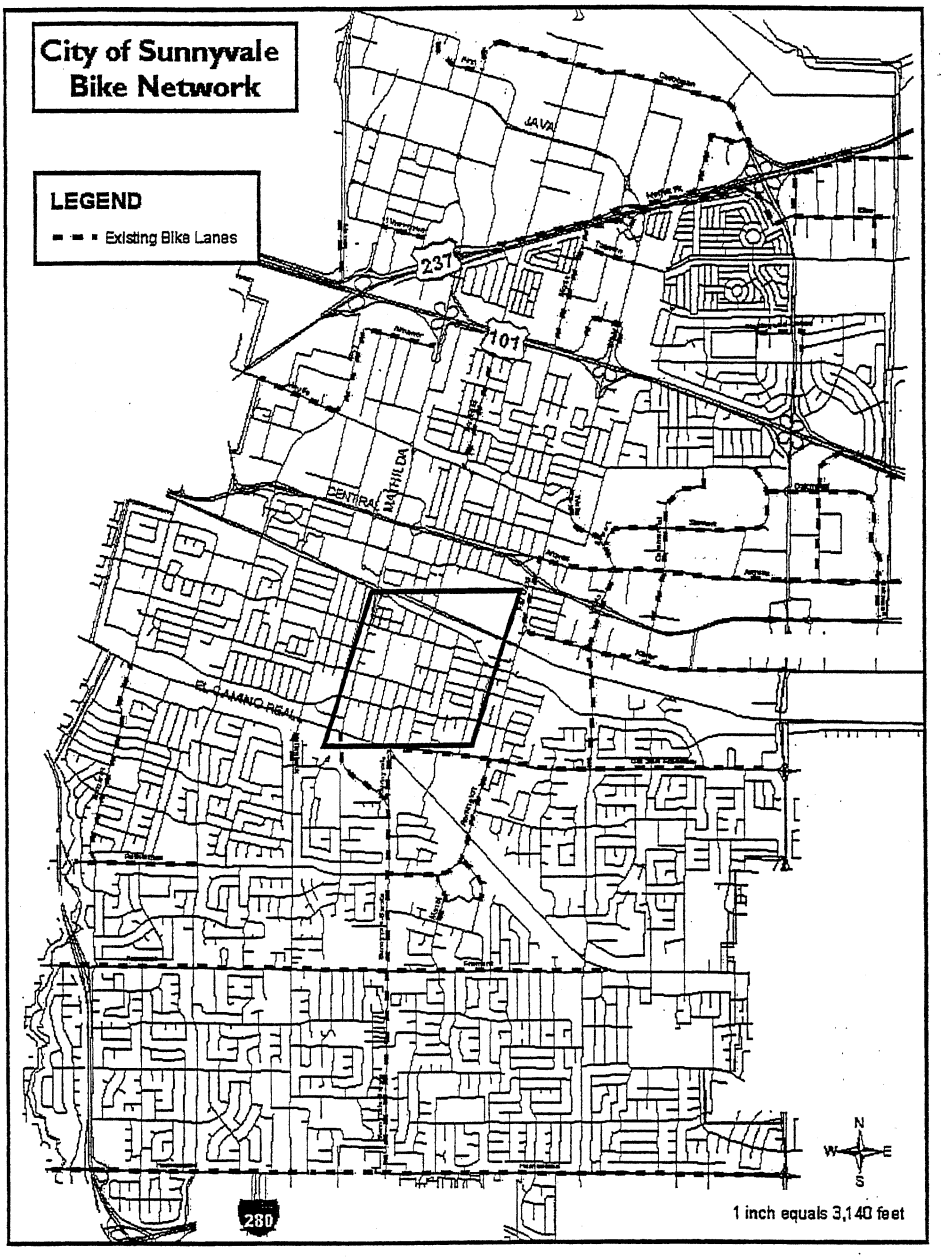
Response: The City of Sunnyvale has required Transportation Demand Management (TDM) programs for specified high-intensity office developments. Individual development projects are approved subject to a trip reduction goal (e.g. 20%) and a requirement to prepare a final TDM plan. The City allows flexibility in the details of the plan. This technique provides for site-specific and employee-specific trip reduction characteristics and has the option for modification should conditions change so that the specified trip reduction goal is met. Typical plan features include transit passes, private shuttle services, ride-sharing information, site kiosks with transit/transportation information, secure bicycle parking and showering facilities. There is a fine for non-compliance with the goals of the TDM plan. The responsibility for reviewing and monitoring TDM plans is shared by the City's Planning and the Transportation divisions. TDM programs will be required of office development in the downtown with greater than 10,000 square feet.

Comment 9.03: Air Quality, Transportation and Parking. Additional mitigation suggestions regarding downtown shuttle services and transit passes.

Response: The City has conducted two studies of potential shuttle services over the past ten years and found that the cost effectiveness and ridership for such shuttles would be extremely low. At this time, the City does not propose to implement any downtown shuttle services, but this could be considered as development occurs and the ridership and cost effectiveness potential of such a service improves. Private shuttles to office complexes currently provide service between the CalTrain station and employment centers in Sunnyvale. The now-completed multi-modal transit station is within 2000 feet of over 75% of the planned office space in the downtown.

Comment 9.04: Air Quality, Transportation and Parking. Additional mitigation suggestion regarding bicycle connections between downtown Sunnyvale and other local and regional bicycle routes.

Response: A number of bikeways are in place or planned to connect downtown Sunnyvale and local/regional bikeways. The map below illustrates the current bikeway network in Sunnyvale relative to the downtown:



The City has a long range Bicycle Capital Improvement Program that identifies potential improvements for bicycles to all arterial and collector streets. This document will assist the City in building out additional bikeway network connections.

Comment 9.05: Air Quality. Recommendation that only clean-burning natural gas fireplaces be permitted in project's residential units.

Response: The City has adopted ordinances prohibiting new woodburning fireplaces. Sunnyvale Municipal Code section 19.42.070 specifically prohibits woodburning fireplaces. Under this section, no new fireplace or new woodburning appliance shall be utilized except in accordance with Chapter 8.14 (Ord. 2672-10 §2).

10

SANTA CLARA
Valley Transportation Authority

RECEIVED
MAY 21 2003
PLANNING DIVISION

May 16, 2003

City of Sunnyvale
Planning Division
P.O. Box 3707
Sunnyvale, CA 94088-3707

Attention: Diana O'Dell

Subject: Sunnyvale Downtown Improvement Program Update

Dear Ms. O'Dell:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR to undertake a number of planning and improvement actions, including adoption of a Downtown Design Plan (Plan), for an approximately 50-acre area generally bounded by Evelyn Avenue/Caltrain tracks, Bayview Avenue/ Carroll Street, El Camino, and Charles Street. We have the following comments.

VTA Support for Downtown Design Plan

10.01

VTA strongly supports this focused planning effort that incorporates many of the principles and practices advocated by VTA's Community Design & Transportation Program. VTA especially applauds the plan's inclusion of high-density mixed-use development, pedestrian paths throughout the downtown area, wide sidewalks, narrow travel lanes, balance of multi-modal needs with vehicle capacity needs, pedestrian bulb-outs, and other pedestrian amenities. The Sunnyvale Caltrain Station and adjacent Bus Transit Center on Frances Street are key components to the success of the Plan. We have the following specific comments.

