

PLANNING COMMISSION MINUTES OF FEBRUARY 23, 2009

2007-1293 – Palo Alto Medical Foundation [Applicant/Owner] – Hearing to take public comments and testimony on the **Draft Environmental Impact Report (EIR)** for a project located at **301 - 401 Old San Francisco Road and 420, 428 and 448 Kenney Court** (APN 109-31-069, 209-32-039, 209-32-027, 028 and 029) The proposed project consists of the following:

- **Rezone** from R-2/O (Low Density Residential/Office) to PF/PD (Public Facilities/Planned Development);
- **Special Development Permit** to allow a 150,000 s.f. medical clinic with underground parking, a four-level, above-ground parking structure and related storage and waste management area.

This hearing is the end of the required 45-day public review period. Comments provided at the hearing will be included in the Final EIR. The final day to submit written comments for this Draft EIR is February 23, 2009.

Trudi Ryan, Planning Officer, said written comments will be accepted until the end of tonight's public hearing. She said any written or oral comments received this evening would be provided to the City's consultant who is working with staff on the EIR and any duplicate items would be addressed with a single response. Ms. Ryan reminded the public and the Commission that the comments this evening are regarding the adequacy of the Draft EIR, and that there would be a subsequent hearing with the Planning Commission and another hearing with the City Council to discuss the Final EIR and the related applications for the medical clinic. She said that the Planning Commission is present to hear the comments and not to ask questions of the speakers. She said at the end of the hearing the Commission may comment on the Draft EIR, however no motion would occur this evening.

Chair Rowe reiterated that this evening's comments should focus on the sufficiency of the Draft EIR and ways in which the significant affects of the project might be avoided or mitigated. She said this evening's public hearing is a forum to receive public comments and Commission comments and not engage in dialogue.

Lou Bo, a Sunnyvale resident, said he lives about 250 feet from the proposed four-story parking garage. He said he is proposing a parking garage with two stories underground and two stories above ground. He said he is also concerned that the traffic study was done at a time when there are fewer cars than there will eventually be. He said schools in the nearby area are growing causing heavy morning traffic and when the Downtown Sunnyvale Project is finished there would be more traffic.

Robert Varesio, a Sunnyvale resident and trustee for a parcel nearby said he has two issues with the EIR. He said he saw no integration in the EIR regarding Specialty's

routes (solid waste pick up) and that this service could be impaired by cars parked on the street even though there is a garage. He said in regards to the underground structure he saw no specifics in the EIR regarding the potential for erosion or comments about any threat to the foundation to the residents on the nearby the 541 Bayview parcel.

James Desrosier, a Sunnyvale resident, said the EIR looks adequate. He said there would be traffic mitigation issues to deal with. He said he thinks Sunnyvale needs a medical facility of this scale and quality and encouraged the City to keep moving forward with the project.

Cary Polin, a Sunnyvale resident, said she is concerned about the traffic and mitigations and how the redevelopment of the Downtown project works with the proposed rezoning plan. She said there are many existing vacancies in the Downtown area, redevelopment will bring more available space, and she wonders about whether the proposed new facility when there are already vacancies in the City. She said that with the proposed plan she hopes that property values, traffic and the existing residents are considered.

Josh Martin, a Sunnyvale resident, said this project has brought together a neighborhood group called CARz, Citizens Against Rezoning. He said they would like to see a win-win situation with Palo Alto Medical Foundation (PAMF) and the neighbors. He said they do not support the project in the current form and would like PAMF to respond to the request for a neighborhood meeting and to discuss the alternatives they have suggested. He said their concerns are the rezoning of the property for this project, increased traffic and pollution, pedestrian safety, and the size of parking structure. He asked anyone in the audience who agrees with the concerns of CARz and the Heritage Neighbors to stand. A large number of people in the audience stood in support.

Gustav Larrison, a Sunnyvale resident, commented that he is concerned about traffic on Carroll and Bayview due to cut-through traffic. He said that the traffic analysis for these streets show the numbers very close to the threshold of becoming an impact. He said the study projects the routes to the clinic and he would like the routes revisited as the study does not include any traffic coming from Mathilda using Olive, or from the Downtown Sunnyvale project area. He asked for an alternative to be considered in the EIR of closing Carroll and Bayview near Old San Francisco Road just north of the driveways.

Kevin Shives, a Sunnyvale resident, said his concern is with the errors and assumptions in the traffic analysis. He said the analysis indicates that Olive is a residential collector street which he and many of the neighbors feel should be reassessed explaining the reasoning. He said the analysis also shows Old San Francisco road as four lanes, when actually it is two lanes in places. He said he would rather not have this huge medical facility in the neighborhood and if the project does occur that the main traffic access for the center should be routed around the neighborhood rather than through it.

Jeff Jones, a Sunnyvale resident, referred to the Land Use Element 1 in the EIR and said there are policies within the General Plan protecting and buffering neighborhoods along El Camino Real and this project would change current zoning to violate the current buffering. He said the Public Facility zoning would affect Floor Area Ratio, building height, intensity and bring in more traffic. He said these are significant impacts even though the use remains medical. He said there are errors in Table 18 in the EIR regarding parking, related to the count of parking spaces at the 201 Old San Francisco Road facility and the 582 Sunnyvale Road facility. He said if these are corrected there is not adequate parking.

