3. PROJECT DESCRIPTION

This EIR chapter describes the proposed downtown improvement actions or "project" addressed in this program EIR. As stipulated by *CEQA Guidelines* section 15124, the project description that follows has been detailed to the extent needed for adequate evaluation of environmental impacts. The description includes: (a) the location and boundaries of the proposed project area; (b) the background leading up to the proposed project; (c) the basic objectives sought by the project; (d) the various components and actions which make up the project, including proposed amendments to the City's Downtown Specific Plan, General Plan, Zoning Code, and Downtown Redevelopment Plan; (e) the jurisdictional approvals required to adopt these various components and implement the project; and (f) the intended uses of this EIR.

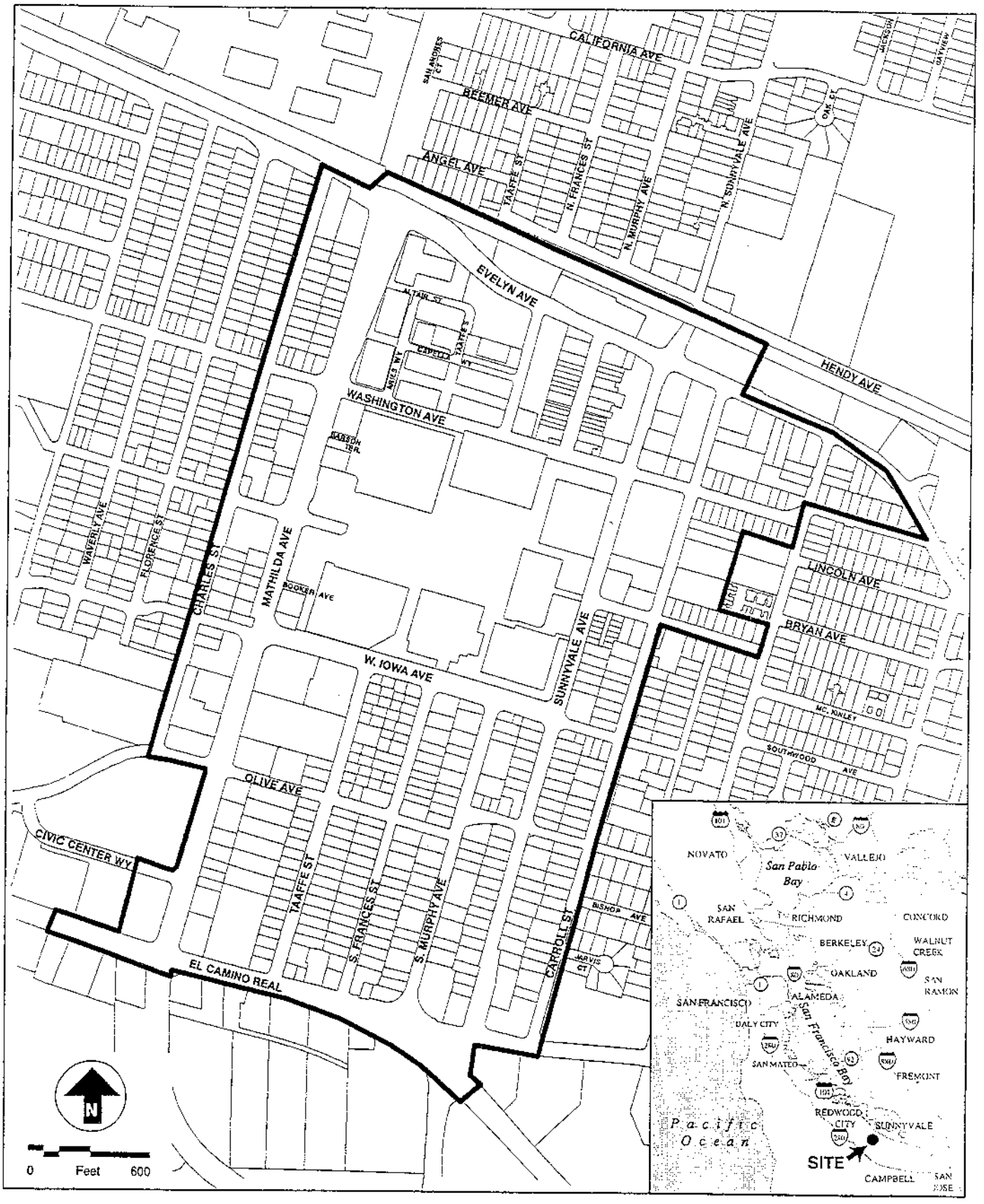
3.1 PROJECT LOCATION

3.1.1 Regional and Local Setting

As illustrated on Figure 3.1, the proposed project boundary is located in the downtown area of the City of Sunnyvale, in northern Santa Clara County. The City of Sunnyvale is bounded by San Francisco Bay to the north, the cities of Mountain View and Los Altos to the west, the city of Cupertino to the south, the city of Santa Clara to the east, and the city of San Jose to the northeast. Regional access to the project area is provided by four freeways: U.S. 101 to the north, Interstate 280 (I-280) to the south, State Route 85 (SR 85) to the west, and SR 237 to the north. Subregional access is provided by El Camino Real, an east-west roadway that forms the southern boundary of the project area; Sunnyvale-Saratoga Road, a north-south roadway that connects with Sunnyvale Avenue in the eastern portion of the project area; and Mathilda Avenue, a north-south roadway that traverses the western portion of the project area and connects with Sunnyvale-Saratoga Road south of the project area.

