

ATTACHMENT 28

Errata to the Final EIR Peery Park Specific Plan

File No. 16-0621

Date: August 22, 2016

To: Planning Commission

From: Trudi Ryan, Director
Community Development Department

RE: Errata to the Final Environmental Impact Report (EIR) for the Peery Park Specific Plan

The City of Sunnyvale (City) Community Development Department has prepared this Errata sheet to clarify and correct information in the Final Environmental Impact Report (Final EIR or FEIR) for the Peery Park Specific Plan Project (Project). The Final EIR, including the Mitigation Monitoring and Reporting Plan, Response to Comments, and technical appendices, together with this Errata are intended to serve as documents that will generally inform the decision-makers and the public of environmental effects of the Project, in accordance with Section 15121 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines).

The additional background information and clarifications provided below do not constitute significant new information as defined by CEQA Guidelines Section 15088.5 (*Recirculation of an EIR Prior to Certification*). Information added to the Final EIR is not considered significant unless “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” A lead agency is only required to recirculate an EIR when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 10587 but before certification.” Additionally, “recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR”. In conformance with Section 15088.5 of the State CEQA Guidelines, this Errata sheet includes minor edits to the Final EIR for the Project and subsequent clarifications herein do not contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect.

Supplemental Background Information

The San Francisco Public Utilities Commission (SFPUC) manages 63,000 acres of watershed land and 210 miles of pipeline right-of-way in three San Francisco Bay Area

counties that are part of the Hetch Hetchy Regional Water System providing water to approximately 2.6 million people. The SFPUC monitors and protects its lands by reviewing proposed projects and activities (that may affect SFPUC lands and infrastructure) for consistency with SFPUC policies and plans.

The City and County of San Francisco (San Francisco), through the SFPUC, owns approximately five (5) acres of real property in fee and also holds an easement in favor of the SFPUC on approximately one and one-half (1.5) acres of real property in Sunnyvale (San Francisco Property) that crosses the Project area as an 80-foot wide right-of-way. The San Francisco Property's primary purpose is to serve as a utility corridor which is improved by two large subsurface water transmission lines and other appurtenances, linking the Hetch Hetchy and local reservoirs to the Bay Area via the Hetch Hetchy Regional Water System.

Global Clarification

The relationship between the Project area and existing SFPUC right-of-way was characterized solely as an easement within the Final EIR for the Project; however, as clarification, San Francisco, through the SFPUC, owns the applicable right-of-way area in fee.

Changes to Final EIR Text

Revisions to the Final EIR are shown below as excerpts from the Final EIR text with page numbers provided for reference. Added or modified text is underlined (example), while deleted text will have a strikeout (~~example~~) through the text.

Page 2-11:

Figure 2-3 – Modification to legend item “Hetch Hetchy Easement/Right-of-Way”

Page 3.11-6:

“Additionally, the Hetch Hetchy aqueduct travels through the Project area as indicated by easements and right-of-way indicated within Figure 2-3 within Section 2.0. As is standard practice, development within the Project area requires adherence to easement, right-of-way, and agreement requirements, insuring protection of the resource and associated utility tunnels, pipelines and treatment systems.”

Page 3.11-9:

“The SFPUC operates and maintains hundreds of miles of water pipelines in the region surrounding the Project area, and oversees easements, right-of-way, agreements, and policies concerning associated utility systems.”

Page 3.11-13:

“All future development under the Project would comply with SFPUC easements, right-of-way, and agreements (e.g., Hetch Hetchy), as is current practice.”

Errata to the Final EIR (#2) Peery Park Specific Plan

File No. 16-0621

Date: August 29, 2016

To: Planning Commission

**From: Trudi Ryan, Director
Community Development Department**

**RE: Errata (#2) to the Final Environmental Impact Report (EIR) for the
Peery Park Specific Plan**

The City of Sunnyvale (City) Community Development Department has prepared this Errata sheet to clarify and correct additional information in the Final Environmental Impact Report (Final EIR or FEIR) for the Peery Park Specific Plan Project (Project). The Final EIR, including the Mitigation Monitoring and Reporting Plan, Response to Comments, technical appendices, and the previous Errata, together with this Errata (#2) are intended to serve as documents that will generally inform the decision-makers and the public of environmental effects of the Project, in accordance with Section 15121 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines).

The clarifications and corrections provided below do not constitute significant new information as defined by CEQA Guidelines Section 15088.5 (*Recirculation of an EIR Prior to Certification*). Information added to the Final EIR is not considered significant unless “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” A lead agency is only required to recirculate an EIR when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 10587 but before certification.” Additionally, “recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR”. In conformance with Section 15088.5 of the State CEQA Guidelines, this Errata sheet includes minor edits to the Final EIR for the Project and subsequent clarifications herein do not contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect.

Global Clarification

The Final EIR has been updated in Section 3.8, *Population and Housing*, Section 3.9, *Public Services*, and Section 5, *Alternatives*, via the changes below, preferring to solely use information contained within the traffic study to determine estimated job growth. Instances which indicate that a potential 14,401 additional jobs would occur with implementation of the Project have been updated to indicate that a potential 6,238 jobs would occur under the Project, as further described below. This correction has been made in order to maintain consistency within the Final EIR (notably Section 3.10, *Transportation, Circulation, and Traffic*). These updates do not change the conclusions or significance level of any identified impact.

Additionally, the number of units proposed under the Mixed Use Housing Alternative has been clarified. The maximum of 640 dwelling units at an average density of 40 dwelling units per acre would be supplemental to the Project's proposed 215 dwelling units, for a total of 855 dwelling units within the Project area. These numbers were presented separately, and are now combined to clarify total housing stock for this alternative. These updates do not change the conclusions or significance level of any identified impact.

