

CITY COUNCIL APPEAL RESPONSES

- 1. The commenter notes that the Final EIR does not describe the project in detail because it does not include a description of the drainage system, fire stations and emergency access, potable water supply information and other project information.**

A complete project description as required by CEQA Section 15124 is included in Section 2.0 of the Draft EIR. Further, details regarding each of the aforementioned details are included in each resource area discussion as follows:

- Drainage systems: Section 3.8 and 3.13.
- Fire stations: Section 3.11
- Emergency access and exit: Section 3.7 and 3.14
- Potable water supply infrastructure: Section 3.13
- Wastewater treatment facilities: Section 3.13
- Draft conceptual plans: Section 2.0 as Figures 2.4 through 2.6.

- 2. The commenter notes that the Final EIR fails to provide reasoned, good-faith responses to comments received.**

The Final EIR provides responses to each comment letter received on the Draft EIR. Each response that pertains to the adequacy of the document's environmental analysis is supported by either analysis included in the Draft EIR or augmented by new data.

- 3. The commenter notes that the traffic analysis is inadequate and that the significant and unavoidable impact is unacceptable.**

The transportation analysis incorporated into the Draft EIR was adequately prepared following the guidelines and impact thresholds established by both the City of Sunnyvale and Santa Clara Valley Transportation Authority (VTA), the congestion management agency for Santa Clara County. These guidelines and impact thresholds incorporate standard engineering industry practices and standards for evaluation of potential transportation impacts.

The purpose of the EIR is to disclose potentially significant adverse project impacts and to identify feasible mitigation measures. The project has one significant and unavoidable impact, which occurs at the Lawrence Expressway/Benton Street intersection under the Cumulative scenario only. The Cumulative Scenario is a conservative scenario, since it includes traffic projections from all approved (i.e. projects with current entitlements) and pending (i.e. development applications that have not been approved) developments, plus a growth factor to the year 2020. The analysis shows that the Lawrence Expressway/Benton Street intersection is forecasted to operate unacceptably under the Cumulative No Project scenario,

1.0 INTRODUCTION

which means the project itself does not cause unacceptable operations, but that the project would contribute to already forecasted unacceptable intersection operations.

As noted in the FEIR, the addition of a second eastbound left-turn lane from Benton Street onto northbound Lawrence Expressway would improve intersection operations to acceptable LOS E. However, this movement is projected to have between approximately 180 and 190 vehicles (depending on trip generation scenario) under Cumulative AM conditions, which does not warrant a second left-turn lane (The Highway Capacity Manual (HCM) recommends the provision of double left-turn lanes when the volume exceeds 300 vehicles). The main issue that results in LOS F operations at this intersection are the heavy through volumes on Lawrence Expressway. Additional through capacity on Lawrence Expressway is needed to effectively improve operations at this location. However, the County currently has no plans for widening the right-of-way on Lawrence Expressway; thus there are no feasible mitigation measures for this cumulative significant impact.

- 4. Through 6: The commenter notes that the traffic analysis does not take into consideration traffic spillover on Dunford Way. The commenter states that the response on page 2-44 of the Final EIR does not take into consideration spillover effects. The commenter states that there was no response to comment F-6 and F-7.**

The appeal references a sensitivity analysis conducted by a resident that argues spillover activity would occur. The sensitivity analysis assumes a higher trip generation rate and a higher proportion of trips arriving during the peak 15 minutes to calculate possible vehicle queues.

The Final EIR uses trip generation rates developed based on observations of morning drop-offs and afternoon/evening pick-ups at Stratford School locations in Sunnyvale and San Jose (De Anza Elementary School and San Jose Middle School). Both schools exhibit similar characteristics to the project. The project will serve a mix of up to 520 pre-K, kindergarten, elementary, and middle school students, initially serving 460 middle school students. In comparison, De Anza Elementary School serves 576 pre-K through elementary school students (which captures a similar size, type, location, and catchment area) and San Jose Middle School serves 172 middle school students (which captures a similar type, location, and catchment area with a smaller size). Both schools therefore provide valuable data points in developing the Stratford-specific trip rates used in the FEIR. These rates were higher than those reported in the Institute of Transportation Engineers *Trip Generation, 9th Edition*, which is the industry standard commonly applied in traffic impact analysis. These site specific rates were used in the FEIR instead of the ITE rates as the analysis would be more conservative and represent rates already seen at existing Stratford Schools in the area.

