



# City of Sunnyvale

## Agenda Item

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18-0807

Agenda Date: 9/10/2018

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### REPORT TO HERITAGE PRESERVATION COMMISSION

#### SUBJECT

##### **Proposed Project:**

Forward Recommendations related to the Civic Center Modernization Master Plan Project to the City Council to:

1. Adopt a **Resolution** to:
  - a. Certify the Environmental Impact Report;
  - b. Make the Findings Required by the California Environmental Quality Act; and
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

**Location:** City of Sunnyvale Civic Center Complex

**File #:** 2018-7219

**Applicant / Owner:** City of Sunnyvale

**Environmental Review:** Environmental Impact Report

#### BACKGROUND

The Sunnyvale Civic Center, located at the corner of El Camino Real and Mathilda Avenue, is home to the City's primary administrative facilities (City Hall), Library, and Department of Public Safety Headquarters. Civic Center buildings range in age between 30 and 60 years old.

In early 2015, the City began an extensive community engagement process to evaluate how facilities at the Civic Center could be renovated or replaced. Through this process, the City developed a Needs Assessment, Vision Statement, and Success Criteria for the project that were intended to guide further planning efforts.

In 2017, two Master Plan options for the Civic Center were developed for building placement, site circulation, parking facilities, and open space features. In November 2017, the City Council selected Option 1 - Plaza as the alternative for further environmental analysis.

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of projects for which they have discretionary authority. A Draft Program Environmental Impact Report (DEIR) has been prepared for the Civic Center Modernization Master Plan Project ("Project"). The DEIR incorporates relevant information such as the results of the public scoping meeting and technical studies. A Final EIR has been prepared for the Project, which includes responses to the comments received during the 45-day review period of the DEIR.

## **Process**

The DEIR for the Civic Center Modernization Master Plan was available for a 45-day public review period (April 23, 2018 to June 7, 2018). The DEIR examined the nature and extent of any potentially significant adverse effects on the environment that could occur if the Project is approved and implemented. The DEIR identified significant and unavoidable impacts regarding Cultural and Tribal Cultural Resources (Attachment 4 - Section 4.4) and Noise (Attachment 4 - Section 4.9). Comments from the Heritage Preservation Commission (HPC) were received during the DEIR public review period on May 2, 2018, regarding the adequacy of the environmental analysis. These comments and other comments received from public agencies, residents, interested parties, and the Planning Commission, have been incorporated into the Final Environmental Impact Report (FEIR) with responses to the comments and any corrections and clarifications to the environmental analysis in the DEIR.

The Heritage Preservation Commission is requested to provide recommendation to the City Council on the adequacy of the FEIR and forward a recommendation to:

1. Adopt a **Resolution** to:
  - a. Certify the Environmental Impact Report;
  - b. Make the Findings Required by the California Environmental Quality Act; and
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

Opinions about the merits of the project should be deferred to subsequent public hearings related to the Civic Center Modernization Master Plan. The Planning Commission is scheduled to consider this item and forward recommendations to the City Council on September 10, 2018 and the City Council is scheduled to consider this item on September 25, 2018.

## **EXISTING POLICY**

General Plan, Community Character and Land Use and Transportation chapters and Council Policies include the following policies applicable to the Civic Center Modernization Project:

### **GENERAL PLAN**

#### **Community Character**

*Policy CC-4.1* - Ensure that Sunnyvale's Public Facilities are easily identified, accessible, attractive and representative of the community's values and aspirations.

*Policy CC-4.1b* - Consider ways to increase the visibility of the Civic Center on Mathilda Avenue and El Camino Real and consider better identification for the Community Center along Remington.

#### **Land Use and Transportation**

*Action LT-14.17a* - Maintain and plan for appropriate land areas to support public facilities, such as the civic center, library, corporation yard, and water pollution control plant.

*Action LT-14.17b* - Promote co-locating government (federal, state, county, city) activities when appropriate to improve access to services for the community at large.