3.1.2 Project Area Boundaries

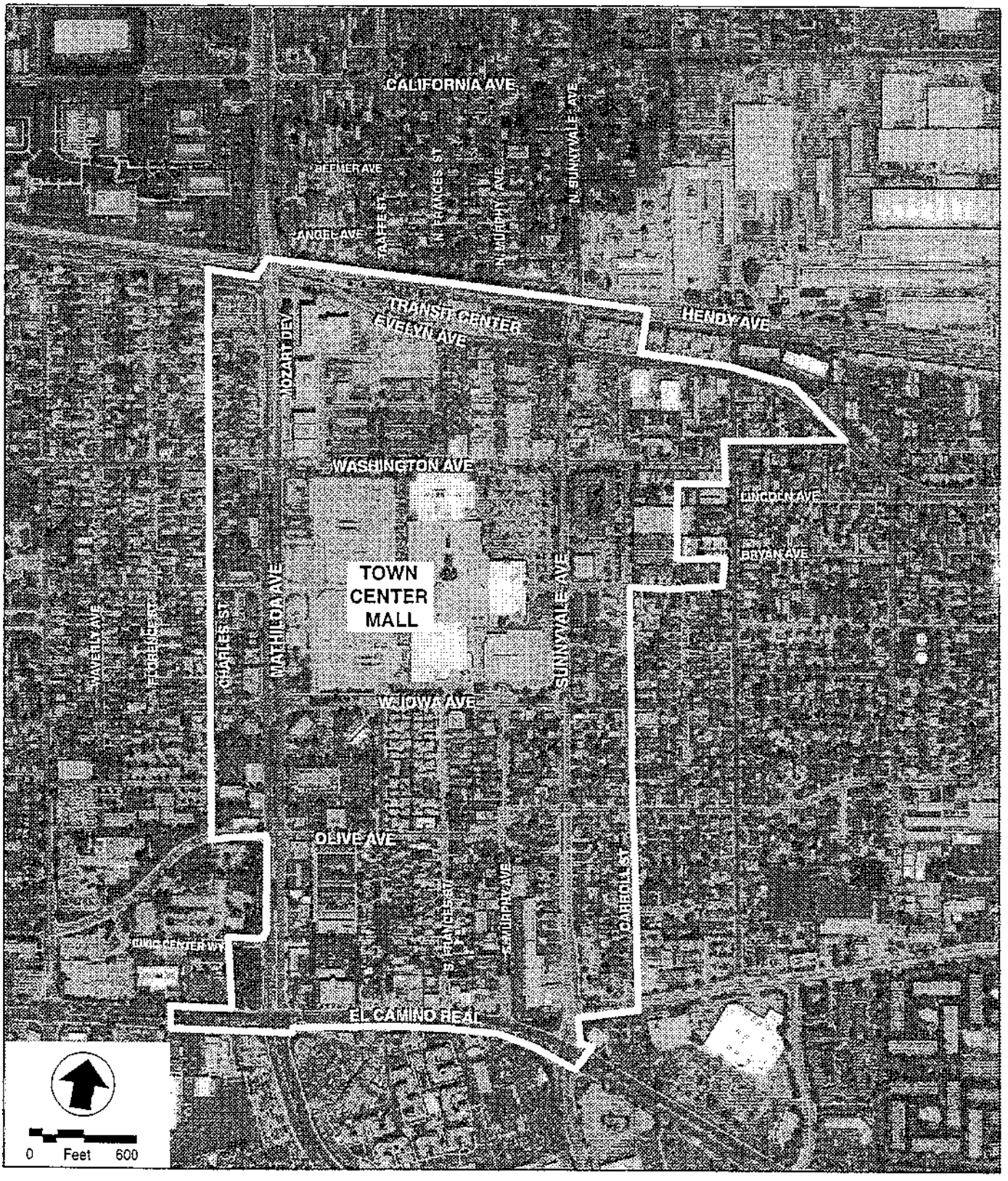
Figures 3.1 through 3.3 illustrate the general boundaries of the proposed Downtown Improvement Program area. The area is defined by the overlapping boundaries of the *Downtown Design Plan* and previously adopted Sunnyvale Downtown Specific Plan and Sunnyvale Downtown Redevelopment Plan. The consolidated, approximately 150-acre Improvement Program Update area is bounded generally by the CalTrain tracks and Evelyn Avenue on the north, Bayview Avenue and Carroll Street on the east, El Camino Real on the south, and Charles Street on the west. The surrounding vicinity includes low- and medium-density residential, industrial, and industrial service development on the north, low- and



SOURCE: City of Sunnyvale

Figure 3.1

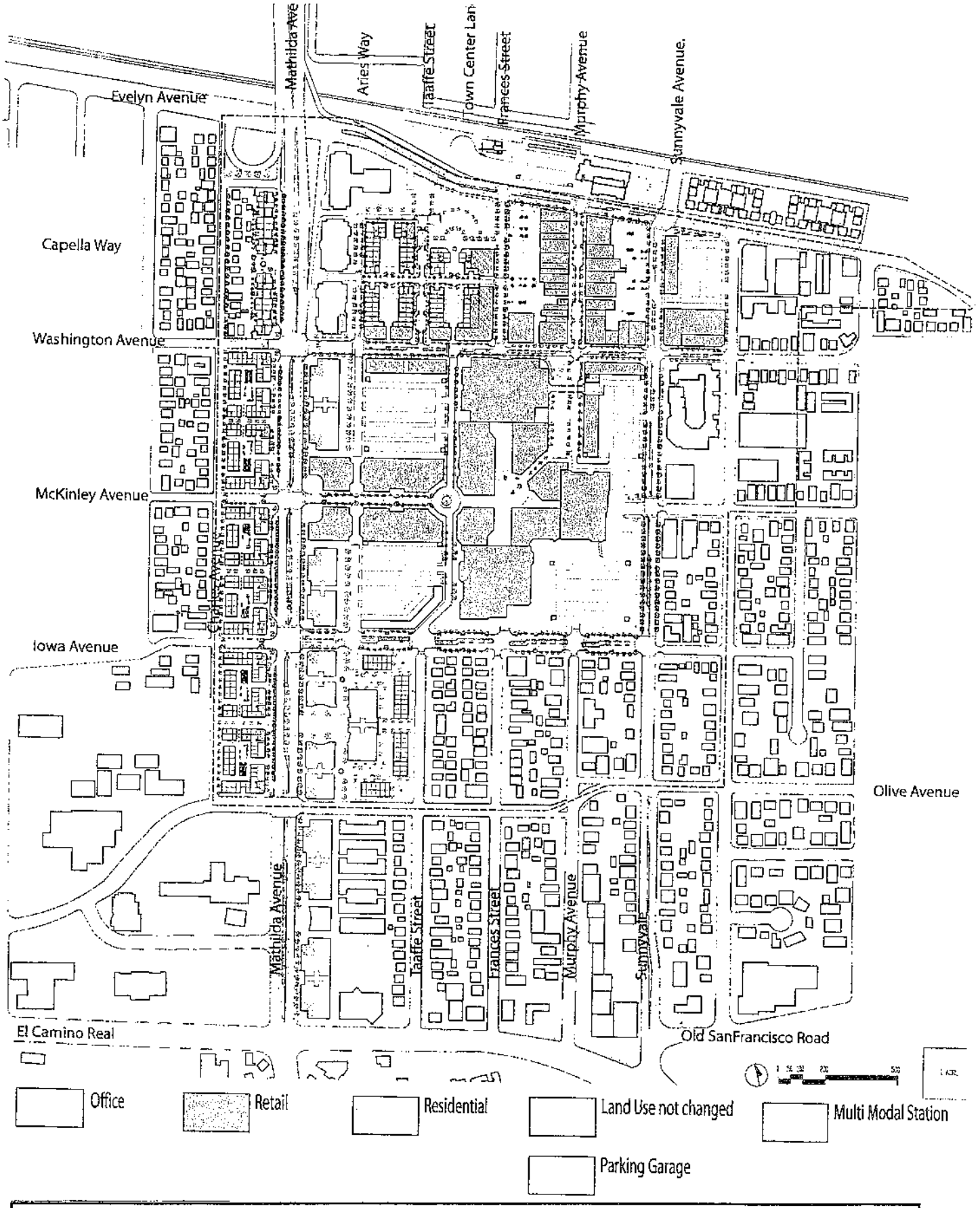
REGIONAL LOCATION MAP AND PROJECT AREA



SOURCE: WAC Corporation, April 23, 2002

Figure 3.2

LOCAL SETTING AERIAL PHOTO



SOURCE: ELS Architecture and Urban Design

Figure 3.3

PROPOSED DOWNTOWN DESIGN PLAN

medium-density residential development on the east, commercial development and the Sunnyvale Civic Center on the south, and low- to high-density residential development and office development on the west.

