

**PLANNING COMMISSION MINUTES OF SEPTEMBER 22, 2008****Mary Avenue Extension Project** Environmental Impact Report Certification and Project Approval, Recommendation to City Council JW

**Chair Rowe** asked for clarification of the staff recommendation to the Planning Commission. **Jack Witthaus**, Transportation and Traffic Manager with the Department of Public Works and Project Manager for the Mary Avenue Extension Project, said staff is recommending that the Planning Commission recommend Council certification of the Mary Avenue Extension Project Final EIR (Environmental Impact Report) and formal approval of the project.

**Mr. Witthaus** presented the staff report providing a history of the project and the current phase of the project. He said Caltrans is a major partner in the process and that this phase includes the preparation of many technical studies that are required by the State before Caltrans will consider signing off on the plans. He said Caltrans will not sign off on the project until the environmental document is approved, commenting that it appears the City has answered all Caltrans' technical questions. He said the Planning Commission has received a copy of the Draft and Final EIRs and discussed the types of public outreach effort provided. He said, due to the large amount of public interest in this project, the City Council directed that the outreach be enhanced. He said that staff has tried to address all public comments which are included in the Final EIR. He summarized the findings of the EIR. Mr. Witthaus said the remaining steps include the Boards and Commissions reviews, and more public outreach with the document available for public review. He said City Council will consider the item in a public hearing on October 28, 2008. He commented about the Commissions providing input and said that the Bicycle and Pedestrian Advisory Commission (BPAC) recommended that the Council direct staff to monitor traffic on South Mary Avenue and to consider measures to address traffic growth if a problem occurs. He said staff's recommendation to the Planning Commission is to recommend City Council certify the EIR and approve the Mary Avenue Extension project.

**Comm. Klein** thanked staff for the complex reports and commended staff for putting this information all together. Comm. Klein asked what the current project cost is. Mr. Witthaus said the current estimate is \$55 million. Comm. Klein suggested that page 18 of the Final EIR be corrected to reflect the \$55 million amount. Comm. Klein referred to page 13 of the staff report and asked what projects would be included in the \$46 million for additional projects, which

excludes the Mary Avenue Extension. Mr. Witthaus said the \$46 million is the balance of an improvement program to be funded from the Transportation Impact Fees (TIF) explaining some of the improvements that might be funded by it. Mr. Witthaus said the TIFs would pay 50% of the costs of the Mary Avenue Extension and another \$46 million to other various roadway improvements. Comm. Klein discussed with staff the triangle intersection area and whether the area is handled by Caltrans or the City. Mr. Witthaus said that the City operates the traffic signals. Mr. Witthaus discussed previous projects in the Mathilda/237 area. Comm. Klein commented that he likes what the BPAC recommended regarding the monitoring of traffic on South Mary Avenue. Comm. Klein asked why traffic calming options are not listed in the EIR. Mr. Witthaus discussed traffic calming measures use and said some of the measures would not be affective on busier streets. Mr. Witthaus commented that some of the measures used could be lighted cross walks, speed feedback signs, and striping. He said these measures are used on day-to-day operational basis and are not listed in the EIR. He said there is a project coming up to install speed radar feedback signs on Mary and a lighted cross walk. Mr. Witthaus said that when they looked at speeds on Mary Avenue that they did not find a significant speeding problem. He said that enforcement is the most affective way of dealing with speeding.

**Comm. McKenna** said there is mention in the staff report of an independent consultant and asked if staff received a report back from the consultant. Mr. Witthaus said yes and that the report is considered a confidential document. **Kathryn Berry**, Senior Assistant City Attorney, said staff has Attorney/Client privilege documents and some of the consultants comments were taken into account. She said the document was revised accordingly. Ms. Berry said that some of the public comments received indicate that some citizens do not understand that putting in a project can result in a reduction of impacts to the environment. She said this project is actually a mitigation measure for regional traffic impacts, so environmental impacts can be reduced because traffic is being redistributed. She said that staff tried to create responses that would help the public understand how this project is in some ways a mitigation measure. Some of the consultants comments were her thoughts about what the City might do, what measures we might take, more studies we might do, more money we might spend and things that did not make sense in terms of this long term study. Comm. McKenna said she would have preferred to have seen the report and had staff's comments about how they felt about the report. Comm. McKenna said in the EIR it says that the Moffett Park Plan is for 24.3 million square feet of development and asked how much of that square footage is currently built. **Gerri Caruso**, Principal Planner, said she does not have that information, but when the Moffett Park Specific Plan (MPSP) was approved that the 24.3 million square