CITY COUNCIL APPEAL RESPONSES

The Final EIR evaluates trip generation for the project and the impacts of these additional trips on neighborhood street operations and safety. Based on the project's trip generation estimates and proposed drop-off policies, queueing is not expected to occur. The project includes eight drop off spaces with additional off-street queueing space for 72 cars. The Final EIR assumes a supervised, coordinated drop-off process similar to existing practices at other Stratford School locations in order to prevent queueing, and enforcement of drop-off and parking restrictions along Partridge Avenue and Dunford Way. Based on observations at De Anza Elementary School and San Jose Middle School, inbound AM trips were observed to experience less exaggerated peaks than the commenter's sensitivity analysis suggests, such that 41 percent of vehicles were observed to arrive during the peak 15 minute period; therefore the Final EIR therefore estimates that 128 vehicles (312 vehicles x 41%) will arrive during the peak 15 minutes. These observations indicate that no queueing will occur.

The Final EIR responded to comments F-6 and F-7 noting that queueing is not expected to occur given the observations and data collection conducted at similar locations, and that Stratford School will supervise and facilitate drop-off activity to prevent spillover activity and queues from occurring. In order to further minimize contributions to AM peak hour traffic volumes, the project has also proposed to include an earlier start time of 7:45 AM so as to stagger drop-offs between the project and other schools in the area. The Final EIR finds that all intersections are expected to operate at LOS C or better during the AM, afternoon, and PM peak hours, the project will contribute minimal additional delay on the neighborhood street network, and no significant impacts will occur.

7. The commenter questions how PM traffic will be affected by the project and why Stratford Pomeroy Middle School was not counted.

The Final EIR estimates trip generation during both afternoon (2-4 PM) and evening (4-6 PM) peak hours based on trip generation rates from De Anza Elementary School and San Jose Middle School, which were determined to be more representative to the project than Pomeroy Middle School (a much larger school). The Final EIR concludes that trip generation would be higher during the evening peak hour than the afternoon peak hour as the commenter suggests, and were higher than those reported in the Institute of Transportation Engineers *Trip Generation, 9th Edition*, which is the industry standard commonly applied in traffic impact analysis.

8. The commenter notes that Sunnyvale is part of the Safe Routes to School and that increase traffic on local streets cannot support walkers and bikers.

The City and project will implement Safe Routes to School improvements to make streets safer and more inviting for people walking and biking. The City's

1.0 INTRODUCTION

improvements will include signage, visibility improvements, and new crosswalks at the intersection of Partridge Avenue and Dunford Way and three other locations. Further, Stratford School will provide bicycle parking as well as support the City in additional studies to evaluate the safety of adjacent streets. Based on additional engineering studies after the school is open, the project would financially contribute to installing several Safe Routes to Schools improvements beyond the City's existing plans, including yield signs at three intersections (Glenbar Avenue/Oriole Avenue, Glenbar Avenue/Partridge Avenue, and Dunford Way/Lochinvar Avenue) which are currently uncontrolled, sharrows along Dunford Way, and crosswalks at the intersection of Partridge Avenue/Glenbar Avenue, if the engineering study finds that they are warranted. Neighborhood streets will continue to experience traffic volumes consistent with other neighborhood streets in the City; these enhancements for people walking and biking will help reduce potential conflicts for all users.

9. The commenter notes that it is unclear why the City determined that only one crossing needs mitigation.

Please see Master Response 2 in the Final EIR regarding City methodology for assessing neighborhood street safety improvements. The crossing of Dunford Way at Quail Avenue is an uncontrolled crossing, i.e. vehicles on Dunford Way do not have a stop sign and need to yield to pedestrians crossing Dunford Way. To further enhance the visibility of potential pedestrians additional crosswalk enhancements are proposed at this intersection such as an in-roadway warning light system at the Dunford Way westbound approach. The same is true for the Dunford Way/Lochinvar Avenue intersection, where the City as part of the Safe Routes to School Program will be implementing additional crosswalk enhancements. The crosswalks at Lochinvar Avenue/Inverness Way and Quail Avenue/Inverness Way are all-way stop controlled locations where vehicles are required to stop on all approaches to the intersection and the City did not identify the need for additional crosswalk enhancements at these two intersections.

10. The commenter notes that the blind turn on Marion and Dunford remains a blind spot and that project conditions would exacerbate the problem.

This existing condition will be addressed by the City as a part of an upcoming Safe Routes to Schools project, including initial parking restrictions as well as signage and new crosswalks at Dunford Way/Marion Way/Norman Drive, Dunford Way/Oriole Avenue, and Dunford Way/Partridge Avenue.