#### **Council Policy**

The Council Fiscal Policy contains several policies related to infrastructure in Chapter 7: Planning

and Management.

Policy section 7.1C, *Capital Improvement Policies*:

C.1.3 High priority should be given to replacing capital improvements prior to the time that they have deteriorated to the point where they are hazardous, incur high maintenance costs, negatively affect property values, or no longer serve their intended purposes.

C.1.5 Priority will be given to the repair and replacement of existing infrastructure as compared to the provision of new or expanded facilities.

C.1 The decision on whether to repair or to replace an existing capital asset will be based on which alternative is most cost-effective or provides the best value to the City.

## **ENVIRONMENTAL REVIEW**

### **EIR Noticing**

The EIR is a required informational document under the California Environmental Quality Act (CEQA) that describes the environmental effects of the project, identifies ways to minimize the significance of the adverse impacts, responds to comments made during the public comment period, and discusses reasonable alternatives to the project that modify the environmental impacts. Certification of an EIR does not automatically approve the project. Certification means that the EIR was completed in compliance with CEQA, that the agency has reviewed and considered the EIR, and the EIR reflects the agency's independent judgment and analysis. Approval of the Civic Center Modernization Master Plan will be a separate action.

### *Notice of Preparation Period and Scoping Meeting*

On September 26, 2017, a Notice of Preparation (NOP) for the EIR was prepared and mailed to neighboring cities, the State, other public agencies, and property owners requesting their input on the scoping of the EIR. In addition, a scoping meeting (required by CEQA) was held during the NOP period on October 18, 2017, in the City Council Chambers. Outside agencies, members of the general public and stakeholders were invited. The purpose of the NOP period and scoping meeting is to allow the community a forum to provide direction on issues to be addressed in the EIR. The scoping period concluded on October 26, 2017. Staff received 11 letters from community members, stakeholders and outside agencies. The summary of the meeting comments and the complete list of comments received can be found in Appendix 1.0 of the DEIR (Attachment 5).

On November 7, 2017, the City Council selected Option 1 - Plaza as the preferred alternative of two options initially proposed for the Civic Center Modernization Master Plan. In response to the selection of Option 1, the City prepared a revised NOP on December 11, 2017. Comments received during the original NOP and the revised NOP were considered in the Draft EIR. The scoping period concluded on January 10, 2018. Staff received four letters from community members, stakeholders and outside agencies (Attachment 5).

### *Notice of Availability*

The DEIR was issued for public review and comment on April 23, 2018. The link to the DEIR was mailed and/or e-mailed in the notice to appropriate agencies, members of the Project interest list, neighborhood groups and to all property owners within 2,000 feet of the Civic Center boundary. Physical copies on the DEIR were placed at the Sunnyvale library, the One-Stop Permit Center and the Community Center. During the 45-day review period that concluded on June 7, 2018, members of

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the public and outside agencies submitted written comments on the DEIR.

After the 45-day public review period, staff received six letters from residents and one letter from a public agency. In addition, staff collected oral comments from the Heritage Preservation Commission on May 2, 2018, and the Planning Commission and members of the public during a public hearing specific to this process on May 29, 2018. All the comments received are in the FEIR (Attachment 6).

### **Summary of Impacts**

#### *Overview of Impact Types*

There are different levels of impacts identified in an EIR, including the following:

- Significant unavoidable
- Significant that can be mitigated
- Less than significant
- No impact

If an impact is shown to be significant and unavoidable, then the decision-making body certifying the EIR, in this case the City Council, must adopt a statement of overriding considerations, which is a statement that the ultimate benefits of the project outweigh its environmental impacts.

