

**Final  
Environmental Impact Report**



**The Crescent-  
Lakeside Specific Plan**

**General Plan Amendment  
and Planned Development Rezoning**

**SCH# 2005022089**

**Sunnyvale, California  
August 2005**

# TABLE OF CONTENTS

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	<u>Page</u>
PREFACE .....	1
I. LIST OF AGENCIES AND INDIVIDUALS RECEIVING THE DRAFT EIR.....	3
II. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR.....	4
III. RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR .....	5
IV. REVISIONS TO THE TEXT OF THE DRAFT EIR.....	16
V. COPIES OF COMMENTS RECEIVED ON THE DRAFT EIR.....	18

## PREFACE

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This document, together with the Draft Environmental Impact Report (Draft EIR) for The Crescent – Lakeside Drive Specific Plan Project, constitutes the Final Environmental Impact Report (Final EIR) for the proposed project. The Final EIR is an informational document prepared by the Lead Agency that must be considered by the decision-makers before approving the proposed project (CEQA Guidelines Section 15090). The California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify that a Final EIR shall consist of the following:

- The Draft EIR or a revision of the draft;
- Comments and recommendations received on the Draft EIR either verbatim or in a summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to the significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

In conformance with the CEQA Guidelines, the Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the Final EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects before it approves a project.

According to the CEQA Guidelines (Section 15091), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects. According to the State Public Resources Code (Section 21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless *both* of the following occur:

- a) The public agency makes one or more of the following findings with respect to each significant effect:
  - 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
  - 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been required or can and should be adopted by that other agency.
  - 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

- b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received from persons who reviewed the Draft EIR. The Final EIR will be made available to the public 10 days prior to the EIR certification hearing.

All documents referenced in this EIR are available for public review at the Planning Division of the Community Development Department, located at 456 West Olive Avenue, Sunnyvale, California, on weekdays during normal business hours.

# **I. LIST OF AGENCIES AND INDIVIDUALS RECEIVING THE DRAFT EIR**

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## ***Federal and State Agencies***

California Region Water Control Board, San Francisco Bay Region  
Department of the Navy, Engineering Field Activity West Navel Facilities Engineering Command  
NASA Ames Research Center  
State Clearinghouse  
State of California Air Resources Board  
State of California Department of Conservation  
State of California Department of Fish and Game  
State of California Department of Transportation, District 4, Transportation Planning  
State of California Department of Water Resources  
State of California Housing and Community Development  
State of California Water Control Board

## ***Regional and Local Agencies***

Bay Area Air Quality Management District  
City of Cupertino, Planning Department  
City of Los Altos, Planning Department  
City of Mountain View, Community Development Department  
City of San José, Planning Department  
City of Santa Clara, Planning Division  
Congestion Management Program Santa Clara Valley Transportation Authority  
County of Santa Clara, Local Agency Formation Commission  
County of Santa Clara, Planning Office  
Santa Clara County Department of Roads and Airports  
Santa Clara Valley Transportation Authority, Environmental Planning Program  
Santa Clara Valley Water District

## ***Organizations, Businesses, and Individuals***

ATT/TCI Cable  
California Water Service Company  
Cupertino Union School District  
Four Points Sheraton  
Fremont Union High School District  
Hetch Hetchy Water and Power  
Lakewood Village Neighborhood Association  
Onizuka AFS  
Pacific Bell  
Pacific Gas and Electric  
San Miguel Neighbors Association  
Specialty Solid Waste & Recycling  
Sunnyvale Elementary School District

## II. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT EIR

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The Draft EIR, dated June 2005, was distributed for public review and comment on June 15, 2005. The required 45-day review period ended on July 29, 2005. Presented below is a list of agencies, organizations, and individuals commenting on the Draft EIR. The table below also identifies the date of the letter received, and whether the comments submitted require substantive responses.

<b>Comments Received From</b>	<b>Date Letter Received</b>	<b>Response Required?</b>
<i><b>Federal and State Agencies</b></i>		
State of California Department of Fish and Game	07/14/05	Yes
State of California Department of Toxic Substances Control	07/29/05	Yes
State of California Department of Transportation*	08/01/05	Yes
<i><b>Regional and Local Agencies</b></i>		
County of Santa Clara, Roads and Airports Department	07/07/05	No
Santa Clara Valley Water District	07/21/05	Yes
Santa Clara Valley Transportation Authority*	08/05/05	Yes
<i><b>Organizations and Individuals</b></i>		
Sunnyvale School District	06/24/05	Yes
SC SOLUTIONS	07/29/05	Yes
GS Management Company*	08/01/05	Yes

*Note: \* Denotes comments received after the close of the comment period.*

### **III. RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR**

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In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received from persons who reviewed the Draft EIR. This section includes all of the comments contained in the letters received to date on the Draft EIR, and responses to those comments. The comments are organized under headings containing the source of the letter and its date. The letters have been grouped into the following categories.

- Federal and State Agencies
- Regional and Local Agencies
- Organizations and Individuals

The specific comments have been copied from the letters and presented as “Comment” with its response directly following. Copies of the actual letters and emails received, and any attachments to those letters or emails, are found in their entirety in Section V of this Final EIR.

The CEQA Guidelines, in Section 15086, require that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, any other state, federal and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project, water agencies which serve or would serve the proposed project (CEQA Guidelines Section 15083.5(b)), adjacent cities and counties, and transportation planning agencies. Section I of this document lists all of the recipients of the EIR.

Comment letters were received from six public agencies that may be Responsible Agencies for the proposed project. The CEQA Guidelines require that:

A responsible agency or other public agency shall only make substantive comments regarding those activities involved in the project that are within an area of expertise of the agency or which are required to be carried out or approved by the responsible agency. Those comments shall be supported by specific documentation. [§15086(c)]

Regarding mitigation measures identified by commenting public agencies, the CEQA Guidelines state:

Prior to the close of the public review period, a responsible agency or trustee agency which has identified what the agency considers to be significant environmental effects shall advise the lead agency of those effects. As to those effects relevant to its decision, if any, on the project, the responsible or trustee agency shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate readily available guidelines or reference documents concerning mitigation measures. If the responsible agency or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state. [§15086(d)]

**FEDERAL AND STATE AGENCIES**

**A. RESPONSE TO COMMENTS FROM THE STATE OF CALIFORNIA  
DEPARTMENT OF FISH AND GAME, RECEIVED JULY 14, 2005**

**Comment A-1:**

We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G). Therefore, a de minimis determination is not appropriate, and an environmental filing fee is required under Fish and Game Code Section 711.4(d) should be paid to the Santa Clara County Clerk on or before filing of the Notice of Determination for this project.

