

2.3 RESPONSES TO PUBLIC INFORMATIONAL MEETING QUESTIONS AND COMMENTS

On April 10, 2003, the City of Sunnyvale held a public informational meeting on the Draft EIR. At the meeting, City staff and the EIR consultants retained by the City answered a number of general questions pertaining to the Draft EIR and the EIR preparation process, explained the public review process, and invited those attending to submit written comments on the Draft EIR. During the course of the meeting, however, a number of specific questions and comments pertaining to Draft EIR content and adequacy were raised by audience members. Key issues and concerns raised at the meeting are summarized below, followed by responses of the EIR authors to each issue raised pertaining to Draft EIR content and adequacy.

Arthur Schwartz

Comment PIM.01: General/Project Description: The Mozart buildings are not included in the Draft EIR.

Response: The comment is incorrect. The Mozart buildings are included and considered in Draft EIR evaluations. The Draft EIR specifically states (Table 2.1/p.2-4, Table 2.3/p. 2-37, Table 3.2/p. 3-21, Table 18.1/p.18-4):

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).

As the above statement explains, the Mozart development has been treated in the Draft EIR as part of the future development scenario and associated potential environmental *impacts* resulting from the proposed Downtown Improvement Program Update, rather than as part of the *existing setting* already in place.

The EIR authors also recognize that, as a substantially completed construction project, the *visual effects* of the Mozart development *as an individual project* are now part of the existing environment. The environmental implications of the Mozart project, including its potential aesthetic impacts and associated mitigation needs, were addressed in the Initial Study/Mitigated Negative Declaration for Block 1 Office/Retail Project approved by the City in the year 2000. In addition, Chapter 5 (Aesthetics) of the current Draft EIR further discusses the visual effects of the Mozart development and the overall proposed Downtown Improvement Program Update in relation to the existing environment as well as to relevant City-adopted goals, policies, and action statements contained in the City of Sunnyvale General Plan and Sunnyvale Downtown Specific Plan.

Comment PIM.02: Aesthetics: Views are discussed only from a linear perspective, not from a "crosswise" perspective as seen from neighboring residential areas.

Response: The scope of the Draft EIR visual impact analysis has been intentionally focused on those visual factors and issues identified in the City-adopted General Plan and 1993 Downtown Specific Plan as of particular concern to the community. Project impacts on various street corridors identified as visually important "identity" elements in the General Plan and 1993 Specific Plan are given special consideration, including both north-south corridors (Mathilda Avenue and Sunnyvale Avenue) as well as east-west

corridors (Washington Avenue, Iowa Avenue, and El Camino Real). These routes are in fact the principal vantage points where the visual impacts of the project will be most clearly perceived. In response to this comment, this clarification has been added to the Draft EIR in the form of a further explanation under Impact 5-1 on DEIR page 5-13 (see this revised page in section 3 herein, "Revisions to the Draft EIR").

Contrary to this comment, the Draft EIR visual impacts evaluation does not exclude impacts on views from a "crosswise perspective" as seen from adjacent residential neighborhoods. The evaluation considers both north-south and east-west views, and specifically addresses the possibility of perceived visual incompatibilities with existing lower intensity (one- to four-story) development in adjacent areas (see Impact 5-1 language on Draft EIR page 5-13).

Draft EIR chapter 5 addresses existing and potential visual characteristics and views from numerous identified vantage points and perspectives, including the "edges surrounding the project area" (subsection 5.1.5, Edges) as well as the seven districts identified in the 1993 Specific Plan: the Town Center Mall District, North of Washington District, Murphy Avenue District, Sunnyvale/Carroll District, East of Sunnyvale District, South of Iowa District, and Mathilda Avenue District.

Compared to the current Downtown Specific Plan, the Downtown Improvement Program Update proposes reductions in maximum allowable building heights in some portions of downtown Sunnyvale (subdistricts 1a, 4, 5, 6, 13, 13a, 14, 15, 16, and 17), which are within or adjacent to existing residential neighborhoods; and increases in maximum allowable building heights in other portions (18a and 20), which are on the east side of Mathilda Avenue, adjacent to existing multifamily residential and commercial development. Draft EIR Table 18.2 (Alternatives Comparison: Changes in Development Totals–Incl. Existing) summarizes these comparisons.

The EIR authors acknowledge that, even when applying the CEQA-derived significance criteria in subsection 5.3.1, the analysis of visual impacts can appear more subjective when compared to the more quantitative analyses available for other environmental issues (e.g., traffic, noise, public services and utilities, etc.). The Draft EIR explains how adopted City of Sunnyvale policies, including policies set forth in the General Plan and 1993 Downtown Specific Plan (see chapter 5, section 5.2, Pertinent Plans and Policies), are intended to "permit more intense commercial and office development in the downtown" (*Land Use and Transportation Element Policy N1.12*) while "requir[ing] new development to be compatible with the neighborhood, adjacent land uses, and the transportation system" (*Land Use and Transportation Element Policy N1.2*).