Bus Transit Operations

Bus Transit

10.02

The role of the bus is an important transit option in downtown Sunnyvale. The Downtown Design Plan presents an opportunity to include specific plans for bus stop improvements. Specifically, bus stop improvements along Mathilda Avenue should be included as an element of the urban design plan. The underlying goals of bus stop improvements include enhancing the street character, improving connections, creating interesting public spaces, and increasing a sense of awareness and identity for transit services.

10

Street Design for Bus Operations

10.03

There are bus routes on some streets in the area, including Washington, Mathilda, Frances, and Sunnyvale. VTA supports narrowing of travel lanes and intersections to support pedestrian activity. At the same time, VTA has a vested interest in efficient bus operations. When these streets and intersections are designed for re-configuration, VTA recommends that the designs include dimensions wide enough to support bus operations and include VTA standard bus pads and passenger waiting pads. Attached are the locations of the 16 bus stops in the project area.

The design of bus stops helps define the character of the street. Poorly designed stops can detract from the public realm, but well-designed stops can greatly enhance it. To ensure optimal integration of the bus stop with the character of streets and surrounding buildings, bus stop design elements that improve the street character should be included. This can be accomplished in many ways including providing bus stop bulb-outs and integrated plaza or pocket park designs at bus stops with unique shelters, lighting, street furniture and additional landscaping. At a minimum, bus stops should be designed with unique shelters.

On Washington Avenue, the median-separated parking lane also has implications for bus stops. VTA suggests placing bus stops at intersection bulb-outs or within the median and allowing buses to stop for passenger boarding and de-boarding in the curb lane, to support efficient transit service, and a vibrant pedestrian environment.

Shuttle Services

10.04

To improve connectivity and mobility throughout Sunnyvale, especially within and around downtown, VTA recommends considering additional local shuttle routes. These could be funded through developer fees and possibly operated through a contract with Caltrain or VTA.

VTA staff recommends that City of Sunnyvale staff consider advanced planning for a shuttle route that compliments their pedestrian connections scheme, serves the new development areas as well as the expanded retail, and ties everything in with the Caltrain station. Advanced planning should ensure that streetscape elements do not preclude the successful integration of future bus stops.

Bicycle Corridors

10.05

VTA supports the proposed bike lanes on Iowa Avenue, Sunnyvale Avenue and Evelyn Avenue. The Sunnyvale and Evelyn Avenues segments are included in the Cross County

10

Bicycle Corridors, which form a 347-mile network of routes throughout Santa Clara County where the implementation of bikeways is top priority. The Cross County Bicycle Corridors were adopted as part of the Santa Clara Countywide Bicycle Plan (2000).

Washington Avenue between the western city limits and Sunnyvale Avenue is included in the Cross County Bike Corridors. As it exists today, it functions beautifully as an east-west connector to Downtown Sunnyvale for bicyclists. With the proposed downtown design plan, it would draw even more cyclists. VTA staff recommends that City of Sunnyvale staff consider reconfiguring the proposed cross sections of Washington Avenue to create more travel space for bicyclists, such as eliminating the median or reducing its width. 10.06

VTA supports the southbound local lane on Mathilda Avenue, since it could also serve as a bike travelway for casual cyclists. However, corresponding accommodation for bikes should also be considered for the northbound direction. VTA staff recommend including a bike lane in the northbound direction, by adjusting the width of other lanes, medians and/or sidewalks. 10.07

Transportation and Parking (Chapter 7)

Consideration of Mary Avenue Extension

The analysis in the DEIR assumes the completion of the Mary Avenue extension over US 101 and SR 237 to H Street in the Moffett Park area for the year 2020 conditions. However, as this is an unfunded project that is currently under study as part of the SR 237 Corridor Study by VTA and City of Sunnyvale, it is recommended that at least a No Project scenario without the Mary Avenue extension also be evaluated. 10.08

Addressing of Freeway Impacts

The DEIR notes that the improvement program would cause freeway impacts that cannot be reduced to a less than significant level. Ordinarily for Congestion Management Program (CMP) purposes, when a project's mitigation measures are not able to improve traffic level of service (LOS) to CMP's traffic LOS standard, the lead agency for the project must prepare a CMP-approved deficiency plan. However, pending adoption of the *Countywide Deficiency Plan* by VTA, preparation of a deficiency plan is not needed. Rather, the lead agency or project's sponsor must implement the "Immediate Implementation Action List" items provided in Appendix D of VTA's *Transportation Impact Analysis Guidelines*. The Transportation Demand Management measures described under the air quality section of the DEIR are examples of "Immediate Implementation Action List" items. 10.09

10

Another way to address freeway impacts is for the City's Transportation Strategic Program to provide a fair-share contribution towards improving freeway operations in addition to the contributions toward improvements on local roadway and expressways, and the construction of the Mary Avenue extension listed on Page 7-39 of the DEIR. 10.10

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,

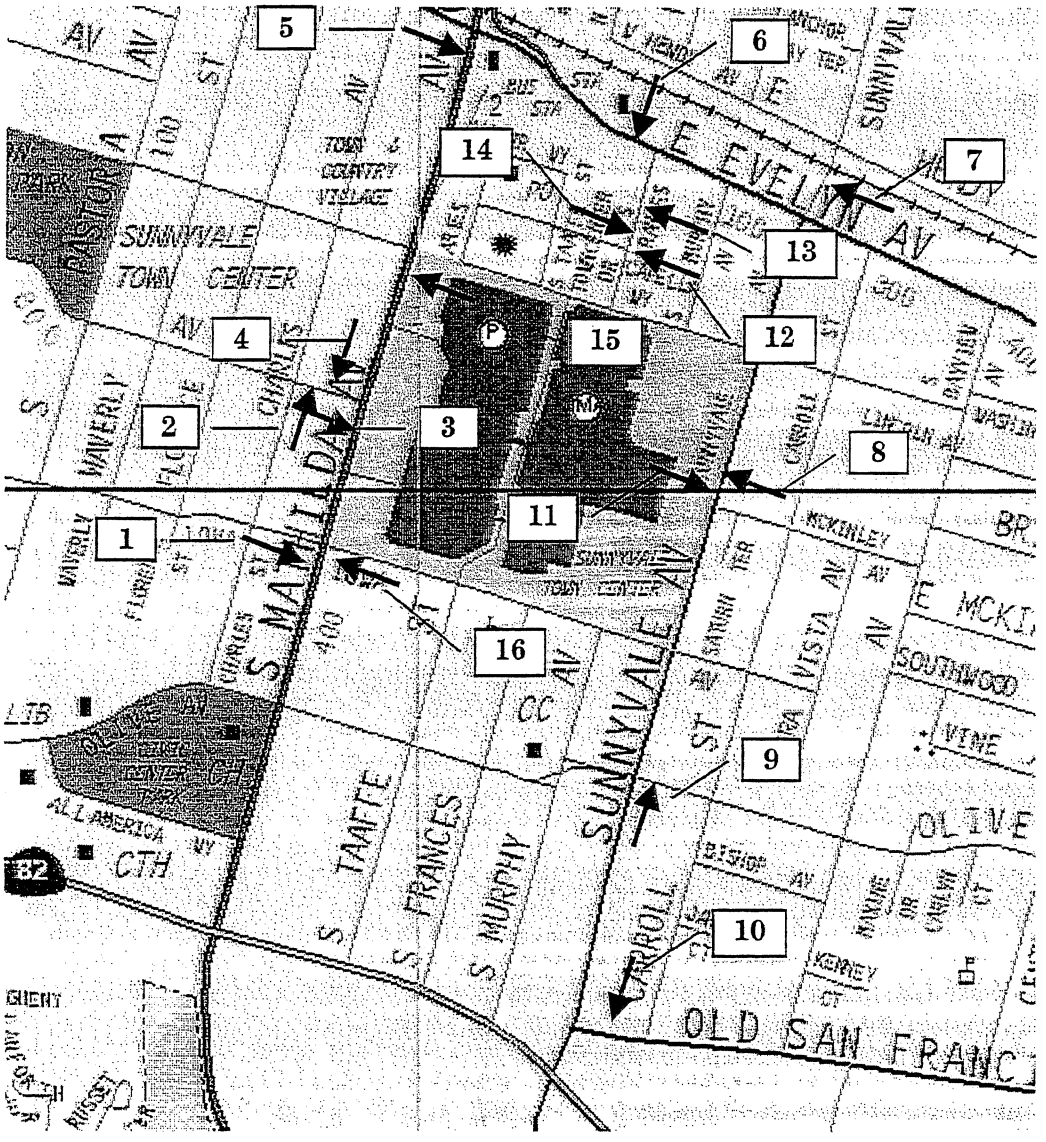
Roy Molseed
Senior Environmental Planner