11. The commenter notes that the Final EIR fails to acknowledge water supply and potential conflicts with the project during drought years. The commenter notes that the water supply was changed between the DEIR and FEIR. The commenter also notes that the increase usage of Raynor Park would require more water.

CITY COUNCIL APPEAL RESPONSES

The Draft EIR identifies the water supply source for the project area as the City of Sunnyvale, and describes the City's different water sources in Section 3.13. Further, the Draft EIR presents a water supply reliability analysis based on data available at the time of the NOP. The Draft EIR also estimates the amount of water the project would require for operations of 12.3 acre feet per year (afy) and concludes that there are sufficient water supplies available to serve the project based on the City's water supply surplus of 1,775 afy in 2035. Further, the Final EIR does not identify a separate or different source of water supply for the project. The Final EIR refers back to the Draft EIR for water supply assessment questions.

As discussed in Section 3.12 Recreation of the Draft EIR the project would not lead to substantial degradation of Raynor Park. The City of Sunnyvale has adopted park and field maintenance policies that would apply to Raynor Park maintenance, including adequate watering of turf and turf maintenance policies. As such, through its turf management policies the City would decide if increased watering is necessary. City policies would dictate field maintenance.

12. The commenter notes that the Final EIR did not adequately address air quality and greenhouse gas emission questions.

12.1 Air Quality and ozone precursors: As described in the Draft and Final EIR BAAQMD sets up thresholds to evaluate potential project impacts to air quality. Section 3.2 contains a Regulatory Framework section that describes the different laws that govern air quality analysis for CEQA. Further, in the Impacts and Mitigation Measures section the BAAQMD CEQA guidance is laid out to explain the thresholds and analysis employed in the Draft EIR. Table 3.2-6 outlines the BAAQMD construction and operation significance thresholds for a similar size project as the Stratford School. Mitigation Measures are also included to further lower emissions of criteria pollutants from construction. The air quality analysis in the Draft EIR is in compliance with current regulation and follows established guidelines.

Thresholds of significance 1 and 2 in Section 3.2 specifically discuss and quantify the project's emission of ozone precursor and measures it against established thresholds.

12.2 Greenhouse Gas Emissions: As explained in Section 3.6 of the Draft EIR the City of Sunnyvale, as the lead agency, chose to use the current BAAQMD GHG emission standards to determine if the project's contribution to global GHG emissions is significant. Under CEQA the lead agency must determine on a project basis if an individual project would significantly contribute to global emissions. BAAQMD plan-level threshold of significance for GHG emissions, which were developed based on substantial evidence, are of 1,100 metric tons of CO_{2e} per year during operations. Quantification of GHG emissions based on worst case scenario project plans (maximum enrollment and maximum traffic generated) showed that the

1.0 INTRODUCTION

project would emit 853 metric tons per year during operation, which is below established and adopted thresholds. Although as a whole it was determined that global GHG emissions are significant, the project's contribution to global GHG emissions is less than significant because it is below established thresholds for significant impacts.

- 13. The commenter notes that the proposed basketball court is a free extension of the school in the park and that the neighborhood did not request a basketball court be installed in Raynor Park. The commenter further notes that the findings should reflect that the project is not enhancing park space in the City.**

The basketball court is proposed as part of the project to enhance both educational and recreational opportunities in the City. The presence of other basketball courts in the project vicinity does not preclude the City to allow the construction of a basketball court in Raynor Park. The basketball court would be available to the public during the hours outlined in the joint use agreement, and thus it would improve park amenities in the whole City and not just Raynor Neighborhood. Overall a large percentage of Park turf space would be preserved, and Park space would not be eliminated as the basketball court is a public amenity.

- 14. The commenter notes that burrowing owls, ground squirrels and tree bats visit Raynor Park and that the Draft EIR did not mention anything about these species.**

As discussed in the Draft EIR a Michael Baker International biologist performed site visits to evaluate the project area's potential to accommodate any species identified as a candidate, sensitive or special status species. Those surveys did not show the presence of burrowing owls. The Draft EIR includes mitigation measures to protect migratory and nesting birds to avoid impacts to identified resources. Although ground squirrels and tree bats could be present in the project area they are not candidate, sensitive or special status species. Regardless, the project would not impact these species as trees would be replaced according to City of Sunnyvale Tree Ordinance. The Draft EIR is adequate as it addressed the CEQA mandated thresholds for biological resources.