3.2 PROJECT BACKGROUND

Over the past decade, the City of Sunnyvale has been undertaking a Downtown Improvement Program to facilitate re-establishment and revitalization of the City's original central area. The ongoing Downtown Improvement Program has consisted of a number of City-adopted, interrelated planning and redevelopment programs, including the Sunnyvale Downtown Specific Plan (1993), associated Zoning Code (Downtown Specific Plan District zoning) revisions (2001), the Sunnyvale Downtown Redevelopment Plan (as revised in 1993), the Murphy Avenue Design Guidelines (1994), the Southern Pacific Corridor Specific Plan (as revised in 1994), and the North of Washington District Master Plan (1999). A final environmental impact report for this Sunnyvale Downtown Improvement Program was certified by the City in 1990 (1990 FEIR). The 1990 FEIR provided the base CEQA documentation for the1993 Downtown Specific Plan, 1993 Redevelopment Plan amendments, 1994 Southern Pacific Corridor Specific Plan and 1999 North of Washington District Master Plan.

In identifying its agenda for 2001, the City of Sunnyvale City Council identified as a high priority item the need to conduct a *North of Washington Study* which would re-evaluate the 1993 Sunnyvale Downtown Specific Plan residential density allowances for the area north of Washington Avenue, with the intent of considering higher densities as a means of furthering the City's central area revitalization and housing expansion goals. Subsequently, on June 19, 2001, the City Council concurred with a staff recommendation to expand the *North of Washington Study* to include re-evaluation of the entire 1993 Downtown Specific Plan. Contracts were awarded to provide consultant support for the urban design and land economics components of the re-evaluation.

In addition, on July 10, 2001, the City Council approved appointment of a Stakeholders Advisory Committee to work with the consultants and City staff, and directed the committee and City staff to complete the re-evaluation in the form of a proposed new *Downtown Design Plan*. The committee held an initial organizational meeting, followed by six workshops on a monthly basis. By September 2001, the committee had agreed on an updated long-range vision for the downtown, and by November 2001, had completed its review of a draft *Downtown Design Plan* prepared by the consultants. The committee held a public forum on the proposed *Downtown Design Plan* on December 6, 2001, and on February 12, 2002, voted unanimously to approve the *Draft Downtown Design Plan* and forward the plan to the City Planning Commission and City Council.

On April 23, 2002, the City Planning Commission considered the *Draft Downtown Design Plan* and unanimously moved to:

(1) approve the plan in concept;

(2) direct staff to work with the Planning Commission and the Redevelopment Agency to prepare the appropriate amendments to the Downtown Specific Plan, General Plan, Municipal Code Downtown Specific Plan District provisions, and Downtown Redevelopment Plan, and to prepare the associated environmental (CEQA) documentation necessary to process these amendments and as part of these tasks:

(3) evaluate the residential designations (densities) adjacent to parking structures in more detail;

(4) consider alternative building heights and height transitions along Charles Street;

(5) look into the relocation of the previous (1993) Specific Plan proposed Downtown Plaza to a more central location;

(6) conduct an extensive community outreach program;

(7) review and recommend revisions to existing downtown design guidelines as necessary to incorporate the high quality design and construction concepts recommended in the *Draft Downtown Design Plan*; and

(8) encourage extension of light rail from Moffett Park to the downtown area; and

(9) consider as alternatives to be evaluated:

- live/work units along Mathilda;
- non-office (retail and residential) in subdistrict 18; and
- limiting the Town and Country Village site residential conversion to one-level with underground parking.

3.3 BASIC PROJECT OBJECTIVES

3.3.1 Urban Design Goals

The *Downtown Design Plan* concepts and recommendations are considered in this EIR as the base component of the proposed Downtown Improvement Program Update. These design concepts and recommendations are intended to guide development in downtown Sunnyvale over the next approximately 20 years in order to help create and maintain *"an enhanced, traditional downtown serving the community with a variety of destinations in a pedestrian-*

friendly environment."[1] To achieve this objective, the Design Plan identifies the following 12 basic goals (referred to as "urban design goals") to establish a framework for improvements in downtown Sunnyvale (paraphrased from the Design Plan):[2]

(1) Capitalize on Murphy Avenue as an important gathering place for local residents;

(2) Promote local independent businesses and merchants;

(3) Protect and enhance existing residential neighborhoods;

(4) Improve Town Center Mall;

(5) Promote a variety of transportation modes to make the downtown a multi-modal hub;

(6) Manage the transportation system to reduce traffic congestion and improve the roadway system's efficiency;

(7) Improve the street character of boulevards, such as Mathilda Avenue, to enhance the pedestrian environment, establish a sense of arrival, and create an awareness of a broader downtown district;

(8) Improve the street character of avenues and streets to enhance the pedestrian environment and vehicular access to parking;

(9) Identify potential development sites;

(10) Promote downtown housing opportunities as integral to the success of the Improvement Program Update;

(11) Promote service, community, and sub-regional retail opportunities; and

(12) Promote multi-story office opportunities.

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[1]ELS Architecture and Urban Design, *The City of Sunnyvale Downtown Design Plan*, August 2002, Letter of Transmittal from Joseph Antuzzi, Chairman, Downtown Stakeholders Advisory Committee (letter dated March 26, 2002).

[2]ELS Architecture and Urban Design, pages 16 through 19.

3.3.2 Development Strategies

Based on the 12 urban design goals listed above, the *Downtown Design Plan* also recommends seven broad development strategies to enhance the commercial core's potential as a traditional downtown:[1]

(1) Plan for growth appropriate to each downtown subdistrict's potential;

(2) Encourage mixed use consistent with the character of each subdistrict;

(3) Improve and build on existing assets, such as Murphy Avenue, Town Center Mall, and Washington Avenue;

(4) Create a sense of arrival and address, especially along Mathilda Avenue and Sunnyvale Avenue, through density, building placement, and street improvements (e.g., wider sidewalks, landscaping, street furniture, lighting, district gateways);

(5) Improve connections between subdistricts through street extensions, pedestrian enhancements, reorganized public spaces, and intimately scaled street grids;

(6) Improve street character by creating a hierarchy of boulevards, avenues, and streets to strengthen and clarify connections within the downtown, and concentrating new development at sidewalk edges to make rights-of-way more active; and

(7) Maintain adequate parking to accommodate new development while utilizing shared parking and the existing parking district as appropriate.

3.4 OVERVIEW OF PROJECT COMPONENTS

The proposed Downtown Improvement Program Update is comprised of a series of interrelated planning actions which would revise the buildout potential of the 1993 Sunnyvale Downtown Specific Plan currently in effect. These proposed actions include amendments to the Downtown Specific Plan, General Plan, Zoning Code, and Downtown Redevelopment Plan as necessary to implement the updated downtown improvement concepts and recommendations that have been identified for the *Downtown Design Plan* area and for the adjacent "eastern adjacent sites" and "South of Olive Avenue" areas. Specifically, the City is proposing to take the following specific Downtown Improvement Program Update actions:

[1]ELS Architecture and Urban Design, pages 20 through 27.