**Response A-2:**

The comment is noted. As described on page 72 of the Draft EIR, the project site has been previously disturbed by human use. There are no sensitive habitats present, and the project would not impact special status plants or animals. As described on page 73 of the Draft EIR, mitigation is included to reduce or avoid impacts to potential nesting raptors. The Department of Fish and Game will be contacted, as necessary, and all applicable fees will be paid.

**B. RESPONSES TO COMMENTS FROM THE STATE OF CALIFORNIA  
DEPARTMENT OF TOXIC SUBSTANCES CONTROL, RECEIVED JULY 29, 2005**

**Comment B-1:**

Chlordane was detected at concentrations above the California Human Health Screening Level (CHHSL) for residential soil at two sampling locations. On page 95 under Mitigation Measure Haz-1, it states that the project applicant shall present the soil sampling results to the Santa Clara County Department of Environmental Health to determine whether remediation is required to address the chlordane in soil. It is also stated that if remediation is needed, it would consist of soil excavation, soil mixing and/or capping of the soil with non-contaminated soil. DTSC does not consider mixing of contaminated soil with clean soil to lower the chlordane concentration as an appropriate remediation. If the contaminated soil is to be contained on-site, institutional controls such as environmental deed restrictions should be put in place along with provisions for ensuring that the cover remains an effective barrier.

**Response B-1:**

This comment expresses an opinion regarding the appropriate measures necessary to mitigate the existing chlordane contamination on the site. Given that the site is impacted with legally applied pesticides at concentrations that exceed the California Human Health Screening Levels (CHHSLs), the project will be required to remediate the site in accordance with the requirements of the Santa Clara County Department of Environmental Health (SCCDEH) prior to issuance of a demolition permit by the City. As described in Section 2.10.3 on page 95 of the Draft EIR:

*“The project applicant shall present the soil sampling results to the Santa Clara County Department of Environmental Health prior to issuance of the demolition permit. The Santa Clara County Department of Environmental Health shall determine whether hot-spot soil remediation is required to remove chlordane from the soils on the site. All requirements of the Santa Clara County Department of Environmental Health shall be followed, and clean up and remediation of chlordane shall be completed in accordance with all overseeing regulatory agency requirements (i.e., San Francisco Regional Water Quality Control Board) and all federal, state, and local regulations.”*

Several options will be evaluated with the SCCDEH to determine the appropriate course of action in order to reduce concentrations of chlordane at the site to levels below CHHSLs. As also stated on page 95 of the Draft EIR, if soil remediation is needed, it would likely consist of soil excavation and/or soil mixing with non-contaminated soil as part of site preparation and grading activities. If warranted, soils with elevated levels of chlordane contamination shall be excavated, removed from the site, and properly disposed at a facility licensed to handle such waste. Remediation shall be performed by a licensed hazardous waste remediation contractor under the oversight of a professional engineer or registered geologist.

**Comment B-2:**

We suggest that as part of making a determination whether remediation is required, the 95 percent upper confidence limit (UCL) of the arithmetic mean of the sampling results for chlordane be determined to see whether it exceeds the CHHSL.

**Response B-2:**

Refer to response to comment 1 above. As suggested in the comment above, the 95 percent upper confidence limit (UCL) was calculated for chlordane in soils at the site. The maximum chlordane concentration detected at the site was 2.55 mg/kg. The UCL for chlordane was calculated to be 2.17 mg/kg. The CHHSL for chlordane in residential soils is 0.43 mg/kg, therefore, chlordane concentrations in the on-site soil exceed the CHHSL.

**C. RESPONSES TO COMMENTS FROM THE STATE OF CALIFORNIA,  
DEPARTMENT OF TRANSPORTATION, RECEIVED AUGUST 1, 2005**

**Comment C-1:**

As the US-101 at Lawrence Expressway interchange provides access to the project site the report should include a freeway segment analysis of US-101 in the vicinity of the project site.

**Response C-1:**

The traffic impact analysis (TIA) for the EIR was prepared according to the standard City of Sunnyvale and Santa Clara County Congestion Management Program (CMP) methodologies and thresholds of significance. The intersection analyzed as part of the TIA was selected according to these methodologies, based upon a review of the project and traffic conditions in the region.

According to the Santa Clara County CMP, a freeway segment analysis is warranted when the proposed project generates 100 or more net new peak trips. As discussed in Section 2.3.2 Transportation Impacts of the Draft EIR, the proposed project generates up to 56 net new peak hour trips, which is considerably less the Santa Clara County CMP threshold of 100 or more net new peak hour trips. For this reason, a freeway segment analysis was not conducted.

**Comment C-2:**

Provide ramp analysis for NB/SB US-101/Lawrence Expwy off and on ramps. The analysis should recommend mitigation measures for possible traffic impacts caused as a result of this project.

**Response C-2:**

Please refer to response to comment A-1 above. According to the Santa Clara County CMP, a ramp analysis is warranted when the proposed project generates 100 net peak trips. As discussed in Section 2.3.2 Transportation Impacts of the Draft EIR, the proposed project generates up to 56 net new peak hour trips, which is considerably less the Santa Clara County CMP threshold of 100 or more net new peak hour trips. For this reason, a ramp analysis was not conducted.

***REGIONAL AND LOCAL AGENCIES***

**D. RESPONSES TO COMMENTS FROM THE SANTA CLARA VALLEY WATER DISTRICT, RECEIVED JULY 21, 2005**

**Comment D-1:**

According to the Federal Emergency Management Agency Flood Insurance Rate Map, the southwestern portion of the site is within Zone X, an area of 100-year flood with average depths of less than 1 foot, and the northeastern portion of the site is within Zone AO, an area of 100-year flooding with average flooding depths of 1-3 feet.

**Response D-1:**

The text has been revised to include that the project site is also located in Flood Zone X, in addition to Zone AO (refer to Section IV. Revisions to the Text of the Draft EIR in this Final EIR).

