

CITY OF SUNNYVALE

LAWRENCE STATION AREA PLAN

ADMINISTRATIVE FINAL ENVIRONMENTAL IMPACT REPORT

SCH# 2013082030

Prepared for:

CITY OF SUNNYVALE
456 W. OLIVE AVENUE
SUNNYVALE, CA 94086

Prepared by:

Michael Baker
INTERNATIONAL

2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

AUGUST 2016

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1.0 INTRODUCTION

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Sunnyvale (City) is the lead agency for the environmental review of the proposed Lawrence Station Area Plan (proposed project). The City has the principal responsibility for approving the project.

1.1 BACKGROUND AND PURPOSE OF THE EIR

The following is an overview of the environmental review process for the proposed project that has led to the preparation of this Final EIR.

NOTICE OF PREPARATION

The Notice of Preparation (NOP) for the Draft EIR was submitted for 30-day public review on August 9, 2013. A scoping meeting was held on August 28, 2013, to solicit input from interested agencies and the public. The City received several comment letters on the NOP and during the public scoping meeting. These comment letters are included in **Appendix A** of the Draft EIR.

DRAFT EIR

A Notice of Availability for the Draft EIR was posted on the City's website and distributed to interested parties on May 20, 2016. The Draft EIR was released for public and agency review on May 20, 2016, with the 45-day review period ending on July 5, 2016. The Planning Commission held a hearing on June 27, 2016, to receive comments on the Draft EIR. Comments received during the public review period are addressed in this Final EIR.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at City offices and on the City's website.

FINAL EIR

The City received comment letters from public agencies and the public regarding the Draft EIR. This document responds to the comments received as required by CEQA. As prescribed by CEQA Guidelines Sections 15088 and 15132, the lead agency, the City of Sunnyvale, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and prepare written responses to those comments. This Final EIR contains individual responses to each comment received during the public review period for the Draft EIR. In accordance with CEQA Guidelines Section 15088(b), the written responses describe the disposition of significant environmental issues raised. The City and its consultants have provided a good faith effort to respond in detail to all significant environmental issues raised by the comments. This document also contains minor edits to the Draft EIR, which are included in Section 3.0, Revisions to the Draft EIR. This document constitutes the Final EIR.

CERTIFICATION OF THE FINAL EIR/PROJECT CONSIDERATION

This document, together with the Draft EIR (incorporated by reference in accordance with CEQA Guidelines Section 15150), will comprise the Final EIR for this project. The City will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the

1.0 INTRODUCTION

City may certify the Final EIR. The rule of adequacy generally holds that the EIR can be certified if it: (1) shows a good faith effort at full disclosure of environmental information; and (2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the Final EIR, the City may take action to adopt, revise, or reject the proposed project. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. Public Resources Code Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

1.2 INTENDED USES OF THE EIR

The EIR is intended to evaluate the environmental impacts of the proposed project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. Please refer to Section 2.0, Project Description, of the Draft EIR for a detailed discussion of the proposed project.

1.3 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

SECTION 1.0 – INTRODUCTION

Section 1.0 provides an overview of the EIR process to date and what the Final EIR is required to contain.

SECTION 2.0 – RESPONSES TO COMMENTS

Section 2.0 includes a list of commenters, copies of written comments (coded for reference), and the responses to those written and oral comments made on the Draft EIR.

SECTION 3.0 – REVISIONS TO THE DRAFT EIR

Section 3.0 lists the revisions made to the Draft EIR as a result of comments received and other staff-initiated changes.

2.0 RESPONSES TO COMMENTS

2.1 INTRODUCTION

This Final Environmental Impact Report (Final EIR) was prepared in accordance with CEQA (California Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code Regulations Section 15000 et seq.). The City of Sunnyvale is the lead agency for the environmental review of the proposed project and has the principal responsibility for approving the project.

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the project's significant effects might be avoided or mitigated. This section also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect is not considered significant in the absence of substantial evidence supporting such a conclusion.

CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the significant environmental issue raised and must be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, there must be a good faith and reasoned analysis in the written response. However, lead agencies need only respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

CEQA Guidelines Section 15088 recommends that where a response to comments results in revisions to the Draft EIR, those revisions be incorporated as a revision to the Draft EIR or as a separate section of the Final EIR. Revisions to the Draft EIR are incorporated as Section 3.0 of this Final EIR.

There were numerous comments from individuals concerning the Lawrence Station Area Plan (LSAP) itself. Comments on the LSAP that are not germane to the analysis of environmental impacts do not require detailed responses in this Final EIR, as provided under CEQA. LSAP-related comments will be addressed by staff in the staff report and in public meetings. However, general responses are provided for completeness and to inform the decision-making process.

2.2 COMMENTER LIST

The following commenters submitted written comments on the Draft EIR. The comment period for the Draft EIR began May 20, 2016, and ended July 5, 2016. Confirmation of lead agency compliance with CEQA for public review of the Draft EIR was received from the Governor's Office of Planning and Research on May 20, 2016.

2.0 RESPONSES TO COMMENTS

Letter	Commenter	Date
Agency		
A	Governor's Office of Planning and Research, State Clearinghouse	July 6, 2016
B	California Department of Transportation	July 5, 2016
C	Native American Heritage Commission	June 14, 2016
D	Santa Clara Unified School District	July 5, 2016
E	Santa Clara Valley Transportation Authority	July 5, 2016
Individual		
1	Jie An	May 21, 2016
2	David Baccus	May 21, 2016
3	Walter Bankovitch	June 4, 2016
4	Martin Baynes	May 24, 2016
5	Brian Cilker	May 28, 2016
6	Albert Gil	May 25, 2016
7	Stan Hendryx	July 2, 2016
8	James Hudson	May 27, 2016
9	Chris Iremonger	May 22, 2016
10	Larry Klein	July 4, 2016
11	Martin Landzaat	July 5, 2016
12	Adina Levin	July 5, 2016
13	Lily Huang Liao	June 7, 2016
14	David Liu	May 27, 2016
15	Holly Lofgren	(no date)
16	Paul Melnyk	July 5, 2016
17	Russell Melton	June 26, 2016
18	Stan Mussynski	May 24, 2016
19	Stephen T. O'Neill	July 5, 2016
20	Horst Raisch	July 1, 2016
21	David Roleff	May 27, 2016
22	George Sakoda	May 22, 2016
23	Mike Serrone	July 4, 2016
24	Sue Serrone	July 4, 2016
25	Tolu Thomas	May 20, 2016
26	Don Tran (on behalf of Silicon Valley Leadership Group)	June 27, 2016
27	Don Veith	July 3, 2016
28	David Wessel	July 5, 2016
29	John Wu	June 16, 2016
30	Larry Yamaoka	June 20, 2016
Planning Commission Meeting		
PC	Minutes from June 27, 2016, Planning Commission Public Hearing on Draft EIR	June 27, 2016

2.3 COMMENTS AND RESPONSES

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Comment letters from government agencies are coded by letter and each issue raised in the comment letter is assigned a number (e.g., the first comment in the comment letter from the State Clearinghouse is referred to as A-1).
- Comment letters from the public are coded by numbers and each issue raised in the comment letter is assigned a number (e.g., Comment Letter 1, comment 1 is referred to as 1-1).

Where changes to the Draft EIR text result from responding to comments, those changes are included in the response and demarcated with revision marks: underline for new text, ~~strikeout~~ for deleted text.