Chapter 5 of the Draft EIR specifically lists sixty-one (61) City-adopted policy statements pertinent to aesthetics which City staff and decision-makers must consider before deciding whether a future *individual* project proposed as part of the Improvement Program Update would have a potentially significant visual impact on the environment. These adopted policies pertain to a wide range of visual concerns, including, among many

others, residential privacy, site design, architecture, tree and landscape preservation, light and glare, shade, outdoor areas, disabled access, building setbacks, and building materials. If and when it is determined that a potential for any significant environmental impact (including visual) is associated with a future, individual, site-specific development application, the City would undertake the associated, CEQA-required project-specific environmental review for the application (see Draft EIR section 1.2, Program EIR Approach and Assumptions), including consideration of potential visual impacts. Such determinations and associated location-specific mitigation requirements cannot be adequately determined until the details of such future developments are known (i.e., until a specific application is filed with the City).

Comment PIM.03: Aesthetics: The project does not present a pedestrian-friendly environment; "streetscape" alone does not create a pedestrian-friendly environment.

Response: The comment pertains to the merits of the "project" (the 2002 *Downtown Design Plan* rather than to the adequacy of the Draft EIR). However, both the previous (1993) Specific Plan and the proposed Downtown Design Plan do include policies, standards, and design guidelines formulated to ensure a pedestrian-friendly, human scale environment at street level in the downtown. In particular, the 1993 Specific Plan Building Design Guidelines (1993 SP pages 13, 49-74), and Streetscape Design Standards (1993 SP pages 14, 102-106 and Appendix A) include design standards and guidelines to ensure a pedestrian-friendly environment. These standards and guidelines would remain in effect with the proposed Downtown Improvement Program Update. In addition, the City's existing Murphy Avenue Design Guidelines and new 2002 *Downtown Design Plan* includes additional Land Use and Development Standards, Design Guidelines (for Downtown Districts and Architectural Guidelines), General Architectural Guidelines, and Streetscape Design Guidelines which would complement the existing 1993 Specific Plan provisions regarding a friendly pedestrian environment (see August 2002 *Downtown Design Plan* pages 22, 23, 24, 25, 26, 28, 30, 32, 42, 44, 45, 46, 56, 83 and 85).

Comment PIM.04: Aesthetics: The Draft EIR does not address the light and glare effects on neighboring residences of lights left on at night in tall buildings (e.g., employees working late, nighttime clean-up crews).

Response: Draft EIR *Impact and Mitigation 5-2 (Light and Glare Impacts)* addresses potential light and glare impacts resulting from nighttime illumination of downtown structures from exterior light sources. *Mitigation 5-2* states, "In addition to required compliance with lighting controls set forth in Sunnyvale Municipal Code section 19.42.050, include in the conditions of approval for any individual downtown construction project involving building heights of greater than 50 feet, a prohibition on exterior illumination of any building element above 50 feet after 10:00 PM, every day, or establish this requirement by ordinance for the entire project area." The commenter raises a related issue that is also of concern to residents of existing neighborhoods surrounding the downtown--whether interior illumination of new buildings above a certain height and associated light transmittance or glare also warrants mitigation. From a CEQA

standpoint, this issue has been considered in the context of the overall existing downtown environment. An activity or effect which may be significant in a rural setting may not be significant in a suburban setting (CEQA Guidelines section 15064). With respect to the possibly visually distracting future additional interior lighting (illuminated windows, visible interior light sources) on floors above 50 feet would be introduced in a downtown environment that is already developed with an abundance of similar existing interior illumination sources.

Building heights of from 75 to 100 feet would be limited to selected subdistricts. Completion of the recent Mozart development has provided an important demonstration for neighborhood residents of the potential visual effects of 100-foot-tall buildings. As viewed from surrounding vantage points, and in particular, as viewed by nearby residential neighborhoods immediately to the west, south, and east of the downtown core, structures of this height would intrude above the predominant existing downtown roof plane by three to seven stories. In the panoramic context of most surrounding nighttime vantage points, these occasional structural protrusions, and associated light emitted from interior illumination (illuminated windows), would be visible and in some cases highly visible, in contrast to the dark sky background.

Sunnyvale, like other local jurisdictions, has adopted standards to address light and glare which are limited in scope to exterior lighting--i.e., the need to control (shield) direct sources of exterior illumination by shielding light sources from direct view, the need to limit the height of luminaires for the same purpose, the need to avoid reflection of light off of exterior building surfaces, and the need to avoid illuminated sign operation above certain heights after specific evening hours. Such local control of exterior lighting sources represents common practice. Many local jurisdictions have adopted similar exterior lighting controls; however, the EIR authors are unaware of a comparable suburban instance where local controls have been placed on nighttime interior lighting to protect surrounding nearby or distant vantage points. For example, substantial attention was recently attracted by the City of Davis in its effort to address the issue of nighttime urban lighting and associated potentials for adverse visual impacts. The issue was carefully studied and ultimately addressed by the City through adoption of an ordinance, the City of Davis Dark Sky Ordinance, which again is limited in scope to the potentially adverse impacts of exterior lighting. The Davis study did not identify a significant concern associated with interior lighting. The Davis ordinance does not place controls on the potential effects of interior lighting and illuminated windows on surrounding vantage points.