**Comment D-2:**

The District recommends that buildings located within Zone AO be elevated 2 feet above the 100-year water surface elevation, and the buildings within Zone X be elevated a minimum of 2 feet above the existing ground.

**Response D-2:**

The proposed condominium buildings would be located within Zone AO and the proposed hotel would be located within Zone X. According to the Federal Emergency Management Agency’s Flood Insurance Rate Map, the portion of the project site that is within Zone AO has a 100-year water surface elevation of 1.5 feet. The elevation of the project area is approximately 24 feet National Geodetic Vertical Datum (NGVD). To meet the District’s recommendations for buildings constructed within Zone AO, the proposed condominium buildings would need to have a finished floor elevation at 27.5 feet NGVD. As stated on page 86 of the Draft EIR, the proposed condominium buildings would have a finished floor elevation of 28.2 feet NGVD. Therefore, the proposed buildings within Zone AO would meet the District’s recommendation.

To meet the District’s recommendation for buildings constructed within Zone X, the proposed hotel would need to have a finished floor elevation of 26 feet NGVD. As stated on page 86 of the Draft EIR, the elevation of the project area is approximately 24 feet NGVD and finished floor for the proposed hotel would have a finished floor elevation of 27.7 feet NGVD. Therefore, the proposed building within Zone X would meet the District’s recommendation.

**Comment D-3:**

In accordance with District Ordinance 90-1, the owner should show any existing well(s) on the plans. The well(s) should be properly registered with the District and either maintained or abandoned in agreement with District standards.

**Response D-3:**

This comment is noted. Site plans showing the location of the wells on the site will be submitted to the Santa Clara Valley Water District for review and approval prior to demolition of the existing buildings on the site. The text of the EIR has been revised to clarify that the existing wells, located between the second and third buildings that are sited parallel to each other on the site, will be abandoned in accordance with the Santa Clara Valley Water District standard and procedures (refer to Section IV. Revisions to the Text of the Draft EIR in this Final EIR.)

**E. RESPONSES TO COMMENTS FROM SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, RECEIVED AUGUST 5, 2005.**

**Comment E-1:**

*Bicycle Parking*

VTA supports the inclusion of Mitigation Measure TRANS-1 in the Draft EIR, which promotes the use of bicycles through the provision of secure bicycle storage and bicycle equipment through on-site rental or as a free amenity. Given the network of bicycle lanes in the vicinity of the project, this mitigation measure would help reduce the number of vehicle trips to this development.

However, VTA recommends that the Final EIR include a detailed analysis of the amount and type of bicycle parking, including both Class I bike parking spaces (bicycle lockers or secured shared-access storeroom) and Class II bike parking spaces (bicycle racks) based on VTA's *Bicycle Technical Guidelines for both the hotel employees and guests, and for the condominiums*. This document provides additional guidance on estimating supply, siting and design for bicycle storage facilities. The *Guidelines* may be downloaded from [www.vta.org/news/vtacmp/Bikes](http://www.vta.org/news/vtacmp/Bikes). The conceptual site plan should indicate the proposed location of these parking facilities. For more information on bicycle facilities and parking, please contact Michelle DeRobertis, Development & Congestion Management Division, at 408-321-5716.

**Response E-1:**

A Class I bicycle parking space is a locker or guarded area, while a Class II space is a secure rack to which the frame and one wheel can be locked. Based on the VTA *Bicycle Technical Guidelines*, the recommended bicycle parking supply is one Class I space per three residential units and one Class II space per 15 units. For hotel uses, the recommended supply is one Class I per 30 rooms and one Class I per 30 employees. For a project that proposes 241 residential units and 253 room hotel with approximately 30 employees, the following bicycle parking supply is recommended by the VTA:

Residential: 80 Class I spaces and 16 Class II spaces  
Hotel: 8 Class I spaces and 1 Class II space

The City and the project proponent will consult VTA's *Bicycle Technical Guidelines* as appropriate during the specific buildout of the project. The number and location of bicycle parking spaces will be finalized at the Planned Development (PD) Permit stage, when detailed site plans are available. No further response is required as this comment does not raise any questions about the adequacy of the EIR.

**Comment E-2:**

*Pedestrian Facilities*

The Draft EIR fails to evaluate the potential for walking to reduce the number of vehicle trips to and from the site.

**Response E-2:**

In order to evaluate the worst-case traffic scenario, the traffic analysis completed for the proposed project did not account for trip credits for pedestrians walking to and from the project site.

**Comment E-3:**

While the Draft EIR acknowledges that sidewalks are only available on the south side of Lakeside Drive, it does not include the construction of sidewalks and crosswalks on the north side of Lakeside Drive in Mitigation Measure TRANS-1. Such a measure would promote walking by providing direct and convenient pedestrian connections between the site and adjacent land uses. The Draft EIR should also address pedestrian facilities within the site.

VTA's *Transportation Impact Analysis Guidelines* should be used when conducting this analysis of pedestrian facilities. This document includes the analysis of site circulation and pedestrian access, as well as roadways, and may be downloaded from [www.vta.org/news/vtacmp/Technical](http://www.vta.org/news/vtacmp/Technical) Guidelines. For more information on TIA guidelines, please call Murali Ramanujam, Development & Congestion Management Division, at 408-952-8905.

**Response E-3:**

Lakeside Drive is located along US 101. Sidewalks exist on the south side of Lakeside Drive and at the adjacent Avalon development to the west of the project site. The existing sidewalks provide access between the project site and the adjacent land uses to the east, south, and west. Existing bridges also provide access from the project site to the existing offices located to the south of the project site. US 101 is located directly north of Lakeside Drive. The project does not propose the construction of sidewalks along the north side of Lakeside Drive because a sidewalk on the north side of Lakeside Drive would not provide access to any land uses. In addition, as stated in Section 2.4.4 under Mitigation Measures Noise-11, a sound wall is proposed along US 101.

As shown on Figure 4 of the Draft EIR and as included in the proposed Specific Plan (refer to Appendix B of the Draft EIR), the proposed project includes a pedestrian pathway along the lake edge of the site. This pedestrian pathway would provide access between the proposed hotel, retail, and residential uses. Pedestrian walkways are also proposed through the landscaped podium to provide access between the residential buildings and through the podium.