2.0 RESPONSES TO COMMENTS



Edmund G. Brown Jr.
Governor

Letter A

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

July 6, 2016

Andrew Miner
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088-3707

Subject: Lawrence Station Area Plan
SCH#: 2013082030

Dear Andrew Miner:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 5, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

A-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET, P.O. BOX 3044, SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter A Continued

Document Details Report State Clearinghouse Data Base

SCH# 2013082030
Project Title Lawrence Station Area Plan
Lead Agency Sunnyvale, City of

Type EIR Draft EIR
Description The proposed Lawrence Station Area Plan provides an overall vision and recommendations to guide future development in the study area, which is generally defined as the one-half mile radius circle centered on the Lawrence Caltrain Station in the Sunnyvale city limits. The plan provides a preferred land use scenario, transportation and infrastructure guidelines, urban design guidelines, and an open space plan, as well as implementation tools.

Lead Agency Contact

Name Andrew Miner
Agency City of Sunnyvale
Phone 408/730-7444 **Fax**
email
Address 456 West Olive Avenue
City Sunnyvale **State** CA **Zip** 94088-3707

Project Location

County Santa Clara
City Sunnyvale, Santa Clara
Region
Lat / Long 37° 22' 26" N / 121° 59' 46" W
Cross Streets Lawrence Expressway and Kifer Road
Parcel No. Multiple
Township 6S **Range** 1W **Section** 28-33 **Base** MDB&M

Proximity to:

Highways Hwy 82
Airports Mineta San Jose International
Railways Caltrain
Waterways Calabazas Creek
Schools Santa Clara Christian
Land Use Multiple (residential, office, industrial, commercial, park, civic, agriculture, open space, utility)

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Conservation; Office of Historic Preservation; Department of Fish and Wildlife, Region 3; Native American Heritage Commission; California Highway Patrol; Caltrans, District 4; State Water Resources Control Board, Division of Drinking Water, District 17; Regional Water Quality Control Board, Region 2

Date Received 05/20/2016 **Start of Review** 05/20/2016 **End of Review** 07/05/2016

Note: Blanks in data fields result from insufficient information provided by lead agency.

2.0 RESPONSES TO COMMENTS

Letter A Continued

STATE OF CALIFORNIA
 NATIVE AMERICAN HERITAGE COMMISSION
 1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691
 Phone (916) 373-3710
 Fax (916) 373-5471
 Email: naahc@naahc.ca.gov
 Website: <http://www.naahc.ca.gov>
 Twitter: @CA_NAHC

Edmund G. Brown Jr., Governor



clear
 7/5/16
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June 14, 2016

Governor's Office of Planning & Research

JUN 16 2016

STATE CLEARINGHOUSE

sent via e-mail:
aminers@sunnyvale.ca.gov

Andrew Miner
 City of Sunnyvale
 456 West Olive Avenue
 Sunnyvale, CA 94088-3707

RE: SCH# 2013082030 Lawrence Station Area Plan Project, draft Environmental Impact Report, Cities of Sunnyvale and Santa Clara, Santa Clara County, California

Dear Mr. Miner:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate subcategory of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

Letter A Continued

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.

2.0 RESPONSES TO COMMENTS

Letter A Continued

- ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). *This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation: There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

Letter A Continued

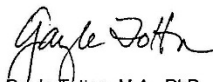
NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

2.0 RESPONSES TO COMMENTS

Letter A Continued

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

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DEPARTMENT OF TRANSPORTATION

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July 5, 2016

SCLGEN105A
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SCH# 2013082030

Mr. Andrew Miner
Planning Division
City of Sunnyvale
456 West Olive Avenue
Sunnyvale, CA 94088-3707

Dear Mr. Miner:

Lawrence Station Area Plan – Draft Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's State Transportation Network (STN), in which we seek to reduce statewide vehicle miles traveled (VMT) and increase non-auto modes of active transportation. Caltrans aims to increase non-auto mode shares by 2020 through tripling bicycle, and doubling both pedestrian and transit. Also, these targets support the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), which promotes the increase of non-auto mode shares by ten percentage points and a decrease in automobile VMT per capita by ten percent. Our comments are based on the Draft Environmental Impact Report (DEIR). Please also refer to the previous comment letter, dated September 3, 2013, on this project and incorporated herein.

Project Understanding

The proposed project is located approximately one mile south of the US Highway (US) 101/Lawrence Expressway interchange, in a Priority Development Area. The Lawrence Station Area Plan (LSAP) would establish a framework for the future development of the Lawrence Caltrain Station area in order to improve the relationship between transit availability and land use for the long-term development of an economically, environmentally, and socially vibrant mixed-use district in the City of Sunnyvale (City). The LSAP includes goals, policies, and urban design guidelines that will help guide development and buildout of the plan area.

The LSAP land use plan is built around the flexible mixed-use concept. Flexibility would allow properties north of Lawrence Station and the Peninsula Building Materials property just south of the station to have the option to develop a variety of uses such as office/research and development (R&D) or residential, depending on market demand and landowner preferences.

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter A Continued

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Mr. Andrew Miner/City of Sunnyvale
July 5, 2016
Page 2

The LSAP would establish new General Plan land use categories for the plan area and would retain existing ones. Several of the categories are existing land use designations already in use by the City in the existing neighborhoods within the plan area. Others are existing land use designations available in the City General Plan and Zoning Code, but not previously applied in the plan area. These areas would require a change of zoning in order to be compliant with the LSAP. Others are new land use categories that do not currently exist in the City General Plan and Zoning Code.

Lead Agency

As the lead agency, the City is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Traffic Impacts

The plan is of regional and areawide significance, as it has the potential for causing significant traffic effects extending beyond the City.

1. Queuing, Intersections, and Ramps: Please provide mitigation measures for impacts, such as additional storage length at intersections and the on-ramps/local streets for the freeway on-ramp traffic or take vehicle reduction measures, as outlined below, to minimize project generation growth in auto trips.

- A. The proposed plan is likely to have impacts on the operations of the following metered freeway on-ramps:

- Southbound (SB) US 101/Lawrence Expressway diagonal on-ramp (metered 3:00 pm to 7:00 pm).
- SB US 101/Bowers Avenue diagonal on-ramp (metered 3:00 pm to 7:00 pm).
- SB US 101/San Tomas Expressway diagonal on-ramp (metered 3:00 pm to 7:00 pm).
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- NB US 101/Mathilda Avenue loop on-ramp (planned to be metered in 2017).
- Eastbound State Route (SR) 237/Lawrence Expressway diagonal on-ramp (metered 2:30 pm to 7:00 pm).

During the ramp metering hours, the on-ramp queues will likely be lengthened with the additional traffic demand by this project, and they may impede onto the local streets affecting their operations.

- B. Please provide the 95th percentile queuing analysis for the following intersections:

- NB US 101/Fair Oaks Avenue ramps.

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2.0 RESPONSES TO COMMENTS

Letter A Continued

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Mr. Andrew Miner/City of Sunnyvale
July 5, 2016
Page 3

- SB Interstate (I-) 280/Lawrence Expressway ramp.
- SR 82 (El Camino Real)/Wolfe Road.

2. Traffic Impact Analysis (TIA), Section 2, Table 7:

- On-ramp capacities used at metered on-ramps should be between 240 and 900 vehicles per hour per lane (vphpl) for a general purpose lane and 900 vphpl for a high occupancy vehicle (HOV) preferential lane.
- The 2,000; 2,700; and 4,700 vehicles per hour values are unrealistic and should be lower for freeway on-ramp capacity with a single lane entrance.