In the case of the Downtown Improvement Program Update and its associated program EIR, no specific building designs, shapes or associated fenestration and illumination details have yet been identified other than the Mozart development example. The recently constructed Mozart buildings do provide a useful demonstration of what can be reasonably expected with respect to the effects of interior lighting on the quality of views from surrounding vantage points. However, no basis has been identified or substantial evidence presented, including the Mozart example, indicating that interior illumination--

i.e., illuminated windows on exposed one-to-six story building surfaces or associated interior light sources (ceiling fixtures) would emit a level of direct light and glare that results in substantial distraction and significant, adverse effects on views from nearby or more distant surrounding viewpoints.

As previously mentioned, the Draft EIR does include a proposed mitigation for exterior light sources. If the City wishes to also address the potential effects of interior lighting on nearby vantage points, such as residential neighborhoods within one block of future proposed, exposed, four-to-six story building facades, consideration could be given in the City's design review process to requesting interior lighting plan and associated photometric information from the applicant, and/or encouraging the incorporation of excessive illumination prevention techniques where warranted, such as use of tinted glazing, the shielding of interior light sources above certain illumination levels, and other glare prevention measures.

Comment PIM.05: Transportation and Parking: Freeway impacts would be mitigated only if freeway improvements are funded and constructed; the City of Sunnyvale has no control over freeway improvements.

Response: Congestion management law allows for offsetting improvements to mitigate freeway impacts. The Countywide Deficiency Plan is a budgeted work item of the Santa Clara Valley Transportation Authority (VTA) to identify these offsetting improvements on a countywide basis. The VTA, in conjunction with its Countywide Deficiency Planning, is undertaking freeway corridor studies of Routes 237, 85, and 101 which will identify improvements for programming of anticipated State, Federal and regional transportation funds. These funds are identified as "constrained" in the Valley Transportation Plan 2020 (the regional transportation plan for Santa Clara County), meaning that there is a reasonable likelihood of receiving funds within the lifetime of the Plan. The VTP 2020 is updated every three years to assure that improvement and funding assumptions remain up to date.

It is correct that this plan is not yet adopted and that there is no certainty to the implementation of the plan. For these reasons the conclusion that the freeway impacts are mitigated has been changed to significant unavoidable. Please see associated revisions to Mitigations 7-1 and 7-2 on DEIR page 7-49 and 7-52, respectively, in section 3 herein (Revisions to the Draft EIR). The underlying impact analysis and mitigation remains the same.

Comment PIM.06: Transportation and Parking: Recommended signal changes on El Camino Real are subject to state approval and not totally within the City's control. Recommended signal changes address only turns at intersections and not cross/through traffic.

Response: The EIR correctly identifies feasible improvements and the party responsible for mitigation. The City of Sunnyvale routinely works with Caltrans to inform them of traffic operations issues on State-owned facilities within the City. It can be assumed that

the City will continue to monitor and report to Caltrans over the life of the Downtown Improvement Program Update to support improved traffic flow. A typical experience is that Caltrans responds within 10 days of receiving a request from the City of Sunnyvale.

Comment PIM.07: Air Quality: Air quality impacts are not fully mitigated. Bay Area air quality is getting worse. Air quality mitigation should also address traffic.

Response: The comment pertains to an issue of substantial concern to many Sunnyvale residents, the potential for increased local and regional air emissions due to additional urbanization in an already significantly affected air basin. Draft EIR chapter 10 does identify a *significant unavoidable project and cumulative impact* resulting from long-term regional emissions increases associated with the proposed downtown improvement program. These increases would result from future traffic increases under the proposed project-facilitated development scenario. According to the Air Quality Guidelines (p. 25), any proposed development of either 510 apartments, 44,000 square feet of regional shopping center, or 280,000 square feet of general office would be expected to result in potentially significant emissions. Therefore, due to the overall size of the downtown Sunnyvale project area (approximately 150 acres) and the development potential within that area, a significant unavoidable impact on regional air quality would be expected. This conclusion would also hold true for any of the project alternatives (see Draft EIR chapter 18).

Mitigation 10-2 does address traffic. All five of the "emissions control strategies" identified are directly related to reducing traffic. These strategies include physical improvements such as bus shelters, bicycle lanes, and bike parking areas; required measures to encourage use of public transit, ridesharing, van pooling, etc.; transportation demand management (TDM) programs; and implementation of "smart-growth" strategies being developed by the Association of Bay Area Governments (ABAG) and other regional agencies.