**Comment E-4:**

*Building Density, Orientation, Parking, and Pedestrian Connectivity*

VTA supports the proposed land use change and recommends developing this site at the maximum possible density. VTA recommends that future residential units at this site be oriented to the street as much as is possible, with minimum setbacks and resident parking to the rear of buildings. VTA also encourages the incorporation of thoughtful pedestrian connectivity into the site design to minimize walking distances to any neighborhood-serving retail or personal services on the site, as well as to provide convenient connections to area transit stops.

**Response E-4:**

This comment expresses an opinion regarding the site plan and layout. The proposed buildings and parking structures have been located on the site to maximize the residential density on this infill site and to reduce potential impacts. As discussed in Section 2.3 on page 43 of the Draft EIR, sidewalks and crosswalks exist along virtually all the streets in the surrounding area. The project area is served by various bicycle lanes and bus route 55, which provides service along Lawrence Expressway and East Duane Avenue (refer to Figure 10 in the Draft EIR). Please refer to Response I-3 above regarding pedestrian access and connectivity through the project site.

### **Comment E-5:**

For all future buildings at this site, including both the proposed hotel and residential units, VTA recommends locating public uses on the ground floor when possible to make pedestrian access convenient. Developments that provide a mix of compatible land uses within walking distance of each other foster lively pedestrian environments and reduce the need for automobile travel, thereby enhancing the local community.

### **Response E-5:**

As described in Section 1.3.2 on page 5 of the Draft EIR, the proposed retail would be located on the ground floor of the proposed hotel. The proposed retail would have internal and external entryways to facilitate access to and from the proposed hotel and residences.

### **Comment E-6:**

VTA has reviewed the Conceptual Site Plan included in the Draft EIR and strongly encourages the City of Sunnyvale to consider the following recommendations:

- To the maximum extent practical, orient the condominium buildings to Lakeside Drive. Currently, only one of four of the proposed condominium buildings is adjacent to Lakeside Drive.
- Provide thoughtful and frequent pedestrian connectivity and direct paths from condominiums to perimeter sidewalks, as well as to the proposed retail facilities at the adjacent hotel. Clearly marked pedestrian crossings should be included where the proposed parking lots or internal roadways are traversed.
- Move the two-tiered parking structure (shown immediately west of the proposed Condominium Building 1) to the rear of the buildings.

### **Response E-6:**

This comment expresses opinions regarding the orientation of the proposed buildings, pedestrian connectivity, and parking. The proposed buildings are oriented on the site in order to minimize the visual impact of the proposed project. The proposed project includes pedestrian connections to on-site and off-site retail (refer to Response I-3 and I-4). The proposed buildings and parking structures have been located on the site in order to maximize the residential density on this infill site and to reduce visual impacts. These opinions regarding building and parking structure orientation will be evaluated by the City during the decision making process.

### **Comment E-7:**

The VTA *Community Design & Transportation (CDT) Guidelines* and the VTA *Pedestrian Technical Guidelines* should be used when designing developments at this site. These documents provide guidance on site planning, building design, street design, preferred pedestrian environment, intersection design and parking requirements. Both documents are available upon request to agency staff. For more information, please call Chris Augenstein, Development & Congestion Management Division, at 408-321-5725.

With regard to the above specific recommendations, guidance may be found throughout the CDT Guidelines in addition to the following sections:

- Orienting Buildings to the street: Chapter 3, page 3-7
- Placing Building Entrances which Support the Pedestrian Environment: Chapter 3, pages 3-7 & 3-8
- Creating a Continuous Pedestrian Network: Chapter 4, pages 4-21 thru 4-23
- Parking Design and Placement to Improve the Pedestrian Environment: Chapter 3, pages 3-9 thru 3-11
- Locating Public Uses on Ground Floor: Chapter 3, page 3-9

VTA staff looks forward to reviewing future development plans for this site when they become available.

**Response E-7:**

This comment is noted. The VTA Community Design & Transportation Guidelines and the VTA Pedestrian Technical Guidelines will be used as appropriate.

***ORGANIZATIONS AND INDIVIDUALS***

**F. RESPONSES TO COMMENTS FROM SUNNYVALE SCHOOL DISTRICT,  
RECEIVED JUNE 24, 2005**

**Comment F-1:**

I have reviewed the proposed plan and find the representations pertaining to the impacts to schools to be accurate, except that the school impact fees cited in the report are currently under review and may change by the time the project commences.

**Response F-1:**

The text has been revised to include a statement that the school impact fees are subject to change (refer to Section IV. Revisions to the Text of the Draft EIR in this Final EIR).

## **G. RESPONSES TO COMMENTS FROM SC SOLUTION, RECEIVED JULY 29, 2005**

### **Comment G-1:**

We propose the following changes to the EIR:

- As-Is (p.vii): MITIGATION MEASURE NOISE-6: Limit construction hours to between 7:00 AM and 6:00 PM on weekdays, and between 8:00 AM and 5:00 PM Saturdays.
- Change to: MITIGATION MEASURE NOISE-6: Limit construction hours to between 7:00 AM and 9:00 PM on weekdays, and between 8:00 AM and 9:00 PM Saturdays.

The suggested hours will shorten the construction schedule. The as-is wording gives precedent to local residences over local businesses. Both parties should share the burden equally.

### **Response G-1:**

This comment expresses an opinion regarding construction hours. The hours of construction stated in the Draft EIR for the project are in accordance with the City's Municipal Code, Section 16.08.110, Hours of Construction—Time and Noise Limitations, which states “construction activity shall be permitted between the hours of seven a.m. and six p.m. daily Mondays through Fridays. Saturday hours of operation shall be between eight a.m. and five p.m.” The City will require that all construction activities on the site conform to the City's Municipal Code.

## **H. RESPONSES TO COMMENTS FROM GS MANAGEMENT COMPANY, RECEIVED AUGUST 1, 2005**

### **Comment H-1:**

We are concerned that the operation and construction of this project will have a significant negative impact on our businesses. Therefore, we propose the following changes to the EIR:

- As-Is (p. vi): MITIGATION MEASURE NOISE-2: Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential property boundary.
- Change to: MITIGATION MEASURE NOISE-2: Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential or business property boundary.

