

# Responses to Comments

## Cupertino Civic Center Master Plan Initial Study/Mitigated Negative Declaration



**CUPERTINO**

June 2015

## **PREFACE**

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The 30-day Initial Study/Mitigated Negative Declaration (IS/MND) public review period for the Cupertino Civic Center Master Plan project started on May 14, 2015 and ended on June 15, 2015. The following pages contain comments submitted by agencies, organizations, and individuals during the public review period of the IS/MND. The responses to these comments are also included. Copies of the comment letters are included as Appendix A.

**SECTION 1 LIST OF AGENCIES AND PERSONS COMMENTING ON THE IS/MND**

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## SECTION 2      RESPONSES TO COMMENTS RECEIVED ON THE IS/MND

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### 1.      **RESPONSE TO COMMENT LETTTER 1 FROM CATHERINE ALEXANDER, DATED MAY 16, 2015**

**Comment 1.1:** I think these are all great ideas (see City email below) (*sic*) and I support them 100%.

If the new library program rooms also had some comfortable ground floor seating areas for library users, families and seniors, that would be fabulous, since the Coffee Society area could be incorporated into the bottom floor area of the new library program rooms.

My hope is that Apple could contribute computers and systems to an enhanced computer lab area for adult library users, with some dedicated library staff members to instruct patrons on online safety, plus computer and software use.

When I was a librarian I taught free library computer classes for 7 years and many folks used my classes to develop Microsoft Office skills (since the software suite was on all library computers). Patrons could then list MO on their resume's, if they were currently out of work. This was a huge help for patrons. Likewise, I also taught free library classes on Internet use and online safety, another benefit for adult and senior library patrons.

Great job by our City team on these two projects. We have needed these enhancements for some time now so I am glad to see they are now in process, hopefully, with approval and groundbreaking coming sooner, rather than later.

**Response 1.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

### 2.      **RESPONSE TO COMMENT LETTER 2 FROM CATHERINE ALEXANDER, DATED MAY 31, 2015**

**Comment 2.1:** I completely support the Cupertino Civic Center Master Plan and Mitigated Negative Declaration, so the plan may proceed without additional delays.

As a 3rd generation Cupertino resident I feel our aging City Hall has more than served its purpose. It is time for a new structure with underground parking, expanded City meeting rooms and offices, since some conference rooms are very small for commission meetings when residents attend during public comment periods, plus, space will be needed for new services and staff as the City expands in subsequent years.

As I have stated previously, I would love to see a large, new library program room (and a second large, dedicated computer lab with computers and systems provided by Apple) both exist upstairs in

the new library addition, with a large patron seating area on the bottom floor of the new addition near the entrance to the library.

Patrons could then get their coffee at Coffee Society then sit in the new comfortable ground floor seating area, allowing the library to become more of an accessible community gathering area for residents as they read, talk quietly or use library WiFi.

This new library ground floor space would provide a living room-like seating area surrounding a large electric fireplace, much like the upstairs reading area in the Santa Clara Civic Center library, yet on a much larger scale, allowing residents a large relaxing area where they may meet friends or gather after or before library or civic programs, with a view of the new City Hall structure and gardens. The space could also be used for informal City "fireside talks" and more personal City receptions and events, something we do not have now in the Civic Center.

**Response 2.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

### **3. RESPONSE TO COMMENT LETTER 3 FROM GAYATHRI KANTH, DATED MAY 15, 2015**

**Comment 3.1:** I received the communication below and wanted to confirm with you that all the options that you had mentioned at the stakeholder meeting are still under consideration. Can you please confirm?

I also wanted to let you know that I will be on vacation the next week and will return to work on Tuesday 5/26.

**Response 3.1:** The comment does not pertain to the Initial Study prepared for the project. Therefore, no response is required.

