



# ***PLANNING DIVISION***

**Memorandum**

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**Date:** February 8, 2005

**To:** Planning and Transportation Commission

**From:** Julie Caporgno, Advance Planning Manager

**Subject:** Additional Responses to DEIR Comments

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The staff report the Commission received in Friday's packet summarizes several of the significant issues raised at the DEIR public hearing on January 12 for the Palo Alto/Stanford Development Agreement and Lease. In addition, staff has prepared the attached responses to other issues raised either in public testimony at the hearing or in written correspondence submitted at that time.

Comment letters received at the close of the public comment period on January 27<sup>th</sup> will be addressed in the Final EIR that will be submitted to the City Council for certification. All the comment letters were also included in the Commission packet on Friday. Staff and the consultant team have reviewed those comments and have concluded that the DEIR adequately addresses the issues raised in all of the comments consistent with the provisions of the California Environmental Quality Act. There is no information provided in any of the comment letters or the public testimony that would necessitate recirculation of the DEIR.

The draft resolution for certification of the Final EIR will be forwarded to Commissioners later today.

Thank you very much.

**LAND USE****1c. Could the replacement R&D/office development, which would utilize the additional 0.25 FAR occur on California Avenue?**

The Development Agreement prohibits relocation of the R&D/office space on California Avenue.

**2b. The proposed density of 50 d.u./acre is inconsistent with the College Terrace density of 14 d.u./acre.**

As discussed in the DEIR, p. 3.2-27, the proposed El Camino Real housing development would be compatible with the surrounding land uses because they are quite varied and include not only the single-family residential neighborhood to the northwest, but also multi-family residential neighborhoods to the north and east as well as commercial land uses along El Camino Real and California Avenue (east of El Camino Real).

The proposed density of 50 d.u./acre on the El Camino Real housing site is a relatively large increase in density from the 14 d.u./acre permitted in the College Terrace neighborhood. However, it is important to note that proposed El Camino Real housing site is located at the eastern most edge of the College Terrace neighborhood and as such, has limited exposure to the College Terrace neighborhood. Furthermore, the proposed El Camino Real housing site is located along a major thoroughfare, across the street from Neighborhood and Community Commercial Districts, and adjacent to R&D/office uses. As such, the proposed density of 50 d.u./acre would generally be compatible with the surrounding land uses.

Furthermore, Policy L-13 of the Land Use & Community Design Element encourages alternative types of housing that increase density and provide more diverse housing opportunities, and Policy H-2 of the Housing Element encourages implementation of a variety of strategies to increase housing density in appropriate locations near transit or along specific transportation corridors including El Camino Real. The increase in density from the permitted 30 d.u./acre to the proposed 50 d.u./acre on the El Camino Real housing site would be consistent with Policy L-13. The location of the El Camino Real residential development is appropriate for increases in housing density because it is in close proximity to the California Avenue Commercial Center, the multi-modal transit center, and the R&D/office and commercial uses of the SRP. As such, the El Camino Real housing site would be consistent with Policy H-2 of the Comprehensive Plan.

**VISUAL QUALITY**

**1a,b, and c. The soccer field lights have the potential to create significant impacts. It is not clear why 70-foot poles are needed. Lights should be turned off lights at 10:00 pm not 11:00 pm. Glare impacts to drivers along El Camino Real and Page Mill Road.**

The 70-foot pole design is better for controlling light spill than poles of lower height. The 70-foot light poles allow for lighting of more surface area while minimizing to a greater extent spillover light beyond the site boundaries than light poles of lower height. The following diagrams help illustrate why taller poles are preferred. Given the proposed pole heights and manufacturer specifications for cutoff performance spillover/glare, light impacts would be less than significant; therefore, shutting lights off at 10:00 pm versus 11:00 pm is not necessary to reduce any impacts.

Implementation of Mitigation Measures VQ-4.1 and VQ-4.2 would ensure that light and glare impacts to drivers along El Camino Real and Page Mill Road would be less than significant. The mitigation measures require field lighting to minimize off-site visibility of light sources and glare, spill light, and sky glow by directing lighting toward the soccer fields and not illuminating areas outside the fields. The ARB would review all lighting plans to ensure these mitigations have been adequately met. (As stated in the Staff Report, the ARB recommended approval of the lighting plan for the Mayfield site.)