It should also be stated, however, that from a local and regional planning standpoint, the proposed additional concentration of growth in an existing core area as opposed to accommodating more expansion of outlying residential areas represents a more environmentally desirable approach to growth from a traffic generation and air quality standpoint. In recent years, this fact and concerns over increasing urban sprawl and associated traffic, air pollution, and other environmental impacts, have led regional planning agencies, municipalities and interest groups to adopt policies related to "smart growth." To minimize the costs of development infrastructure; expand the range of transportation, housing and employment choices; promote public health and healthy communities; and value regional over local considerations; municipalities have been rediscovering the advantages of compact, transit-accessible, pedestrian oriented, mixed use development in core areas--i.e., the principles of "smart growth." The limitations of CEQA force EIRs to concentrate the environmental impact scope primarily on the local

traffic and associated air emissions generation aspects of projects, with minimal consideration of the regional air quality and other regional environmental advantages of such central core development versus other forms of growth.

Comment PIM.08: Alternatives: The table should not use the phrase “similar impacts,” and the table should be more quantitative.

Response: Table 2.4 (Alternatives Comparison: Environmental Impacts in Comparison to the Proposed Project), which is located in the Draft EIR summary (chapter 2) provides a one-page qualitative summary comparing the potential impacts of four project alternatives compared to the proposed project. Table 2.4 was prepared for summary purposes. A more comprehensive, detailed and quantitative analysis and comparison of this range of alternatives to the proposed action is included in Chapter 18 of the EIR, entitled “Alternatives to the Proposed Action.” Table 2.4 simply summarizes the more detailed information found in Chapter 18. The first paragraph of section 2.6 (Summary of Alternatives), where Tables 2.3 and 2.4 are located, refers the reader to chapter 18, where the more comprehensive and quantitative evaluation of the alternatives is included.

Regarding the level of quantitative analysis that shall be undertaken in such an EIR for the alternatives, CEQA Guidelines section 15126.6(d) states, “The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project....If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, *but in less detail than the significant effects of the project as proposed*” [italics added]. This conclusion is reiterated in the second paragraph of Draft EIR chapter 18, which states, “As recommended in CEQA Guidelines section 15126.6(d), this EIR chapter includes a comparative evaluation of the range of comparative significant effects of each alternative which is less detailed than the discussion in EIR chapters 4 through 15 of the significant effects of the project as proposed.”

The term “similar impacts” is an accurate summary for those impact categories in which it is used in Table 2.4. For example, for “noise” and “air quality,” the proposed project would result in “significant construction and long-term impacts” if no mitigation were implemented. Likewise, all four of the identified alternatives in Table 2.4 would result in similar noise and air quality impacts, i.e., “significant construction and long-term impacts” if no mitigation were implemented. To further compare the environmental impacts of the proposed project and identified alternatives, the footnote to Table 2.4 states, “The proposed project and all identified alternatives would result in significant unavoidable transportation and air quality impacts. For all other environmental categories, all potentially significant impacts can be reduced to less-than-significant levels by implementing the mitigation measures identified in this EIR.”

Comment PIM.09: Air Quality: The Draft EIR does not address the microclimate effect of tall buildings, including shadow effects.

Response: The comment raises a common and important concern regarding the effects of tall buildings on their immediate base environment, sometimes referred to as the microclimate or microscale impact of taller buildings. In response to this comment, section 10.3.3 of the Draft EIR, entitled "Long-Term Local Air Quality Effects," has been expanded to provide the following pertinent additional information (see revisions to DEIR page 10-12 in section 3 herein, Revisions to the Draft EIR):

The local climatic factor most changed as a result of the additional five-to-six story buildings permitted in some subdistricts under the proposed downtown improvement program update would definitely be wind. Localized temperature, humidity, rainfall, etc., would not be measurably affected. A free-standing building extending well above surrounding structures will intercept and bring to ground level stronger elevated winds. Wind near the upwind corners of the structure and along the sides of the structure will be accelerated. Winds behind the structure will be greatly diminished. The degree of ground-level wind acceleration near buildings is a function of building exposure, massing, and orientation.

Exposure is a measure of the extent that the building extends above surrounding structures into the wind stream. A building that is surrounded by taller structures is not likely to cause adverse wind acceleration at ground level, while even a small building can cause wind problems if it is freestanding and exposed.

Massing is an important design factor in determining wind impact. The extent and character of the building mass controls how much wind is intercepted by the structure and whether building-generated wind acceleration occurs above-ground or at ground level. In general, slab-shaped buildings have the greatest potential for wind problems. Buildings that have an unusual shape or utilize setbacks have a lesser effect. A general rule is that the more complex the building is geometrically, the less the probable wind impact at ground level.