RM:kh

cc: Jim Lightbody, VTA
Samantha Swan, VTA

Attachment

Sunnyvale Downtown Improvement
Bus Stops In Project



10. Roy Molseed, Senior Environmental Planner, Santa Clara Valley Transportation Authority (VTA); May 16, 2003

Comment 10.01: Transportation and Parking. Support for project components consistent with VTA's Community Design and Transportation Program.

Response: Comment noted.

Comment 10.02: Transportation and Parking. "[B]us stop improvements along Mathilda Avenue should be included as an element of the urban design plan."

Response: The commenter is not specific about the type of bus stop improvements. Bus stop improvements such as signs, benches, and shelters would be accommodated by the proposed project (update), and it is assumed that these would be provided as part of the transit provider's program to furnish these amenities. The current Downtown Specific Plan requires specialized streetscape features including enhanced paving, decorative lighting fixtures, large canopy trees on major streets, tree grates, and other street furniture such as benches, trash cans, etc. These streetscape requirements will be retained and/or updated in an amended Downtown Specific Plan.

Comment 10.03: Transportation and Parking. Recommendations for street and bus stop designs adequate to support bus operations.

Response: These comments relate to the Specific Plan efforts and not to the environmental analysis. See comment 10.02. Many of the design features suggested by VTA are anticipated by the current Downtown Specific Plan and will be addressed in partnership with VTA during implementation of the proposed plan update. The bus stops on Evelyn are near the recently completed multi-modal transit station and adjacent to a future downtown public plaza. The Cooperative Agreement for cost sharing of the multi-modal transit station indicates the future plans of the city to enhance the Evelyn bus stop area.

Comment 10.04: Transportation and Parking. Recommendation for additional local shuttle routes.

Response: See response 9.03.

Comment 10.05: Transportation and Parking. Support for proposed bike lanes on Iowa Avenue, Sunnyvale Avenue, and Evelyn Avenue.

Response: Comment noted.

Comment 10.06: Transportation and Parking. Recommendation to reconfigure Washington Avenue to create more travel space for bicyclists (e.g., eliminate median, reduce road width).

Response: Comment noted.

Comment 10.07: Transportation and Parking. Recommendation to include a bike lane on northbound Mathilda Avenue.

Response: Comment noted.

Comment 10.08: Transportation and Parking. Mary Avenue extension in the Moffett Park area is as yet unfunded; traffic analysis should also include an analysis without extension.

Response: The Mary Avenue Extension is identified for implementation in the Sunnyvale General Plan. Because of the programmatic nature of the proposed Downtown Improvement Program Update, it is appropriate to assume that this future improvement will be made. Reasonable progress is being made to implement this improvement as well. The City has completed a number of technical studies justifying the improvement. Also, the City has drafted and will soon consider a funding program for the Mary Avenue Extension and other transportation system improvements.

Comment 10.09: Transportation and Parking. Due to the project's significant unavoidable freeway impacts, the project must implement "Immediate Implementation Action List" from VTA's Transportation Impact Analysis Guidelines. *Mitigation 10-2* in Draft EIR chapter 10 (Air Quality) already includes sample transportation demand management (TDM) measures from the Action List.

Response: Comment noted.

Comment 10.10: Transportation and Parking. Traffic impacts also can be addressed through fair-share contributions toward freeway, roadway, and expressway improvements, including the Mary Avenue extension noted in comment 10.08.

Response: The freeway system is not within the jurisdiction of the City. The City is not a responsible agency for freeway impacts per CEQA. As a member agency to the Valley Transportation Authority Congestion Management Program, the City is participating in the development of the Countywide Deficiency Plan, which is an identified means of identifying offsetting mitigation for freeway impacts consistent with congestion management law. The City will consider freeway mitigation contained in the Countywide Deficiency Plan at such time it is adopted, including fair share contributions, if they are considered.

11

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse

Gray Davis
Governor

Tal Finney
Interim Director

May 19, 2003

RECEIVED
MAY 20 2003
PLANNING DIVISION

Diana O'Dell
City of Sunnyvale
456 West Olive Avenue
P.O. Box 3707
Sunnyvale, CA 94088-3707

Subject: Sunnyvale Downtown Improvement Program Update
SCH#: 1988110816

Dear Diana O'Dell:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 16, 2003, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly. 11.01

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
(916)445-0613 FAX(916)323-3018 www.opr.ca.gov

11

Document Details Report
State Clearinghouse Data Base

SCH#	1988110816
Project Title	Sunnyvale Downtown Improvement Program Update
Lead Agency	Sunnyvale, City of

Type	EIR Draft EIR
Description	Proposed amendments to the Downtown Specific Plan, General Plan, Zoning Code, and Redevelopment Plan could result in approximately 1,670 new housing units, 116,640 additional square feet of retail / restaurant / entertainment space, 942,640 additional square feet of office space, and 12,240 additional square feet of public facility (civic center) floor space.

Lead Agency Contact

Name	Diana O'Dell		
Agency	City of Sunnyvale		
Phone	408-730-7452	*Fax*	408 328-0710
email	dodell@ci.sunnyvale.ca.us		
Address	456 West Olive Avenue P.O. Box 3707		
City	Sunnyvale	*State* CA	*Zip* 94088-3707

Project Location

County	Santa Clara			
City	Sunnyvale			
Region				
Cross Streets	Evelyn Avenue,Bayview Avenue and Carroll Street,El Camino Real,Charles Street			
Parcel No.				
Township	*Range*	*Section*	*Base*	

Proximity to:

Highways	82, 85, 237, US 101
Airports	
Railways	CalTrain
Waterways	
Schools	Sunnyvale, Fremont Union High School Districts
Land Use	Downtown Specific Plan and adjacent areas of mixed uses (residential, office, retail / restaurant / entertainment, transportation) with associated various General Plan and zoning designations.