Vehicle Trip Reduction

Caltrans encourages the City to locate future housing, jobs, and employee-related services near major mass transit centers with connecting streets configured to facilitate walking and biking. This would promote mass transit use thereby reducing regional VMT and traffic impacts. Transportation Demand Management (TDM) programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. Suggested TDM strategies include working with the Santa Clara Valley Transportation Authority (VTA) to decrease headway times and improve way-finding on bus lines to provide a better connection between the project and regional destinations, and providing:

- Secured bicycle storage facilities.
- Fix-it bicycle repair station(s).
- Bicycles for employee uses to access local resources.
- Amenities, access and connections, incorporate wide sidewalks.
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- Outdoor patios, outdoor areas, furniture, pedestrian pathways, picnic and recreational areas.
- Nearby walkable amenities.
- Membership in a transportation management association.
- Kick-off commuter event at full occupancy.
- Employee transportation coordinator.
- Transit subsidies and/or transit passes to all employees.
- Emergency Ride Home program.
- Transit and trip planning resources.
- Carpool and vanpool ride-matching support.
- Bicycle route mapping resources and incentivize bicycle parking, unbundling of residential parking, and providing transit passes and/or transit subsidies to residents.

These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan. Please refer to "Reforming

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter A Continued

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July 5, 2016
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Parking Policies to Support Smart Growth," a MTC study funded by Caltrans, for sample parking ratios and strategies that support compact growth. Reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future traffic impacts on the STN.

Traffic Impact Fees

Given the project's contribution to area traffic and its proximity to US 101 and State Route 82, the project should contribute fair share traffic impact fees to:

- The US 101 Express Lanes Project.
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These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity.

Voluntary Contribution Program

We encourage the City to participate in the VTA voluntary contribution program and plan for the impact of future growth on the regional transportation system. Contributions by the City funding regional transportation programs would improve the transportation system by reducing congestion and improving mobility on major roadways throughout the San Francisco Bay Area.

Should you have any questions regarding this letter, please contact Brian Ashurst at (510) 286-5505 or brian.ashurst@dot.ca.gov.

Sincerely,

Pat C

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

- c: Scott Morgan, State Clearinghouse
Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy
Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

2.0 RESPONSES TO COMMENTS

Letter A Governor's Office of Planning and Research, State ClearinghouseResponse A-1

This comment states that the City of Sunnyvale has complied with State Clearinghouse review requirements for draft environmental documents and that two state agencies (Caltrans and Native American Heritage Commission [NAHC]) submitted comments to the State Clearinghouse by the end of the review period. Responses to the Caltrans letter are provided in Responses B-1 through B-7, and responses to the NAHC letter are provided in Responses C-1 through C-3.

Letter B

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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Mr. Andrew Miner
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B-1

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2.0 RESPONSES TO COMMENTS

Letter B Continued

Mr. Andrew Miner/City of Sunnyvale
July 5, 2016
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B-2

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B-3

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"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

Letter B Continued

Mr. Andrew Miner/City of Sunnyvale
July 5, 2016
Page 3

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B-3
cont.

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B-4

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B-5

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"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

2.0 RESPONSES TO COMMENTS

Letter B Continued

Mr. Andrew Miner/City of Sunnyvale
 July 5, 2016
 Page 4

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**B-5
cont.**

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B-6

These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity.

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B-7

Should you have any questions regarding this letter, please contact Brian Ashurst at (510) 286-5505 or brian.ashurst@dot.ca.gov.

Sincerely,

PATRICIA MAURICE
 District Branch Chief
 Local Development - Intergovernmental Review

- c: Scott Morgan, State Clearinghouse
 Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy
 Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy

“Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability.”

Letter B California Department of Transportation (Caltrans)

Response B-1

The September 3, 2013, letter noted in the comment refers to Caltrans' response letter to the Notice of Preparation (NOP) for the Lawrence Station Area Plan Draft EIR. The September 2013 letter was not attached to this comment letter. However, for reference, the following text summarizing the points raised in the NOP comment letter is provided for informational purposes. The NOP comment letter did not identify any specific roadways or intersections that should be evaluated in the Draft EIR.

In its September 2013 letter, Caltrans indicated that a traffic impact study may be required for the project, along with general recommendations regarding the methodology and contents of the study. A Traffic Impact Analysis (TIA) was prepared for the proposed LSAP and is included in the Draft EIR as Appendix C. Consistent with Caltrans' recommendations, the TIA included appropriate maps and schematic illustrations of roadways and intersection geometrics; project-related trip generation, distribution, and assignment, along with methodologies and supporting documentation; AM and PM peak-hour volumes and levels of service where potentially significant impacts may occur and the project's contribution to area traffic and any degradation to existing and cumulative level of service (LOS); consideration of the Congestion Management Plan; and identification of mitigation measures, where required. The Draft EIR also describes Transportation Demand Management (TDM) efforts. Evaluation of project impacts to bicycle and pedestrian facilities is also included in the TIA and incorporated into the Draft EIR in Impacts 3.4.2 and 3.4.3, respectively, on pages 3.4-34 through -49 in the Draft EIR.

Response B-2

Responsibility for fair-share contributions for roadway improvements would be the responsibility of the project proponent for private development projects under the LSAP, not the City. The City would be responsible for ensuring the fees are paid prior to the issuance of building permits. The Draft EIR (page 3.4-23 in Section 3.4, Transportation and Circulation, under the Transportation Impact Fees subheading) describes the City's process. Mitigation measures that address roadway capacity and levels of service improvements and fair-share funding responsibilities are described on pages 3.4-55 through -58 in the Draft EIR.

Response B-3

Excessive queues at freeway on-ramps usually are not a function of limited ramp capacity but of limited freeway capacity. Ramp metering helps keep the freeways flowing by limiting the number of vehicles that can enter the freeway at any one point. The VTA CMP traffic analysis methodology assigns traffic to the freeways based on demand. Impacts are identified if the freeway traffic *demand* [emphasis added] from a new project exceeds 1 percent of capacity on congested freeway segments. This methodology does not consider whether the traffic can actually get on the freeway. If it cannot get on the freeway because of ramp metering or merge point congestion, the impact is manifested as longer queues. In either case, a freeway impact is identified based on the capacity constraint, which is the freeway itself.

Table 1, included in **Appendix A** in this Final EIR, shows how each of the ramps in this comment is addressed in the Draft EIR. Ramps with added traffic due to the project were analyzed in the traffic studies (TIA Table 18 for the LSAP cumulative trips, and TIA Table 28 for the short-term Greystar trips). The traffic studies found less than significant ramp impacts based on the physical capacity of the ramps, as stated on page 3.4-53 in Section 3.4, Transportation and Circulation, in the Draft EIR.

2.0 RESPONSES TO COMMENTS

Queuing calculations, either for ramps or intersections, are provided for information purposes only. The City of Sunnyvale does not consider queuing deficiencies to be environmental impacts under CEQA. This is because queue lengths are determined by signal operational parameters and usually can be modified with timing changes, if desired. The identification of transportation impacts is based on the physical capacity of the transportation system. Excessive queue lengths, by themselves, are not evidence of capacity deficiencies but of the signal timing parameters that have been established. Intersections identified as having level of service impacts, which are based on lack of capacity, typically also manifest excessive queues for some movements.

For information purposes, Table 2 in **Appendix A** in this Final EIR shows the added LSAP left-turn traffic to each of the intersections listed in the comment. The intersection at Fair Oaks Avenue and the northbound US 101 ramps would experience left turn increases large enough to warrant further investigation. Table 3 in **Appendix A** in this Final EIR shows the queuing calculations for this intersection. Table 3 shows that during the AM peak hour, the 95th percentile queue length for the northbound left turn movement at the Fair Oaks Avenue and northbound US 101 ramps intersections would exceed the available left-turn storage. The Greystar project would add only one car length to the 95th percentile queue comparing queue lengths under background and background plus project conditions.

Response B-4

Table 7 in the TIA (Appendix C in the Draft EIR) uses a value of 900 vehicles per hour per lane (vphpl) for metered on-ramps because that value represents the ramp capacity. The actual metering rates can change depending on freeway conditions. Freeway segments operating at LOS F could reduce the metering rates at the ramps but not the ramp capacity. Freeway segment levels of service are shown on figures in the traffic study (Draft EIR Appendix C). Project impacts are based on added freeway demand, in accordance with CMP procedures. The added demand could manifest as added ramp queues or as added freeway traffic.