### **Response H-2:**

This comment expresses a concern regarding operation and construction noise impacts upon nearby businesses. It should be noted that the above referenced mitigation measure is to reduce mechanical noise impacts, not construction-related noise impacts. Mitigation measures to reduce construction related noise impacts to a less than significant level can be

found in Section 2.4.4, under Construction-Related Noise Impacts, on page 57 of the Draft EIR. The text has been revised to specify that noise from mechanical systems be controlled so that noise levels do not exceed 60 dBA at any residential *or business* property boundary (refer to Section IV. Revisions to the Text of the Draft EIR in this Final EIR).

**Comment H-2:**

- As-is (p. viii): MITIGATION MEASURE NOISE-10: If pile driving is required, implementation of site specific noise and vibration attenuation measures under the supervision of a qualified acoustical consultant such as the following measures will be required prior to pile driving:
  - Temporary noise control blanket barriers shall shroud pile drivers. Such noise control blanket barriers can be rented and quickly erected.
  - The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for all pile driven within 200 feet of sensitive land uses. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. The associated noise reduction would be based on the soil conditions of the site.
  
- Change to: MITIGATION MEASURE NOISE-10: **Avoid the use of foundation piles if at all possible. Alternatives that will be considered include the use of mat foundations, drilled shafts, and/or spread footings.** If pile driving is required, implementation of site specific noise and vibration attenuation measures under the supervision of a qualified acoustical consultant, **including at a minimum** the following measures, will be required prior to pile driving:
  - Temporary noise control blanket barriers **will** shroud pile drivers. Such noise control blanket barriers can be rented and quickly erected.
  - The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for **all piles**. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile.

**Response H-2:**

The specific types of building foundations suitable for the soils at the site will be determined by a pending site specific geotechnical investigation. It is the intent of the project to avoid the use of foundation piles, if appropriate. However, to be conservative, the EIR analyzes the “worst-cast” scenario, and assumes that pile driving will be necessary for the project building foundations. The text has been revised to specify that foundation piles shall be avoided if possible and to suggest alternatives including mat foundations, drilled shafts, and spread footings (refer to Section IV. Revisions to the Text of the Draft EIR in this Final EIR). The text has also been revised to state that the contractor shall pre-drill pile holes for all piles.

## IV. REVISIONS TO THE TEXT OF THE DRAFT EIR

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The following section contains revisions to the text of the Draft Environmental Impact Report for the Crescent – Lakeside Specific Plan Project, dated June 2005. Revised or new language is underlined. All deletions are shown ~~with a line through the text~~.

Page vi            Summary  
Page 57           Section 2.4.4 Mitigation and Avoidance Measures

**ADD** the following under **MITIGATION MEASURE NOISE-2**:

Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential or business property boundary.

Page viii        Summary  
Page 58        Section 2.4.4 Mitigation and Avoidance Measures

**ADD** the following under **MITIGATION MEASURES NOISE-10**:

The appropriate type(s) of building foundations shall be determined as part of the design-level geotechnical investigation (refer to MITIGATION MEASURES GEO-1 in Section 2.8.3 of the Draft EIR). Based on the results of this geotechnical investigation, the project design shall avoid the use of foundation piles if at all feasible. Reasonable alternatives that shall be considered include the use of mat foundations, drilled shafts, and/or spread footings. If pile driving is required, implementation of site-specific noise and vibration attenuation measures, under the supervision of a qualified acoustical consultant, including, at a minimum, ~~such as~~ the following measures ~~will be required~~ prior to pile driving:

- Multiple pile drivers shall be considered to expedite this phase of project construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving activities would be reduced.
- Temporary noise control blanket barriers shall shroud pile drivers. Such noise control blanket barriers can be rented and quickly erected.
- The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for all piles driven on the site ~~driven within 200 feet of sensitive land uses~~. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. The associated noise reduction would be based on the soil conditions of the site.

**ADD** the following in the second paragraph under Drainage and Flooding:

According to the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map, the southwestern portion of the site is located within Zone X, which is defined as a zone of 100-year flood with average depths of less than one foot, and the northeastern portion of the site is located within Zone AO, which is defined as a zone where the 100-year flood is expected to cause sheet flooding at depths between one to three feet. The elevation in the project area is approximately 24 feet National Geodetic Vertical Datum (NGVD). The project site is not within any dam failure inundation area. The site is not subject to tsunami.

**ADD** the following sentence under the third paragraph:

There are two existing monitoring wells located between the second and third buildings that are sited parallel to each other on the site.

**ADD** the following at the end of the second paragraph on the right hand side on page xiii and before 2.10.1 Conclusion on page 95:

**MITIGATION MEASURES HAZ-2:** The project applicant shall submit plans showing the existing wells on the site to the Santa Clara Valley Water District for review and approval before demolition of the existing buildings. The existing wells will be abandoned in accordance with the Santa Clara Valley Water District standards and procedures.

**ADD** the following in the third paragraph:

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect on the adequacy of school facilities as the payment of a school impact fee prior to the issuance of a building permit. The project applicant would pay Sunnyvale School District's school impact fee of \$1.27 per square foot and Fremont High School District's school impact fee of \$0.86 per square foot for the proposed project. These fees are subject to change. The school districts are responsible for implementing the specific methods for mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would partially offset the costs of serving the project-related increase in student enrollment.

## **V. COPIES OF COMMENTS RECEIVED ON THE DRAFT EIR**

---



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500



July 11, 2005

Mr. Steve Lynch  
City of Sunnyvale  
456 West Olive Avenue  
Post Office Box 3707  
Sunnyvale, CA 94088-3707

RECEIVED  
JUL 14 2005  
PLANNING DIVISION

Dear Mr. Lynch:

The Crescent – Lakeside Specific Plan  
Sunnyvale, Santa Clara County  
SCH 2005022089

The Department of Fish and Game (DFG) has reviewed the document for the subject project. We do not have specific comments regarding the proposed project and its effects on biological resources. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Santa Clara County Clerk on or before filing of the Notice of Determination for this project.