Project Issues	Aesthetic/Visual; Air Quality; Archaeologic-Historic; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects
Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Reclamation Board; California Highway Patrol; Caltrans, District 4; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission

Date Received 04/02/2003 *Start of Review* 04/02/2003 *End of Review* 05/16/2003

Note: Blanks in data fields result from insufficient information provided by lead agency.

11. Terry Roberts, Director, State Clearinghouse, California Governor's Office of Planning and Research; May 19, 2003

Comment 11.01: Notice that public review period for state agencies closed on May 16, 2003; comments from responding agencies enclosed.

Response: Comment acknowledged. Please see responses to letters received from other state agencies, including letters 1 (California Department of Toxic Substances Control), 9 (Bay Area Air Quality Management District), and 14 (California Department of Transportation).

12

May 16, 2003

City of Sunnyvale
Planning Division
Attn: Diana O'Dell, Associate Planner

The validity of the Draft Environmental Impact Report for the Sunnyvale Downtown Improvement Program Update comes into question before turning the cover to page 1.

The drawing on the cover shows a plaza at one corner of an intersection. Two story buildings are shown on two of the other corners and a three story building is on the third corner. This is not the Downtown Plan being reviewed for Sunnyvale. In actuality the City's Downtown Plan has 100' buildings on one side (Mozart) of the plaza and allows for 100' buildings on the other. The clear intent is to mislead, something the City does very well. The superficial manner in which the impact of this plan on the quality of life in Sunnyvale is addressed is completely appalling, making this very expensive document relatively worthless as a decision making tool.

Sincerely,

Ray Johnson

12. Ray Johnson; May 16, 2003 (received after business hours)

Comment 12.01: General. Drawing on Draft EIR does not accurately depict proposed project.

Response: The plaza depicted in the illustration appears to be located at the corner of Washington and Murphy Avenues, not at the Mozart development. Please refer to EIR Figure 3.3 (Proposed Downtown Design Plan). The person in the right foreground appears to be on the pedestrian bridge (illustrated by dotted lines on Figure 3.3) south of the intersection. From this perspective, the building heights are representative of those proposed under the Downtown Improvement Program Update: a 36-foot allowable maximum height in subdistrict 2 (along Murphy and north side of Washington at this location), and a 75-foot allowable maximum height in subdistrict 18 (along south side of Washington at this location, behind the pedestrian's right shoulder).

13

Friends of Sunnyvale

15 May 2003

City of Sunnyvale & City Council
c/o Diana O'Dell
456 West Olive Avenue
Sunnyvale, California 94086

Please find attached my EIR comments.

Best regards,

Olaf Hirsch

13

Project Description

(p3-16) If one of the goals for the proposed redevelopment plan amendments is to remove blight, the blight conditions should be specified. 13.01

Land Use

(p4-15) The map showing the properties owned in the city by the RDA is not correct. 13.02

(p4-20) Major development in the core of the city would substantially disrupt the community in the downtown area. Most affected would be businesses in the downtown area. Detailed actions need to be stated to mitigate this impact 13.03

(p4-23) The effect of the use intensification along Mathilda does not take the neighborhood directly east of Mathilda into account (Taaffe, Frances and Murphy). The tall office buildings would have a significant impact on these neighborhoods. 13.04

(p4-23) Urban design plan specifies sub-district 13a as high density with 36 - 60 du/acres, sub-district 17 is specified as 36-60 du/acre 13.05

(p4-25) The Moffet Park development should be specifically stated as it is a major development in the city of Sunnyvale. 13.06

Aesthetics

(p-2-9) A circular argument is used by stating that by implementing the urban design plan the aesthetics of the overall plan would be increased. 13.07

EIR does not address the aesthetics during the development which could be over 20 years or more. During this time very tall buildings could be next to single family buildings along Mathilda Ave. 13.08

(2-10) The EIR states that the downtown area already has an abundance of existing lights. This is currently not true (except for the Mozart buildings) Most light sources in the downtown area are from normal street lights. 13.09

The EIR does not address illumination due to lights shining out of office buildings which is the greatest light source. 13.10

(p5-5h) Description should include the Heritage district. 13.11

(p5-9) Action statement "Avoid tall buildings which create a tunnel effect" is not consistent with the proposed plan. 13.12

(p5-15) Visual impacts to the inside of the development such as Taaffe and Frances area are not addressed. The plan only addresses the visual impact to the outside of the project area. 13.13

(p5-16) The Mozart development does not have a positive visual impact for the downtown. 13.14

(p5-17) 100 feet high buildings at the south end of Mathilda would not have a beneficial visual impact to Taaffe and Frances.

(p5-18) Visual impact of tall buildings hiding the Santa Cruz Mountains is not taken into account and cannot be seen as a beneficial visual impact. How do people know that they are in the heart of Silicon Valley if they cannot see the mountains anymore? 13.15

View corridors perpendicular to Mathilda are not taken into account.

(p5-20 6) 100 feet high buildings will have a significant impact to the visual character of the south of Iowa district 13.16

Population, Housing and Employment

(p6-5) Comparison of the increased in population in the downtown to the overall population in Sunnyvale does not make sense. What will be the impact to the downtown area if that many folks are added? They won't be distributed over the entire city. 13.17

Traffic

(p2-12) A non-existing plan (Countywide Deficiency Plan) cannot be used to argue that traffic impacts will be mitigated to less than significant levels, especially if there is no money to add/widen streets and freeways 13.18

(p2-14) Reduction of the traffic signal cycle length would shorten the cycles for the other lanes. This impact is not analyzed in the report. It should also state by how much the signal cycles needs to be adjusted from current levels. 13.19

The traffic analysis does not cover the specific traffic impacts from movie theater traffic which is outside of the general traffic patterns. 13.20

(p7-2) The traffic analysis does not cover important intersections affected by the urban design plan, including 101/237/Mathilda, Evelyn/Fair Oaks, Evelyn/ Mathilda Ramp, and Sunnyvale/Maude. 13.21

13

(p7-22) Traffic scenarios should be evaluated without the Mary Ave extension over 101 and 237 since this project will very likely not be completed in the proposed timeframe due to budget constraints. 13.22

(p7-34) The intersections at Evelyn/Sunnyvale Ave and Evelyn/Mary are special cases because of frequent closings due to train traffic in the AM and PM hours. How has this been taken into account? 13.23

The intersection of Mathilda and Washington has a special pattern during lunch hours which would be exaggerated by the implementation of the plan 13.24

(p7-49) Mitigation 7-1 and 7-2 are not valid mitigation scenarios as these plans do not exist. At a minimum, this EIR should spell out what the specific measures are which need to be implemented 13.25

(p-7-52) How does a modified signal cycle affect the other lanes? 13.26

(p7-53) It is impossible that the traffic increase at Washington/Mathilda is only 62 cars/h if high density residential buildings are build between Washington and Evelyn. 13.27

How is it possible that the traffic decreases at intersection 9 and many other intersections with the added project (see fig 7.4 vs. 7.5)? 13.28

(p7-57) Mitigation 7-4: Please describe in detail the measures which need to be implemented to reduce the operational impacts to less than significant levels 13.29

(p7-59) It is impossible that traffic at intersection 1 (Mathilda/Maude) in south-north direction during AM peak hours increases only by 49 cars/h if Moffet park is added to the scenario. 13.30