The commenter is correct that the 2,000, 2,700, and 4,700 vehicles per hour (vph) values listed in TIA Section 2, Table 7 are too high. Table 7 in the TIA has been revised and is included in this Final EIR in **Appendix A**. This table was not reproduced in Section 3.4, Transportation and Circulation, in the Draft EIR and therefore is not included in Section 3.0, Revisions to the Draft EIR.

Response B-5

This is a general comment encouraging the City to incorporate Transportation Demand Management (TDM) concepts in project design and to coordinate with the Santa Clara Valley Transportation Authority. This comment does not raise any issues concerning the adequacy of the analysis in the Draft EIR. The Draft EIR (page 2.0-28 in Section 2.0, Project Description, and page 3.4-23 in Section 3.4, Transportation and Circulation) describes the City's overall approach to TDM. The LSAP includes several TDM policies, which are listed on pages 3.4-53 and -54 in the Draft EIR.

Response B-6

The first project on the commenter's list (US 101 Express Lanes Project) is addressed on page 3.4-58 in Section 3.4, Transportation and Circulation, in the Draft EIR. Under the Mitigation Measures – Freeway Segments subheading, the Draft EIR states that development projects in the LSAP will be required to make a fair-share contribution toward improvements. The second project on the list (auxiliary lanes on State Route [SR] 237 in the eastbound and westbound directions between Zanker Road and North First Street) is not listed in the Valley Transportation Plan (VTP) 2040. Therefore, it is not eligible for fair-share funding. The last project on the list (ramp improvements at

SR 237/US 101) could be construed as part of project H51 in the VTP 2040. Project H51 calls for ramp metering and other ramp improvements on all freeway ramps in Santa Clara County and is on the constrained funding list. Therefore, this project (Sunnyvale's fair share) would be logical to add to the Sunnyvale Traffic Impact Fee program. By paying the fee, individual projects under the LSAP would be making a fair-share contribution to the improvement. However, it should be noted that this improvement is outside of the City's jurisdiction, and the City cannot ensure that the improvements would actually be constructed. Thus, as identified in Impact 3.6.6 under the Freeway Segments Under 2035 Proposed GP Conditions subheading on pages 3.4-42 through -52 and under the mitigation measures discussion on page 3.5-58 in the Draft EIR, impacts to freeway segments are considered significant and unavoidable.

Response B-7

This is a general comment encouraging the City to participate in the VTA voluntary contribution program. A summary of VTA's programs is included on page 3.4-20 in the Draft EIR. This comment does not raise any issues concerning the adequacy of the analysis in the Draft EIR.

2.0 RESPONSES TO COMMENTS

Letter C

STATE OF CALIFORNIA

Edmund G. Brown Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691
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 Fax (916) 373-5471
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June 14, 2016

Andrew Miner
 City of Sunnyvale
 456 West Olive Avenue
 Sunnyvale, CA 94088-3707

sent via e-mail:
aminers@sunnyvale.ca.gov

RE: SCH# 2013082030 Lawrence Station Area Plan Project, draft Environmental Impact Report, Cities of Sunnyvale and Santa Clara, Santa Clara County, California

Dear Mr. Miner:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

C-1

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate subcategory of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

C-2

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

Letter C Continued

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 1. Planning and construction to avoid the resources and protect the cultural and natural context.

2.0 RESPONSES TO COMMENTS

Letter C Continued

- ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). *This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

- 1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
- 2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
- 3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
- 4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

Letter C Continued

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

C-3

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

2.0 RESPONSES TO COMMENTS

Letter C Native American Heritage Commission**Response C-1**

This comment summarizes CEQA requirements for determining the significance of a historical resource. The Draft EIR (pages 3.10-5 through -7 in Section 3.10, Cultural Resources, describes these requirements. This comment does not identify any specific concerns regarding the adequacy of the analysis of historical resources in the Draft EIR.

Response C-2

This comment is a general overview of consultation requirements under California Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) and Senate Bill (SB) 18 (Chapter 905, Statutes of 2004). These laws are described on page 3.10-7 in Section 3.10, Cultural Resources, in the Draft EIR. As stated on page 3.10-7, AB 52 consultation applies to projects that have an NOP filed on or after July 1, 2015. The NOP for the LSAP EIR was filed on August 9, 2013, and therefore the project is not subject to AB 52. The City initiated the consultation process under SB 18 in 2013. As noted on Draft EIR page 3.10-8, Native American individuals/organizations identified in the NAHC response letter were contacted, and as of May 2016, the City had received no responses to the inquiry.

Response C-3

There are no known Native American resources in the LSAP project area. However, future projects that may be constructed according to the LSAP may involve ground disturbance. Mitigation measure MM 3.10.1 on page 3.10-10 in the Draft EIR describes the procedures that must be followed in the event archaeological resources or human remains are discovered.

Letter D



1889 Lawrence Road
Santa Clara, CA
95051
408-423-2000

Stanley Rose III, Ed.D.
Superintendent

July 5, 2016

Andrew Miner, AICP
Principal Planner
City of Sunnyvale
Community Development/Planning Division
456 W. Olive Avenue
Sunnyvale, CA 94086

RE: City of Sunnyvale Lawrence Station Area DEIR Comments

Dear Mr. Miner,

The Santa Clara Unified School District appreciates the opportunity to provide input on the Draft Environmental Impact Report (DEIR) for the City of Sunnyvale Lawrence Station Area Plan. Although the plan is not within the boundaries of the Santa Clara Unified School District, the location of the development is very close to Ponderosa Elementary School and the Monticello School Site (Santa Clara Christian School) and the health and safety of all students is paramount.

D-1

The DEIR for the City of Sunnyvale Lawrence Station Area Plan allows for a variety of densities for residential developments and does not require open space with every development. Two open spaces identified in the plan are the Ponderosa Elementary School and the Santa Clara Christian School (on the Monticello Site). Both sites already have impacted fields and do not have enough space to adequately support existing uses.

The Monticello School fields are used by the Santa Clara Christian School during the day and by Wilcox High School for sports after school and on weekends year round. Ponderosa Elementary also has sport teams using the fields after school and on weekends. As the population grows in Santa Clara and Sunnyvale there will be an increased demand for community youth sport teams to use the fields and the fields will not be open for unrestricted use such as general open space.

D-2

The City of Sunnyvale Lawrence Station Area Plan DEIR must address open space, including designated sports fields as a requirement for developers. The current residents of the area and in Santa Clara County do not have adequate access to open space and the population increase in this planned area will make the situation worse.

The City of Sunnyvale Lawrence Station Area Plan DEIR analyzes 2,323 new housing units. Although most of the units will be located within the Sunnyvale and Fremont School Districts, some of the students may want to attend the nearby Santa Clara Unified School District schools, including Ponderosa Elementary and Wilcox High School. In the future, the Monticello School Site will be reopened as a Santa Clara School in order

D-3

Board
of Education
...
Jim Canova
Albert Gonzalez
Jodi Muirhead
Andrew Ratermann
Michele Ryan Ph.D.
Noelani Sallings
Christopher Stampolis

1 | Page

Letter D Continued

to accommodate additional students from developments. Reopening a school is time consuming and expensive.

The Santa Clara Unified School District did not incorporate any of the student generation numbers from the potential housing of the Lawrence Area Station Plan into the Measure H Bond projects list. The funds to construct any additional facilities needed to house these students will be requested from developers, incorporated into a future district wide general obligation bond or both.

In order to house the additional students, the Santa Clara Unified School District requests full school impact mitigation through voluntary community payments at two times the current statutory development fee, in addition to the current statutory development fee.