Orientation also determines how much wind is intercepted by the structure, a factor that directly determines wind acceleration. In general, a building that is oriented with its wide axis across the prevailing wind direction will have a greater impact on ground-level winds than a building oriented with its long axis along the prevailing wind direction.

Due to the many variables involved, no one particular impact or pattern of impacts can be predicted regarding the microclimate effects of changes in permitted building heights proposed under the Downtown Improvement Program Update. Identification of an overall central area significant microclimatic impact as a result of the proposed maximum building height limitation changes would be too speculative at this point. As shown in Table 18.2 in the Alternatives chapter of the Draft EIR (pages 18-5 and 18-6), the differences in maximum permitted building height between what is permitted under the current (1993) Specific Plan and what is proposed varies substantially from subdistrict to subdistrict. In two subdistricts (18a and 20), the permitted maximum building height would increase by from 25 to 70 feet under the proposed update; in ten subdistricts (1a, 4, 5, 6, 13, 13a, 14,

15, 16, 17), the permitted maximum building height would decrease by from 10 to 25 feet under the proposed update; in three subdistricts (2, 3, 7), the permitted maximum building height would not change.

The CEQA Guidelines (including the Environmental Checklist Form) contain no reference to this issue; "microclimate effects of tall buildings" is not an environmental issue subject to CEQA. The explanation above, however, has been provided by the EIR consulting certified meteorologist for informational purposes.

Melinda Hamilton

Comment PIM.10: Alternatives: The alternatives should be addressed more quantitatively.

Response: Please see response to comment PIM.08.

Charles Street Resident

Comment PIM.11: Transportation and Parking: What about the impacts on local streets of increased traffic at the Washington/Mathilda intersection and at the Mathilda off-ramp at Evelyn?

Response: Please see the discussion under "Neighborhood Street Impacts" (page 7-58) in Draft EIR chapter 7 (Transportation and Parking). This discussion concludes:

*The anticipated existing-plus-project [traffic] volumes are well below typical residential street volumes. Therefore, the project is considered to result in a **less-than-significant** impact on study neighborhood street segments. Nevertheless, the potential exists for residents on some project study streets to perceive an increase in traffic volumes from the project. In cases where neighborhood streets are experiencing existing peak hour traffic levels below 500 trips, even a doubling of traffic volumes (a 100 percent increase)¹ would be well within normally acceptable levels, based on conventional traffic engineering standards.*

The two locations noted in the comment--as well as 31 other local intersections, seven neighborhood street segments, and four freeway segments--have been included in the scope of the Draft EIR traffic analysis. Evaluation of project effects on the Washington/Mathilda intersection is included in the Draft EIR analysis. This intersection is identified as intersection #3 on the list of "study intersections" on page 7-4 of Draft EIR chapter 7 (Transportation and Parking). The Mathilda off-ramp at Evelyn is also included in the analysis. This intersection is identified as study intersection #31 (Evelyn Avenue and

¹The Draft EIR text here referred to "a doubling of traffic volumes" as "a 200 percent increase." Mathematically, "doubling" equals a 100 percent increase. The text has been corrected.

Agena Way) in the Draft EIR. As listed on Draft EIR pages 7-4 and 7-5, and illustrated on Figure 7.1 (Local Roadway System), numerous streets in the vicinity of these two intersections have also been included in the traffic analysis, including, among others, Washington Avenue west of Mathilda Avenue, Iowa Avenue east of Sunnyvale Avenue, and Taaffe Street south of Iowa Avenue. Also, as evidenced by the intersection traffic volume figures in Draft EIR chapter 7 (Figures 7.2, 7.4, 7.5, and 7.6), the intersection analyses included through movements (i.e., driving straight through the intersection) as well as turning movements (i.e., turning right or left). Therefore, the "intersection" analyses includes not only these actual local intersections, but also the street segments leading up to and away from the intersections.

Don Nolan

Comment PIM.12: Transportation and Parking: Has potential buildout of the Moffett Park and/or Moffett Field areas been considered in the traffic calculations?

Response: Yes. The speaker's reference to the "Moffett area" could refer to two different sites and locations, the Moffett Park area and the Moffett Field area, both of which are considered in the Draft EIR. The Draft EIR traffic chapter (chapter 7) includes an analysis based on buildout of Sunnyvale under the existing General Plan *without implementation of the proposed Downtown Improvement Program Update* (Scenario 2, 2020 No Project Conditions) and *with implementation of the proposed Improvement Program Update* (Scenario 3, 2020 Project Conditions); both of these scenarios include buildout of Sunnyvale, including the Moffett Field area, under the current City of Sunnyvale General Plan. In addition, the traffic chapter includes an analysis of "2020 Cumulative Conditions" (Scenario 3) traffic *plus* the added traffic from the City-selected "Preferred Alternative" for the Moffett Park site. Under the Preferred Alternative, the Moffett Park traffic zones would have an overall increase of approximately six million square feet in research and development land use, as described on Draft EIR page 7-57 under "(d) 2020 Cumulative Conditions (Scenario 3 Plus Moffett Park)–Traffic Volume Estimates."