### **4. RESPONSE TO COMMENT LETTER 4 FROM GEOFFREY PAULSEN, DATED MAY 20, 2015**

**Comment 4.1:** First, I should let you know that I'm writing this as a private citizen. Second, thanks for the opportunity to provide input on this important project. Third, I have a few thoughts:

1) Plan ahead – far ahead. When I worked for the City of Palo Alto, they built a new 7-story City Hall, but they left one floor empty and unfinished to allow for future expansion. That floor is, of course, now filled. I think it would be helpful and prudent to build a City Hall with a life expectancy of at least 100 years.

**Response 4.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**Comment 4.2:** 2) Consider the human factors. When I worked for the City of Palo Alto, long-term employees told me of the effect of architecture on the organizational climate experienced by the City employees. The old City Hall was one-storey, with gardens, plazas, and gathering places. The new one is very, shall we say, "vertical" - both in its height and in its appearance. This, according to the old-timers, created a "top-down" feeling, as opposed to a more egalitarian, participatory organization. Of course, top management sets the tone, but I think we should carefully consider all features of our new design, so the the employees have an enjoyable (and hence productive) work experience.

**Response 4.2:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**Comment 4.3:** 3) Traffic. The traffic study considers only cars in its level of service. I know this is a state of flux, but I think their study could add more detail about improving the "LOS" for pedestrians and bicyclists.

**Response 4.3:** The comment is noted. There are currently no adopted state or local regulations or guidelines for determining pedestrian or bicycle Level of Service (LOS). As such, the transportation analysis focuses primarily on LOS for vehicular traffic. As discussed in the Initial Study, the project includes bicycle storage and changing room facilities to encourage and accommodate cycling, and would not conflict with any City or regional policies regarding pedestrian or bicycle facilities.

**Comment 4.4:** 4) The creek trail. It's unfortunate that there wasn't more public interest in this, as I think this creek is a valuable resource for those seeking a quiet respite on a bench, or for students seeking a safer route to school. As Chair of the Bicycle/Pedestrian Commission, I proposed a trail there as part of a "Regnart Creek Trail", but a public hearing showed that we had not done enough public outreach and education to allay various NIMBY fears.

**Response 4.4:** The comment is correct that the project does not include a creek trail. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**Comment 4.5:** 5) The field. I would encourage us to consider the field as permanent open space, rather than a place for possible parking lot expansion. Such green open space has a number of benefits, including, in the future, the promotion of bicycling. For example, if I have a meeting at City Hall between 2-5 pm, I ride my bike because parking is so difficult. I don't necessarily view this as a bad thing.

**Response 4.5:** This comment expresses the commenter's opinion that a portion of the field should not be converted to parking. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**Comment 4.6:** 6) Beauty. “A Thing of Beauty is a sJoy Forever” – John Keats. This is as true today as it was in 1818. I think it never hurts to spend more money to create a City Hall that we can all enjoy. For example, look at how San Jose is now trying to make its City Hall plaza more attractive. Let's do it right the first time.

**Response 4.6:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**5. RESPONSE TO COMMENT LETTER 5 FROM KATHY STAKEY, DATED JUNE 11, 2015**

**Comment 5.1:** I will be out of town for the June 25<sup>th</sup> Civic Center meeting but back in time to attend the July 7<sup>th</sup> City Council presentation.

**Response 5.1:** The comment does not pertain to the Initial Study prepared for the project. Therefore, no response is required.

**6. RESPONSE TO COMMENT LETTER 6 FROM LESLIE LARSON, DATED MAY 27, 2015**

**Comment 6.1:** I would like to comment on the parking situation at the library and the future new civic center.

Parking at the library during business hours is inadequate at the present time -- a complaint which is well documented I'm sure. I was surprised to read in the New Civic Center proposal that the latent demand for library parking is only 20 spaces, although perhaps I do not understand the true implications of this expression. My experience is that about 25% of the times I visit the library I have difficulty parking (circling/waiting for 10-30 mins). It does not seem to be only in the afternoons or high traffic times after school. I would like to be a regular patron but parking frustration makes the library experience a lot less fun. Several times I've just given up.