#### *Significant Impacts Identified in the EIR*

The EIR determined that the project would or could possibly cause significant impacts in the following areas:

- Aesthetics
- Air Quality and Greenhouse Gas Emissions
- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Traffic and Transportation
- Utilities and Service Systems

Some of the potentially significant environmental impacts of the proposed project would be reduced to a less than significant level with the implementation of mitigation measures identified in the EIR (Attachment 4 - Section 2.0) and Mitigation Monitoring and Reporting Program (within Attachment 7). Mitigation measures will be incorporated into each phase of the project and will be monitored by staff throughout the construction phase. The EIR also includes analysis of cumulative impacts, which considers approved and pending projects located outside of the Civic Center. As defined by CEQA, cumulative impacts refer to two or more individual effects, which when combined, are considerable or which compound or increase other environmental impacts.

#### *Significant and Unavoidable Impacts*

A significant and unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented as it is proposed. The Project EIR identifies the following areas where, after the implementation of mitigation measures, the project may still result in impacts that

cannot be mitigated to a less than significant level:

- Cultural and Tribal Cultural Resources

The Historic Resources assessment determined that a portion of the Civic Center campus is eligible for listing in the California Register as a historic district. In addition, City Hall and Sunnyvale Office Center are potentially eligible for listing. The proposed project would result in the removal of the eligible buildings and setting the comprise the historic district. This loss can be partially, but not fully mitigated by the proposed mitigation measures, such as documentation and photographs. This impact is significant and unavoidable.

- Noise

Noise associated with demolition and construction activities will be partially but not fully mitigated through best management practices, construction scheduling, and notification of residents. In addition, relocation of the police headquarters and secured parking lot could expose nearby residents to increased noise if officers use their sirens when exiting the parking area. These impacts are significant and unavoidable.

All the information regarding the significant impacts in the above-mentioned sections of the Project EIR is summarized in the Executive Summary of the EIR (Attachment 4 - Section 2.0), with the full discussion found in the individual sections of the EIR.

#### Statement of Overriding Considerations

The City Council's adoption of the Civic Center Modernization Master Plan would result in significant environmental impacts that cannot be substantially lessened or avoided. While mitigation measures would reduce these impacts, they would remain significant and unavoidable.

Section 15093 of the CEQA Guidelines requires the decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed Project against its significant and unavoidable environmental impacts. Adoption of the Project requires that the City Council must state in writing the reasons in support of its action based on the Final EIR and the information in the record. The statement of overriding considerations must be supported by substantial evidence in the record. A draft Statement of Overriding Considerations and CEQA Findings, are in Exhibit D of Attachment 2.

Statement of Overriding Considerations can include the following:

- The Project provides opportunities for providing the functionality and space required to meet the City's needs for modern and efficient administrative, public safety, library, workforce investment, and other community services.
- The Project encourages the replacement of older buildings with modern office buildings that are more energy efficient and sustainable and would contribute to the Climate Action Plan (CAP) implementation.

#### EIR Mitigation Monitoring

A Mitigation Monitoring and Reporting Program (MMRP) for significant impacts is required by CEQA to ensure implementation of all mitigation measures. A monitoring program identifies each mitigation

measure, the party responsible for implementation, the monitoring schedule, and who will perform the monitoring functions for each development project. The City and its contractors and consultants will be responsible for implementing the mitigation measures with construction of this Project, and the City is primarily responsible for monitoring and verifying that the mitigation measures are satisfied. City departments that have oversight responsibility include Community Development, Public Works, and Public Safety. The MMRP can be found in the FEIR (Attachment 6) and in Attachment 7 of this report and will be incorporated into the Conditions of Approval for each development phase.

### EIR Alternatives

Completion of an EIR requires the consideration of Project Alternatives to evaluate the potential reduction in project impacts. The CEQA Guidelines specify that an EIR identify alternatives that “would feasibly attain the most basic objectives of the project but would avoid or substantially lessen many of the significant environmental effects of the project.” The DEIR (Attachment 4 - Section 5.0) provides detailed analysis of the selected three alternatives and they are described briefly as follows:

1. **CEQA Alternative 1. No Project Alternative:** This alternative assumes that the proposed project is not implemented and the environmental impacts identified in the DEIR would be avoided. Reasonable assumption would be for the existing Civic Center buildings to remain with minor maintenance activities of the buildings and surrounding landscaping, as well as upgrades to existing facilities. City services may expand into the Sunnyvale Office Complex as leases expire.