It is important to understand the context of the District's position as to the reason for the Voluntary Community Payment. Under the State School Facility Program, development impacts on schools are funded through a combination of 1) SB 50 developer fees which are calculated based on square footage; 2) state bond funds under the State School Facility Program; and 3) local contributions including, but not limited to, general obligation bonds and voluntary community payments. Given the uncertainty over the availability of state bond funds, it is crucial that the District have adequate funds from SB 50 fees and voluntary community payments to meet its future facility needs resulting from the Lawrence Area Station Plan in Sunnyvale.

The District looks forward to working with developers as the projects arise. Please contact me with any questions at mhealy@scusd.net.

Sincerely,



Michal Healy
Bond Program Consultant
School Building Consultants

Cc: Mark Allgire, CPA, Assistant Superintendent Business Services

**D-3
cont.**

Letter D Santa Clara Unified School District

Response D-1

Although the comment indicates a concern with the health and safety of students, the comment does not provide any specific information, and the intent of the comment cannot be ascertained. The comment is not directed to any specific analysis in the Draft EIR, and no further response is possible.

Response D-2

Several points of clarification are required to address this comment. The Draft EIR does not establish the densities for residential development, nor does it include a mechanism under which open space would not be provided with every development. The Draft EIR is an informational document that evaluates the environmental impacts of implementing the Lawrence Station Area Plan. The LSAP, which identifies the housing densities and illustrates a conceptual open space framework along with policies and guidelines concerning open space, is the project description for purposes of the Draft EIR.

The commenter states that the plan identifies two open spaces, ones at Ponderosa Elementary School and one at Santa Clara Christian School (Monticello School site), both of which are outside the LSAP project area. Figure 3.1, Open Space Framework, in the LSAP document, which is reproduced as Figure 2.0-4 on page 2.0-19 in Section 2.0, Project Description, in the Draft EIR, clearly shows there are no proposed open spaces at either school. The open space figure depicts (in blue) Ponderosa School, Santa Clara Christian School, and Wilcox High School as containing existing schools and public facilities, which represent the playfields noted by the commenter.

The Draft EIR (page 3.11-11 in Section 3.11, Public Services and Utilities) describes existing parks and recreation facilities within the Sunnyvale city limits. Part of the 745 acres owned or maintained by the City is 143 acres of playfields, of which 111 acres are at schools and accessible to the public through joint-use agreements with three school districts, such as the Santa Clara Unified School District.

The LSAP includes provisions for parks, which are described on page 2.0-17 in Section 2.0, Project Description, in the Draft EIR. As noted above, Figure 2.0-4 on page 2.0-19 shows a conceptual open space plan. The LSAP proposes approximately 32.5 to 39.0 acres of new open spaces and plazas open to the public throughout the plan area. Subsequent projects would also be required to dedicate land, pay a fee in lieu thereof, or both for park or recreational facilities. This reduces the impact to a less than significant level.

The Draft EIR (page 3.11-13) evaluates cumulative impacts on parks and recreation facilities in Impact 3.11.4.2. The analysis considers the LSAP's effects in addition to other development in Sunnyvale. As stated on page 3.11-13 in the Draft EIR, under cumulative conditions, there would be sufficient park and recreation facilities to accommodate the LSAP population in addition to other cumulative development, and the LSAP's contribution would not be cumulatively considerable.

No revisions to the Draft EIR, as requested by the commenter, are necessary as a result of this comment.

2.0 RESPONSES TO COMMENTS

Response D-3

The commenter speculates that some students in the LSAP may want to attend Ponderosa Elementary School and Wilcox High School, which are in the Santa Clara Unified School District. As a result, additional school facilities would be needed and there would be insufficient funding because students generated under the LSAP were not incorporated into the Measure H bond list. Other than speculation, the commenter does not provide any technical analysis supported by substantial evidence that the proposed LSAP would directly or indirectly result in increased enrollment in districts outside Sunnyvale. As stated on page 3.11-9 in the Draft EIR, impacts on school capacity are not considered a physical impact under CEQA.

It is not within the City's authority to determine which schools students would attend. As a result, there is no requirement for the Draft EIR to evaluate what the physical impacts, if any, would be on district schools, as provided by CEQA Guidelines Sections 15144, 15145, and 15146, which address forecasting, speculation, and degree of specificity, respectively.

Providing schools for new development areas has been an issue of statewide concern in California for many years. In order to provide new schools, the California Legislature has enacted a comprehensive statutory program for financing new schools. California law, as set forth in Education Code Section 17620 and Government Code Section 65995 et seq. (commonly known as SB 50), establishes that the provisions of state law are full complete mitigation under CEQA for the impacts arising from new development on the planning, use, and development of new school facilities to serve that new development. The City of Sunnyvale is without the legal authority under CEQA to impose any fee, condition, or other exaction on the Lawrence Station Area Plan for the purpose of funding new school construction other than the fees allowed by SB 50. Each individual private development project will be conditioned to pay the SB 50 fees. Accordingly, impacts on school facilities have been fully and completely mitigated for purposes of CEQA.

Letter E



July 5, 2016

City of Sunnyvale
Planning Division
P.O. Box 3707
Sunnyvale, CA 94088-3707

Attention: Andrew Miner

Subject: Lawrence Station Area Plan

Dear Mr. Miner:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for a land use plan for the area within a half-mile radius of the Lawrence Caltrain Station. We have the following comments.

Land Use

VTA supports the proposed land use intensification in this area, identified as a Station Area in VTA's Community Design & Transportation (CDT) Program Cores, Corridors and Station Areas framework, which shows VTA and local jurisdiction priorities for supporting concentrated development in the County. The CDT Program was developed through an extensive community outreach strategy in partnership with VTA Member Agencies, and was endorsed by all 15 Santa Clara County cities and the County. In addition, the proposed project represents an important opportunity to create a more supportive land use context for the currently underutilized Lawrence Caltrain station, thereby encouraging an increase in transit ridership and a reduction in automobile travel and greenhouse gas emissions.

E-1

DEIR: Multimodal Analysis

VTA commends the City for including a thorough analysis of potential impacts to transit, bicycle and pedestrian modes in the DEIR, as well as project effects on vehicle miles traveled (VMT) and mode split.

E-2

DEIR: CMP Facility Impacts and Mitigation Measures

The DEIR identifies that the proposed plan would increase congestion at two segments of SR 237 and seven segments of US 101, resulting in a "cumulatively considerable and significant traffic operation impact" (3.4-52). The DEIR identifies improvements in the Valley Transportation Plan (VTP) that would improve operations along these corridors, including SR 237 Express Lanes Phase II and US 101 Express Lanes, and notes that "Development in the LSAP is required to pay fair-share fees towards improvements" (pg. 3.4-58). Express Lanes in operation have been shown to provide improved travel speeds, lower levels of congestion, higher traffic throughput

E-3

3331 North First Street • San Jose, CA 95134-1927 • Administration 408.321.5555 • Customer Service 408.321.2300 • www.vta.org

2.0 RESPONSES TO COMMENTS

Letter E Continued

City of Sunnyvale
July 5, 2016
Page 2

carrying capacity and overall improved traffic operations. VTA looks forward to working with the City to identify contribution opportunities as projects come forward in the Lawrence Station area.

In addition, the DEIR identifies that the proposed plan would result in significant impacts at four CMP Intersections along Lawrence Expressway (intersections with Cabrillo Avenue, Benton Street, Homestead Road and Pruneridge Avenue). For all four intersections, grade-separated interchanges included in the August 2015 update of the *County of Santa Clara Expressway Plan 2040* are identified, and the DEIR notes that, "Development within the LSAP would be required to pay its fair share contribution towards the planned interchange" (pgs. 3.4-55 to 3.4-57). VTA supports the inclusion of these contributions as mitigation measures.

