

Appeal by the Ray-Nor Park Neighborhood Association (R.P.N.A.) to the Sunnyvale City Council of the January 25, 2016 Planning Commission certification of the Final Environmental Impact Report on the proposed Stratford at Partridge Avenue Project.

This appeal incorporates by reference all letters criticizing the EIR's analysis submitted into the record by the majority of the members of the board of the R.P.N.A., Ray-Nor Park residents, Birdlands residents and other individuals up to and including the Planning Commission hearing on January 25, 2016.

Reasons for Appeal

- (1) The FEIR does not describe the Project in detail. Omissions include :
 - Detailed descriptions of drainage systems, the fire station and emergency access and exit, potable water supply infrastructure, and wastewater treatment facilities.
 - Detailed information about project phasing, as required for planned developments. Because the information is omitted, impacts cannot be adequately evaluated.
- (2) The FEIR fails to provide reasoned, good-faith responses to comments received on the draft EIR.
- (3) Traffic analysis and mitigation is inadequate, despite requests from neighbors. The significant and unavoidable impact at Lawrence Expressway and Benton is unacceptable and this impact by itself is grounds for rejection of the project. There are likely many more such intersections which have not been identified as significant and unavoidable in the FEIR due to deficiencies in the traffic analysis.
- (4) The FEIR's traffic analysis considers only the capacity issue of having additional cars coming through the neighborhood as a result of the project. Their analysis is based entirely upon the assumption that there will be no spillover onto Dunford Way from project traffic (see Page 2-43 & 2-44 of FEIR).
- (5) The response on Page 2-44 of the FEIR acknowledges the inherent uncertainty of vehicle queues but provides no analysis of how any spillover will affect their traffic analysis. As the sensitivity analysis shows, anything over 50% of estimated in-trips arriving in the peak 15 minutes will result in a spillover onto Dunford Way.
- (6) The FEIR did not respond to Comments F-6 and F-7 solely on the basis that there is no anticipated spillover onto Dunford, which sensitivity analyses show is a very weak and unrealistic assumption. In all likelihood, there will be significant spillover onto Dunford Way which invalidates the traffic analysis of the FEIR for the entire neighborhood.
- (7) It is unclear why the EIR says the PM traffic will be unaffected by the school. The city has not determined the number of children at Stratford Middle School that are currently picked up after 4 pm. Since a majority of families are working couples, pick-up time is closer to 6:00 pm than 4:00 pm and so we anticipate PM traffic to be significantly impacted, especially in light of evening commute traffic from the Apple headquarters.
- (8) Sunnyvale is part of "Safe routes to school" (<http://www.saferoutesinfo.org/>) that supports walkers and bikers to school. Increased traffic on local streets cannot support walkers and bikers.
- (9) It is unclear why the city has determined only one crossing (Dunford + Quail) as needing mitigation measures. Quail + Inverness, Lochinvar +Inverness and Lochinvar + Dunford all currently have as many or more kids crossing at peak hours.
- (10) The blind turn from Dunford to Marion where many bikers and children cross is still a blind spot. As cars drive through this area and cars collect to pick up children from the already established Peterson Middle School, the fence structure erected by the house on the corner of Dunford and

Marion creates an additional blind spot. With the recently added “No Parking” signs at the intersection, vehicles (including a huge RV) are now simply parked eastward along Dunford Way, further reducing visibility coming towards the intersection. With no clear cross walks and the turn being blind, this will create a serious safety hazard that will be exacerbated by the additional traffic generated by the Stratford project since Dunford will be the main thorough way for traffic to and from the project.

- (11) The FEIR fails to acknowledge uncertainty as to water supply or to acknowledge potential conflicts with the Stratford at Partridge project during drought years. The source of a major portion of the Project's water was changed between the Draft and Final EIRs, but this change was not analyzed, nor were the impacts of drawing this water out from existing supply ever evaluated. The FEIR seems to assume that the amount of water used by the park will be same even after Stratford starts using the park. All schools use more water for their fields than regular recreational parks due to continuous wear and tear.
- (12) The FEIR did not address the air quality issues raised in Comments F-1 and F-3 on the basis that their analysis is what is legally required.
 - the FEIR ignores available background information for criteria pollutants and thus unreasonably concludes that the Project's emissions of ozone precursors would not be significant.
 - although project emissions of greenhouse gases are clearly cumulatively considerable, the FEIR unreasonably finds them to be less than significant and fails to propose appropriate mitigation.
- (13) The proposed basketball court is a free extension of the school property into Raynor Park. It takes away existing park space and trees. There has been no proof provided that a request from anyone in the Ray-Nor and/or Birdlands neighborhoods has ever been made for a basketball court in Raynor Park. In fact, there are 5 basketball courts across the street at Peterson Middle School which are accessible to the public during non-school hours. The finding should be that the project does not meet the objective to enhance the city's recreational opportunities. Not only does it take away park land for the basketball court, it reduces the public access to the park through the priority use agreement.
- (14) Burrowing owls, ground squirrels and tree bats are frequent visitors to the Raynor Park area and its surrounding park lands (including Peterson Field, Patrick Henry Field and the Raynor Church field located along Dunford). While burrowing owls are not an endangered species, they are a protected species, limiting construction. Nothing was mentioned regarding any of these native wildlife species.

For these reasons the majority of the members of the board of the Ray-Nor Park Neighborhood Association believes that the City may not properly rely on the FEIR to approve the Use Permit for the Stratford at Partridge Project, and requests the Sunnyvale City Council reverse the certification approved by the Planning Commission. <We also request the City to prepare a revised Draft EIR that corrects the listed informational and analytic deficiencies, and to recirculate it for an additional public comment period before taking any action on the Project application.>