The No Project Alternative could result in greater environmental impacts in the areas of seismic hazards, water quality, public services, stormwater runoff, and energy resources. However, the No Project Alternative would reduce impact on other resource topics. This alternative would not meet the project objectives. The existing buildings would not be replaced or renovated to meet future service delivery needs, nor would they be modernized, including the Library and Emergency Operations Center. The future service needs of the City would not be met and the Civic Center buildings would not be a model of sustainability.

2. **CEQA Alternative 2. Maintenance of Existing Public Safety Headquarters Location Alternative:** This alternative includes redevelopment of City Hall but maintains the location of the existing Public Safety Headquarters and secured parking lot. Phase I construction, including the new City Hall construction and the Public Safety Building addition, would be included as proposed by the Project. The new Public Safety Headquarters and secured parking lot would be constructed in generally the same location as the existing. The existing structures may be expanded or renovated to achieve a size of up to 65,000 sq. ft. with the underground garage construction during future phases.

Alternative 2 would meet all basic principles and avoid significant and unavoidable impact on periodic increases to ambient noise as the secured lot will remain in the same location as the existing. Alternative 2 would result in less adverse environmental impact and is identified as the environmentally superior alternative.

### Adoption Process if an Alternative is Selected

If Council selects the “No Project” alternative or Alternative 2, no further environmental review is required.

### Environmentally Superior Alternative

CEQA Guidelines require that an EIR identify the Environmentally Superior Alternative to the proposed project from among the alternatives analyzed.

Section 5.5 of the EIR concludes that Alternative 2 would meet all basic principles and avoid significant and unavoidable impact on periodic increases to ambient noise as the secured lot will remain in the same location as the existing. Alternative 2 would result in less adverse environmental impact and is identified as the environmentally superior alternative. The City retains the authority to identify the Environmentally Superior Alternative based on the evidence in the EIR, agency and public input, lead agency standards and policies, and the lead agency's independent decision-making.

### Determination of Adequacy

The "rule of reason standard" is applied to judicial review of EIR contents. The standard requires that an EIR show that an agency has made a good-faith attempt at full disclosure. The scope of judicial review does not extend to correctness of the conclusion found in the EIR, but only the sufficiency of the EIR as an informative document for decision-makers and the public. Legal adequacy is characterized by:

- All required contents must be included;
- Objective, good-faith effort at full disclosure;
- Absolute perfection is not required;
- Exhaustive treatment of issues is not required;
- Minor technical defects are not necessarily fatal; and
- Disagreement among experts is acceptable.

### Environmental Review Recommendation:

Staff recommends the Heritage Preservation Commission make a recommendation to the City Council that the proposed Final EIR, consisting of the DEIR, comments received on the DEIR, responses to comments received and a list of persons and public agencies commenting on the DEIR, meets the requirements of CEQA both in content and format, as they relate to Heritage Preservation. The Draft Program and Final EIR documents and technical appendices can be viewed on the project website (see Attachment 8 for link) and in the DEIR and FEIR documents (links to the DEIR and FEIR are in Attachments 4, 5, and 6).

If the Heritage Preservation Commission recommends the Project EIR is not adequate regarding Heritage Preservation, a statement must be made to express how the document is deficient with a recommendation that additional analysis be prepared prior to certification. A change to a mitigation measure in the EIR may affect the accompanying determination of significance (e.g. a change may result in a determination of a significant unavoidable impact where a significant impact was mitigated to a less than significant level). If a mitigation measure is changed that creates a significant unavoidable impact, a Statement of Overriding Considerations would be required and a new hearing would need to be conducted. No project related actions may be taken until the EIR is certified. As noted earlier, certification of the EIR, in itself, does not adopt the Civic Center Modernization Master Plan or future development proposals.