**E-3
cont.**

DEIR and Draft Plan: Transportation Demand Management

VTA strongly supports the inclusion of mandatory trip reduction targets of 20% daily and 30% peak hour trips for new office/R&D development, and 8% of peak hour trips for retail and residential development (DEIR pg. 3.4-53). VTA notes that the trip reduction target for residential and retail in the DEIR (8% of peak hour trips) differs from the target included in the February 2015 draft Plan (5% of peak hours trips, Draft Plan p. 4.27). VTA understands that the City has been studying the topic of Residential TDM over the past year, and VTA supports including the higher target in the Plan.

In addition, the Draft Plan notes that TDM programs in the Plan area would be required to include "robust monitoring measures" (pg. 4-27). VTA recommends adding further explanation about what the monitoring measures would entail (e.g., driveway counts/employee surveys), how the requirement will be codified, and how the residential/retail requirement may evolve over time.

E-4

Draft Plan: Additional Comments

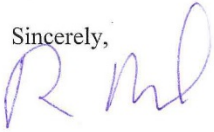
VTA provided extensive additional comments on the February 2015 draft Lawrence Station Area Plan document at the invitation of the City. We understand from City staff that the City will be considering comments received on the draft Plan along with comments on the DEIR. Our prior comments on the February 2015 draft Plan are attached here for reference. VTA staff would be happy to meet with City staff to discuss our comments on the draft Plan.

Letter E Continued

City of Sunnyvale
July 5, 2016
Page 3

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

cc: Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

SU1309

2.0 RESPONSES TO COMMENTS

Letter E Continued

VTA Comments on Draft Lawrence Station Area Plan
May 2015

VTA Comments on February 2015 Draft Lawrence Station Area Plan

Executive Summary/Overall:

- **Use of Development Incentives (e.g., p. ES.3):** We understand the rationale for using an incentive system to obtain desired improvements, but we suggest that the City consider whether a few items (e.g., right-of-way dedication for the Loop road, providing ground-floor retail space on key sites) should be required rather than left to the menu of incentives & benefits. Otherwise, it's possible that the station area will be left with a disjointed circulation system or a lack of retail options, which will particularly hamper bicycle and pedestrian access.
- **Densities on Peninsula/Calstone site: (e.g., p. ES.4):** We believe that the Residential and Office/R&D density range on this site (Mixed-Use Transit Supporting South) should be higher (perhaps matching the range for Mixed-Use Transit Core on the north), to maximize the use of this land immediately adjacent to the station. We understand the sensitivity of the height limits on this land due to proximity to residential on Aster Avenue, but we believe that the provisions in the Urban Design chapter for height transitions can address these concerns.
- **New Pedestrian/Bicycle Rail Crossings:** VTA supports the inclusion of these new crossings in the Station Area Plan, and recommend always referring to these as "New Grade-Separated Pedestrian/Bicycle Rail Crossings" in the text and on all figures. However, as noted in our September 9, 2013 comment letter on the NOP for the LSAP Draft EIR, it is unlikely that either the Caltrain Joint Powers Board or VTA will be able to provide the resources for ongoing maintenance and security of new rail crossings in this area. VTA recommends that the City identify resources for maintenance and security of these proposed rail crossings in the Station Area Plan.

Chapter 4 – Circulation & Parking:

- **Bicycle Improvements - Throughout:** By January 1, 2016 Caltrans will have adopted geometric design guidance for Class IV bikeways (cycle tracks). We recommend mentioning them as an option wherever bike lanes or routes are discussed.
- **Existing Bicycle Facilities (p. 4.13):** Please note that Lawrence and Central Expressways do not have designated bikeways on them. Both have 8 foot shoulders that bicyclists are permitted to use. The County has a policy to "delineate, not designate" bike facilities on Expressways. We recommend rephrasing the paragraph on page 4.13 to reflect this.
- **Planned Bicycle Facilities:** Please include a reference to the VTA Countywide Bike Plan (2008) which is available at <http://www.vta.org/projects-and-programs/planning/bikes-countywide-bicycle-plan-cbp> and note the following:
 - The two proposed bicycle/pedestrian crossings of the Caltrain tracks are supported by VTA's Countywide Bicycle Plan. They are both identified as Across Barrier Connections, which are very important to complete.
 - The VTA Countywide Bicycle Plan identifies Lawrence and Central as Expressway Cross County Bicycle Corridors and Reed-Aster-Agate-Bowers as part of the Alma-Caltrain Cross County Bicycle Corridor.
- **Road Diets and Traffic Calming:** VTA supports the proposed road diet on Kifer Road as a way of enhancing pedestrian and bicycle facilities, calming vehicular travel speeds and improving safety. We believe that the improvements should include widened sidewalks, and the text on pages 4.5

Letter E Continued

VTA Comments on Draft Lawrence Station Area Plan
May 2015

and 4.6 should make it clear that improving bicycle accommodations and widening the sidewalk is not an either-or choice. We also encourage the City to consider whether modifications are needed to Reed Avenue, particularly near the intersection of Reed and Evelyn, where the roadway's excessive width is not well suited to the surrounding residential land uses.

- **Intersection Improvements (p. 4.16):** Please note that bicycle detection at signals is required for all new or modified signals. We suggest considering other improvements at intersections such as green paint at conflict points, bringing bicycle lanes all the way to the intersection, removing channelized right-turn lanes, and tightening curb return radii.
- **Bicycle Sharing (p. 4.17):** As of May 2015, MTC is proposing to sell the pilot bike share system to successor operator Alta Bike Share (Motive). Motive will expand operations in San Francisco, San Jose, Emeryville, Berkeley, and Oakland, and permit other cities to buy into the system at cost. It may be advisable to note this in the Plan text.
- **Accommodating Future Transit (p. 4.21):** After the second sentence here, please add a note that any changes to service would be considered in the framework of VTA's Board-adopted Transit Sustainability Policy and Service Design Guidelines (TSP/SDG), which provide guidance for evaluating possible new or modified VTA transit service. The TSP/SDG is available at <http://www.vta.org/projects-and-programs/programs/transit-sustainability-policy-tsp>.
- **Bus Transit Stop Improvements (p. 4.21):** The discussion of bus stop improvements here mentions adding bus pull-outs along The Loop, Kifer Road, and other roadways, while the Design Guidelines for specific streets in Chapter 6 generally refer to adding transit stop bulb-outs. These references should be clarified and made consistent. From VTA's perspective, we would generally prefer to see in-line stops or bulb-outs to at locations where a bus route is passing through an area (e.g., along Kifer) to avoid merging delays and improve travel times. At locations where the bus may lay over, at major transfer points, or where there are high auto speeds or other significant safety considerations, pull-outs/duckouts may be more appropriate. We would be happy to discuss specific bus stop designs at the appropriate time.
- **Parking:** We commend the City for including progressive parking policies in the draft Plan, including the emphasis on shared parking, unbundled parking, and other management strategies. We also support the use of a Parking Exceedance Fee, and we recommend adding a policy to page 4.26 clarifying that such a fee would be mandatory when maximum parking levels are exceeded.
- **Transportation Demand Management (p. 4.27):** We strongly support the inclusion of mandatory trip reduction targets as described in this section, and we recommend adding further explanation about what the monitoring measures would entail (e.g., driveway counts/employee surveys), how the requirement will be codified, and how the residential/retail requirement may evolve over time.

Chapter 6 – Urban Design:

- **Sidewalks and Street Trees:** We commend the City for proposing street design guidelines that include wider sidewalks and planter strips with street trees between the sidewalk and the curb. Resources on pedestrian quality of service indicate that such accommodations improve pedestrian perceptions of comfort and safety on a roadway. We encourage the City to clarify how trade-offs will be made when there are existing trees in less-than-optimal locations, perhaps acknowledging that existing trees may occasionally need to be removed to place the sidewalk and new streets in a better location for pedestrians.