(1) adoption of amendments to the 1993 Sunnyvale Downtown Specific Plan to incorporate the land use and urban design revisions proposed for the *Downtown Design Plan* area, eastern adjacent sites, and South of Olive Avenue area;

(2) adoption of associated amendments to the City of Sunnyvale General Plan *Land Use and Transportation Element* (including the "Downtown Specific Plan" section--Appendix B) and General Plan Map to achieve consistency with the Downtown Specific Plan amendments listed above;

(3) adoption of associated amendments to the Sunnyvale Municipal Code, including the Precise Zoning Plan/Zoning District Map, chapter 19.28 (Downtown Specific Plan District), and chapter 19.80 (Design Review), to achieve consistency with and implement the proposed Downtown Specific Plan amendments and Sunnyvale General Plan amendments listed above; and

(4) adoption of amendments to the Sunnyvale Downtown Redevelopment Plan necessary to achieve consistency with and implement the above four Downtown Improvement Program Update components, extend the redevelopment plan's financial limits, and renew (extend) the City of Sunnyvale Redevelopment Agency's eminent domain authority over non-residential property for another 12 years.

These four Downtown Improvement Program Update components are described in more detail in sections 3.6 through 3.9 which follow. Their estimated effect on the growth capacity of the Sunnyvale downtown--i.e., the "project-facilitated growth scenario" which represents the statistical basis for various environmental impact evaluations in subsequent chapters of this EIR, is described in section 3.10.

3.5 COMPONENT 1: DOWNTOWN DESIGN PLAN RECOMMENDATIONS

As described in section 3.3 herein, the Sunnyvale City Council on April 23, 2002 approved in concept the *City of Sunnyvale Downtown Design Plan*. The *Downtown Design Plan* includes a set of recommended land use and development standard revisions, new downtown design guidelines, new circulation and parking improvements, and revised streetscape design standards, formulated to guide development in downtown Sunnyvale over the next approximately 20 years and to help create and maintain *"an enhanced, traditional downtown serving the community with a variety of destinations in a pedestrian-friendly environment."* The *Downtown Design Plan* recommendations are described as built upon the City-adopted July 1993 Sunnyvale Downtown Specific Plan. The *Downtown Design Plan* calls for retaining the original downtown revitalization concepts of the 1993 Downtown Specific Plan, but with changes, additions, and refinements in response to the changing marketplace and to the City's experience in implementing the 1993 Downtown Specific Plan over the last approximately nine years.

Figure 3.3 illustrates the overall downtown urban design concepts recommended in the *Downtown Design Plan*. The *Downtown Design Plan* includes reference to the same seven downtown land use "districts" identified in the 1993 Downtown Specific Plan for urban policy formulation purposes. These "districts" include: Town Center Mall, the Murphy Avenue Heritage District, and the North of Washington, Mathilda Avenue, Sunnyvale/Carroll, East of Sunnyvale, and South of Iowa areas. The seven districts have been further divided into one or more numbered subdistricts primarily to correspond to existing Sunnyvale Zoning Code districts. The seven land use districts and subdistricts are shown on Figure 3.4 and are described in more detail in section 4.1.2 later in this EIR.

Table 3.1 provides a summary comparison of the land use provisions included in the 1993 Downtown Specific Plan and the associated changes in land use designations and other land use allowances proposed by the April 2002 *Downtown Design Plan*. The comparisons are listed by project area "district" and "subdistrict," keyed to the subdistrict numbers on Figure 3.4 (Downtown Design Plan Subdistricts). In addition to the changes within the existing 1993 Downtown Specific Plan boundary, the proposed *Downtown Design Plan* calls for changes to a designated subdistrict 20 on Figure 3.4 (the South of Olive area) in order to address office development opportunities identified in that area. The *Downtown Design Plan* also proposes a reduction in residential densities on the eastern adjacent sites.

The *Downtown Design Plan* states an intent to build upon the unique character and commercial success of the 100 block of Murphy Avenue (subdistrict 2 on Figure 3.4) by restoring as much of the historic downtown street grid as possible and reconnecting areas that were isolated when the Town Center Mall was originally constructed in 1978. Murphy Avenue would be extended along its right of way one block to the south from Washington Avenue into subdistrict 18 (the Town Center Mall), with the extended eastern side lined with shops and restaurants integrated into a new parking structure and an approximately 1.5-acre open space area. Similarly, McKinley Avenue would be extended one block east from Mathilda Avenue into subdistrict 18a (the mall), and lined on both sides with new shops. The extensions of Murphy and McKinley would be connected by a major pedestrian way through the mall (subdistrict 18). A 20-screen movie theater complex (approved in 1999) would be added to the upper level of the mall.

The proposed *Downtown Design Plan* also designates Washington Avenue as a major retail street lined with stores and restaurants between Mathilda Avenue and Sunnyvale Avenue (subdistricts 1, 1a, and 2 on Figure 3.4). The existing Town and Country Village commercial area (subdistrict 1a) would be reconstructed as a mixed use multifamily residential and commercial development with ground-floor retail uses and an approximately 1.6-acre open space feature (Downtown Plaza).

The proposed *Downtown Design Plan* also states an intent to transform Mathilda Avenue from El Camino Real to Evelyn Avenue (subdistricts 13 through 17 and 18a on Figure 3.4) into a landscaped boulevard with wide sidewalks, major office buildings on the east side (adjacent to the commercial core), and multi-family residential development on the west side (subdistricts

14 through 16 adjacent to existing residential neighborhoods). The office development is proposed to be of similar height to the three new Mozart office buildings (up to six stories), and the residential development is proposed to be four stories facing Mathilda, stepping down to two stories on Charles Street, facing the existing single-family neighborhood.

Land uses recommended in the *Downtown Design Plan* for subdistricts 2 through 12 and 18 would remain consistent with the 1993 Downtown Specific Plan.

3.6 COMPONENT 2: PROPOSED AMENDMENTS TO THE 1993 DOWNTOWN SPECIFIC PLAN

Implementation of the proposed Downtown Improvement Program Update actions described in sections 3.5 and 3.6 above would require a number of associated revisions to the City-adopted 1993 Sunnyvale Downtown Specific Plan, primarily to incorporate the land use changes listed in Table 3.1, in order to incorporate the *Downtown Design Plan* recommendations.