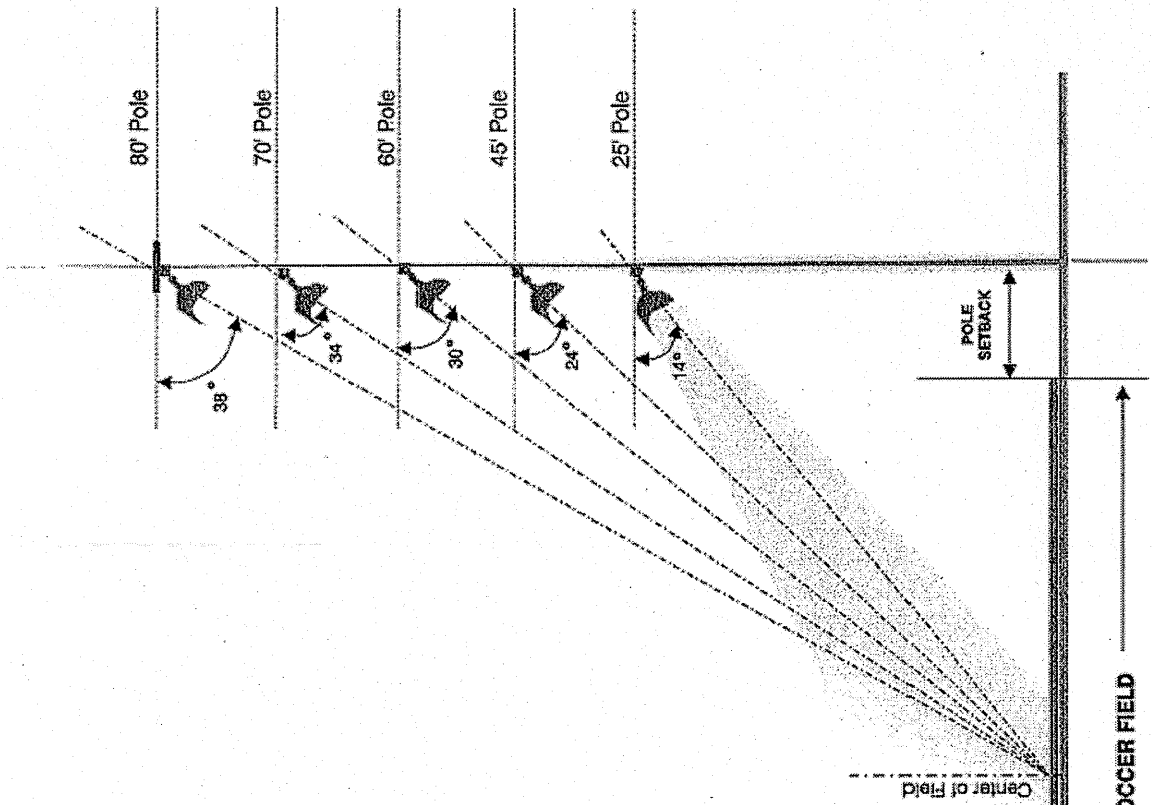
### OFF-SITE SPILL AND GLARE

- As fixture mounting height is reduced, the resulting impact of off-site areas increases.
- As fixture mounting height is reduced, lighting visibility from a distance is greatly increased. Including the production of upward "sky glow"
- In addition, as pole heights are reduced the resulting quality of lighting on the playing field is also greatly reduced