Tynna Jones, a Sunnyvale resident, said she is concerned about the pedestrians in the neighborhood describing the large number of walkers throughout the day. She discussed the proposed car trips per day indicated in the EIR and the areas people would walk after parking to access the facilities. She said that pedestrian safety is neglected in the EIR and the PAMF plan and she feels the EIR should discuss pedestrian impacts and opportunities.

Pono Beardsley, a Sunnyvale resident, commented about the findings in the EIR regarding air quality and noise. She said the EIR found significant impacts to air quality and noise for the duration for the proposed 28 months of construction. She said the EIR does not consider the diesel fumes that the 240 truck trips create per day and she would like that addressed. She said that one of the mitigations in the EIR is to water the area down two times or more a day which is not feasible if there is a drought and said that she does not see how that would address diesel fumes. She said that she would like the issue of construction vibration to be looked at again in the EIR as she disagrees with the EIR which says there is no significant impact. She said the EIR suggests that a truck route might be set up for construction, however it does not say what truck route and she would like to be a part of the discussion. She said that the EIR says that Sunnyvale Avenue is four lanes, when it is only two lanes in some places.

Marie Adamson, a Sunnyvale resident, said that she does not feel the EIR adequately addresses the noise factor of 26 months of construction. She said that the construction would be occurring near schools disturbing student learning, senior living areas disturbing needed rest, and in a residential area where people like to walk. She said she would like the clinic to remain a small neighborhood clinic, and let them keep their nice neighborhood. She asked that anyone in the audience that agreed with her comments to stand and a large number of people stood up in support.

Ken Rheame, a Sunnyvale resident, said the EIR does not address light pollution which is the light that would glare off of the proposed three-story building. He said at an informational meeting it was mentioned there would only be emergency lights on and the public could see an example of the lighting at the clinic at El Camino Real and Highway 85. He said he went there and there were more than emergency lights on. He said, related to light pollution, is screening and that the many of the existing trees are 15 to 25 feet high, which would not screen the 53 foot garage. He said there is not enough

room to provide adequate screening to address the light pollution issue. He said without a landscaping plan that addresses light pollution that he thinks the EIR is incomplete.

Jeni Pfeiffer, a Sunnyvale resident, said her concern is the right to light, the right to sun. She discussed the shading in the EIR, offering a correction to the shading analysis stating that the roof top is peaked which makes it 800 square feet resulting in the shade covering the roof 18% keeping the neighbor from having solar gain. She said she would like to see the EIR show hourly shadowing. She said redwood trees are proposed which would further block the sun from nearby homes. She said she would like the structures to be kept at two stories to allow the neighbors their right to light.

Kim Martin, a Sunnyvale resident, addressed alternatives in the EIR. She said the first two alternatives, no project alternative and residential use alternative, did not meet the objectives of the PAMF or the current residents. She said many of the neighbors think this is a good project, however it is too large. She said one alternative listed was to close Bayview. She said she would like to see a traffic study done on closing both Bayview and Carroll. She said one alternative says there is "no alternative location available at this time". She suggested that possibly PAMF look into purchasing other property, including Circuit City for expansion of parking. She said the reduced density is the most viable alternative for this project explaining the benefits and said she hopes that alternative is considered.

Madeline Young, a Sunnyvale resident, expressed her concerns about parking with the project both during and after construction as she has had problems in the past with people parking on the streets in front of her home. She said she feels like the City has not protected the street parking for the residents.

Jeanne Gonzales, a Sunnyvale resident, said that traffic on Olive is a mess and adding a larger facility and the already-in-progress Downtown project that traffic will only get worse. She said her main concern is pedestrian safety and the increase in volume of cars and said there needs to be consideration given to how to address pedestrians. She said this is a quiet neighborhood and should be treated that way.

Mark Hanlon, a Sunnyvale resident, discussed the traffic impact report and the impact it would have on his street, Bayview. He commented if there is even the smallest margin of error in the impact report that there is a serious impact on the neighborhood. He said the demanded accuracy on the projected traffic volumes is too narrow, and the potential impact is too big. He said the impact report should include analysis to consider closing Carroll and Bayview north of the proposed development.

Stephen Meier, a Sunnyvale resident, spoke in support of the project. He said he would like to see the clinic here. He said he is sympathetic to the pedestrian and traffic concerns, and suggested the City work with PAMF to find solutions to address the concerns. He said Sunnyvale needs a modern health facility. He said he thinks the report is conservative about energy uses and said he thinks the amount of traffic trips

that residents have to take out of Sunnyvale for care should be considered as this is a regional energy use concern.

Mikhail Spitkovsky, a Sunnyvale resident, said his property is next to the proposed four-story garage. He said the garage will block his sunlight and he will have to look for landscaping that can live in the shade. He said he would like the parking structure reduced to a two-story garage. He said he would like protection from the pollution and noise of the garage and asked for a solid wall. He asked the Commission to help the neighborhood with these problems.