### Environmental Public Contact:

All public notification procedures for the EIR were followed. The EIR was distributed to the State

Clearinghouse and required agencies on April 23, 2018 for the required 45-day public review period. The Notice of Availability of the EIR was sent to public agencies, stakeholders and mailed to property owners and tenants within 2,000 feet of the project area on April 23, 2018. Public hearings were held to accept oral comments from the Heritage Preservation Commission on May 2, 2018, and the Planning Commission on May 29, 2018.

### **FISCAL IMPACT**

City Council will be considering the entirety of the Civic Center Modernization Master Plan, EIR and Fiscal Impact as part of their review.

### **PUBLIC CONTACT**

Public contact regarding this item was made in the following ways:

1. Posting the Heritage Preservation Commission agenda on the City's official-notice bulletin board outside City Hall and by making the agenda and report available at the Sunnyvale Public Library and on the City's website;
2. Publication in the *Sun* newspaper, at least 10 days prior to the hearing;
3. Mailed notice sent to property owners within 2,000 feet of the Civic Center area; and,
4. E-mail notification of the hearing dates sent to all interested parties and neighborhood associations.

### **ALTERNATIVES**

Forward Recommendations concerning Heritage Preservation related to the Civic Center Modernization Master Plan Project to the City Council to:

1. Adopt a Resolution (Attachment 2) to:
  - a. Certify the EIR;
  - b. Make the Findings Required by the California Environmental Quality Act; and
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
2. Adopt the Resolution as stated in Alternative 1 with modifications.
3. Do not Adopt a Resolution and provide direction to staff on necessary revisions.

### **STAFF RECOMMENDATION**

Forward Recommendations concerning Heritage Preservation related to the Civic Center Modernization Master Plan Project to the City Council to:

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Prepared by: Momoko Ishijima, Associate Planner  
Reviewed by: Andrew Miner, Assistant Director, Community Development  
Reviewed by: Trudi Ryan, Director, Community Development  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager



**ATTACHMENTS**

1. Reserved for Report to Council
2. Draft Resolution to Certify the EIR and related actions
3. Civic Center District and Noticing Map
4. Link to the Draft Program Environmental Impact Report (DEIR)
5. Link to DEIR Appendices
6. Link to the Final Environmental Impact Report (FEIR) and Appendices
7. Mitigation Monitoring and Reporting Program (MMRP)
8. Link to the Civic Center Modernization Project Webpage



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18-0670

Agenda Date: 9/10/2018

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### REPORT TO PLANNING COMMISSION

#### SUBJECT

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**Location:** City of Sunnyvale Civic Center Complex

**File #:** 2018-7219

**Applicant / Owner:** City of Sunnyvale

**Environmental Review:** Environmental Impact Report

#### BACKGROUND

The Sunnyvale Civic Center, located at the corner of El Camino Real and Mathilda Avenue, is home to the City's primary administrative facilities (City Hall), Library, and Department of Public Safety Headquarters. Civic Center buildings range in age between 30 and 60 years old.

In early 2015, the City began an extensive community engagement process to evaluate how facilities at the Civic Center could be renovated or replaced. Through this process, the City developed a Needs Assessment, Vision Statement, and Success Criteria for the project that were intended to guide further planning efforts.

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#### Process

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period (April 23, 2018 to June 7, 2018). The DEIR examined the nature and extent of any potentially significant adverse effects on the environment that could occur if the Project is approved and implemented. The DEIR identified significant and unavoidable impacts regarding Cultural and Tribal Cultural Resources (Attachment 4 - Section 4.4) and Noise (Attachment 4 - Section 4.9). Comments from the Planning Commission were received during the DEIR public review period on May 29, 2018, regarding the adequacy of the environmental analysis. These comments and other comments received from public agencies, residents, interested parties, and the Heritage Preservation Commission, have been incorporated into the Final Environmental Impact Report (FEIR) with responses to the comments and any corrections and clarifications to the environmental analysis in the DEIR.