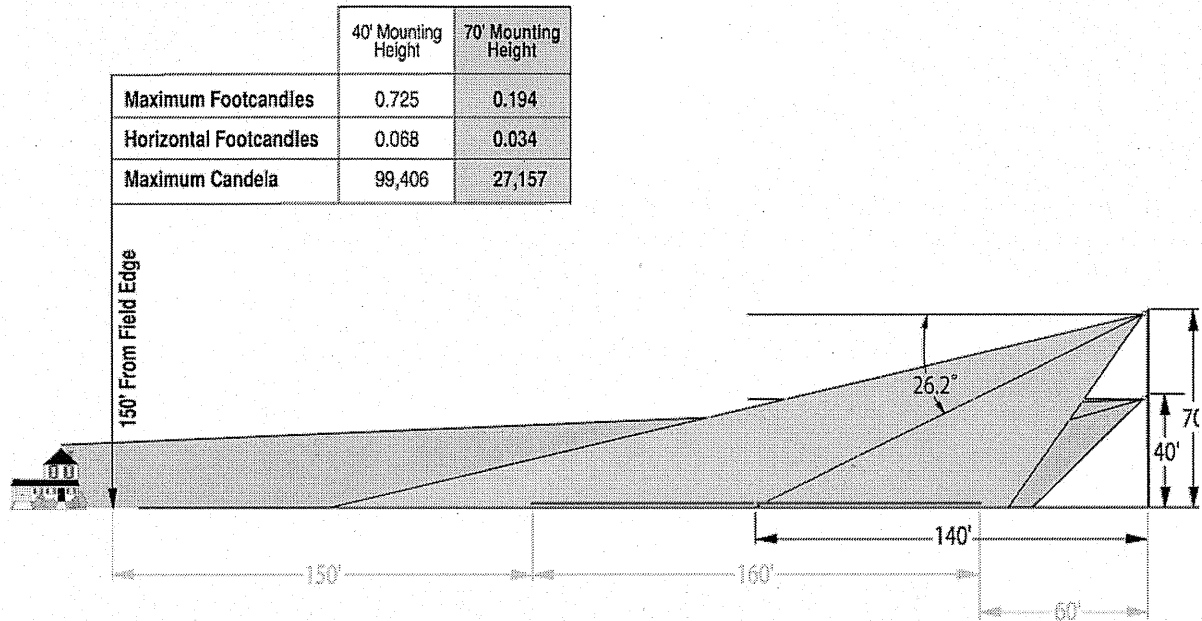
### POLE HEIGHT GLARE LIGHT IMPACT @ 150' FROM FIELD

POLE HEIGHT	GLARE LIGHT IMPACT @ 150' FROM FIELD
80'	< .50 footcandles = 27% approx. reduction from design
70'	.65 footcandles = off-site impact as designed
60'	1.00 footcandles = 54% approx. increase
45'	1.45 footcandles = 127% approx. increase
25'	> 3.00 footcandles = 670% approx. increase

Note:  
These values are derived from computer models previously prepared and based on existing pole heights.



No Scale



**2. Scenic views to the west, along the California Avenue corridor would be obstructed because the proposed El Camino Real residential development is not set back along California Avenue.**

As discussed in DEIR p. 3.4-15, the California Avenue view corridor provides views west toward the Santa Cruz Mountains primarily from vantage points along California Avenue, east of El Camino Real (see Figure 3.4-10 in the DEIR). The proposed residential development on El Camino Real would not be expected to adversely impact scenic views because the building would not be located in the view corridor but rather would be adjacent to it. Furthermore, the proposed El Camino Real development would most likely not be visible from vantage points along California Avenue, east of El Camino Real. Figure 3.4-10 shows the California Avenue view corridor. As can be seen from this figure, existing landscaping blocks views of individual buildings on either side of the street. Thus, individual buildings are difficult to identify, particularly as the eye moves west along the Street.

The DEIR incorrectly notes on p. 3.4-31 that the proposed El Camino Real housing site would be set back from California Avenue. The Final EIR will incorporate a text change to note that the required setback under AS1 Overlay District along California Avenue is 0 feet for commercial uses and 8 feet for ground floor residential uses. This text change would not change the conclusions reached in the DEIR that the proposed residential development on El Camino Real would not obstruct significant public views and view corridors.

## **CULTURAL RESOURCES**

### **1. Why do Mitigations CR 1.1 and CR 1.3 differ?**

The main difference between the two mitigation measures is that Mitigation Measures CR 1.1 takes place before any soil-disturbing activities occur in an area that is known to have archaeological sensitivity; whereas Mitigation Measure CR 1.3 takes place after soil-disturbing activities commence and becomes effective in the event an archaeological resource is accidentally discovered.

Mitigation Measure CR 1.1 requires the following when construction is proposed in an area of extreme archaeological sensitivity or within 500 feet of a recorded archaeological site:

- conduct assessment/intensive survey and/or subsurface testing by qualified archaeologist;
- avoid resources eligible for protection, if any; and
- prepare a recovery plan for those eligible resources that cannot be avoided.

Mitigation Measure CR 1.3 requires the following when a discovery of cultural resources is made during the construction period:

- suspension of soil disturbing activity until an archaeologist has determined whether additional measures are needed; and
- preparation of a data recovery plan if the archaeological resource is present.

## **TRAFFIC**

### **1. Did the traffic analysis assume that recommended intersection improvements are in place and did it include development allowed under the County General Use Permit?**

The traffic analysis assumed improvements from all approved plan line studies and included all development allowed under the County General use permit through 2010.

### **2. How much traffic would be added to Alma, the Alma ramps at Oregon Expressway and the Alma Churchill intersection from the project?**

The project has several components: soccer fields, dwelling units and relocated office space. The soccer fields and dwelling units would add some traffic to Alma; however, the relocated office space would reduce the traffic on Alma. On balance, the project would have no net effect on the traffic on Alma (the added trips just about equal the removed trips).