The results of these cumulative traffic analysis findings have also been applied in the DEIR analysis of noise (chapter 9) and air quality (chapter 10) impacts.

Comment PIM.13: Transportation and Parking: Were all surface streets considered in the traffic analysis?

Response: No. Please see response to comment PIM.11.

Audience Member

Comment PIM.14: Transportation and Parking: What baseline traffic is assumed in the Draft EIR?

Response: If by “baseline traffic,” the speaker is referring to the traffic conditions calculated for “Existing Conditions” (i.e., what is traveling on the roads today), chapter 7 (Transportation and Parking), subsection 7.1.3 (Scenario 1: Existing Roadway System Conditions) describes this baseline. Subsection 7.1.3 identifies the various sources consulted and integrated to provide an accurate account of existing traffic conditions in downtown Sunnyvale and in the vicinity. These sources include the *2001 Monitoring and Conformance Report* (Congestion Management Program, Valley Transportation Authority), for freeway segment volumes; traffic counts conducted in 2001 and 2002 at local intersections by CCS Planning and Engineering, EIR transportation consultants; and various local transportation impact studies. The intersection traffic count data are included appendix A of the *Downtown Sunnyvale Improvement Program Transportation Impact Analysis Study*, completed by CCS in December 2002 and available for review at the City of Sunnyvale Department of Community Development, 456 West Olive Avenue, Sunnyvale. All such traffic analyses were conducted in accordance with City of Sunnyvale and Valley Transportation Authority requirements and criteria.

The Draft EIR traffic chapter also includes an analysis based on buildout of Sunnyvale under the existing General Plan *without implementation of the proposed Downtown Improvement Program Update* (Scenario 2, 2020 No Project Conditions) and *with implementation of the proposed Improvement Program Update* (Scenario 3, 2020 Project Conditions). In addition, the traffic chapter includes an analysis of “2020 Cumulative Conditions,” which is comprised of the 2020 Project Conditions (Scenario 3) traffic *plus* the added traffic from the City-selected “Preferred Alternative” for the Moffett Park site. Under the Preferred Alternative, the Moffett Park traffic zones would have an overall increase of approximately six million square feet in research and development land use, as described on Draft EIR page 7-57 under “(d) 2020 Cumulative Conditions (Scenario 3 Plus Moffett Park)–Traffic Volume Estimates.”

Comment PIM.15: Transportation and Parking: Is internal downtown traffic addressed in the Draft EIR?

Response: Yes. Please see response to comment PIM.11.

Comment PIM.16: Aesthetics: Have air quality and traffic been quantified for all the alternatives?

Response: No. Draft EIR chapter 18 (Alternatives to the Proposed Project), Table 18.4 (Alternatives Comparison: Trip Generation Comparison) does compare the number of total daily trips, AM peak-hour trips, and PM peak-hour trips under existing conditions, the proposed project, and four alternatives. Quantitative calculations for identifying long-term regional air quality effects would be based on traffic increases (see chapter 10, Air Quality; subsection 10.3.3, Long-Term Local Air Quality Effects; and EIR appendix 21.3, Supplemental Air Quality Information). Therefore, as indicated in this section of the Draft EIR, increases in vehicle trips, as depicted in Table 18.4, would result in corresponding increases in long-term regional air emissions.

The text in chapter 18 (see the “d. Transportation and Parking” and “g. Air Quality” subsections for each alternative) describes the significant unavoidable regional air emissions impacts that would result from each alternative. To summarize, Table 18.5 (Alternatives Comparison: Environmental Impacts in Comparison to the Proposed Project) states, “The proposed project and all identified alternatives would result in significant unavoidable transportation and air quality impacts. For all other environmental categories, all potentially significant impacts can be reduced to less-than-significant levels by implementing the mitigation measures identified in this EIR.”

Regarding the proper level of quantitative analysis to be undertaken for the alternatives, CEQA Guidelines section 15126.6(d) states, “The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project....If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.” This conclusion is reiterated in the second paragraph of Draft EIR chapter 18, which states, “As recommended in CEQA Guidelines section 15126.6(d), this EIR chapter includes a comparative evaluation of the significant effects of each alternative which is less detailed than the discussion in EIR chapters 4 through 15 of the significant effects of the project as proposed.”

Audience Member

Comment PIM.17: Transportation and Parking: Is there enough parking? Why has this not been addressed in the Draft EIR?

Response: The issue of parking adequacy is adequately addressed in Draft EIR chapter 7 (Transportation and Parking), on pages 7-69 through 7-71, under “(i) 2020 Project Conditions Parking Impacts.” Table 7.16 (“Parking Demand--Spaces,” page 7-71) is also included in the subsection. The text notes that approximately 7,000 downtown spaces are needed to accommodate existing peak project area parking demands; these spaces can be adequately provided in existing and proposed parking structures downtown. The proposed project would result in the overall need for approximately 2,600 additional parking spaces, which would be constructed concurrent with individual site development under the *Downtown Design Plan*; therefore, the parking impacts of the proposed project are expected to be less-than-significant.