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The Heritage Preservation Commission met on September 5, 2018, after the completion of this report, and an oral update regarding the meeting will be provided at the Planning Commission meeting. The City Council is scheduled to consider the Final EIR and Civic Center Master Plan on September 25, 2018.

### **EXISTING POLICY**

General Plan, Community Character and Land Use and Transportation chapters and Council Policies include the following policies applicable to the Civic Center Modernization Project:

#### **GENERAL PLAN**

##### Community Character

*Policy CC-4.1* - Ensure that Sunnyvale's Public Facilities are easily identified, accessible, attractive and representative of the community's values and aspirations.

*Policy CC-4.1b* - Consider ways to increase the visibility of the Civic Center on Mathilda Avenue and El Camino Real and consider better identification for the Community Center along Remington.

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Policy section 7.1C, *Capital Improvement Policies*:

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## **ENVIRONMENTAL REVIEW**

### **EIR Noticing**

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#### *Significant Impacts Identified in the EIR*

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Statement of Overriding Considerations can include the following:

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- 1. CEQA Alternative 1. No Project Alternative:** This alternative assumes that the proposed project is not implemented and the environmental impacts identified in the DEIR would be avoided. Reasonable assumption would be for the existing Civic Center buildings to remain with minor maintenance activities of the buildings and surrounding landscaping, as well as upgrades to existing facilities. City services may expand into the Sunnyvale Office Complex as leases expire.

The No Project Alternative could result in greater environmental impacts in the areas of seismic hazards, water quality, public services, stormwater runoff, and energy resources. However, the No Project Alternative would reduce impact on other resource topics. This alternative would not meet the project objectives. The existing buildings would not be replaced or renovated to meet future service delivery needs, nor would they be modernized, including the Library and Emergency Operations Center. The future service needs of the City would not be met and the Civic Center buildings would not be a model of sustainability.

- 2. CEQA Alternative 2. Maintenance of Existing Public Safety Headquarters Location Alternative:** This alternative includes redevelopment of City Hall but maintains the location of the existing Public Safety Headquarters and secured parking lot. Phase I construction, including the new City Hall construction and the Public Safety Building addition, would be included as proposed by the Project. The new Public Safety Headquarters and secured parking lot would be constructed in generally the same location as the existing. The existing structures may be expanded or renovated to achieve a size of up to 65,000 sq. ft. with the underground garage construction during future phases.

Alternative 2 would meet all basic principles and avoid significant and unavoidable impact on periodic increases to ambient noise as the secured lot will remain in the same location as the existing. Alternative 2 would result in less adverse environmental impact and is identified as the environmentally superior alternative.

### Adoption Process if an Alternative is Selected

If Council selects the “No Project” alternative or Alternative 2, no further environmental review is required.

### Environmentally Superior Alternative

CEQA Guidelines require that an EIR identify the Environmentally Superior Alternative to the proposed project from among the alternatives analyzed.

Section 5.5 of the EIR concludes that Alternative 2 would meet all basic principles and avoid significant and unavoidable impact on periodic increases to ambient noise as the secured lot will remain in the same location as the existing. Alternative 2 would result in less adverse environmental impact and is identified as the environmentally superior alternative. The City retains the authority to identify the Environmentally Superior Alternative based on the evidence in the EIR, agency and public input, lead agency standards and policies, and the lead agency's independent decision-making.

#### Determination of Adequacy

The "rule of reason standard" is applied to judicial review of EIR contents. The standard requires that an EIR show that an agency has made a good-faith attempt at full disclosure. The scope of judicial review does not extend to correctness of the conclusion found in the EIR, but only the sufficiency of the EIR as an informative document for decision-makers and the public. Legal adequacy is characterized by:

- All required contents must be included;
- Objective, good-faith effort at full disclosure;
- Absolute perfection is not required;
- Exhaustive treatment of issues is not required;
- Minor technical defects are not necessarily fatal; and
- Disagreement among experts is acceptable.