feet was 8.7 million square feet above what was already the existing condition in Moffett Park. Comm. McKenna said she asked because the staff report explains that this is a land use issue and not a transportation issue and she feels that if it is a land use issue that there should be indication in the EIR about the current land use situation in Moffett Park. Comm. McKenna asked staff what basis is used to determine the number of employees per square feet. Mr. Witthaus said that staff uses trip generation information that is published from the Institute of Transportation Engineers that is an adopted standard for traffic studies in Santa Clara County. Comm. McKenna asked what staff's projection would be for the number of employees and number of trips to Moffett Park per day. Mr. Witthaus said that the MPSP should contain that information. Mr. Witthaus said staff uses square footage as it relates to number of trips. Comm. McKenna and Mr. Witthaus further discussed Moffett Park with staff advising that they do not have the number of employees from the past or present. Mr. Witthaus said Moffett Park is bigger and forecasted to get bigger than it was in the 1980s. Mr. Witthaus said, in general, the level of development in the park now as compared to the 1980s is greater. Comm. McKenna said how many employees is staff planning on having in the Moffett Park area. Mr. Witthaus said that information would be available through the Planning Division and that staff does not have it available this evening. Comm. McKenna said staff received a comment from someone asking for Ellis Street to be looked at and the response was that no formal comments were received from the City of Mountain View, which she feels is not an adequate comment. Mr. Witthaus said that there is another area in the EIR that addresses Ellis Street, specifically, which indicates that currently the Ellis Street/101 area is not scheduled for improvements at this time and the most recent study on this area did not show a need for improvements. He said with respect to this area as an alternative to the Mary Avenue Extension that this area would not meet the purpose and need for the project as it does not serve the north/south roadway corridors. He further discussed Ellis Street and constraints for this area. Comm. McKenna said that she felt there were too many comments that were responses that were dismissive and she cringed when she read them. Comm. McKenna asked staff where the greatest number of employees would be coming from to get to Moffett Park. Mr. Witthaus said that many people would come from the south and east of Sunnyvale into the Moffett Park area. Comm. McKenna and Mr. Witthaus discussed the traffic flows, what the traffic models show, the predicted traffic flows into the Moffett Park area, and the areas where traffic that would be alleviated due to the Mary Avenue Extension.

**Vice Chair Chang** referred to the Final EIR traffic simulations and volumes and said if the Mary Avenue overpass is built that it looks like the Fair Oaks overpass would be underutilized and asked staff to comment. Mr. Witthaus said it would

not be underutilized, explaining that the studies and analysis seem to indicate that the roads will be at capacity on the north/south arterials with the completion of the improvement plans and the build out of the MPSP. Vice Chair Chang discussed with staff Mathilda Avenue going to Moffett Park and the current condition of traffic at Mathilda and 237.

**Comm. Hungerford** referred to page 65 of the Draft EIR, and said the report indicates that the project would have some short term construction related air impacts and that the project would result in long term positive air quality impacts that would result in less carbon monoxide. Comm. Hungerford asked staff if there would be less carbon dioxide. Mr. Witthaus said he does not know the answer and whether carbon dioxide has to be addressed. Ms. Berry said that her understanding is the Bay Area Air Quality Board sets the standards for our area and that this issue was addressed in the Final EIR as an additional comment. Ms. Berry said in our area there are no standards for carbon dioxide but we do have concerns for particulates as we exceed the thresholds for the larger particles from diesel. She said the levels of particulates are going down and within 5 years that the City should reach a level where the particulates are no longer in excess with staff referring to page 19 of the Final EIR where this information can be found.

**Chair Rowe** asked why Mary Avenue is four lanes when most roads are two. Mr. Witthaus said that a long time ago when the City laid out the street networking that Mary Avenue was classified as an arterial street and was intended to be wider and carry more traffic. Chair Rowe said there have been additional concerns expressed since the Final EIR was completed, with one of the concerns being the loss of on-street parking due to the bike lanes. Mr. Witthaus said there are no proposals to remove any on-street parking. Chair Rowe said some concern has been expressed about residents being able to pull out of their drive ways. Mr. Witthaus said that currently there are significant enough gaps for residents to pull out of their driveways and that there is a interconnect system installed and not activated along Mary Avenue. He said there will be a monitoring system so people have difficulty pulling out of their driveways the interconnect system can be activated. Chair Rowe discussed with staff about the safety of children crossing the streets to go to school with staff saying that there are several lighted intersections, and there would be a new lighted crosswalk installed at Mary and Helena.

**Chair Rowe opened the public hearing.**

**Eleanor Hansen**, a Sunnyvale resident, commented that she has some uneasiness about where some of the numbers come from in the EIRs. She

referred to the Draft EIR, Appendix H, Table 1 specifically and asked where the numbers come from. She referred to the Final EIR, page 7, Master Response #1 paragraph 3, which addresses the projected increase of the population and jobs in Sunnyvale by the year 2020 commenting that the population is to grow about .7 percent and the jobs by 1.8 percent. She said with these projected figures that the job growth is expected to be close to 3 times the population growth rate. She discussed the numbers in Appendix H, Table 1 stating she is concerned about the percentage increase in traffic to some of the residential neighborhoods. She requested the Planning Commission recommend City Council do something like the BPAC did and recommend Council direct staff to monitor traffic in the affected residential neighborhoods.