3.7 COMPONENT 3: PROPOSED AMENDMENTS TO THE CITY OF SUNNYVALE GENERAL PLAN

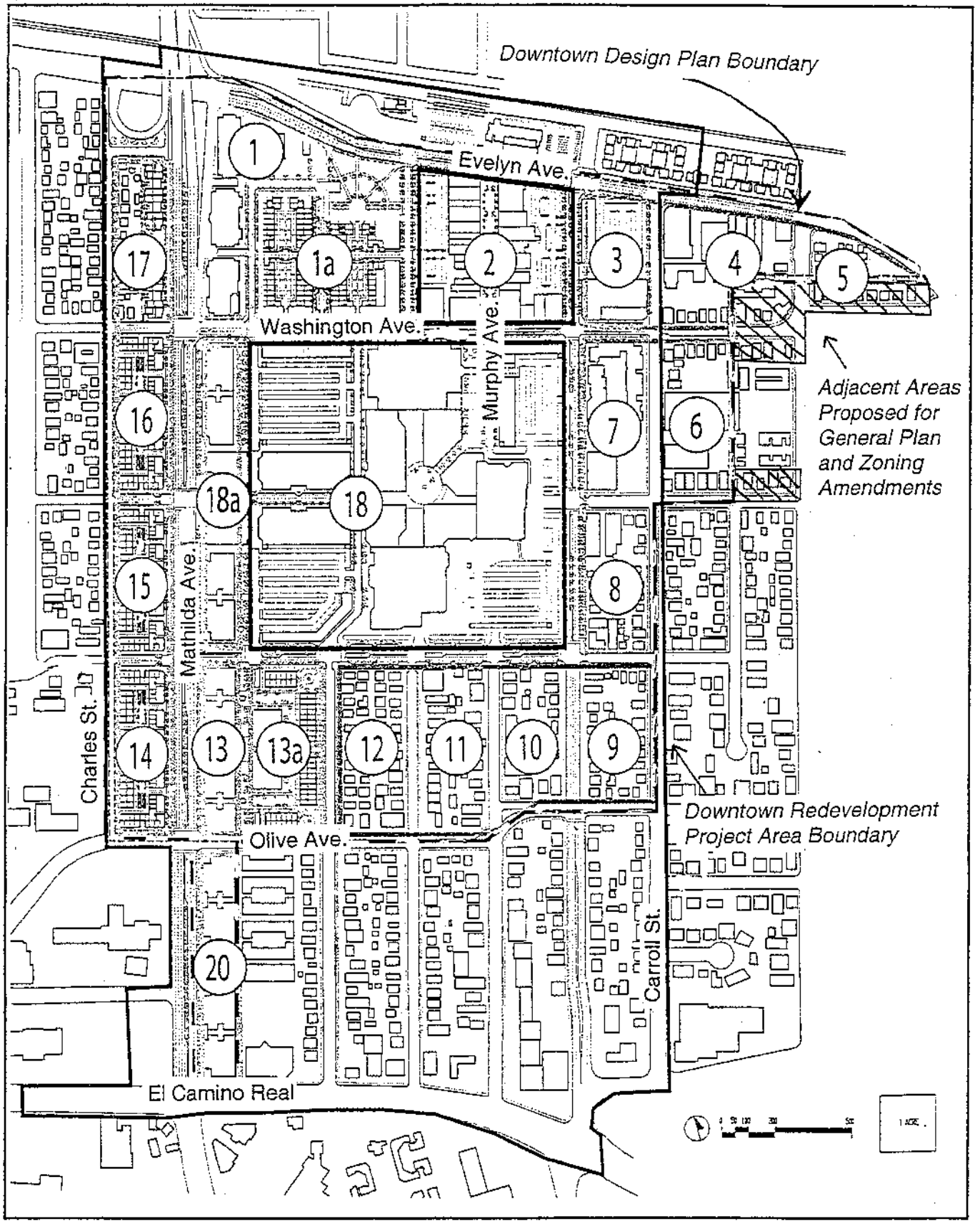
Implementation of the proposed Downtown Improvement Program Update actions described in sections 3.5 and 3.6 above would also require associated amendments to the City of Sunnyvale General Plan, primarily to incorporate the land use changes listed in Table 3.1, in order to achieve consistency with the amended Downtown Specific Plan. The General Plan revisions would include revisions to the General Plan Map and an update of the Downtown Specific Plan section (Appendix B) of the *Land Use and Transportation Element,* to incorporate the following changes:

Properties Within the Downtown Specific Plan Area:

(1) creation of two new General Plan land use designations: one to allow 36 to 69 dwelling units per acre (du/ac) in subdistricts 14 through 17 of the Downtown Specific Plan, and one to allow 69 to 138 du/ac in subdistrict 1a;

(2) changes to the General Plan designations in various portions of subdistricts 4 and 6 from *Very High-Density Residential* (65 du/ac maximum) and *High-Density Residential* (45 du/ac maximum) to *Medium-Density Residential* (27 du/ac maximum);

(3) changes to the General Plan designations in portions of subdistrict 17 from *Very High-Density Residential* (65 du/ac maximum) to *Low/Medium-Density Residential* (14 du/ac maximum);



SOURCE: ELS Architecture and Urban Design

Figure 3.4

PROPOSED DOWNTOWN DESIGN PLAN SUBDISTRICTS

Table 3.1
DOWNTOWN IMPROVEMENT PROGRAM UPDATE PLAN: PROPOSED LAND USE CHANGES

Subdistrict Number (see Figure 3.4)	1993 Downtown Specific Plan	Proposed Downtown Improvement Program Update
2002 Downtown Design Plan Area:		
1	Mixed Use	Office and Retail
1a*	N/A	Retail and Residential
3	Residential	Retail
4, 6, 17	Residential	Residential--lower densities proposed
13	Office and Residential	Office
13a*	N/A	Office and Residential
14, 15, 16	Office	Residential and Retail
20*	N/A	Office
2, 7, 18	Retail/Restaurant/Entertainment	Same
18a	Office	Office and Retail
5, 8, 9, 10, 11, 12	Residential	Same
Eastern Adjacent Sites**:	Residential	Residential--lower densities proposed
South of Olive Area**:	Various (Residential, Commercial, Office, Public Facilities)	Same

SOURCE: City of Sunnyvale Department of Community Development, September 2002.

* Indicates new subdistricts proposed in the August 2002 *Downtown Design Plan*. There is no designated "Subdistrict 19" in the 1993 Downtown Specific Plan or August 2002 *Downtown Design Plan*.

**The eastern adjacent sites and South of Olive area are not included within the 1993 Downtown Specific Plan or 2002 *Downtown Design Plan* boundaries; these sites have been added as part of the overall proposed Downtown Improvement Program Update.

(4) changes to the General Plan designations in all of subdistrict 3 from *Very High-Density Residential* (65 du/ac maximum) to a designation allowing local retail;

(5) changes to the General Plan designations in all of subdistricts 14 through 16 from *Office* to the new residential category allowing 36 to 69 du/ac; and

(6) other associated changes to the General Plan text and map as may be necessary to implement the amendments listed above.

Properties Adjacent to the Downtown Specific Plan Area on the East ("eastern adjacent sites"):

(1) a change in the General Plan designation from *Medium-Density Residential* (27 du/ac maximum) to *Low/Medium-Density Residential* (14 du/ac maximum); and

(2) other associated changes to the General Plan text and map as may be necessary to implement the amendment listed above.

3.8 COMPONENT 4: PROPOSED ZONING AMENDMENTS

The following amendments to the Sunnyvale Municipal Code Precise Zoning Plan/Zoning District Map and chapter 19.28 (Downtown Specific Plan District) would also be required to achieve zoning code consistency with the *Downtown Design Plan* provisions and associated Downtown Specific Plan and General Plan amendments described above:

Properties Within the Downtown Specific Plan Area:

(1) creation of two new zoning designation categories: one to allow 36 to 60 dwelling units per acre (du/ac) in subdistricts 14 through 17, and one to allow 60 to 120 du/ac in subdistrict 1a;

(2) creation of three new subdistricts: 1a, 13a, and 20;

(3) changes to the zoning designations for various portions of subdistricts 4 and 6 from *Very High-Density Residential* (48 du/ac maximum) and *High-Density Residential* (36 du/ac maximum) to *Medium-Density Residential* (24 du/ac maximum), specifically allowing single-family townhomes;

(4) changes to the zoning designations for portions of subdistrict 17 from *Very High-Density Residential* (48 du/ac maximum) to *Low/Medium-Density Residential* (12 du/ac maximum);