It cannot be that traffic at intersection 18 (Mary/Central) <u>decreases</u> if the overpass over 101 and 237 is build into Moffet Park. 13.31

(p7-69) More pedestrian will mean more pedestrians crossing signalized intersections. This will adversely affect the signal cycle for cars. Has this been taken into account for the traffic study? 13.32

(p7-71) More than 2,200 multi-family residential units would require more than 4.400 parking spaces. Table 7.16 shows only a difference of 1,584. 13.33

Table 7.16 should take today's parking situation as a baseline. 13.34

Traffic impact around schools has not been taken into account since the existing schools are hardly in walking distance from the project area 13.35

13

Public Services

(p8-26) Since the urban design plan does not contain an additional 5.2 acres for a park in its project area there should be an area identified in the EIR in or near the project area to mitigate the problem. Money alone will not create a park. 13.36

Noise

EIR does not address noise amplification due to tall buildings with hard surfaces. 13.37

Noise from office air conditioning equipment is not covered. 13.38

(p9-12) Figure 9.1 does not make sense because it does not include traffic around the project area garages and traffic generated by the movie theatre. Traffic generated by the movie theatres is mostly generated in the evening/night hours. 13.39

(p9-13) Mitigation 9-1: Mitigation needs to propose measures so that noise is not generated in the first place. This is the only way to mitigate the noise for existing buildings and to achieve the goal of a pedestrian friendly downtown 13.40

(p10-16) Mitigation 10-2 should identify by how much traffic is reduced by each of the proposed measures. 13.41

Alternatives

(p-18-32) Alternative 4 would create less noise because the additional open space would reduce the overall noise level. The reduced traffic of alt. 4 would further reduce the amount of noise generated by traffic. 13.42

Alt. 4 would help increase the amount of open space from its current low levels

Alt 4 would reduce the amount of runoff because the proposed town plaza.

13. Olaf Hirsch; May 15, 2003 (received after business hours, May 16)

Comment 13.01: Project Description. "Blight conditions" should be specified (Draft EIR page 3-16).

Response: In accordance with California Community Redevelopment Law, blight conditions will be documented in the Downtown Redevelopment Plan Amendments Preliminary Report and other redevelopment-related documents which will be prepared as part of the Redevelopment Plan Amendment process subsequent to this EIR process.

Comment 13.02: Land Use. "The map showing the properties owned in the city by the RDA [Redevelopment Agency] is not correct" (Draft EIR page 4-15). No specific revisions identified.

Response: The comment is correct. The map shown on DEIR page 4-15 (Figure 4.5) is incorrect with respect to its depiction of land owned by the Redevelopment Agency. A corrected version of Figure 4.5 is included in section 3 herein (Revisions to the Draft EIR). This correction does not affect any of the EIR impact or mitigation conclusions.

Comment 13.03: Land Use. Major development would "substantially disrupt" the downtown community (Draft EIR page 4-20); mitigation required.

Response: The general extent of "major development" permitted in "the core of the City" would not substantially change under the proposed Downtown Development Program Update from what is currently permitted under the 1993 Downtown Specific Plan and current Sunnyvale Zoning Code, as shown by DEIR Table 18.2. The potential more specific impacts of the proposed update on existing land use characteristics in the downtown, and associated mitigation needs, are identified in the Draft EIR on pages 4-16 through 4-26, and 5-12 through 5-22.

Comment 13.04: Land Use. Proposed intensification along Mathilda Avenue (e.g., tall office buildings) does not account for neighborhood directly to the east (Draft EIR page 4-23).

Response: The potential effects of the proposed Downtown Improvement Program Update, including associated land use intensification along Mathilda, on the Taaffe, Frances, and Murphy neighborhoods, have been specifically and carefully considered in preparing the Draft EIR, and are adequately discussed and described in the Draft EIR on pages 4-1 (Murphy Avenue, Murphy Avenue Heritage District, and Murphy Station Landmark District), 4-2 (Murphy Avenue Heritage District), 4-3 ("Murphy Avenue" indications on Figure 4.1), 4-4 (Murphy Station Landmark District, Murphy Avenue, Taaffe/Frances Heritage Housing District), 4-5 (S. Murphy Avenue), 4-10 (Murphy Avenue Heritage District), 4-12 (Murphy Avenue), 4-17 (Murphy Avenue, Murphy Avenue Heritage District, Murphy Station Landmark District), 4-18 (Taaffe/Frances Heritage Housing District), 4-21 (Murphy Avenue, Murphy Station Landmark District), 4-22 (Taaffe/Frances Heritage Housing District), 4-23 (Taaffe Street), 5-3 (Murphy Avenue, Taaffe Street, Murphy Station Landmark District, Murphy Avenue, Murphy Avenue Design Guidelines),

5-4 (Taaffe/Frances Street, Taaffe Street), 5-19 (Murphy Avenue, Murphy Avenue Design Guidelines), and 5-20 (Taaffe/Frances Heritage Housing District). Murphy Avenue, Frances Street, and Taaffe Street are each separated from Mathilda Avenue by between one and three blocks of intervening urbanization. The need for an appropriate visual transition between Mathilda and these three local streets is adequately discussed on DEIR pages 4-18 (item 6), 4-21 (subsection c), 4-22 and 4-23 (subsections f and g), 5-12 through 5-15 (Impact and Mitigation 5-15), and 5-20 (item 6).

Comment 13.05: Land Use. Reference to allowable residential densities in subdistricts 13a and 17 (Draft EIR page 4-23).

Response: The comment re-iterates the commenter's understanding of what the proposed 2002 Downtown Design Plan permits in subdistricts 13a and 17, perhaps suggesting that the density citations on page 4-23 are incorrect. The proposed 2002 *Downtown Design Plan* on page 53 indicates a proposed density range of 36-60 units/acre for subdistrict 13a, and between 14 and 60 units/acre for subdistrict 17, similar to what this commenter states. These are General Plan density references. The density references on DEIR page 4-23 pertain to Zoning Code density references, which are different from the General Plan density references, as explained on DEIR pages 3-11 and 3-14. For example, page 3-11 indicates that new General Plan land use designations proposed for subdistrict 17 would specify a max. density of 36 to 69 du/acre in subdistricts 14 through 17, while page 3-14 indicates that the proposed new zoning designation for subdistricts 14 through 17 which would allow densities of 60 o 120 du/acre. The apparent discrepancies result from the fact that the permitted density ranges for various established residential land use classifications in the General Plan differ slightly from the density ranges stipulated for the various residential district classifications in the zoning code.

Comment 13.06: Land Use. Moffett Park should be specifically identified as a major development in Sunnyvale (Draft EIR page 4-25).

Response: The comment pertains to developments considered on Draft EIR page 4-25 pertaining to "Cumulative Land Use Impacts," noting that the DEIR here does not specifically cite the Moffett Park development. The cumulative land use discussion on this page intentionally does not cite any specific development, but rather describes the overall cumulative buildout scenario under existing adopted General Plan policy. With respect to the Moffett Park development prospect, which would require a General Plan amendment, its specific cumulative impacts are appropriately addressed as a possible future scenario "option" in the Transportation and Parking section--see DEIR pages 7-5 and 7-6 ("Scenario 3 Plus Moffett Park" definition), 7-22 (second paragraph), 7-57 and 7-58 (Scenario 3 plus Moffett Park), 7-61 through 7-67 (Scenario 3 plus Moffett Park), etc.