### **3. Why does the traffic report indicate the average daily trips (ADT) on California Avenue (2,500 cars per day) stay the same with the added residential?**

The added residential is allowed because offices would be removed. Some of the existing offices are vacant, but some are occupied. The traffic study assumed 150,000

square feet is vacant and 140,000 occupied. The traffic count of 2,500 ADT is from 2002

so the traffic analysis considered the office occupancy as it was at that time (more space may be vacant today). It is mere coincidence that the amount of traffic generated by the

housing is about the same as the occupied office.

**4. Are there additional Comprehensive Plan transportation policies that could provide project mitigation, such as T-28 and T-39?**

All project components of the Development Agreement would be designed to provide for

bicyclists and pedestrians and ensure the safety of both roadway and sidewalk users consistent with Policies T-28 and T-39. The DEIR will be modified to identify the project's consistency with these policies. In addition, the connectivity maps that were attached to the staff report illustrate existing and planned bus, pedestrian and bicycle facilities within the SRP that further these policies.

**NOISE**

**1. While the noise impacts are less-than-significant because they do not exceed the threshold of 3 dB, any increase in noise has a negative impact on the community.**

The DEIR assessed the potential noise impacts of the proposed project according to CEQA Guidelines and the Significance Criteria outlined on p. 3.8-8 of the DEIR. Specifically, the Significance Criteria which are consistent with Comprehensive Plan Policy N-41 stipulate that the proposed project would result in a significant impact if it would cause the  $L_{dn}$  to increase by 3.0 dB or more in an existing residential area, thereby causing the  $L_{dn}$  in the area to exceed 60 dB and/or cause an increase of 3.0 dB or more in an existing residential area where the  $L_{dn}$  currently exceeds 60 dB. A change of less than 3.0 dB is generally not perceptible to the human ear. Thus, the threshold of 3.0 dB used to evaluate the proposed project is reasonable. In other words, the community would not be able to perceive a noise increase of less than 3.0 dB and as such, the thresholds used to evaluate the proposed project are considered conservative.

**3. Construction noise mitigation measure (NO-1.1) is not adequate.**

As described in DEIR p. 3.8-1, ambient noise environment in an area consists of a base of steady "background" noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. Construction noise is not part of the ambient conditions. Analysis of the

proposed project showed that it would result in significant construction noise impacts. DEIR p. 3.8-11 acknowledges that construction noise Mitigation Measure NO-1.1 is not adequate to reduce impacts to a less-than-significant level and, therefore, determines that this would be a significant and unavoidable impact. (The Staff Report also states that this impact would require a Statement of Overriding Considerations).

## **PUBLIC SERVICES**

**1. Given the current shortage of police facilities, why does the DEIR conclude that the project will not require construction of expansion of new police facilities.**

As stated in the DEIR on pages 3.13-10 and 3.13-11, development allowed under the proposed Development Agreement would require the addition of 1.3 police officers in order to maintain the existing police service ratio. The Police Department has indicated that the existing police facilities could accommodate that limited increase; however, it is anticipated that additional space for the police department would be available when the development allowed under the Development Agreement occurs.

## **UTILITIES**

**1. Is there sufficient solid waste capacity for development of the various components allowed under the Development Agreement?**

As stated on page 3.14-21 of the DEIR, at this time it is projected that there would be sufficient solid waste capacity to accommodate the increase in waste generation from the proposed project at the Kirby Canyon Landfill and the SMART Station.

## **ALTERNATIVES**

**1. We need an explanation of why there are less-than-significant, potentially significant and significant impacts under the No Project Alternative (rather than no impacts).**

CEQA Guidelines, Section 15126.6(e)(1), state that, "the specific alternative of 'no project' shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." The impacts of no project can be evaluated based on the 'Opportunity Cost' concept. Opportunity Cost is defined as the cost in terms of the foregone alternatives (the cost of the benefit expected from the best alternative foregone). For example, the No Project Alternative would result in a potentially significant impact when it comes to consistency with land use policies because the cost of the foregone alternative is not

providing recreational fields and, as such, not meeting the City's objectives. The No Project Alternative would result in a less-than-significant impact (but greater than the proposed project) for residential streets and cut-through traffic impacts (TIRE Index) because the cost of the foregone alternative (in this case, the proposed project) would be fewer vehicular trips.<sup>1</sup>

Based on this approach, the No Project Alternative would result in less-than-significant, potentially significant, and even significant impacts for certain topics, rather than no impact.

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<sup>1</sup> The proposed residential development on California Avenue would generate less vehicular trips than the existing R&D/office land uses.