(5) a change to the zoning designations for all of subdistrict 3 from *Very High-Density Residential* (48 du/ac maximum) to a category allowing local retail;

(6) a change to the zoning designations for all of subdistricts 14 through 16 from *Office* to a new residential category allowing 36 to 60 du/ac;

(7) for all of subdistricts 4 through 6 and portions of subdistricts 14 through 17, a reduction in the zoning code maximum building height limit from 50 feet (4 stories) to 40 feet (3 stories) and 30 feet (2 stories), respectively;

(8) for all of subdistrict 13a, establishment of a combination of zoning code maximum building height limits of 50 feet (4 stories) and 30 feet (2 stories);

(9) for all of subdistricts 13 and 18a, an increase in the zoning code maximum building height limit from 30 feet (2 stories) and 50 feet (3 stories) to 100 feet (6 stories);

(10) for the entire Downtown Specific Plan area, an increase in the zoning code residential parking requirement from 1.75 spaces per unit to 2 spaces per 2-bedroom unit, with additional spaces for larger units; and

(11) other associated changes to zoning code development standards as may be necessary to implement the proposed Downtown Improvement Program Update.

Properties Adjacent to the Downtown Specific Plan Area on the East ("eastern adjacent sites"):

(1) a change in zoning designation from *Medium-Density Residential/Planned Development (R-3/PD*, 24 du/ac maximum) to *Low/Medium-Density Residential/Planned Development (R-2/PD*, 12 du/ac maximum); and

(2) other associated changes in zoning code standards as may be necessary to implement the proposed Downtown Improvement Program Update.

In addition, amendments to Sunnyvale Municipal Code chapter 19.80 (Design Review) have also been identified as necessary to achieve conformance with and help implement the *Downtown Design Plan* concepts and recommendations.

Properties Adjacent to the Downtown Specific Plan Area on the South ("South of Olive Avenue Area"):

(1) add the properties fronting on the east side of Mathilda Avenue between El Camino Real and Olive Avenue to the zoning code designated Downtown Specific Plan District by changing their zoning designation from *High-Density Residential/Office/Planned Development (R-4/O/PD)* and *Office/Planned Development (O/PD)* to Downtown Specific Plan Subdistrict 20--*Office*.

3.9 COMPONENT 5: PROPOSED AMENDMENTS TO THE DOWNTOWN REDEVELOPMENT PLAN

3.9.1 Background

The *Redevelopment Plan for the Central Core of Downtown Sunnyvale,* commonly referred to as the Sunnyvale Downtown Redevelopment Plan, was originally adopted by the Sunnyvale City Council in December 1975, authorizing the City of Sunnyvale Redevelopment Agency to issue debt, receive tax increment, and use eminent domain powers to provide a means of eliminating blighting conditions and enhance the City's central area economic base. The 1975 plan provided primarily for the construction of the Town Center Mall and related parking facilities. A First Amendment to the Redevelopment Plan was adopted by the City Council in December 1986, setting revised tax increment spending and other financial limits on redevelopment activity. A Second Amendment was adopted by the City Council in September 1993 modifying the land uses permitted in the Downtown Redevelopment Area to make them consistent with the newly adopted 1993 Downtown Specific Plan and to preclude the use of eminent domain for homeowner occupied residential property.

3.9.2 Overview of Proposed Redevelopment Plan Amendments

A Third Amendment to the Sunnyvale Downtown Redevelopment Plan is now proposed in order to: (a) achieve required consistency with the proposed Specific Plan, General Plan, and Zoning Code amendments described above; and (b) extend the life of the plan to provide the opportunity to continue to meet the goals of the plan to remove blight and achieve economic development of the downtown. These proposed Redevelopment Plan amendments would specifically:

- extend the redevelopment plan's financial limits; and
- renew the Redevelopment Agency's eminent domain authority over non-residential property within the existing redevelopment area boundary (expired in 1998) for another 12 years.

The financial revisions may include: extension in the time period in which the Agency may incur debt, and/or extensions in the time period in which the Agency can continue to realize tax increment to repay debt, and/or an increase in the plan-authorized tax increment cap.

The financial amendments are intended to allow the Agency to continue to fund the following types of downtown redevelopment activities: commercial rehabilitation; public improvements such as needed sanitary sewer improvements and widened sidewalks along Mathilda, street tree and other streetscape improvements throughout the downtown, "gateway" elements on street entrances to residential areas as a means of discouraging commercial traffic intrusion,

public plaza and other open space improvements, and improved signage to direct visitors to specific downtown destinations; and repayment of debt including existing and possibly new bonded indebtedness.

Although there are no current Agency plans to acquire land or to relocate or displace any property under the proposed amendments, the amendments would renew for a period of 12 years Agency authority to employ eminent domain over non-residential property within the redevelopment area boundary to facilitate site assembly. As recommended in the April 2002 *Downtown Design Plan*, the proposed Redevelopment Plan amendments would not renew eminent domain authority over residential properties. Also, under California redevelopment law, eminent domain could not be used over non-residential property unless the property owner receives fair market value and any tenants receive adequate relocation assistance, lease buy-out, and other state-mandated assistance to permit them to relocate without economic hardship.

3.9.3 Anticipated Redevelopment Plan Revisions to Maintain Consistency with the Sunnyvale General Plan and Downtown Specific Plan Amendments

California Community Redevelopment Law requires that redevelopment plans, redevelopment plan amendments, and associated actions be consistent with applicable adopted general plans and associated specific plans. Therefore, all Redevelopment Plan-facilitated development must be guided by the policies set forth in the current and future City of Sunnyvale General Plan and Sunnyvale Downtown Specific Plan. Accordingly, the proposed Redevelopment Plan amendments include the revisions necessary to bring all Redevelopment Plan designated land uses into consistency with the currently proposed General Plan amendments and associated Downtown Specific Plan amendments.

A primary goal of the proposed Redevelopment Plan amendments is to ensure that Redevelopment Plan-facilitated future development and revitalization in the Downtown Redevelopment Area remains compatible with existing development and environmental conditions, and consistent with any adopted amendments to the City of Sunnyvale General Plan, Sunnyvale Downtown Specific Plan, and Sunnyvale Zoning Code.

3.9.4 Anticipated Specific Redevelopment Activities

The specific types of continuing and expanded redevelopment actions envisioned for the Redevelopment Area under the proposed Redevelopment Plan amendments are discussed below:

(a) Circulation and Parking Improvements. A number of downtown circulation system and parking facility improvements have already been implemented under the current Downtown Redevelopment Plan. Anticipated additional or expanded Redevelopment Plan-facilitated public circulation and parking projects within the Downtown Redevelopment Area under the proposed Redevelopment Plan amendments include:

- additional traffic circulation improvements, including street widenings, extensions, realignments, resurfacing, roadway paving, traffic signals, and improved intersection signalization;

- additional streetscape improvements, including

  - widening sidewalks,

  - providing "residential gateway" elements, as well as benches, trash urns, graphic amenities, signage, and other public amenities,

  - adding street landscaping (street trees and planted medians), and

  - providing pedestrian-scale decorative street light poles on sidewalks,

  - reconfiguring roadway curbs and paving on some streets; and

- construction of four new parking structures, as conceptually delineated in the proposed *Downtown Design Plan* (see Figure 3.3 herein), possibly including two on the west side of Town Center Mall (Structures A and B), one on the east side of the Mall east of Macy's (Structure C), and one northeast of the mall at the corner of Carroll Avenue and Evelyn Avenue (Structure E).