2.0 RESPONSES TO COMMENTS

Letter E Santa Clara Valley Transportation AuthorityResponse E-1

The VTA states its support for the land use intensification proposed in the LSAP and a more supportive land use context for the Lawrence Caltrain station. This comment is directed to the merits of the LSAP and does not address the adequacy of the Draft EIR analysis.

Response E-2

The VTA commends the City for including a thorough analysis of potential impacts on transit, bicycle, and pedestrian modes and vehicle miles traveled (VMT) in the Draft EIR. These analyses are presented in Impact 4.3.1 (Transit), Impact 4.3.2 (Bicycle Facilities), and Impact 4.3.3 (Pedestrian Facilities) on pages 3.4-33 through -38 in Section 3.4, Transportation and Circulation, in the Draft EIR.

Response E-3

This comment expresses support for the inclusion of fair-share contributions as mitigation for significant impacts at four CMP intersections along Lawrence Expressway. The mitigation measures, and associated explanation of how the mitigation measures would reduce impacts, are presented on pages 3.4-55 through -57 in the Draft EIR.

Response E-4

The City appreciates the VTA's input and will continue to coordinate its efforts with the VTA. The comment does not raise any issues concerning the adequacy of the analysis in the Draft EIR or its conclusions.

Letter 1

From: **jie an** <anjie02us@yahoo.com>
Date: Sat, May 21, 2016 at 9:04 PM
Subject: about LSAP
To: "aminers@sunnyvale.ca.gov" <aminers@sunnyvale.ca.gov>

i do not like any change lawrence station.
jie

1-1

2.0 RESPONSES TO COMMENTS

Letter 1 Jie AnResponse 1-1

This comment is directed to the merits of the proposed project and does not address the adequacy of the analysis in the Draft EIR. The commenter's opinion is noted and will be considered during the decision-making process.

Letter 2

From: **David Baccus** <dbaccus@extraspace.com>
Date: Sat, May 21, 2016 at 11:38 AM
Subject: Lawrence Station Area Plan
To: "aminers@sunnyvale.ca.gov" <aminers@sunnyvale.ca.gov>

Hello Andrew -

We just got the notice about the project, and that it is currently under review. I see a lot of great plans for the area that I am very excited about. My biggest question is about the bicycle loop. I see that the path is somewhere between Costco and the CalTrain tracks. Do you have a more detailed plan on where that would be? My property is in that area and we would like to know where it is planned to be.

2-1

Thank you for your time -
David

david baccus | district team lead | extra space storage
p. [408.746.0395](tel:408.746.0395) | 106 lawrence station rd, sunnyvale, ca, 94086 |
[extraspace.com](http://www.extraspace.com/)<<http://www.extraspace.com/>>
FACEBOOK<<http://facebook.com/extraspace>> | TWITTER<<http://twitter.com/extraspace>> |
GOOGLE+<<https://plus.google.com/+extraspacestorage/posts>> |
NYSE:EXR<<https://finance.yahoo.com/q?s=EXR>>

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2.0 RESPONSES TO COMMENTS

Letter 2 Davis BaccusResponse 2-1

This comment addresses the bicycle route network proposed in the LSAP. Figure 2.0-8 on page 2.0-31 in Section 2.0, Project Description, in the Draft EIR indicates the locations of proposed bicycle routes. The detail requested by the commenter is not available at this time.

Letter 3

From: **Walter Bankovitch** <wbanko@yahoo.com>
Date: Sat, Jun 4, 2016 at 10:12 AM
Subject: Lawrence Station Area Plan
To: "aminersunnyvale.ca.gov" <aminersunnyvale.ca.gov>

Hello, Andrew Miner:

I am a Sunnyvale Roundtree resident since 1988. While I am in favor to permit flexibility in land use in my neighborhood, I have a concern about elevated auto traffic and water supply impact. I see the *giant* building project going on at the corner of Lawrence and Monroe/Reed, which will be extensive enough to be a city within a city. Also there's large construction project at the northwest corner of Evelyn and Wolfe.

3-1

First I would suggest making residents pay separately for parking in the new complexes (perhaps for household cars above and beyond one car), to encourage use of public transit (nearby CalTrain, VTA etc.).

Second, I'm concerned with so many new housing units being constructed and its impact on water supply. That's a lot of showers running and toilets flushing. Water pricing should be commensurate with the cost of supplying safe water to all of Sunnyvale, and the best in water conservation hardware should be installed in the housing units.

3-2

Thanks for reading this.

Best regards,
Walter John Bankovitch
223 Red Oak Drive Apt B
Sunnyvale, CA

2.0 RESPONSES TO COMMENTS

Letter 3 Walter BankovitchResponse 3-1

The commenter's concern about additional traffic in the vicinity of the LSAP and suggestion that future residents pay for parking in new complexes to encourage use of public transit is noted. This comment does not address the adequacy of the analysis in the Draft EIR, but it will be considered by the decision-makers. The Draft EIR (page 2.0-28 in Section 2.0, Project Description) describes the approach to parking facilities in the LSAP.

Response 3-2

The potential effects on water supply with implementation of the LSAP are evaluated in the Draft EIR in Impact 3.11.5.1 on page 3.11-25 in Section 3.11, Public Services and Utilities. The impact evaluation is based on a water supply assessment, included in Appendix G in the Draft EIR, that documents in detail existing and future water supplies and demands. Sufficient water supplies would be available to meet the LSAP demands in addition to existing and future demands in the city. New development will be required to include the City's Green Building Standards for water-efficient fixtures (see Draft EIR page 3.11-23) as well as Action WC-2.1 in the City's Climate Action Plan, which requires new development to reduce potable indoor water consumption by 30 percent and outdoor landscaping water use by 40 percent (see Draft EIR page 3.11-24). The commenter's suggestion regarding water pricing is noted.

Letter 4

From: **martin baynes** <martinjbaynes@gmail.com>

Date: Tue, May 24, 2016 at 9:43 AM

Subject: Re: Lawrence Station Area Plan (LSAP) Environmental Impact Report Available

To: Andrew Miner <amminer@sunnyvale.ca.gov>

Hi,

Thank you for keeping us all abreast of the planning process. This is a question about the plan.

Context:

We live at 490 Texas Oak Terrace, off Aster. I take my children by car to Ellis Elementary daily. With the imminent opening of the Monticello apartments and retail, we are all apprehensive of the increased traffic along Aster that will bring. The plan talks about improvements to pedestrian access to the station from the south side - but its a big plan and implementation will take some years.

Question:

My concern is for the train users who walk to/from Lawrence Caltrain along Aster. They typically walk in the bike lane on the north side, which is overhung with trees. In fall and winter their visibility is greatly reduced; leaf debris causes them to step into the traffic lane and they and the debris cause cyclists correctly using the lane to go west have to move into the traffic lane. With the increased traffic from Monticello a serious accident is going to happen and the pedestrian/cyclist involved may not survive.

Is there any way there can be intermediate improvements to the pedestrian access to Lawrence Station along Aster, ahead of the plan?

Suggestions:

Ideally, adding a sidewalk along the north side would be best - and if it required use of the existing road width that could be an advantage in slowing the traffic down.

Alternatively, there is one break in the sidewalk on the south side, at the light industrial park. If a sidewalk could be provided there plus a controlled crossing across the end of Aster at Willow, signage could encourage pedestrians to switch to the south side.

Thanks for listening - you do not need to take the time to reply.

