

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Forward Recommendations to City Council to Approve Changes to the Civic Center Modernization Project as Described in the Addendum to the Civic Center Environmental Impact Report

#### **BACKGROUND**

The City Council is scheduled to consider this item on July 14, 2020.

On September 25, 2018 Council adopted a resolution to certify the Environmental Impact Report (EIR), adopted the Civic Center Master Plan and directed staff to proceed with design for a Net Zero City Hall Building (RTC No. 18-0799). On December 4, 2018, Council voted to award the Civic Center Phase I design contract to SmithGroup (RTC No. 18-1008).

Civic Center Phase I includes the following building and site components:

- A new City Hall building which relocates staff currently in the Main City Hall, City Hall Annex, South Annex, and Sunnyvale Office Center into one building;
- An addition to the Department of Public Safety Building, housing an emergency operations center (EOC) and detectives' bureau;
- Renovation of the Public Safety Building to support current operational needs and technology functions;
- Demolition of the existing City Hall, City Hall Annex, South Annex and Sunnyvale Office Center; and
- Creation of approximately six acres of plazas and open space.

During the schematic design effort, it was identified that City staffing levels have already utilized much of the growth anticipated for the building; the square footage estimated in the Master Plan for City Hall was not sufficient to support the current City staffing levels and account for future growth.

On August 27, 2019 Council reviewed changes to the Schematic Design, approved the Highly Recommended and Recommended Cost Saving Strategies, and directed Staff to prepare an Addendum to the EIR and proceed with the design and construction procurement for the Civic Center Phase 1 project (RTC No. 19-0592).

RTC No. 19-0592 indicated that the Addendum to the Civic Center EIR would be presented to the City Council at the time of construction award. However, pursuant to Section 15164 of the CEQA Guidelines, the Addendum must be considered prior to making a decision on the project (e.g. construction contract award).

#### **EXISTING POLICY**

The City's 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**

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.

Policy 3.5.1, Energy Policies:

Minimize energy consumption in City operations. Promote the development of alternative energy resources and support the enhancement of existing technologies. Support installation of cost-effective energy efficiency measures in municipally owned buildings and facilities. Support efforts to provide affordable, reliable, diverse, safe and environmentally acceptable power to the citizens and businesses of Sunnyvale.

## **DISCUSSION**

The design revisions that came about during the schematic design phase include:

- Increase of 10% building growth to the Civic Center building (109,000 SF to 120,214 SF)
- Taking a 20% reduction in City Hall Garage Parking (110 parking stalls to 89 parking stalls)
- Increase of 8% building growth to the Emergency Operations Center (12,000 SF to 12,946 SF)
- A recount of trees since the 2017 tree assessment, accounting for 16 newly planted trees and six now dead trees that were previously to be protected during construction.
- Removal of additional trees including eight additional protected trees.
- City Hall upsize in generator from a 440-kilowatt (kW) generator to a 1,000-kW generator to allow for maintaining functional operations during emergency incidents.
- Adding a level of redundancy to the Emergency Operation Center generator from one 222-kW generator to two 200-kW generators.

Detailed comparison of Project revisions is further identified in Table 1-1 of the EIR Addendum (Attachment 2).

## **ENVIRONMENTAL REVIEW**

On September 25, 2018, the City Council certified a Program EIR for the Civil Center Master Plan, including a Mitigation Monitoring and Reporting Program (MMRP) and a Statement of Overriding Considerations for two significant and unavoidable impacts (cultural resources and noise) (RTC No. 18-0799).

The project revisions described above are different from what was considered in the certified EIR. Sections 15162 and 15163 of the CEQA Guidelines provide that when a Project is revised after the certification of an EIR, the agency must evaluate the potential environmental impacts. A subsequent or supplemental EIR is required if the Project, or circumstances under which the Project is undertaken, are “substantially” changed, requiring “major” revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

If the agency is only making “minor technical changes” to the Project that are not substantial enough to trigger a subsequent or supplemental EIR, Section 15164 of the CEQA Guidelines provides that the agency may prepare an Addendum to the EIR. The Addendum does not need to be circulated for public review, but the decision-making body must consider the Addendum prior to making a decision on the Project. An Addendum is not “certified” or “adopted” but becomes part of the previously adopted EIR.