Chad Steward, a Sunnyvale resident, said he would be happy to have the clinic in the neighborhood, however he has concerns regarding the alternatives suggested for the traffic impact. He said the alternatives listed seem to close one street and make other streets worse. He suggested possible traffic flow changes, and additional stop signs for cut-through traffic. He said he does not think the analysis and alternatives in the EIR for traffic impact are adequate.

Karen Reilly, a Sunnyvale resident, said her neighborhood would be directly impacted by the rezoning of this site. She said this is a walking neighborhood and four major building projects have been approved within one mile of her home. She said the true impact of the rezoning cannot be measured until the other projects are completed and the buildings are occupied. She said that they need a park in their neighborhood. She asked the Commission to deny the rezoning and said she supports a two-story garage.

Joseph Dittberner, a Sunnyvale resident, provided several pictures showing the affect of other developments that are three-stories high built behind residential sites on the E. Washington block. He said PAMF would be like a curtain wall facing the backsides of the residential neighborhoods. The pictures showed three-story buildings about 40 feet tall next to residential, looking down on backyards. He asked the Commission to please not destroy their neighborhood. He provided seven signed notices from citizens to the Commission.

Thomas Carrig, a Sunnyvale resident and President of the Heritage District Neighborhood Association, said that they think the rezone is wrong. He said the PAMF in Mountain View on El Camino Real does not impact the neighborhood due to the location versus the proposed PAMF. He said how can the City even consider rezoning this site. He said he agrees with other speakers about the traffic. He said he would prefer to see an urgent care clinic at this site like what was there before. He said there are many places that this could be built including the Town Center area.

Aman Valani, a Sunnyvale resident, said that he currently lives in a quiet neighborhood, however if this building is approved that he is concerned about his privacy and the shade from the large building. He expressed his concerns about the traffic and safety. He said he would like to see this project scaled down and not have a four-story garage.

Michael Weselon, a Sunnyvale resident, said he likes to look at projects like this as an opportunity rather than a problem that could increase the value of the neighborhood. He said his concerns are the noise pollution from taller structures, and light pollution. He said he agrees that the urgent care was nice in the neighborhood, that the traffic should flow around neighborhood and not through it, and that the EIR is missing a couple of buildings which are now on the school grounds. He said his requests for consideration are to lower the parking garage to two-stories above ground and two-stories below, and if street closures are considered, to close Bayview, Carroll, and Central. He suggested routing traffic on to Cezanne which would require partial demolition of the 401 Old San Francisco building to allow an intersection at Old San Francisco and Cezanne so traffic could flow directly out to El Camino Real, to allow St. Martin traffic to exit from Kenney Court out to Cezanne, to allow St. Martin to use the four-story structure on the weekends, to relinquish closed portions of Carroll and Bayview to PAMF so they can have a continuous building structure, and to study the affects of the emergency vehicles going around the closed streets.

Chair Rowe closed the public hearing.

Comm. Klein commented that the EIR makes no mention of the level of service for the Old San Francisco/Cezanne intersection and what could help mitigate traffic issues with Cezanne. Comm. Klein agreed that the EIR needs to be corrected to reflect that Sunnyvale Avenue and Old San Francisco being both two lanes and four lanes depending on where they are in the City and that this area is considered from both an EIR standpoint and a traffic modeling standpoint so the traffic that flows through these areas seems appropriate. Comm. Klein said he would like to see more comments on the traffic calming alternatives for the different streets in contention to make sure that the traffic is calmed and that pedestrians are considered appropriately.

Comm. McKenna said she had many of the same questions as some of the speakers raised, including looking at lowering the four-story parking structure. She said she does not think the report does an adequate job addressing traffic circulation issues, or on the closure of the residential streets. She said she would like to see more information on the closures of the streets at least from where the clinic would be northward so no traffic goes from the facility onto the residential streets. She said she is concerned about traffic on Carroll and that the report did not deal with appropriate signage around town directing clinic users to the facility. She agreed that light pollution at night, and that the whole issue of pedestrian traffic need to be looked at and addressed in the EIR.

Comm. Hungerford commented about the air quality analysis, and said he would like to see the EIR address carbon dioxide, as it is his understanding that EIRs are now expected to address the impacts of a proposed project regarding the emissions of carbon dioxide.

Chair Rowe said that she would like to know if there would be any problem with having two levels of parking below ground considering the soil content. She said she would

also like to know if garages have other pollution mitigations for the pollution created by cars aside from a solid wall to attenuate the sound.

Ms. Ryan advised the audience that tonight was not a public hearing on the project. She said a number of the comments this evening were regarding the merits or lack of merits of the project. She said the public will have another opportunity to comment on the application when the Final EIR and the related applications come before the Planning Commission. She said based on what happens with the environmental documentation, the applicant can choose to make modifications to their plan, inviting the public to keep informed as new plans may be available so when comments are brought forward that they have the most current information about the project.

Chair Rowe thanked the citizens for their input.