**Response 6.1:** As discussed in the Transportation Impact Analysis, the latent demand was estimated based on observations of the parking lot during peak parking periods. The latent demand includes vehicles circulating in the parking lot and vehicles parking off-site. The observations were conducted before and after the city implemented their parking management plan. The parking management plan created more parking availability in the parking lot which reduced the latent demand. The method for calculated latent demand was verified in consultation with City of Cupertino staff.

As discussed in *Section 4.16.2.6 Other Transportation Issues – Parking*, the project proposes to add 118 parking spaces to the Civic Center site in a below-grade parking garage. The 118 additional parking spaces will meet the parking demand generated by the projected City Hall staff increase, the Library Program Room, and the existing latent demand, while also meeting the demand of concurrent community functions at City Hall.

**Comment 6.2:** While I understand the current need to give employees priority in parking over library customers, I wonder if the proposed new civic plan adequately addresses the issue of convenient parking for all. The 68-space parking "option" is curious as well. Do the Civic Center planners understand what the likely demand for library patron parking really is? The "optional parking" implies that the demand is NOT well understood and that we library patrons can expect to continue to wait for adequate parking through future city council reviews (including undesirable wrangling over green/recreational vs. library space) well into the future.

**Response 6.2:** As discussed in *Section 4.16.2.6 Other Transportation Issues – Parking*, the project proposes to add 118 parking spaces to the Civic Center site in a below-grade parking garage. The 118 additional parking spaces will meet the parking demand generated by the projected City Hall staff increase, the Library Program Room, and the existing latent demand, while also meeting the demand of concurrent community functions at City Hall.

As an option, 68 additional surface parking spaces may be constructed along the east border in the southeastern portion of the project site. This optional surface parking would allow the Library expansion to be implemented before the proposed basement parking garage in the new City Hall. It would also facilitate traffic circulation on-site during the construction of the new City Hall and its basement parking. The 68 parking spaces are not necessary to meet the parking needs of the Civic Center site once the 118-space below-grade parking garage is complete, but the 68 spaces would provide additional parking during special events. For these reasons, the 68 spaces are considered optional.

This comment will be considered as part of the decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**Comment 6.3:** I support the New Civic Center -- with the caveat that parking be adequate for employees, library users and others from the very beginning.

I encourage the City Librarian to note that library patrons are frustrated by parking and that additional events & activities that encourage additional patronage might be undermined if library patrons can't find a place to park.

**Response 6.3:** Please refer to Response 6.1 and 6.2. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

## **7. RESPONSE TO COMMENT LETTERS FROM LIANG C., DATED MAY 31, JUNE 2, AND JUNE 3**

**Comment 7.1:** I wonder whether there is any fiscal analysis or fiscal plan on how to pay for the Civic Center Master Plan?

I think that's what many residents would like to know. How will we pay for it?



**Response 7.1:** CEQA does not require that an Initial Study contain a fiscal analysis. The comment is noted and will be considered as part of the project decision process. However, the comment does not pertain to the environmental review document prepared for the project and, therefore, no response is required.

**Comment 7.2:** Please add me to the mailing list for Civic Center Master Plan. Also, as I understand, we need to submit comments by June 15. Can we submit comments by email also? Please clarify.

**Response 7.2:** The commenter was added to the project's distribution list. The comment does not pertain to the environmental review document prepared for the project. Therefore, no response is required.

**Comment 7.3:** I see that the notice listed the upcoming meetings. But these are not listed in the main page for the Civic Center Master Plan. It took me a while to find these since they are buried inside news article. Would you please put the upcoming meeting dates on the main page?

Special Environmental Review Committee Hearing to discuss the draft MND/Initial Study is scheduled for:

Thursday, June 25, 2015, 9:30 am Conference Room C, City Hall  
10300 Torre Avenue, Cupertino, CA 95014

City Council Hearing to take action on the project and to adopt the MND/Initial Study is scheduled for:

Tuesday, July 7, 2015, 6:45 pm Cupertino Community Hall,  
10350 Torre Avenue, Cupertino, CA 95014

**Response 7.3:** The comment refers to noticing for upcoming meetings and does not pertain to the environmental review document prepared for the project. Therefore, no response is required.