Comment 13.07: Aesthetics. Reference to "circular argument" of implementing urban design plan to improve aesthetics (Draft EIR page 2-9).

Response: Please see response to similar comment 2.20.

Comment 13.08: Aesthetics. Draft EIR does not address aesthetics incrementally over approximately 20-year time period of proposed project.

Response: The EIR describes the long-range effects of a proposed downtown development program policy update. The "incremental" change phenomenon suggested in this comment would occur under the current (1993) Specific Plan and zoning scenario with or without the proposed update--i.e., the proposed update would not introduce this as a new phenomenon. In any event, the City's current design review process, supplemented by the measures identified in the Draft EIR under Mitigation 5-1, would continue to give consideration to the land use compatibility and aesthetic impacts and mitigation needs associated with introduction of individual new multi-story developments adjacent to existing lower intensity uses.

Comment 13.09: Aesthetics. Draft EIR reference to abundance of existing lights (page 2-10) is not true.

Response: The EIR authors disagree with this comment. The light and glare effects of exterior and interior nighttime illumination are not confined to areas above an invisible five story plane. There is an abundance of existing downtown light emitted from sources below five stories in height.

Comment 13.10: Aesthetics. "EIR does not address illumination due to lights shining out of office buildings."

Response: Please see response to similar comment PIM.04.

Comment 13.11: Aesthetics. Description (page 5-5.h) should include Heritage district.

Response: Comment acknowledged. Reference to the Taaffe/Frances Heritage Housing District has been added to subsection g on page 5-5 in response to this comment. See the revised version of this page 5-5 in section 3 herein, "Revisions to the Draft EIR." Please also see response to comment 13.04.

Comment 13.12: Aesthetics. City-adopted action statement, "Avoid tall buildings which create a tunnel effect," is not consistent with proposed project (Draft EIR page 5-9).

Response: The proposed program update does not include provisions for tall buildings which are higher than current downtown building height allowances. The proposed program update would permit building heights up to 100 feet (in subdistricts 1a, 18a, and 20). The adopted 1993 Specific Plan permits building heights up to 125 feet. The proposed program update also decreases maximum permitted building heights in a number of downtown subdistricts (see response PIM.02 and PIM.09).

The cited policy does not state, "Avoid tall buildings" (period); rather it states, "Avoid tall buildings which create a tunnel effect (underline added). This policy remains important and applicable, and is not inconsistent with the proposed program update.

As part of the 2002 *Downtown Design Plan* formulation, City staff analyzed the potential massing of buildings along Mathilda and elsewhere in relation to the street width and determined that a perceived "tunnel effect" would not occur, given the relationships of maximum building height to street right-of-way width. Please refer to the streetscape cross-sections illustrated on pages 94-107 of the *Downtown Design Plan*.

Comment 13.13: Aesthetics. "The plan only addresses the visual impact to the outside of the project" (Draft EIR page 5-15).

Response: The comment is incorrect. The EIR considerations and discussions of future development compatibility under the proposed program update with existing land use and visual conditions in the Taaffe and Frances areas nowhere suggest that these concerns are limited to the edges of these areas; rather, effects on the areas as a whole have been adequately considered.

Comment 13.14: Aesthetics. Mozart development is not a positive visual impact (Draft EIR page 5-16).

Response: Please see response to similar comment 3.09.

Comment 13.15: Aesthetics. Tall buildings hiding mountains is not a beneficial visual impact (Draft EIR page 5-18).

Response: Please see response to similar comment 2.20.

Comment 13.16: Aesthetics. Buildings one hundred feet high will significantly impact South of Iowa District (Draft EIR page 5-20).

Response: The potential impacts of 100-foot tall buildings on the South of Iowa District, and associated mitigation needs, are adequately addressed in the Draft EIR under Impact and Mitigation 5-1.

Comment 13.17: Population, Housing, and Employment. Population impacts should focus on downtown Sunnyvale, not entire city (Draft EIR page 6-5).

Response: Population impacts are described under both circumstances--in the downtown and citywide--because the potential impacts of the proposed project would occur within the project area as well as beyond its borders, as described in EIR environmental issue chapters 4 through 15.

Comment 13.18: Transportation and Parking. "Non-existing plan (Countywide Deficiency Plan)" cannot mitigate impacts (Draft EIR page 2-12).

Response: Please see response PIM.05.

Comment 13.19: Transportation and Parking. Comment regarding required traffic signal lengths (Draft EIR page 2-14).

Response: Reduction of traffic signal cycle length would shorten the cycles for all lanes. Such a measure would reduce traffic queues and thus improve the overall level of service for some intersections. The improvement of level of service from E to D or better has been analyzed and identified in the report. The actual adjustment to the existing signal timing should and will be determined based on actual traffic volumes when the project buildout scenario traffic conditions reach signal warrant levels.

Comment 13.20: Transportation and Parking. Movie theater traffic is not analyzed.

Response: The traffic associated with a movie theater is different from other retail traffic. Although there may be more trips per square footage, these trips would be spread over a longer time frame and would have peaking characteristics different from retail. In general, the movie theaters would generate their peak traffic outside of the peak hours of traffic on the overall roadway system. Therefore the roadway system is better able to absorb these peaks. The EIR traffic analysis assigned the movie theater trips as retail to the overall city peak times.

Movie theater associated traffic impacts were assessed in more detail in the City-certified Sunnyvale Town Center Mall Modifications EIR (1999). No significant impacts were identified from movie peak hour traffic.

Comment 13.21: Transportation and Parking. Traffic analysis excludes several important intersections (Draft EIR page 7-2).

Response: Only signalized intersections that would receive more than 10 trips/lane/ approach movement (the Santa Clara County Congestion Management Program threshold for analysis) were evaluated. The Evelyn/Mathilda Ramp intersection was analyzed and identified as intersection #31, Evelyn/Agena Way, in the EIR. More detailed analysis of a new loop off-ramp from Mathilda to Evelyn would be the subject of a project specific environmental review. Other intersections were not evaluated because the project would not generate more than 10 trips/lane/approach movement.

Comment 13.22: Transportation and Parking. Traffic should be analyzed without Mary Avenue extension, which is unlikely to be completed (Draft EIR page 7-22).

Response: The City has drafted and is prepared to implement a Transportation Strategic Program which will identify funding for the Mary Avenue Extension.

Comment 13.23: Transportation and Parking. Has train traffic been accounted for at Evelyn/ Sunnyvale and Evelyn/Mary intersections (Draft EIR page 7-34)?

Response: CalTrain currently crosses the tracks adjacent to the Evelyn/Sunnyvale and Evelyn/Mary intersections four to six times during the AM or PM peak hour. The adjacent traffic signals continue to serve movements not effected by the train crossing as the train passes. Therefore, the level of delay due to a train crossing over the course of a peak hour is considered inconsequential to the intersection capacity at the adjacent intersections. Also, the train crossing exists with or without the proposed project. Thus, the analysis focused on typical conditions without train crossing for both the No Project and Project conditions to identify/isolate the impact from the project-related interval of traffic growth at these locations.

Comment 13.24: Transportation and Parking. Mathilda and Washington have "special" traffic patterns during lunch hours, which the proposed project would "exaggerate."