**Tammy Salans**, a Sunnyvale resident, said what she does not understand is why people are not considered part of the environment. She said if the health and safety of the people living on Mary Avenue and the surrounding neighborhoods are not part of the EIR, where in the process are people considered. She said the Transportation Division does not think drivers will exit Highway 85 at Fremont Avenue and go down Mary Avenue to the Moffett Park area. She said she feels this statement is disingenuous. She said this report does not study other places that would be affected by this expansion. She said if the traffic is projected to increase on Mary Avenue, with or without the expansion, the City has to provide mitigation due to the number of schools, pedestrians, bicyclists, and homeowners. She said she resents that alternatives had to be brought up by the citizens of Sunnyvale. She said that the City never presented an alternative. She said while citizens were suggesting alternatives, one was given away by the City Council to the developer when they gave away the right-of-way on H Street. She said she does not understand why a 35 year old project is being presented to answer transportation questions. She said alternative transportation is encouraged yet Sunnyvale wants to spend a lot of money to move single occupancy vehicles mostly from other cities, to and from the towers. She said Sunnyvale needs leadership and vision to address 21<sup>st</sup> century problems with 21<sup>st</sup> century answers.

**Eunice Chan**, a Sunnyvale resident, said she lives near Mary Avenue and will be impacted by this project. She said that during certain times of the day Mary Avenue, between El Camino Real and Washington Avenue is like a parking lot. She said a lot of the data in the reports is from 2004 and a lot has changed since then including higher density housing, a large increase in number of students, and more parents driving their kids to school because it is not safe for them to walk and cross the street. She said regarding the projection for population and land use, that she does not see the full capacity projection in the EIR.

**Graham Murphy**, a Sunnyvale resident, said he lives close to Mary Avenue. He said he was impressed when Comm. McKenna discussed the number of potential employees that could work in the Moffett Park area could be around 96,000 employees. Comm. McKenna offered clarification about her earlier question and said that she asked staff about the number of potential employees for this 24.3 million square feet development. She said she did not know what numbers staff would use for their calculation and was asking staff for clarification. She said she just wants it clear that the number she gave is not the actual number and that the report is not clear about how many people could actually work out there. Mr. Murphy asked whether we want that many people potentially working in our City. He asked why the City is even considering this project with the large public outcry. He commented that he also thinks there will be a lot of people who will get off of Highway 85 and use Mary Avenue to get through the City and this issue did not come up in the reports. He said he is also concerned about his daughter having to cross Mary Avenue to get to Sunnyvale Middle School.

**William Mathew**, a Sunnyvale resident, said he was going to speak about major CEQA (California Environmental Quality Act) errors that he feels are in the report and due to the lateness of the hour he will instead address Chair Rowe's question as to why citizens are concerned about parking removal. He said in the EIR it indicates that bikeways will be created at expense of parking removal from Mary Avenue.

**Gopal Patangay**, a Sunnyvale resident, said he has been involved in the outreach meetings and talked to staff many times and feels like it does not change anything. He said the residents have submitted many letters and provided many comments, and it seems like their comments get white washed, that the citizen input is a waste of time, and that the City is not listening to the residents. He said he lives on Mary Avenue and already has a difficult time getting out of his driveway during peak traffic hours and Mary Avenue is congested. He said he would like to see people discouraged from using cars, and he would like to see those going to Moffett Towers use public transit from some other location in Sunnyvale so the traffic would be less on the residential streets. He said he would like to see traffic for Mary Avenue be geared towards residential and school traffic as there are many schools near Mary that require students cross this street to get to school.

**Chair Rowe** thanked the residents for their patience in staying late this evening to speak.

**Chair Rowe closed the public hearing.**

**Chair Rowe** asked staff about some of the concerns brought up by the speakers this evening. She asked about the number of schools that are impacted and why are some of the schools not going to have lights at Mary Avenue for crossing. Mr. Witthaus said there are schools that already have traffic signals and there will be a new traffic light installed at Mary and Helena.