Employee Generation Scenarios

The EIR originally combined 2013 Bay Area information produced by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) with traffic study information, using the Draft 2013 Bay Area Plan values for "existing" 2010 (5,990 jobs) and the City's projected values for "buildout" in 2035 (20,391 jobs). These values indicate a total increase of 14,401 jobs, or approximately 340 percent growth. This value results in a very conservative job generation factor, assuming one employee per approximate 153 square feet of commercial and industrial development (2.2 million square feet / 14,401 jobs).

The Draft 2013 Bay Area Plan indicates 5,990 existing jobs in Peery Park for 2010 and 8,000 for 2040, which relied upon general plan buildout and does not include Project buildout. These values indicate an increase of 2,010 jobs, or approximately 34 percent growth. The job generation number would therefore be approximately one employee per 1,095 square feet of commercial and industrial development (2.2 million square feet / 2,010 jobs).

The traffic study assembled by Hexagon Transportation Consultants, Inc. (Hexagon) indicates 14,153 existing jobs in Peery Park for 2013 and 20,391 in 2035. These values indicate an increase of 6,238 jobs, or approximately 44 percent growth and assumes a job generation number of one employee per 353 square feet of commercial and industrial development (2.2 million square feet / 6,238 jobs). The planning period of the traffic study reflects the Project's 20 year planning window of 2015 to 2035, and also uses a more intensified growth percentage than the 2013 Bay Area Plan.

The traffic study completed by Hexagon is a reasonable employee generation ratio to use for the proposed Project uses and would maintain consistency within the Final EIR.

Changes to Final EIR Text

Revisions to the Final EIR are shown below as excerpts from the Final EIR text with page numbers provided for reference. Added or modified text is underlined (example), while deleted text will have a strikeout (~~example~~) through the text.

Page 2-37:

“This alternative would replace approximately 500,000 sf of proposed office uses with residential uses, which would allow up to 640 dwelling units at an average density of 40 du/acre, in addition to the Project’s proposed 215 units at the northeastern edge of the Project area, for a total of 855 units within the Project area.”

Page 3.8-8:

“This includes City estimated projections of ~~14,401~~ 6,238 additional jobs and 215 housing units.”

Page 3.8-9:

“Under the proposed Project, approximately ~~14,401~~ 6,238 new jobs are projected to be created over the 20 year planning horizon through the year 2035 with potential for associated induced growth within the City and Santa Clara County. Further, this would exceed the currently planned level of growth of 900,000 square feet of new development allowed within the Project area under the City’s adopted General Plan. However, the projected creation of ~~14,401~~ 6,238 additional jobs by 2035 under the Project is well within overall project employment growth identified in the City’s General Plan through the year 2025 and ABAG through the year 2040 (refer to Table 3.8-5).”

Page 3.8-10:

“The Sunnyvale Housing Element states that the jobs to housing ratio is currently 1.0 (City of Sunnyvale 2014b). Full buildout of programs identified by the Project may result in the development of 215 housing units and ~~14,401~~ 6,238 additional jobs. Based on a people-per-household rate of 2.67, approximately ~~5,179~~ 2,336 additional housing units would be required to accommodate the additional workforce.”

Page 3.9-12:

“Implementation of the Project would increase land use intensity and the density of development in the Project area. As described in in Section 3.8, *Population and Housing*, this build-out would generate up to ~~14,401~~ 6,238 jobs and 574 new residents, as determined based upon average family size in the City (California Department of Finance 2015). The increase in population (from resident as well

as daytime-workers) in the Project area could generate additional calls for police services and a need for additional patrol.”

Page 5-13:

“Based on a linear projection between the two alternatives, the Project would generate approximately ~~14,401~~ 6,238 jobs; whereas, the No Project Alternative would result in approximately ~~5,891~~ 2,551 jobs (~~8,510~~ 3,687 fewer jobs than the Project) with a related housing demand of up to ~~2,042~~ 977 additional housing units, less than required under the Project.”

Page 5-15:

“This alternative would replace approximately 500,000 sf of proposed office uses with residential uses, which would allow up to 640 dwelling units (du) at an average density of 40 du/acre, in addition to the Project’s proposed 215 units at the northeastern edge of the Project area, for a total of 855 units within the Project area.”

Page 5-16:

Table 5-2. Proposed Net Increase in Building Space under the Mixed Use Housing Alternative

Use	Amount
Commercial	1,700,000 sf
Retail	200,000 sf
Office/R&D/Industrial	1,500,000 sf
Residential	<u>855 units</u>

Page 5-22:

“Job creation under this alternative is estimated to be approximately 20 to 30 percent less than the ~~14,401~~ 6,238 employees estimated under the Project (approximately 4,367 to 4,990 jobs). This alternative would also result in 640 residential units, in addition to the Project’s proposed 215 units at the northeastern edge of the Project area, for a total of 855 units within the Project area, and a residential population of approximately ~~1,709~~ 2,283 persons.”

Page 5-30:

“Compared to the Project, increased development under the Higher Intensity Buildout Alternative would result in a slightly increased population and employment growth. Anticipated employment under this alternative would increase 10 to 30 percent from the ~~14,401~~ 6,238 jobs projected under the Project. This job growth is consistent with the General Plan and ABAG projections for the City.

This future workforce would require up to 7,000 housing units, which is more than the required ~~5,179~~ 2,336 units under the Project. This alternative would continue

to provide 215 residential units and would result in a residential population growth of approximately 576 persons. This alternative would further exacerbate the jobs/housing ratio in the City and would increase the housing need; however, housing needs not absorbed by the City would be met within the County of Santa Clara and the surrounding metropolitan area.”