## **8. RESPONSE TO COMMENT LETTER 8 FROM RANDALL SHINGAI, DATED JUNE 15, 2015**

**Comment 8.1:** I would like to point out that the traffic study produced by the City's consultant, Fehr & Peers, did not consider the impact caused by the driveway on Pacifica Drive for the optional 68 parking area planned along Regnart Creek. Those 68 additional cars were also not accounted for in the study.

**Response 8.1:** The 68 optional parking spaces were evaluated in *Section 4.2.4 Alternative Site Plan Evaluation* of the Transportation Impact Analysis and were discussed throughout *Section 4.16 Transportation* of the Initial Study. As discussed in *Section 4.16.2.6 Other Transportation Issues - Parking*, parking spaces do not generate new vehicle trips or cars in and of itself; instead, vehicle trips are generated by the land use which they are associated

with (i.e. the Civic Center site). These parking spaces would meet non-typical programming needs, such as special events. Thus, they would not generate vehicle trips during the weekday AM or PM peak hours. Implementation of the optional parking spaces would not automatically generate 68 additional cars on the Civic Center site.

**Comment 8.2:** In particular, the driveway on Pacifica Drive has the potential of radically changing traffic patterns in the Civic Center area, because the driveway to the parking lot on Rodrigues Avenue, combined with a new driveway on Pacifica Drive, effectively creates another path between the two streets.

**Response 8.2:** As discussed in *Section 4.16.2.6 Other Transportation Issues – Site Access and Hazards*, the 68 optional surface parking spaces, if constructed, would not result in significant impacts to site access or create a traffic hazard. Construction of the optional parking spaces would primarily be used for vehicles accessing the Civic Center and not as a through connection between Pacifica Drive and Rodrigues Avenue. Parking lots, especially ones that experience a lot of turn-over such as at the Civic Center, are typically not attractive to drivers since drivers would have to yield to pedestrians and other vehicles parking and circulating the lot. In addition, vehicle speeds in parking lots are generally slower and less predictable compared to surfaces streets. For these reasons, construction of the optional parking spaces would not significantly change traffic patterns in the surrounding area as the additional driveway on Pacifica Drive.

**Comment 8.3:** Without a new traffic study, the City should not consider the optional parking lot and driveway to be included under its Mitigated Negative Declaration for the Civic Center Master Plan.

**Response 8.3:** The optional parking spaces were discussed in the Transportation Impact Analysis and Initial Study (see Responses 8.1 and 8.2). The provision of this parking would not result in a significant traffic impact under CEQA. The comment is noted and will be considered as part of the project decision process.

## **9. RESPONSE TO COMMENT LETTER 9 FROM SABRINA RIZK, DATED JUNE 1, 2015**

**Comment 9.1:** I just reviewed the Initial Study of the Cupertino Civic Center Master Plan, and while I have no comments related to the environmental impact review, except to say that a constructing a new building would give us the opportunity to use the latest in environmentally sustainable technologies and practices; one thing did catch my eye. I note that the new City Hall would only accommodate 10 more employees than the existing City Hall and I can just foresee the City outgrowing this space in a short period of time. This is particularly true if the city is anticipating a number of mixed-use development proposals in the future that may require additional staff to process. Cupertino is a growing city and with it comes the need for additional city services and staff to provide those services. I hope plans for the new City Hall took these factors into account.