If you have any questions, please contact Mr. Dave Johnston, Environmental Scientist, at (831) 475-9065; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

Robert W. Floerke  
Regional Manager  
Central Coast Region

cc: State Clearinghouse

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753



## Department of Toxic Substances Control



Alan C. Lloyd, Ph.D.  
Agency Secretary  
Cal/EPA

700 Heinz Avenue, Suite 200  
Berkeley, California 94710-2721



Arnold Schwarzenegger  
Governor

July 29, 2005

Mr. Steve Lynch  
City of Sunnyvale  
456 West Olive Avenue  
P.O. Box 3707  
Sunnyvale, California 95088-3707

Dear Mr. Lynch:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Crescent-Lakeside Specific Plan project (SCH#2005022089). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The 8.83-acre project site is currently occupied by a 378-room hotel. The proposed project consists of a General Plan amendment to change the land use and zoning of the project site to Specific Plan and redevelopment of the project site. The redevelopment would include demolition of the existing hotel, and redevelopment of the project site with up to 251 residential units, a new hotel, and up to 3,000 square feet for commercial/retail use. On page 91 and 92 under the Hazards and Hazardous Materials section, the results of a soil and soil gas investigation performed by Eler and Kalinowski are discussed. Chlordane was detected at concentrations above the California Human Health Screening Level (CHHSL) for residential soil at two sampling locations. On page 95 under Mitigation Measure Haz-1, it states that the project applicant shall present the soil sampling results to the Santa Clara County Department of Environmental Health to determine whether remediation is required to address the chlordane in soil. It is also stated that if remediation is needed, it would consist of soil excavation, soil mixing and/or capping of the soil with non-contaminated soil. DTSC does not consider mixing of contaminated soil with clean soil to lower the chlordane concentration as an appropriate remediation. If the contaminated soil is to be contained on-site, institutional controls such as environmental deed restrictions should be put in place along with provisions for ensuring that the cover remains an effective barrier.

Mr. Steve Lynch  
July 29, 2005  
Page Two

We suggest that as part of making a determination whether remediation is required, the 95 percent upper confidence limit (UCL) of the arithmetic mean of the sampling results for chlordane be determined to see whether it exceeds the CHHSL.

Please contact Patrick Lee at (510) 540-3847 if you have any questions. Thank you in advance for your cooperation in this matter.

Sincerely,

*Mark E. Piros*

Mark Piros, P.E., Unit Chief  
Northern California - Coastal Cleanup  
Operations Branch

Enclosures

cc: without enclosures

Governor's Office of Planning and Research  
State Clearinghouse  
P. O. Box 3044  
Sacramento, California 95812-3044

Guenter Moskat  
CEQA Tracking Center  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER GOVERNOR

**DEPARTMENT OF TRANSPORTATION**

P. O. BOX 23660  
OAKLAND, CA 94623-0660  
(510) 286-4444  
(510) 286-4454 TDD



*Flex your power!  
Be energy efficient!*

July 28, 2005

SCL-101-43.65  
SCL101798  
SCH 2005022089

Mr. Steve Lynch  
City of Sunnyvale  
456 West Olive Avenue  
P.O. Box 3707  
Sunnyvale, CA 94088-3707

Dear Mr. Lynch:

**The Crescent – Lakeside Specific Plan, General Plan Amendment – Draft Environmental Impact Report (DEIR)**

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

**Highway Operations**

1. As the US-101 at Lawrence Expressway interchange provides access to the project site the report should include a freeway segment analysis of US-101 in the vicinity of project site.
2. Provide ramp analysis for NB/SB US-101/Lawrence Expwy off and on ramps. The analysis should recommend mitigation measures for possible traffic impacts caused as a result of this project.

Additional comments, if any, from our Environmental Engineering and Design Branches will be forwarded as soon as they are received.

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

Handwritten signature of Timothy C. Sable in black ink.

TIMOTHY C. SABLE  
District Branch Chief  
IGR/CEQA

c: Scott Morgan (State Clearinghouse)

# County of Santa Clara

Roads and Airports Department

101 Skyport Drive  
San Jose, California 95110-1302  
(408) 573-2400



RECEIVED

JUL 07 2005

PLANNING DIVISION

July 5, 2005

Steve Lynch  
Associate Planner  
City of Sunnyvale Community Development  
456 West Olive Ave.  
P.O. Box 3707  
Sunnyvale, CA 94088

Subj: Draft Environmental Impact Report of the Crescent Lakeside Specific Plan Project  
File No: SCH2005022089

Dear Mr. Lynch:

We received your June 2005 Draft Environmental Impact Report of the Crescent Lakeside Specific Plan 1 on June 16, 2005, and we have no comments.

Thank you for the opportunity to review and comment on this project. If you have any questions, please call me at (408) 573-2462.

Sincerely,

  
Felix Lopez  
Project Engineer

cc: DEC, MA, SK, WRL, RN, file

July 18, 2005

RECEIVED

JUL 21 2005

File: 1417  
Calabazas Creek

PLANNING DIVISION

Ms. Trudi Ryan  
Community Development Department  
City of Sunnyvale  
456 West Olive Avenue  
Sunnyvale, CA 94088

Subject: Draft Environmental Impact Report for the Crescent—Lakeside Specific Plan  
Located at 1250 Lakeside Drive, in Sunnyvale

Dear Ms. Ryan:

The Santa Clara Valley Water District (District) has reviewed the parcel map for the subject project received on July 23, 2004.

The site is located within the Calabazas Creek watershed. According to the Federal Emergency Management Agency Flood Insurance Rate Map, the southwestern portion of the site is within Zone X, an area of 100-year flood with average depths of less than 1 foot, and the northeastern portion of the site is within Zone AO, an area of 100-year flooding with average flooding depths of 1–3 feet. The District recommends that buildings located within Zone AO be elevated 2 feet above the 100-year water surface elevation, and the buildings within Zone X be elevated a minimum of 2 feet above the existing ground.

The proposed development will not directly impact any District facility. Therefore, the construction of the proposed development does not require a permit from the District.

In accordance with District Ordinance 90-1, the owner should show any existing well(s) on the plans. The well(s) should be properly registered with the District and either maintained or abandoned in agreement with District standards. Property owners or their representatives should call the Wells and Water Production Unit at (408) 265-2607, extension 2660, for more information regarding well permits and the registration or abandonment of any wells.

If you have any further questions, my number is (408) 265-2607, extension 3135.