(b) Other Public Improvements. Additional or expanded project-facilitated public infrastructure and facilities improvements anticipated in the Downtown Redevelopment Area under the proposed Redevelopment Plan amendments include:

- sanitary sewer improvements under Mathilda Avenue; and

- other additional public infrastructure and facility improvements as required to facilitate downtown revitalization (e.g., possible additional water system, storm drainage, and other improvements).

(c) Housing. Continued improvement of housing conditions would be another primary goal of the proposed Downtown Redevelopment Plan amendments. State redevelopment law requires the redevelopment project to allocate at least 20 percent of the total tax increment revenue authorized by the Redevelopment Plan, including any additional revenue that would be authorized with the proposed amendments, to assist in increasing, preserving, and improving the supply of housing affordable to very low-, low-, and moderate-income households. Under the proposed Redevelopment Plan amendments, the increased housing funds would be used to continue Agency assistance towards rehabilitation of existing housing, expansion of the community's affordable housing supply, and elimination of an existing deficit in the Agency's low- and moderate-income housing fund.

(d) Economic Development Program Activities. Continued downtown area revitalization would also be encouraged through increased business and developer assistance programs, including a business assistance and relocation plan coordinated with the identification of sites for local independent businesses.

(e) Preservation and Rehabilitation of Existing Structures. Anticipated additional or expanded Redevelopment Plan-facilitated preservation and rehabilitation projects in the Downtown Redevelopment Area include:

- preservation and development of cultural facilities and amendments;
- facilitation in implementing historic district development standards; and
- assistance in rehabilitating commercial buildings.

(f) Other Redevelopment Activities. Continuation and expansion of the following redevelopment activities would also be facilitated by the proposed Downtown Redevelopment Plan amendments:

(1) Property Assembly, Disposition, Relocation and Site Preparation. The proposed Downtown Redevelopment Plan amendments would enable the Agency to continue to facilitate property assembly and assist with site preparation (including remediation) in order to create parcels which: (a) meet the City's minimum lot size requirements for the desired uses; (b) are of appropriate size and shape for viable residential, commercial, or mixed use development;[1] and (c) where necessary, have been subject to hazardous materials cleanup to make development viable.

(2) Administration. A portion of any additional redevelopment funds resulting from the amendments would also continue to be allocated towards Agency administrative and operational requirements, including Agency staff time to conduct planning and other types of studies, as well as for securing legal and technical assistance.

[1]Under California Community Redevelopment Law (section 33000 et seq.), for a period of 12 years from redevelopment plan or plan amendment adoption, the Redevelopment Agency may "*(a) purchase, lease, obtain option upon, acquire by gift, grant, behest, devise or otherwise, any real or personal property, any interest in property, and any improvements on it, and (b) acquire real property by eminent domain*" (section 33391).

3.10 CORRESPONDING CHANGES IN DOWNTOWN DEVELOPMENT CAPACITY

3.10.1 Net Change in Development Capacity

The proposed changes in development controls described above, particularly the revised development concepts set forth in the April 2002 *Downtown Design Plan* (see Table 3.1), would increase the permitted overall buildout capacity of the downtown area. The estimated net increases in downtown buildout capacity over current maximum allowable limits due to these changes--i.e., the "project-facilitated growth increment"--are summarized in Table 3.2. As shown in the table, the project would facilitate up to 760 net additional residential units, approximately 232,750 net additional square feet of office floor area, and approximately 12,240 net additional square feet of public facility (civic center) floor area, beyond the growth increments allowed under current General Plan, Specific Plan, and Zoning Code provisions. In addition, the current capacity for approximately 1.4 million square feet of additional retail/ restaurant/entertainment floor area in the downtown would be reduced by approximately 61,230 square feet, and the current capacity for up to 208 additional hotel rooms in the area would be removed (i.e., the downtown area would be expected to include no hotel rooms under the proposed update).

3.10.2 Total Growth Increment Addressed in the EIR

When a new plan or plans are being proposed to replace a previously adopted plan or plans, the *CEQA Guidelines* require that the analysis of the action's environmental impacts be based on comparison of the future with-project buildout scenario (the "Proposed Buildout Capacity" in Table 3.2) to existing conditions (the "Existing" development baseline in Table 3.2) rather than to the future without-project buildout scenario [CEQA Guidelines section 15125(a)]. Therefore, this EIR for the proposed Downtown Improvement Program Update analyzes the potential environmental impacts associated with the "Total Growth Increment from Existing" listed in Table 3.2 (rather than the "Net Change in Buildout Capacity")-- i.e., the EIR evaluates and describes the impacts of up to approximately 1,670 total additional residential units, approximately 116,640 total additional square feet of retail/restaurant/entertainment floor area, approximately 942,640 total additional square feet of office floor area (which includes the recently completed 450,000-square-foot Mozart development), and approximately 12,240 total additional square feet of public facility (civic center) floor area.

3.11 PROJECT SCHEDULING AND ENVIRONMENTAL ASSESSMENT TIME FRAME

It has been assumed for purposes of this environmental impact analysis that the major portion of the Improvement Program Update and redevelopment activities described in this EIR would be successfully completed over the next approximately 17 years, or by 2020, stimulating increased economic development and realization of the majority of Improvement Program Update permitted growth in the project area over that 17-year period. Although the proposed Downtown Redevelopment Plan amendments component of the Downtown Improvement

Table 3.2
DOWNTOWN AREA DEVELOPMENT CAPACITY: EXISTING VS. PROPOSED DOWNTOWN IMPROVEMENT PROGRAM

Land Use	Existing (approximate)	Current Specific Plan Capacity (including Existing)	Proposed Buildout Capacity with Proposed Update (including Existing)	Net Change in Buildout Capacity (approximate)	Total Growth Increment from Existing (approximate)
Residential	850 units	1,760 units	2,520 units	+760 units	+1,670 units
Retail/Restaurant/Entertainment	1,330,910 sq.ft.	1,508,780 sq.ft.	1,447,550 sq.ft.	-61,230 sq.ft.	+116,640 sq.ft.
Office	329,550 sq.ft.[1]	1,039,440 sq.ft.	1,272,190 sq.ft.	+232,750 sq.ft.	+942,640 sq.ft.[1] (450,000 sq.ft. Mozart development +492,640 sq.ft.)
Hotel	155 rooms[2] (116,250 sq.ft.)	208 rooms (156,000 sq.ft.)	0 rooms	-208 rooms (-156,000 sq.ft.)	-155 rooms (-116,250 sq.ft.)
Public Facility[3]	0 sq.ft.	12,240 sq.ft.	12,240 sq.ft	+12,240 sq.ft.	+12,240 sq.ft.
Project Area Acreage	150 acres	150 acres	150 acres	+0.00 acres	+0.00 acres

SOURCE: City of Sunnyvale Department of Community Development, October 2002.