**Response 9.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**10. RESPONSE TO COMMENT LETTER 10 FROM SANDRA URABE, DATED MAY 28, 2015**

**Comment 10.1:** *“I strongly oppose the use of Cupertino city funds being spent on a new Civic Center. It is a terrible waste of large amounts of tax dollars that only benefits city staff and a small number of residents.*

*\$57+ million is a lot of money that could be put to far more productive and beneficial use. For example to name a few: our sewer system needs to be upgraded to handle the increased sewage load from all the new developments being proposed by the city. **Purple pipes for recycled water need to be installed throughout the city to provide recycled water to residents, golf courses, and businesses for flushing toilets and watering gardens in this drought stricken region. Streets need to be upgraded to handle the added traffic from Apple and other proposed commercial developments.** Bicycle lanes throughout the city need to be made far safer for residents so that more will ride their bikes instead of drive their cars to reduce traffic. There needs to be far better public transportation and shuttles throughout our city. Road improvements are badly needed around schools to make them safer for kids and to reduce traffic congestion. The city needs to have Wi Fi installed throughout the city.*

*I could go on and on with city infrastructure that needs to be created or upgraded to handle the future needs of our growing city. I feel that there is a whole litany of desperately needed things that will, in the long run, be of far more value and benefit to the citizens of our city than a new Civic Center. Tell Cupertino City Council not to build a new Civic Center.”*

The above is a quote from Frank Geefay and I support his criticism of your project to build a Civic Center. We don't need a civic center at all...it's rather egocentric at this point in the city's development. I support his practical options (my favorites are bolded) for a city in which we have resided for over 30 years.

**Response 10.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**11. RESPONSE TO COMMENT LETTER 11 FROM THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, DATED JUNE 12, 2015**

**Comment 11.1:** Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study to replace the existing City hall with a new 40,000 square foot building and to expand the library by 2,000 square feet. We have the following comments.

Pedestrian Accommodations

The existing pedestrian accommodations along Torre Avenue and Rodrigues Avenue adjacent to the proposed City Hall and Library expansions consist of attached seven-foot sidewalks with no buffer between pedestrians and automobiles, with the exception of the Library Plaza which offers significantly more space for pedestrians. Substantial landscaped planter strips are provided behind the sidewalks adjacent to the buildings. VTA recommends that the City consider reconfiguring the

street frontages to provide a buffer strip between pedestrians and automobiles with landscaping elements such as closely planted trees, shrubs, or light posts. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations (which are sometimes called a ‘continuous barrier’) improve perceptions of comfort and safety on a roadway.

**Response 11.1:** The comment is noted. Recommendations in this comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

## **12. RESPONSE TO COMMENT LETTER 12 FROM THE SANTA CLARA VALLEY WATER DISTRICT, DATED JUNE 17, 2015**

**Comment 12.1:** The Santa Clara Valley Water District (District) staff reviewed the subject document and have the following comments. The District has a 5 foot wide flood protection and maintenance easement along the eastern boundary of the property adjacent to the District facility, Regnart Creek and fee right of way. Per the easement deed, District right of way must be kept clear of any obstructions to allow us to maintain the channel for flood protection. Plans must show the District right of way, and in accordance with the District Water Resources Protection Ordinance, a District permit is required for any work or activity within the District right of way.

**Response 12.1:** The comment is noted. The project is located on the west side of Regnart Creek; therefore it will not obstruct the District’s ability to maintain and access the channel or affect its right-of-way. Although not anticipated, if any work or activity within the District right-of-way is required, a District permit shall be obtained in accordance with applicable requirements.

## **13. RESPONSE TO COMMENT LETTER 13 FROM STAN FARKAS, DATED MAY 16, 2015**

**Comment 13.1:** Could you please define what the title of this means? The word is legal gibberish and for us non-legal folks it is totally meaningless. Also, could you please use more common language in your e-mails in the future. Much appreciated.

**Response 13.1:** The comment refers to the title of an email: “Civic Center Master Plan – Notice of Intent to Adopt a Mitigated Negative Declaration.” The project being proposed is a new Master Plan for the Cupertino Civic Center site. The Civic Center Master Plan outlines a broad, long-term vision for future development and programs at the Civic Center site.

In accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the regulations and policies of the City of Cupertino, the City of Cupertino has prepared an Initial Study/Mitigated Negative Declaration to analyze the maximum environmental impacts of the proposed project. A Mitigated Negative Declaration may be adopted for a project if the Initial Study determines that development of a project, with the incorporation of applicable mitigation measures, would not result in significant impacts to the

environment. As the Lead Agency, which is the entity with the power to approve or disapprove a project, the City of Cupertino has issued a Notice of Intent to adopt the aforementioned Initial Study/Mitigated Negative Declaration.

No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**14. RESPONSE TO COMMENT LETTER 14 FROM VICKY MELINAUSKAS, DATED MAY 31, 2015**

**Comment 14.1:** I really don't see the need to add additional spaces to the library. These days with all the modern gadgets I-phone, I pads & etc. People should be doing their work at home (*sic*). Every time I go to the library, it seems the library is used like a baby sitting service. Don't see many adults there. Maybe we should be charging a fee even to Cupertino residents, so the service would not be abused. I hate to see all the grass area disappear. Cupertino is becoming like a concrete jungle. Too much construction all over the place.

**Response 14.1:** The comment is noted. This comment will be considered as part of the project decision process. No additional response is required as the comment does not raise any environmental issues or questions about the adequacy of the Initial Study.

**15. RESPONSE TO COMMENT LETTER 15 FROM XIOWEN WANG, DATED JUNE 15, 2015**

**Comment 15.1:** I am writing to express my concern of adopting a mitigated negative declaration for the Civic Center Master Plan. I don't think that we should skip a proper EIR for this plan. The current plan has two expansion projects, city hall and library. It is not clear what kind of negative impact on traffic, air pollution and noise, etc.

**Response 15.1:** The Cupertino Civic Center Master Plan Initial Study evaluated the potential environmental impacts that would result from implementation of the Master Plan. Technical analyses were completed related to air quality, noise, and traffic (Appendices A, C, and D and *Sections 4.3 Air Quality, 4.12 Noise, and 4.16* of the Initial Study, respectively). The City has determined that the project would not result in any significant, adverse environmental impacts. The impacts of each environmental topic (e.g. air quality, hazards and hazardous materials, noise, and traffic) are evaluated in each respective section within the Initial Study.

In accordance with CEQA Statute 21064.5, a Mitigated Negative Declaration may be adopted for a project if the Initial Study determines that development of a project, with the incorporation of applicable mitigation measures, would not result in significant impacts to the environment. Since the Initial Study determined that implementation of the Cupertino Civic Center Master Plan would not result in any significant environmental impacts, an Environmental Impact Report (EIR) is not required.

**Comment 15.2:** Moreover, the project also includes an underground parking structure. It is not clear if and how public would access this parking structure and what kind of the impact on the streets around it. These all need careful and thorough studies.

**Response 15.2:** As discussed in *Section 4.16.2.6 Other Transportation Issues – Site Access and Hazards*, the proposed underground parking garage would be accessed via the parking lot closest to the Rodrigues Avenue driveway. The new entrance to the underground parking garage would incorporate design elements to ensure that pedestrians can safely cross the near driveway and access the Civic Center site. As determined in the Initial Study, construction of the underground parking garage would not result in significant adverse air quality, noise, and transportation impacts.

**Comment 15.3:** Furthermore, the surrounding area of the projects are mostly residential. It is not clear how these areas would be affected during the construction. The city should have a better plan to minimize the air pollution and noise to the surrounding residents.

**Response 15.3:** As discussed in *Sections 4.3 Air Quality* and *4.12 Noise*, the project proposes to implement measures to mitigate constructed-related impacts during the construction phase of the project. Implementation of the mitigation measures would reduce potential air quality and noise impacts related to construction to a less than significant level.

**Comment 15.4:** Due to the above concerns, I would like to ask the city to provide an EIR for the Civic Center Master Plan.

**Response 15.4:** Refer to Responses 15.1 through 15.3, above. An EIR is not required for the proposed project based on the requirements of CEQA and the City of Cupertino.