Sincerely,



Wendy Jones, P.E.  
Assistant Engineer  
Community Projects Review Unit

cc: B. Goldie, S. Tippetts, U. Chatwani, W. Jones, M. Mahoney, File (2)  
wj:jl  
0715e-pl.doc



August 4, 2005

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

Attention: Steve Lynch, Associate Planner

Subject: Draft Environmental Impact Report  
Crescent-Lakeside Specific Plan

Dear Mr. Lynch:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft Environmental Impact Report (EIR) for the proposed mixed-use hotel and residential development on an 8.63-acre site located at 1250 Lakeside Drive. In general, VTA commends the proposed development of high-density housing, the use of structured parking and the plan to include ground floor retail in the hotel. However, VTA has the following comments on the Draft EIR and the conceptual site plans for this project:

#### Comments on the Draft Environmental Impact Report

##### *Bicycle Parking*

VTA supports the inclusion of Mitigation Measure TRANS-1 in the Draft EIR, which promotes the use of bicycles through the provision of secure bicycle storage and bicycle equipment through on-site rental or as a free amenity. Given the network of bicycle lanes in the vicinity of the project, this mitigation measure would help reduce the number of vehicle trips to this development.

However, VTA recommends that the Final EIR include a detailed analysis of the amount and type of bicycle parking, including both Class I bike parking spaces (bicycle lockers or secured shared-access storeroom) and Class II bike parking spaces (bicycle racks) based on VTA's *Bicycle Technical Guidelines for both the hotel employees and guests, and for the condominiums*. This document provides additional guidance on estimating supply, siting and design for bicycle storage facilities. The *Guidelines* may be downloaded from [www.vta.org/news/vtacmp/Bikes](http://www.vta.org/news/vtacmp/Bikes). The conceptual site plan should indicate the proposed location of these parking facilities. For more information on bicycle facilities and parking, please contact Michelle DeRobertis, Development & Congestion Management Division, at 408-321-5716.

City of Sunnyvale  
August 4, 2005  
Page 2

### *Pedestrian Facilities*

The Draft EIR fails to evaluate the potential for walking to reduce the number of vehicle trips to and from the site. While the Draft EIR acknowledges that sidewalks are only available on the south side of Lakeside Drive, it does not include the construction of sidewalks and crosswalks on the north side of Lakeside Drive in Mitigation Measure TRANS-1. Such a measure would promote walking by providing direct and convenient pedestrian connections between the site and adjacent land uses. The Draft EIR should also address pedestrian facilities within the site.

VTA's *Transportation Impact Analysis Guidelines* should be used when conducting this analysis of pedestrian facilities. This document includes the analysis of site circulation and pedestrian access, as well as roadways, and may be downloaded from [www.vta.org/news/vtacmp/Technical Guidelines](http://www.vta.org/news/vtacmp/Technical%20Guidelines). For more information on TIA guidelines, please call Murali Ramanujam, Development & Congestion Management Division, at 408-952-8905.

### Comments on Conceptual Site Plans

In addition to our comments on the Draft EIR, VTA would also like to provide comments on the conceptual site plan for the proposed development. These comments expand on VTA's letter on the Notice of Preparation dated March 14, 2005.

### *Building Density, Orientation, Parking, and Pedestrian Connectivity*

VTA supports the proposed land use change and recommends developing this site at the maximum possible density. VTA recommends that future residential units at this site be oriented to the street as much as is possible, with minimum setbacks and resident parking to the rear of buildings. VTA also encourages the incorporation of thoughtful pedestrian connectivity into the site design to minimize walking distances to any neighborhood-serving retail or personal services on the site, as well as to provide convenient connections to area transit stops.

For all future buildings at this site, including both the proposed hotel and residential units, VTA recommends locating public uses on the ground floor when possible to make pedestrian access convenient. Developments that provide a mix of compatible land uses within walking distance of each other foster lively pedestrian environments and reduce the need for automobile travel, thereby enhancing the local community.

### *On-Site Planning and Design*

VTA has reviewed the Conceptual Site Plan included in the Draft EIR and strongly encourages the City of Sunnyvale to consider the following recommendations:

City of Sunnyvale  
August 4, 2005  
Page 3

- To the maximum extent practical, orient the condominium buildings to Lakeside Drive. Currently, only one of four of the proposed condominium buildings is adjacent to Lakeside Drive.
- Provide thoughtful and frequent pedestrian connectivity and direct paths from condominiums to perimeter sidewalks, as well as to the proposed retail facilities at the adjacent hotel. Clearly marked pedestrian crossings should be included where the proposed parking lots or internal roadways are traversed.
- Move the two-tiered parking structure (shown immediately west of the proposed Condominium Building 1) to the rear of the buildings.

The VTA *Community Design & Transportation (CDT) Guidelines* and the VTA *Pedestrian Technical Guidelines* should be used when designing developments at this site. These documents provide guidance on site planning, building design, street design, preferred pedestrian environment, intersection design and parking requirements. Both documents are available upon request to agency staff. For more information, please call Chris Augenstein, Development & Congestion Management Division, at 408-321-5725.

With regard to the above specific recommendations, guidance may be found throughout the CDT Guidelines in addition to the following sections:

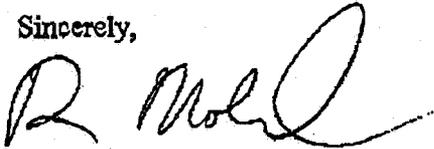
- Orienting Buildings to the Street: Chapter 3, page 3-7
- Placing Building Entrances which Support the Pedestrian Environment: Chapter 3, pages 3-7 & 3-8
- Creating a Continuous Pedestrian Network: Chapter 4, pages 4-21 thru 4-23
- Parking Design and Placement to Improve the Pedestrian Environment: Chapter 3, pages 3-9 thru 3-11
- Locating Public Uses on Ground Floor: Chapter 3, page 3-9

VTA staff looks forward to reviewing future development plans for this site when they become available.

City of Sunnyvale  
August 4, 2005  
Page 4

*For more information, general questions, technical support, or to arrange a meeting with VTA staff to discuss On-Site Planning and Design of this or any other development projects, please contact George Tacké, Development & Congestion Management Division, at 408-321-5865 or via email at [george.tacke@vta.org](mailto:george.tacke@vta.org). If you have any other questions regarding VTA's comments, please call Christina Jaworski of my staff at (408) 321-5751.*

Sincerely,



Roy Molseed  
Senior Environmental Planner

RM:CTJ:kh



# Sunnyvale School District

819 West Iowa Avenue • P.O. Box 3217 • Sunnyvale, California 94088-3217

(408) 522-8200 • FAX: (408) 522-8338

Joseph W. Rudnicki, Ed.D., Superintendent

June 20, 2005

Trudy Ryan, Planning Officer  
City of Sunnyvale / Community Development  
456 W. Olive Avenue  
Sunnyvale, CA 94086

RECEIVED

JUN 24 2005

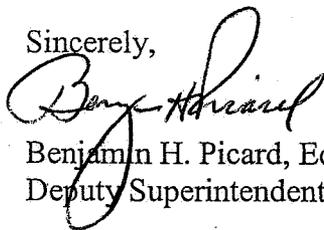
PLANNING DIVISION

Dear Ms. Ryan:

On behalf of Sunnyvale School District I would like to thank you for sharing the Draft Environmental Impact Report regarding The Crescent-Lakeside Specific Plan with us. I have reviewed the proposed plan and find the representations pertaining to the impacts to schools to be accurate, except that the school impact fees cited in the report are currently under review and may change by the time the project commences.