Audience Member

Comment PIM.18: Hazardous Materials: Did the Mozart development have a hazardous mold problem that should be addressed in the EIR?

Response: There are no mold, mildew, or other known health problems at the Mozart development site. A window in Building 3 was not properly weather sealed during construction and, as a result, the surrounding gypsum board was water damaged

(absorbed moisture). The window has been resealed and tested, and the damaged gypsum board has been replaced.

Comment PIM.19: Aesthetics: How can the boxy designs of high-rise buildings be addressed?

Response: Draft EIR chapter 5 (Aesthetics) addresses the visual, design, and architectural aspects of the proposed project. Relevant to potentially "boxy high rise building designs," the current Sunnyvale Downtown Specific Plan identifies architectural design guidelines for each district (e.g., North of Washington District, Mathilda Avenue Corridor) which still would be applied under the proposed Downtown Improvement Program Update in conjunction with design provisions included in the current version of the conceptual *Downtown Design Plan* on pages 40 ("Street Character"), 52-53 ("Urban Design Plan"), 56-57 ("Building Setback/Build-to Requirements"), and 72-77 ("Design Guidelines"), to prevent realization of "boxy" buildings. The City's intent is to also develop additional, more specific architectural design guidelines, including standards to avoid "boxy" appearing buildings, in the final phase of *Downtown Design Plan* refinement.

The Specific Plan guidelines discuss the following topics that could effect the visual character of buildings: general district character, minimum lot size/building setbacks/maximum building height, roof treatment, building facade treatment, building materials and colors, landscaping/open space/plazas, and parking and access. The topics of "roof treatment" and "building facade treatment" typically address issues that could result in so-called "boxy" designs; for example, the Specific Plan (page 68) states, "Architecture of office buildings in the Mathilda Avenue Corridor shall have three clearly defined building elements: (1) a base or pedestrian level, (2) a middle, above-pedestrian level, and (3) a top, or parapet, and roof level." However, the combination of maximum building height and allowable site coverage (the concept of floor area ratio, or FAR) could also contribute to boxy designs.

Draft EIR chapter 5 also lists sixty-one (61) City-adopted goals, policies, and action statements pertinent to aesthetics which City staff and decision-makers must consider before deciding whether a future *individual* project proposed as part of the Improvement Program Update would have a potentially significant visual impact on the environment. If the potential for any significant environmental impact (including visual) would result from an individual project proposal, the City would be required to undertake the CEQA-required environmental review of such a subsequent individual project proposal (see Draft EIR section 1.2, Program EIR Approach and Assumptions).

To help integrate the numerous design guidelines, goals, policies, action statements, and other City of Sunnyvale criteria pertaining to the aesthetic qualities of proposed projects, the City includes a design review process as part of individual project evaluation. Despite guidelines, adopted City policy, and the design review process, the City recognizes that the issue of aesthetics is, by definition, a subjective issue that will result in a wide range of opinions by City decision-makers, staff, residents, and visitors.

Melinda Hamilton

Comment PIM.20: General: Shouldn't impacts north of the train tracks, and also west of Mathilda, be addressed?

Response: Where potential project or cumulative environmental impacts could extend beyond the boundaries of the project area, such impacts are addressed in the Draft EIR. Every specific environmental assessment chapter (e.g., land use, aesthetics, population, transportation, etc.—chapters 4 through 15) discusses environmental impacts that could effect portions of Sunnyvale beyond the project area, *in addition to project area potential impacts*, as follows: land use (chapter 4—e.g., scale and density of Charles Street neighborhood; aesthetics (chapter 5—"edges," "project area view corridors"); population, housing, and employment (chapter 6—citywide assessment); transportation and parking (chapter 7—traffic analysis extends in all directions beyond project area—see Figure 7.1); public services and utilities (chapter 8—citywide and regional assessment); noise (chapter 9—construction noise measures formulated to reduce impacts on all nearby properties, not just those within project area); air quality (chapter 10—citywide and regional assessment, including emissions at intersections beyond project area); drainage and water quality (chapter 11—area-wide assessment, including South San Francisco Bay); soils and geology (chapter 12—regional assessment); hazardous materials (chapter 13—hazardous materials sites inside or within one-half-mile radius of project area); biological resources (chapter 14—habitats that may attract animal species from outside project area); and cultural and historic resources (chapter 15—project impacts in relation to resources citywide).