Response: Examination of recent (2001) available volume counts on Mathilda Avenue north and south of Washington Avenue, as well as midday and peak hour turning movement counts from 1998, demonstrate that midday volumes are below the PM peak hour volumes experienced at this intersection. Midday traffic patterns do differ from the AM and PM peak hours. According to the 1998 turning movement counts, midday and PM peak hour traffic for the westbound through, westbound left, northbound left, eastbound right, and eastbound through movements are at approximately the same levels. Midday traffic patterns differ in the following respects:

- midday traffic is greater than AM peak hour traffic for all movements except the northbound through and eastbound left turn directions;
- midday traffic is substantially greater than PM peak hour traffic in the southbound through, and southbound right turn movements; and
- PM hour traffic is substantially greater in the southbound left turn, westbound right turn, eastbound left turn, northbound through, and northbound right turn movements.

Exaggeration of the midday traffic pattern would not create traffic impacts greater than those that would be anticipated in the PM peak hour. The Mathilda/Washington intersection is not forecast to be impacted by the proposed plan.

Comment 13.25: Transportation and Parking. *Mitigations 7-1 and 7-2* refer to the Countywide Deficiency Plan, which does not currently exist.

Response: See response PIM.05.

Comment 13.26: Transportation and Parking. "How does a modified signal cycle affect the other lanes (Draft EIR page 7-52)?"

Response: See response 13.19.

Comment 13.27: Transportation and Parking. Comment regarding traffic increases at Washington/Mathilda intersection (Draft EIR page 7-53).

Response: Traffic projections and distribution were derived from the Citywide model certified by the Valley Transportation Authority Congestion Management Program that is a standard tool for large scale project analysis. The model shows that project traffic would disperse to many streets and not concentrate on the Washington/Mathilda intersection. The projection of 62 cars is accurate.

Comment 13.28: Transportation and Parking. How can the proposed project result in traffic decrease at intersections (Draft EIR Figures 7.4 and 7.5)?

Response: Figures 7.4 and 7.5 show the traffic volumes under the No Project and Project Condition scenarios. The Project would increase residential units and office/ public facility space but would reduce retail space and hotel uses. The changes in land use would change the traffic distribution and directional split patterns. It is possible that some intersections or some directional movements at intersections would experience traffic decreases.

Comment 13.29: Transportation and Parking. Describe details of *Mitigation 7-4* (regarding intersection improvements) (Draft EIR page 7-57).

Response: The following intersection improvements or other mitigations are either identified in the Draft EIR or are contained in the Sunnyvale General Plan or the City's pending Transportation Strategic Program to address the impacted locations:

- Sunnyvale Avenue/El Camino Real--adjust the signal cycle lengths;
- Sunnyvale-Saratoga Road/Remington Drive--provide a northbound right turn lane;
- Mary Avenue/Evelyn Avenue--provide a southbound right turn lane;
- Mary Avenue/El Camino Real--provide a southbound right turn lane; and
- El Camino Real/Hollenbeck Avenue--adjust the signal cycle lengths.

An error occurred in the Draft EIR identification of impacted intersections under Impact 7-4, DEIR page 7-56. The intersections of Mathilda Avenue/Maude Avenue, Sunnyvale-Saratoga Road/Fremont Avenue, and De Anza Boulevard/I-280 Ramps were incorrectly

identified as impacted under the Project and No Project scenarios. These intersections are actually forecast to operate at levels of service that fall within acceptable levels of service per City and Santa Clara Valley Congestion Management Program policy. Page 7-56 has been re-written accordingly; see the associated revisions to this page in section 3 herein (Revisions to the Draft EIR)..

The intersection of Mary Avenue and Central Expressway is identified in the Draft EIR as operating at LOS F in the AM and PM peak hours under the No Project and Project Condition scenarios. This intersection is the jurisdiction of the County of Santa Clara. The County recently completed its own analysis of future conditions at this location for a *Comprehensive County Expressway Planning Study and Implementation Plan.* The County, using a different forecasting methodology considered more appropriate for forecasting conditions on major regional transportation facilities such as Central Expressway, determined that this location would operate at LOS E under 2025 conditions. As the responsible agency for Central Expressway, the County's forecasts are applicable for determining future improvements at this location. The *Comprehensive County Expressway Planning Study and Implementation Plan* includes future at-grade or grade separation improvements at Central Expressway and Mary Avenue to address forecasted operating issues, which would serve to mitigate the level of service deficiency found in the Downtown Improvement Program EIR analysis, even though the *Comprehensive County Expressway Planning Study and Implementation Plan* also notes that local and regional level of service standards are not forecast to be violated at this location. The text of Draft EIR page 7-57 has been modified in section 3 herein (Revisions to the Draft EIR) to clarify this information.

Improvement to the intersection of De Anza Boulevard and Homestead Road is determined to be infeasible per Mitigation 7-4. It should be noted that this intersection was listed erroneously as operating at LOS E under the No Project/Project condition in the DEIR. The intersection is forecast to operate at LOS F in the future condition. The determination of a significant and unavoidable impact at this location remains the same.

Comment 13.30: Transportation and Parking. Comment regarding Mathilda/Maude intersection traffic increase (Draft EIR page 7-59).

Response: Much of Moffett Park traffic would be using the new Mary Avenue extension and access via freeways, thus reducing the potential number of vehicles at other intersections.

Comment 13.31: Transportation and Parking. Comment regarding Mary/Central intersection traffic decrease.

Response: Traffic is not forecast to decrease at this location. For example: westbound left turns are forecast to increase from existing condition of 260 vehicles in the AM peak

to 608 vehicles; southbound left turns are forecast to increase from 345 vehicles to 941 vehicles in the PM peak hour; and northbound through volumes are anticipated to increase from 684 vehicles to 1,723 vehicles in the AM peak hour.

Comment 13.32: Transportation and Parking. "[M]ore pedestrians crossing signalized intersections...will adversely affect the signal cycle for cars. Has this been taken into account for the traffic study (Draft EIR page 7-69)?"

Response: Pedestrian crossing times are accounted for in the analysis. The same pedestrian crossing time can serve one or at least 10 pedestrians within the same crosswalk. Pedestrian signal crossing time would likely be the same with or without the project. Thus, the increased pedestrian activities will not adversely affect the signal cycle for cars.

Comment 13.33: Transportation and Parking. Table 7.16 (Parking Demand) does not indicate enough multi-family parking spaces.

Response: Table 7.16 in the DEIR provides is a comparison of parking demand for the buildout under the 1993 Specific Plan (No Project) and buildout under the 2002 Design Plan (Project). The 1,584 number represents the *difference* in parking demand (between the two plans) for all multi-family housing development (existing and new) in the planning area. New residential development would be required to provide parking on-site in accordance with the zoning requirements.

Comment 13.34: Transportation and Parking. "Table 7.16 should take today's parking situation as a baseline."

Response: Sites that are legal non-conforming (i.e. do not provide parking for today's parking requirements) would not be required to add parking unless the site redevelops. New development, with new parking demands, would be required to meet the latest City-adopted standards for provision of parking.

Comment 13.35: Transportation and Parking. Traffic impacts near schools have been excluded.