Sunnyvale School District has no other comment regarding The Crescent-Lakeside Specific Plan. Thank you again for involving Sunnyvale School District in your planning process.

Sincerely,



Benjamin H. Picard, Ed.D.  
Deputy Superintendent

cc: Gerri Caruso, Principal Planner, City of Sunnyvale  
Steve Lynch, Associate Planner, City of Sunnyvale  
Dr. Joseph Rudnicki, Superintendent  
Members, Board of Education

Board of Education

Jeffrey Arnett • Phyllis Fowler • Linda Kilian • Nancy Newkirk • Bob Roberts

1261 Oakmead Pkwy  
Sunnyvale, CA 94085

# SC SOLUTIONS

Main 408.617.4520

Fax 408.617.4521

July 28, 2005

RECEIVED

JUL 29 2005

PLANNING DIVISION

City of Sunnyvale, California  
Planning Division  
Attn: Steve Lynch, Associate Planner  
P.O. Box 3707  
Sunnyvale, CA 94088-3707

Subject: The Crescent-Lakeside Specific Plan

Dear Mr. Lynch:

Thank you for speaking with me on the telephone last week.

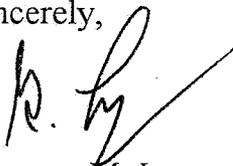
We propose the following changes to the EIR:

- As-Is (p. vii): MITIGATION MEASURE NOISE-6: Limit construction hours to between 7:00 AM and 6:00 PM on weekdays, and between 8:00 AM and 5:00 PM Saturdays.
- Change to: MITIGATION MEASURE NOISE-6: Limit construction hours to between 7:00 AM and 9:00 PM on weekdays, and between 8:00 AM and 9:00 PM Saturdays.

The suggested hours will shorten the construction schedule. The as-is wording gives precedent to local residences over local businesses. Both parties should share the burden equally.

Please call with any questions.

Sincerely,



Gregory M. Loy  
President  
SC Solutions, Inc.

RECEIVED

JUL 28 2005

DAVID J. POWERS  
& ASSOCIATES INC.



MANAGEMENT COMPANY



**HAND DELIVERED**

**RECEIVED**  
**AUG 01 2005**  
**PLANNING DIVISION**

July 27, 2005

City of Sunnyvale  
Planning Division  
Attn: Steve Lynch, Associate Planner  
P.O. Box 3707  
Sunnyvale, CA 94088-3707

Subject: The Crescent-Lakeside Specific Plan

Dear Mr. Lynch:

We have read the Draft Environmental Impact Report (EIR) for the above referenced project and have some comments. Our businesses, located at 1255, 1257, 1259, 1261, 1263, 1267, & 1271 Oakmead Parkway in Sunnyvale, are immediately adjacent to the proposed project site. We are concerned that the operation and construction of this project will have a significant negative impact on our businesses. Therefore, we propose the following changes to the EIR:

- As-Is (p. vi): MITIGATION MEASURE NOISE-2: Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential property boundary.
- Change to: MITIGATION MEASURE NOISE-2: Control noise from building mechanical systems, through acoustical louvers or baffles in air transmission paths, parapet walls, rooftop screen walls, and sound attenuators, so that it does not exceed 60 dBA at any residential or business property boundary.
- As-Is (p. viii): MITIGATION MEASURE NOISE-10: If pile driving is required, implementation of site specific noise and vibration attenuation measures under the supervision of a qualified acoustical consultant such as the following measures will be required prior to pile driving:
  - Temporary noise control blanket barriers shall shroud pile drivers. Such noise control blanket barriers can be rented and quickly erected.
  - The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for all pile driven within 200 feet of sensitive land uses. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile. The associated noise reduction would be based on the soil conditions of the site.

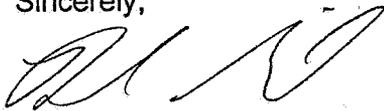
Commercial Property Management Services

- Change to: MITIGATION MEASURE NOISE-10: Avoid the use of foundation piles if at all possible. Alternatives that will be considered include the use of mat foundations, drilled shafts, and/or spread footings. If pile driving is required, implementation of site specific noise and vibration attenuation measures under the supervision of a qualified acoustical consultant, including at a minimum the following measures, will be required prior to pile driving:
  - Temporary noise control blanket barriers will shroud pile drivers. Such noise control blanket barriers can be rented and quickly erected.
  - The contractor shall pre-drill pile holes to minimize the number of blows required to seat the pile for all piles. Pre-drilling foundation pile holes is a standard construction noise control technique. Pre-drilling reduces the number of blows required to seat the pile.

Of course, the body of the report itself would also have to be modified to accommodate these changes.

We greatly appreciate your understanding of our position in this matter. As small business owners, we cannot afford to have our businesses so greatly disrupted for any period of time. Please don't hesitate to call me at 408-245-4344 with any questions.

Sincerely,



Brenda Gilcrest  
Property Manager  
GS Management Company  
Managing Agent for  
**Oakmead Village Office Park Association**

cc: Steve Arnold, Arnold Technical Sales, 1257 Oakmead Parkway  
Scott Carpenter, Norcomp, 1267 Oakmead Parkway  
Greg Loy, SC Solutions, 1261 Oakmead Parkway  
Lyn Nguyen, Oakmead Property LLC, 1259 Oakmead Parkway  
Shirish Patel, CoSystems, 1263 Oakmead Parkway  
Christine Talbott, Pastoria Associates, 1255 Oakmead Parkway  
Frank Yu, Microcomp, 1271 Oakmead Parkway