After evaluating the potential environmental impacts of the proposed changes to the Civic Center project, staff determined that a subsequent or supplemental EIR is not required. Therefore, an Addendum was prepared (Attachment 2). The Addendum Table 1-1 Comparison of Project Revisions lists all the proposed revisions. The Addendum identifies any changes to the environmental analysis in accordance with the CEQA Appendix G resource questions analyzed in the Program EIR. Section 2: Evaluation of the Addendum, determines if the scope of the certified Program EIR is adequate or if further CEQA documentation is needed.

Based on the proposed project revisions, the Addendum analyzed the following areas that could result in impacts:

- 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
- Population and Housing
- Public Service
- Recreation
- Transportation
- Utilities and Service Systems
- Energy Resources

As documented in the Addendum, none of the potential environmental impacts of the revised Phase I project will result in new environmental effects that were not previously evaluated in the EIR, nor will the changes substantially increase the severity of previously identified environmental effects within the meaning of Section 15162 of the CEQA Guidelines. The potential impact of the revised project on traffic was carefully analyzed because the operation of a larger City Hall and EOC would result in a greater number of vehicle trips associated with employees and visitors. Because the traffic analysis in the 2018 Program EIR used a Level of Service (LOS) methodology, the Addendum must use the same methodology to compare the revised project to the original project, despite the City's transition to Vehicle Miles Traveled (VMT) when analyzing traffic for CEQA documents. The Civic Center is within a half mile of the Sunnyvale Caltrain Station and would be presumed to have no impact on VMT under CEQA Guidelines Section 15064.3.

The April 2018 Transportation Impact Analysis (2018 TIA) conducted by Kimley-Horn for the Program EIR analyzed full buildout of the Master Plan (Kimley Horn, 2018). The 2018 analysis had an incorrect assumption of the underground garage access location of All America Parkway instead of Olive Avenue. The revised Phase I project was not individually modeled, but rather an update to the 2018 TIA prepared to quantitatively analyze the increase in trips and assignment of trips based on garage access point associated with the upsized square footage in the revised Master Plan, consistent with the 2018 TIA approach. This update accounted for the larger City Hall and the incorporation of 11 percent Transportation Demand Management (TDM) reductions based on the allowable trip reduction percentages per the Valley Transportation Authority (VTA) Transportation Impact Analysis Guidelines. The 11 percent TDM is a combination of a six percent reduction due to the Civic Center's proximity to a bus rapid transit stop and a five percent reduction for the provision of financial incentives to employees aimed at reducing vehicle trips as part of the City's existing TDM program (largely consisting of flexible schedules, telecommute options, and pre-tax commuter benefit). With the 11 percent TDM reductions incorporated, the City Hall and other buildings proposed as part of the revised Master Plan would generate fewer peak hour trips than the approved Master Plan.

The revised Phase I project will also involve removal of additional trees, including eight additional protected trees, as summarized on Table 1-1 of the Addendum. None of the protected redwood trees between the existing City Hall and City Hall Annex would be removed. Several mature trees would be transplanted rather than removed. Protected trees that are removed would be replaced in accordance with the City of Sunnyvale Community Development Department Tree Replacement Standards. Overall, the total number of trees on the Civic Center would be greater following construction of the revised Phase I project. Therefore, the impact of the Project on trees is not considered to be substantially greater than the impacts that were previously analyzed in the EIR.

### **FISCAL IMPACT**

There is no fiscal impact from taking this action. All cost implications from project changes were taken to Council on August 27, 2019 and were approved by Council at that time.

### **PUBLIC CONTACT**

Public contact was made by posting the Planning Commission agenda on the City's official-notice bulletin board outside City Hall, and on the City's website.

### **RECOMMENDATION**

Recommend City Council Approve Changes to the Civic Center Modernization Project as Described in the Addendum to the Civic Center Environmental Impact Report.

Prepared by: Allison Boyer, Assistant City Engineer

Reviewed by: Chip Taylor, Director, Public Works

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Reserved for Report to Council
2. Civic Center Modernization Master Plan Addendum to the Program EIR