#### Environmental Review Recommendation:

Staff recommends the Planning Commission make a recommendation to the City Council that the proposed Final EIR, consisting of the DEIR, comments received on the DEIR, responses to comments received and a list of persons and public agencies commenting on the DEIR, meets the requirements of CEQA both in content and format. The Draft Program and Final EIR documents and technical appendices can be viewed on the project website (see Attachment 8 for link) and in the DEIR and FEIR documents (links to the DEIR and FEIR are in Attachments 4, 5, and 6).

If the Planning Commission determines the Project EIR is not adequate, a statement must be made to express how the document is deficient with a recommendation that additional analysis be prepared prior to certification. A change to a mitigation measure in the EIR may affect the accompanying determination of significance (e.g. a change may result in a determination of a significant unavoidable impact where a significant impact was mitigated to a less than significant level). If a mitigation measure is changed that creates a significant unavoidable impact, a Statement of Overriding Considerations would be required and a new hearing would need to be conducted. No project related actions may be taken until the EIR is certified. As noted earlier, certification of the EIR, in itself, does not adopt the Civic Center Modernization Master Plan or future development proposals.

#### Environmental Public Contact:

All public notification procedures for the EIR were followed. The EIR was distributed to the State Clearinghouse and required agencies on April 23, 2018 for the required 45-day public review period. The Notice of Availability of the EIR was sent to public agencies, stakeholders and mailed to property owners and tenants within 2,000 feet of the project area on April 23, 2018. Public hearings were held



to accept oral comments from the Heritage Preservation Commission on May 2, 2018, and the Planning Commission on May 29, 2018.

### **FISCAL IMPACT**

City Council will be considering the entirety of the Civic Center Modernization Master Plan, EIR and Fiscal Impact as part of their review.

### **PUBLIC CONTACT**

Public contact regarding this item was made in the following ways:

1. Posting the Planning Commission agenda on the City's official-notice bulletin board outside City Hall and by making the agenda and report available at the Sunnyvale Public Library and on the City's website;
2. Publication in the *Sun* newspaper, at least 10 days prior to the hearing;
3. Mailed notice sent to property owners within 2,000 feet of the Civic Center area;  
and
4. E-mail notification of the hearing dates sent to all interested parties and neighborhood associations.

### **ALTERNATIVES**

Recommend to City Council:

1. Adopt a Resolution (Attachment 2) to:
  - a. Certify the EIR;
  - b. Make the Findings Required by the California Environmental Quality Act; and
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
2. Adopt the Resolution as stated in Alternative 1 with modification(s).
3. Do not Adopt a Resolution and provide direction to staff on necessary revisions.

### **STAFF RECOMMENDATION**

Recommendation to City Council to:

1. Adopt a **Resolution** to:
  - a. Certify the Environmental Impact Report;
  - b. Make the Findings Required by the California Environmental Quality Act; and
  - c. Adopt the Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program.

Prepared by: Momoko Ishijima, Associate Planner

Reviewed by: Andrew Miner, Assistant Director, Community Development

Reviewed by: Trudi Ryan, Director, Community Development

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Not used (*Reserved for Report to Council*)
2. Draft Resolution to Certify the EIR and related actions
3. Civic Center District and Noticing Map
4. Link to the Draft Program Environmental Impact Report (DEIR)

5. [Link to DEIR Appendices](#)
6. [Link to the Final Environmental Impact Report \(FEIR\) and Appendices](#)
7. [Mitigation Monitoring and Reporting Program \(MMRP\)](#)
8. [Link to the Civic Center Modernization Project Webpage](#)
9. [Link to the Civic Center Master Plan Booklet](#)