In addition to the specific environmental assessment chapters noted above, the following Draft EIR chapters include analyses that extend beyond the project area: chapter 16 (Project Consistency With Local and Regional Plans); chapter 17 (CEQA-Required Assessment Conclusions), especially subsection 17.1.2, "External Growth-Inducement"; and chapter 18 (Alternatives to the Proposed Project), which includes a comparative evaluation of the proposed project and six alternatives according to the same environmental topics listed in the paragraph above (Draft EIR chapters 4 through 15).

Audience Member

Comment PIM.21: Aesthetics: Tall buildings would block views of the mountains. How can a project with tall buildings have "beneficial" visual impacts?

Response: The comment raises an important community aesthetic concern, the desire to protect community views towards the City's western, Santa Cruz Mountain backdrop, and the potential disruptive effect of tall buildings on such views. Regarding the important concern expressed regarding potential "loss of views of distant hills and sky (cloud, sun, moon, and stars)," the Downtown Design Plan provisions have been specifically formulated to preserve such views from most public rights-of-way. However, some private properties may experience a disruption in current views, a fact which warrants full

consideration by City decision-makers in their deliberations on the proposed project. The proposal would increase maximum building heights in three specific subdistricts (13, 18a and 20) and would reduce maximum building heights within a number of other subdistricts (1a, 4, 5, 6, 13a, and 17). No existing City-adopted policies, guidelines or standards with respect to protection of views towards hills and sky would be violated by the project changes. The downtown and surrounding residential neighborhoods are generally flat-- i.e., generally share the same elevation. Depending on the location of the vantage point, any building or other structure in these areas in excess of one story in height would disrupt through views of distant hills. The reasonable goal is to provide view corridors through downtown and other low-lying urban areas, towards the hills. This goal is adequately achieved by the proposed project, as explained on DEIR pages 5-17 and 5-18.

The maximum building height permitted under the proposed Downtown Improvement Program Update (as indicated in the 2002 *Downtown Design Plan*) would be 100 feet. Such building height allowances would be limited to selected downtown subdistricts 1a (the existing Mozart development), 13, 18a and 20. As viewed from vantage points on the east/northeast edges of, and approaches to, the downtown, structures of this height would be seen as occasional protrusions above the existing predominant roof plane of from two to five stories. Panoramic views of the upper mountain slopes to the west from such vantage points would be partially affected; however, views of the mountain ridgeline would be unbroken, except for vantage points immediately east/northeast of the taller structures, including views from the rear of 10 to 15 existing homes along the east side of Taaffe Street. The extent of such immediate view blockages would be a function of future building designs and locations, and would be a focus factor in the City's future design review process for any proposed multi-story structures along the east side of Mathilda between Iowa Avenue and Olive Avenue.

Draft EIR chapter 5 (Aesthetics) identifies potentially adverse and beneficial aesthetic impacts of the project. The Draft EIR conclusions in this chapter do not preclude or discount the fact that future views toward the mountains, through subdistricts 18a and 20, the two districts where permitted maximum building heights are proposed to be increased, would be subject to increased obstruction.

It should also be noted that the potential for future view blockage through several other subdistricts would be reduced where permitted with the reductions in building heights proposed for these subdistricts. No City policy or regulation has been adopted preventing site-specific disruption of views towards the mountains. For these reasons, in the aggregate, the Draft EIR conclusion is that potential project impacts on views of the Santa Cruz Mountains would be less than significant. The Draft EIR identifies the following beneficial effect on such views due to the project:

- "Impacts on Project Area View Corridors" (page 5-17): Similar to the discussion of gateways above, "view corridors" are identified in the City-adopted 1993 Specific Plan, and this Draft EIR subsection discusses how the proposed Downtown

Improvement Program Update would facilitate visual improvements to view corridors (e.g., Mathilda, El Camino Real, Sunnyvale, Olive, Iowa, Washington), concluding that project implementation would result in "beneficial visual impacts" (page 5-18) to the identified view corridors. This proposed project component, if implemented, would not be expected to violate any of the CEQA-defined significance criteria for visual quality identified in subsection 5.3.1 (page 5-11); the project view corridors component noted above is intended to improve the visual environment of Sunnyvale, consistent with adopted City policy under the 1993 Sunnyvale Downtown Specific Plan.

The Draft EIR description of project visual impacts is not limited to visual "benefits." Chapter 5 also describes two potentially "significant adverse visual impacts": potential adverse visual impacts on the character of the area and on internal views from within the area due to the proposed Mathilda corridor intensification and associated five-to-six story buildings (Impact and Mitigation 5-1), and the potential light and glare impacts of this intensification and associated five-to-six-story buildings (Impact and Mitigation 5-2). With implementation of the mitigations identified in the Draft EIR, it has been determined that these impacts can be reduced to less-than-significant levels.

Also, as noted above in responses PIM.02 and PIM.18, the City of Sunnyvale recognizes that, despite guidelines, adopted City policy, and the City's stringent existing design review process, the issue of aesthetics is, by definition, a subjective issue that will result in a wide range of opinions by City decision-makers, staff, residents, and visitors.