Response: Section 8.5.3 of the DEIR includes an estimate that 300 new K-12 students could be anticipated at buildout of the proposed plan. These students would be spread amongst at least five schools. Sunnyvale's experience with school traffic has been that of intense but short-lived 15-20 minute peak traffic demands at most schools. Intersection and roadway capacity is sufficient to meet this demand and any demand created by the forecast anticipated increase in students at buildout of the proposed plan.

Comment 13.36: Public Services and Utilities. EIR should identify parkland to mitigate need (Draft EIR page 8-26).

Response: Please see response to similar comment 2.22.

Comment 13.37: Noise. Draft "EIR does not address noise amplification due to tall buildings with hard surfaces.

Response: The scale of buildings proposed by the Sunnyvale Downtown Improvement Update would not change the acoustical environment by amplifying sound levels. The EIR acoustical consultants identified no area where tall buildings would reflect sound to existing residences and cause a measurable or noticeable change in the noise environment.

Comment 13.38: Noise. Noise from air conditioning equipment is not addressed.

Response: HVAC (heating, ventilation, air conditioning) equipment associated with development facilitated by the project would be designed to meet the City's Noise Ordinance. Operational noise would not exceed 50 dBA during the nighttime (10:00 PM to 7:00 AM) or 60 dBA during daytime hours (7:00 AM to 10:00 PM). Project-operational noise would be controlled to meet the City's Noise Ordinance; therefore, the project would result in a less-than-significant operational noise impact.

Comment 13.39: Noise. Figure 9.1 does not include traffic near parking garages and traffic generated by movie theaters.

Response: Figure 9.1 includes noise contours of the major roadways in the study area based on the weighted 24-hour average noise level for comparison to state and local guidelines. All traffic in the area is included in the measurement.

Comment 13.40: Noise. *Mitigation 9-1* (regarding potentially excessive environmental noise) needs to eliminate potential noise in the first place.

Response: *Mitigation 9-1* addresses noise inherently resulting from project-facilitated development (e.g., traffic). The intent of the measure is to ensure that these new uses are not exposed to noise levels exceeding the City's noise and land use compatibility guidelines.

Comment 13.41: Air Quality, Transportation and Parking. *Mitigation 10-2* (regarding long-term regional emissions increases) should identify specific traffic reductions for each particular measure.

Response: Because of the number of pertinent variables anticipated with future individual development applications and building occupants (number of employees, number and timing of employee shifts, home origin of employees, etc.), it is not possible to assign reliable, specific, quantitative values to each traffic/air emissions reduction measure identified under Mitigation 10-2 beyond the statement already included under this mitigation on page 10-17 of the Draft EIR:

Implementation of these measures would assist in reducing the project-related and cumulative impacts on long-term regional ROG, NO_2, and PM_{10} emissions levels by perhaps 10 to 20 percent, but may not reduce these impacts to a less-than-significant level. Since reductions of over 50 percent would be required to bring project-related regional emissions increases to levels below BAAQMD significance thresholds, the project and cumulative effects on ROG, NO_2, and PM_{10} emissions levels would represent a ***significant unavoidable impact****.*

Comment 13.42: Noise. Alternative 4 (Multi-Use Alternative) would create less noise, increase open space, and reduce runoff.

Response: Alternative 4 would generate approximately 71,100 to 92,800 average daily trips, whereas the proposed project would generate approximately 93,800 average daily trips. Noise levels generated by Alternative 4 would be 0 to 1 dBA lower than those predicted for the project. Regardless of the alternative chosen, there would not be a measurable or perceptible difference in the noise environments of the area.

Regarding open space, see response to similar comment 2.23. Regarding runoff, the EIR authors acknowledge that a turf area could reduce runoff in that particular location; however, the Draft EIR (chapter 11–Drainage and Water Quality) concludes that no significant unavoidable drainage or water quality impact would result from the proposed project.

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STATE OF CALIFORNIA—BUSINESS, TRANSPORT N AND HOUSING AGENCY GRAY DAVIS, Governor

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May 21, 2003

SCL000160
SCH 1988110816

Ms. Diana O'Dell
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088-3707

Dear Ms. O'Dell:

Sunnyvale Downtown Improvement Program Update – Draft Environmental Impact Report (DEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the project and have the following comments.

This project will have impacts to ten segments of the State Highway system (Interstate 280, United States 101, and State Routes 237 and 85) resulting in a downgrading of freeway operation from level of service (LOS) E to LOS F or where the freeway segment is already operating at LOS F under existing conditions. Due to these impacts the developer should provide their fair share to the funding of a Countywide Deficiency Plan, which will identify offsetting improvements and other mitigation measures for Congestion Management Program (CMP) freeway impacts on a regional basis. Implementation of this plan will reduce impacts. 14.01

The lane configuration for Intersections #17 (De Anza Boulevard / Homestead Road) and #33 (NB 280 Ramps / De Anza Boulevard) of Figure 7 of the DEIR, do not agree with the study presented by the City of Cupertino. The discrepancies are as follows: 14.02

	DEIR	City of Cupertino
Intersection #17 EB	(LT, TH, TH&RT)	(2LT, 2TH,RT)
WB	(LT, 2TH,TH&RT)	(2LT, 2TH,RT)
Intersection #33 SB	(4 TH,RT)	(4 TH, TH&RT)

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Please clarify which intersection configurations are correct. If corrections are needed, please provide new analysis for our agency to review.

Please feel free to call or email Tom Holley of my staff at (510) 622-8706 or tom_holley@dot.ca.gov with any questions regarding this letter.

Sincerely,

Timothy C. Sable

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

14. Timothy C. Sable, District Brnach Chief, Califorina Department of Transportation; May 21, 2003

Comment 14.01: Project proponent should provide for fair share funding of Countywide Deficiency Plan.

Response: The City of Sunnyvale, as a member agency of the Valley Transportation Authority (VTA) Santa Clara County Congestion Management Program (CMP), is actively participating in the formulation of the Countywide Deficiency Plan by the VTA. The City pays dues as a member of the VTA CMP, which fund a fair share of Countywide Deficiency Plan development.

Comment 14.02: Intersection lane configurations on DEIR traffic section figures do not agree with City of Cupertino study.

Response: Comment acknowledged. The lane geometry charts in Figures 7.2, 7.4, 7.5, and 7.6 for intersections # 17 and # 33 are incorrect. These errors are graphical in nature and do not effect the outcome of the DEIR traffic analysis. The correct geometry, as analyzed in the level of service analysis for the DEIR, is as follows:

- Intersection #17, De Anza Boulevard/Homestead:
  EB: 2 LT, 2 Thru, 1 RT
  WB: 2 LT, 1 Thru, 1 Thru-RT
- Intersection # 33, De Anza Boulevard/I-280 Northbound:
  SB: 4 Thru, 1 Thru-RT

The De Anza Boulevard/Homestead Road westbound approach is not striped for an exclusive westbound right turn lane, as referenced in the comment as being assumed by the City of Cupertino. There is a westbound bike lane, but this space is not designated for right turns and was assumed not to provide sufficient room for free right turns in the analysis. This represents a more conservative analysis than that indicated as used by the City of Cupertino.

The De Anza Boulevard/I-280 Northbound intersection features five southbound lanes striped for thru traffic as well as a bike lane. The outermost lane and bike lane serve traffic turning right onto northbound I-280. As such, the outermost lane functions as a thru-right lane, as analyzed in the DEIR and as the commenter references in a City of Cupertino document.