[1] The Mozart development (450,000 sq. ft. of office and 10,000 sq. ft. of retail/restaurant/entertainment) was under construction at the time preparation of this EIR commenced (Fall 2002). Since the potential environmental impacts of that development's long-term operation (e.g., project-generated traffic, noise and air emissions associated with project-generated traffic, public service and utility needs, etc.) have not yet become part of existing environmental conditions, the Mozart development has been included in "Proposed Buildout Capacity" and not in "Existing" conditions. The specific environmental impacts of the Mozart development were addressed in the Block 1 Office/Retail Project Initial Study/Mitigated Negative Declaration (February 2000).

[2] Future removal anticipated.

[3] An approximately 0.8-acre vacant parcel in the project area is designated *Civic Center* in the General Plan and zoned *Public Facilities (PF)*, which allows for various *"governmental, public utility, and educational buildings and facilities, and other uses compatible with the public character of the district"* (Municipal Code chapter 19.24.020--Office, public facilities, and civic center districts). Permitted or conditionally permitted uses include, among others, government agency offices, rest homes, and child care centers. Assuming a floor area ratio (FAR) of 0.35, the currently vacant parcel could accommodate approximately 12,240 square feet of public facility floor area.

Note: The existing Sunnyvale Multimodal Transit Station is included in the project area. The station includes 500 parking spaces (including a 400-space structure), a CalTrain personnel booth, a ticket kiosk, and associated shelters and benches. Since the current facilities exist only to support the transit operations, the table does not include square footages for these facilities; however, existing and potential future traffic associated with the transit station has been included in the transportation analysis in this EIR (chapter 7, Traffic, Circulation, and Parking). The environmental impacts of the multimodal transit station were addressed in the Sunnyvale Multimodal Transit Station/Garage Project Initial Study/Mitigated Negative Declaration (October 1999). The Sunnyvale Downtown Improvement Program Update proposes the potential addition of an approximately 3,500-square-foot restaurant on the transit station site; this restaurant has been included in the current and proposed retail/restaurant/entertainment buildout capacity in the table.

Program Update might authorize the Redevelopment Agency to conduct redevelopment activities for up to 30 years beyond the Redevelopment Plan amendment adoption date, or until 2033, it is assumed that the majority of the redevelopment activity growth effects would also take place by 2020. Therefore, this program EIR describes the environmental implications of project-facilitated full buildout within the project area over the next 17 years under the proposed amendments to the Sunnyvale Downtown Specific Plan, City of Sunnyvale General Plan *Land Use and Transportation Element*, Sunnyvale Zoning Code, and Sunnyvale Downtown Redevelopment Plan.[1]

3.12 REQUIRED PROJECT DOCUMENTATION AND APPROVALS

3.12.1 Required Documentation

Implementation of the proposed Downtown Improvement Program Update project will require presentation and official approval by the City's Planning Commission and City Council of the following documents describing the proposed project and its effects:

a. The Environmental Impact Report (EIR), including this Draft EIR as well as a Final EIR document and associated statement of findings, which describes the environmental consequences of the proposed Downtown Improvement Program Update (i.e., actions b through h below) and associated mitigation measures necessary to reduce any identified potentially significant adverse impacts to less-than-significant levels;

b. The Sunnyvale Downtown Specific Plan amendments, which incorporate the revisions to the downtown land use mix, associated maximum development "envelopes," and other development standards recommended for the *Downtown Design Plan* area, "eastern adjacent sites" area, and South of Olive Avenue area;

c. The City of Sunnyvale General Plan *Land Use and Transportation Element* amendments (including amendments to the Downtown Specific Plan section--Appendix B) and General Plan Map amendments necessary to achieve consistency with the proposed Downtown Specific Plan amendments;

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[1]Please note that the year 2020 development scenario used in this EIR for "worst case" environmental impact assessment purposes may be different from the development estimates on which the fiscal analysis in the Redevelopment Plan Amendment program Preliminary Report are based. The Preliminary Report fiscal analysis may assume a more fiscally conservative, less-intensive development scenario, so that estimated tax increment revenues are conservative and not overstated (i.e., a "worst-case" economic scenario with a longer buildout period and slower rate of tax increment growth). Please refer to the Land Use chapter of this EIR (chapter 4) for a further explanation and analysis of the level of anticipated development permitted and anticipated within the project area under the proposed Downtown Improvement Program Update.

d. The Sunnyvale Municipal Code amendments, including amendments to the Precise Zoning Plan/Zoning District Map, chapter 19.28 (Downtown Specific Plan District) and chapter 19.80 (Design Review) necessary to achieve consistency with the proposed Downtown Specific Plan amendments and Sunnyvale General Plan amendments;

e. The Downtown Redevelopment Plan Amendments Preliminary Report, which describes the need for the Redevelopment Plan amendments, the revised redevelopment activities proposed, the anticipated effect of these revised activities in alleviating blight and related economic problems in the Downtown Redevelopment Area, and a preliminary assessment of financing methods for the proposed redevelopment activities;

f. The Downtown Redevelopment Plan amendments, in the form of a legal document that sets forth the changes to the Redevelopment Agency's continued and additional powers and authorities in the Downtown Redevelopment Area;

g. The Redevelopment Plan Amendments Final Report to the City Council, which describes the need to adopt the Redevelopment Plan amendments and the process followed by the Agency towards adoption of the amendments; and

h. The Amended Redevelopment Implementation Plan, which describes the specific redevelopment actions proposed by the Agency under the proposed Redevelopment Plan amendments, including the program of redevelopment actions and expenditures proposed for the first five years of Redevelopment Plan amendment implementation. The Amended Redevelopment Implementation Plan will also describe how these redevelopment actions will continue to alleviate documented blighted conditions in the Redevelopment Area, and indicate how the Agency will continue to expend its housing set-aside fund. The Amended Redevelopment Implementation Plan must be updated every five years.

3.12.2 Required Public Review and Approval Process

Public hearings will be held by the City of Sunnyvale Planning Commission, City Council and Redevelopment Agency on the various components of the proposed Downtown Improvement Program Update listed under subsection 3.12.1 above. The results of this public review process will then be considered by the Planning Commission, City Council and Redevelopment Agency prior to adopting the Downtown Specific Plan amendments and associated General Plan, Zoning Code, and Redevelopment Plan amendments, collectively referred to as the Sunnyvale Downtown Improvement Program Update (the "project").

3.13 INTENDED USES OF THE PROGRAM EIR

This program EIR is an informational document designed to inform the Planning Commission, City Council, Redevelopment Agency, and general public of the environmental consequences of the proposed Downtown Improvement Program Update. The City of Sunnyvale is acting as

the Lead Agency for all environmental documentation and procedural requirements with respect to the proposed project. This EIR has been prepared to serve as the CEQA-required environmental documentation for use by the City and the Redevelopment Agency in their consideration of the proposed project, including all of the associated project documents and approvals described in section 3.12.1 above, and the various other associated City and Redevelopment Agency actions that may be necessary to implement the program update.

This CEQA document is also intended to be used as the baseline CEQA documentation for environmental review of subsequent public and private development and improvement actions in the project area. Such subsequent future activities would be examined in the context of the baseline documentation contained in this program EIR to determine whether additional, more focused environmental documentation (such as a mitigated negative declaration or focused EIR) would be required. (See appendix 21.1 of this EIR for a further explanation of the "program EIR" purpose and application.)