**Comm. Klein moved to recommend to City Council the certification of the final EIR of the Mary Avenue Extension Project and formally approve the project with suggestions** to staff, much like the BPAC, **to monitor traffic growth on the South Mary corridor looking at traffic issues in the neighborhoods; to continue to investigate traffic calming opportunities on Mary south of Central** i.e. lights at cross walks near schools. **Comm. Travis seconded the motion.**

**Comm. Klein** said this project has been a long process and has been in the Sunnyvale vision for the corridor going north and south for a long time. He said from a project standpoint he sees pluses and minuses and the Planning Commission can only go base their recommendation on the information they have been provided. He said he hopes having staff monitor the issues with Mary Avenue traffic might help alleviate some of the issues that exist today. He said that this will affect Mary and there will be traffic growth. He said from a Planning Commission standpoint that they have to make a decision based on the data presented, hopefully staff has done the appropriate investigation and outreach to the neighborhoods and agencies, and what the Commission receives is a culmination of that. He said he has some reservations regarding the need and the final implications of the project that definitely what we have here is a project that tries to suffice and improve the existing issues within the City as well as going into the future.

**Comm. Travis** said he completely agrees with Comm. Klein and that it is a difficult position to make decisions on a project like this with all the facets to it. He said he lives at Mary and Washington and will be affected by this project. He said considering it from a planning perspective with the potential growth of the City and the City and the Planning Division encouraging development in Moffett Park, that the challenge is to balance between the residential areas and access to the developing areas. He said he does not envy the City Council having to make this decision, and feels, based on what is in front of the Planning Commission, that this project is something the Commission should pass along to Council, and that the Commission can support and help the Council make their decision. He said he would be supporting the motion.

**Vice Chair Chang** said that he would be supporting the motion. He said Sunnyvale is experiencing growing pains. He said that this is a good growing pain and that Moffett Park is doing what it is supposed to be doing and creating

jobs. He said people will want to come to Sunnyvale to work which will affect all of us one way or another. He said this plan has been three decades in the making and it is in the general plan's interest to build the extension.

**Comm. McKenna** said she would not be supporting the motion. She said when she first heard about the project that she thought it made sense. She said after she read the EIR a number of things came to mind. She said in response to one of the questions the report says the traffic demand is generated by land use not roadways. She said later she read the City is looking at 24.3 million square footage of development out there. She said in the early 1980's when Lockheed wanted to build 1 million square feet in this area, the City had an industrial moratorium to look at roadways, sewage, schools, and other things that would be necessary to support the 1 million square foot project. She said at the same time, the whole County was looking at a proposal of living within our limits, and the whole job housing imbalance. She said she thinks that this is more than an issue about Mary Avenue, and more about how the community should be developed. She said she thinks it is time for Council to pause and think whether they want 24.3 million square feet of additional space out there. She said she would like to ask the Council to take a look at the number of employees that were in this area when Lockheed was at its peak and look at the number of employees that may be generated in the future. She said from a historical perspective to where we are now that she does not see this type of growth as always being good. She said people say this is inevitable, and she said it is not. Comm. McKenna said she cannot support the type of growth that is going on in the Moffett Park area.

**Chair Rowe** said she shares Comm. McKenna's concern about what kind of growth the City should have and knows this subject has come up before. She said she does not have the answer right now about what kind of growth the City should have, so she will go with what has been put before the Commission. She said that multiple alternatives have been considered, the project has been reviewed by the City, County, State and Federal governments and that this project has been in the making for over 30 years. She said some say this project is out of date and should no longer be planned. She said long term planning is like the budget where the City tries to anticipate the needs of the City. She said of the multiple alternatives, this seems to be the best though some would say the best of the worst. She said she is concerned when a citizen points out a problem indicating that biking and parking will be affected and the report says it will not and asked staff if this discrepancy could be looked at. Comm. Klein said that as far as biking that this project adds bike lanes and the removal of parking would have nothing to do with the residential area. She mentioned something she had read about land use and the bottom line was if you affect one you are probably going to affect another somewhere and that is what is happening here. She said the City is trying to solve our traffic problem and it is developing a problem in a neighborhood. Chair Rowe said that the Commission can only hope the advice that has been given by staff is good advice, and that the statistics are supportive of the advice given and correct in the assumptions.

**Comm. Hungerford** said he found this project difficult to grapple with and ultimately is going to support the motion. He said that this project has been in the general plan since the 1970's and has been a common element of many other City plans that have come before the Planning Commission. He said the multiple plans have been premised on the fact of this project going forward. He said he reluctantly feels he needs to go along with the plan. He said he likes the suggestion that the traffic be monitored along South Mary and that the City will be able to consider the monitoring data as the project date gets closer.

**ACTION:** Comm. Klein made a motion to recommend to City Council the certification of the final EIR of the Mary Avenue Extension Project and formally approve the project with suggestions; that staff monitor traffic growth on the South Mary corridor looking at traffic issues in the neighborhoods; and that staff continue to investigate traffic calming opportunities on Mary Avenue south of Central. Comm. Travis seconded. Motion carried, 6-1, Comm. McKenna dissenting,

**APPEAL OPTIONS:** This recommendation will be forwarded to City Council for consideration at the October 28, 2008 City Council meeting.