4-1

2.0 RESPONSES TO COMMENTS

Letter 4 Martin Baynes**Response 4-1**

The commenter expresses concern about pedestrian and bicycle safety in the vicinity of Aster Avenue. While the Draft EIR is not required to remedy existing problems or address hazards that may be created by an unrelated project (the Monticello apartments), it is required to evaluate what effect the LSAP would have on those facilities as a result of proposed land uses and increased use of facilities. The Draft EIR evaluates the impacts on pedestrian facilities, which also address pedestrian safety, in Impact 3.4.3 on page 3.4-37 in Section 3.4, Transportation and Circulation. The LSAP includes policies to improve pedestrian and bicycle safety, many of which are listed on pages 3.4-36 and -37 in the Draft EIR. A complete list of proposed improvements and policies may be found in the LSAP document on pages 4.8 through 4.18. The City appreciates the commenter's observations about pedestrian safety and the suggestion for specific sidewalk improvements along Aster Avenue and near the Lawrence Caltrain Station. This is a design issue that will be considered during the planning process.

Letter 5

From: **Brian Cilker** <bcilker@pineconelumber.com>
Date: Sat, May 28, 2016 at 11:28 AM
Subject: LSAP Draft EIR comments
To: aminer@sunnyvale.ca.gov

May 28, 2016

From: Brian Cilker, President of Pine Cone Lumber Company, Inc.

To : Andrew Miner

Re : Draft EIR for LSAP

In considering the proposal to change zoning of all the properties within the LSAP, I respectfully request that the City of Sunnyvale planners consider the following issue:

1. There needs to be a part of Sunnyvale set aside for commerce along the Union Pacific right-of-way. Rail movement of goods to our city and to surrounding areas is an important element in maintaining the quality of life in our area. For each rail car of product we receive in our lumber yard, at least four trucks are removed from City streets. This reduces congestion and pollution, while lowering the costs of the materials so transported. Fully loaded trucks also contribute the most wear and tear on city streets.

2. Pine Cone Lumber is located in an area designated for residential development. In order to find an alternate site in Sunnyvale in the future, land must be available for occupancy. We do not wish to move to another city, but we may be forced to, if an alternate site cannot be identified in the future. If all available land is zoned for residential, office, and retail, industrial users will be forced out. The City may think this is OK, but in the past, Sunnyvale has sought a healthy balance of land uses to keep a diversified tax base.

Thank you for considering this issue. Please look at how this proposed change impacts the overall character of our city. Maybe land adjacent to the UP right-of-way could be left for industrial uses, and as a sound buffer for the LSAP proposed uses.

5-1

5-2

2.0 RESPONSES TO COMMENTS

Letter 5 Brian CilkerResponse 5-1

This comment is directed to the proposed zoning changes in the LSAP and does not specifically address the adequacy of the analysis in the Draft EIR. According to the address on the commenter's business website, the commenter's business is not within the boundaries of the LSAP, but is in an area currently designated for medium-density residential uses. The closest LSAP subarea is the Southern Residential subarea. As stated on page 2.0-23 in Section 2.0, Project Description, in the Draft EIR, very little change is proposed in this subarea, and no changes are proposed for the business owner's property because it is not in the LSAP. The commenter's concern about effects of the LSAP on businesses and the City's tax base, particularly with regard to industrial-zoned land uses, is noted. This is a socioeconomic issue, which does not require evaluation as provided under CEQA Guidelines Section 15131. The LSAP does not provide for, nor does the City have any intention of, acquiring private property to implement the LSAP.

Response 5-2

The Draft EIR evaluates the potential impacts on elements that contribute to the city's character within and adjacent to the LSAP. For example, Impact 3.1.1 (Draft EIR page 3.1-10) evaluates the potential for division of existing communities. The analysis concludes that impacts would be less than significant. Impact 3.12.1 in Section 3.12, Visual Resources and Aesthetics, evaluates changes in visual character, the impacts of which were determined to be less than significant with implementation of the proposed LSAP land uses and associated development policies.

The commenter's suggestion regarding land adjacent to the railroad right-of-way is a planning issue that will be considered by the decision-makers. It does not affect the adequacy of the analysis in the Draft EIR.

Letter 6

From: Al Gil <albert_gil@yahoo.com>
Date: Wed, May 25, 2016 at 9:39 PM
Subject: Re: Lawrence Station Area Plan (LSAP) Environmental Impact Report Available
To: Andrew Miner <amminer@sunnyvale.ca.gov>

Andrew,

We attended 1st few meetings and at that time the city had no intention of acquiring private property. Just following up to see if any changes have occurred.
As you know we have a home on Reed Ave. and we just want confirmation that my home is safe.

6-1

Regards,

Albert Gil

2.0 RESPONSES TO COMMENTS

Letter 6 Albert GilResponse 6-1

This comment is a general inquiry to City staff and is not directed to the adequacy of the analysis in the Draft EIR. City staff responded directly to the commenter that the City would not acquire private residential property in order to implement the LSAP.

Letter 7

From: Stan Hendryx <stan@hendryxassoc.com>
Date: Sat, Jul 2, 2016 at 2:32 PM
Subject: LSAP DEIR
To: Andrew Miner <aminer@sunnyvale.ca.gov>

Hello Andy,

I have reviewed the LSAP DEIR. My comments are in the attached. Also attached is a data file of Sunnyvale commuting I compiled, referred to in my letter.

Thank you for your efforts in this important project. Please let me know you received this OK.

Best regards,

Stan
[408 218-9455](tel:4082189455)

2.0 RESPONSES TO COMMENTS

Letter 7 Continued

Stan Hendryx

505 S. Murphy Ave. • Sunnyvale, CA 94086 • Phone: 408 218-9455
 E-Mail: stan@hendryxassoc.com



Date: July 2, 2016

Mr. Andrew Miner
 Planning Officer
 City of Sunnyvale
 650 Olive Avenue
 Sunnyvale, CA 94086

Re: Lawrence Station Area Plan Draft EIR

Dear Andy,

I have reviewed the draft EIR for the Lawrence Station Area Plan and am pleased to submit the following comments for your consideration. My comments pertain to VMT.

Assess the full Impact of VMT

This statement appears in section 3.4.1 and in the Appendices:


"For the purpose of this study, trips with both trip ends within the study area are counted as one trip, while trips with only one trip end in the study area were counted as half a trip. This is standard practice, because, for trips with an origin or destination outside of the study area, half of the "responsibility" for the trip lies outside the study area for air quality and greenhouse gas (GHG) analyses. Daily VMT data for all existing, current GP, and 2035 proposed GP scenarios were calculated using outputs from the STFM."

The practice of discounting by half the trips whose origin or destination is outside the study area is inappropriate for this study of project impacts. A project such as LSAP inherently induces travel, both by its residential and its office components. The full impact induced by the project must be assessed to properly evaluate project alternatives. The standard practice of splitting responsibility between origin and destination areas is only valid when performing studies of emissions that include both the origin and the destination, to avoid double counting. This DEIR is a study of a project that, by definition, excludes areas external to it. This project impacts other areas and is responsible for those impacts. We are looking for project impacts, however far away they may be felt. For example, a project in a remote greenfield site 50 miles from the nearest town would induce 100 miles of traveling per workday for every worker who either works in the project and lives in town, or who works in town and lives in the project. The impact on the environment caused by the project is 100 VMT. Only by fully accounting for the induced travel can the true impact of the project on the global environment be assessed, 100 miles per day per commuting worker in this example. It is the total that counts, not just half of it, when assessing a project. The standard practice should not be followed in this report. Mitigations would be to build affordable worker housing or jobs for residents in the site area, to obviate long-distance commuting.

7-1

Letter 7 Continued

Stan Hendryx Lawrence Station Area Plan DEIR

Page 2 

The VMT and trip data in this DEIR need to be corrected as necessary to reflect the full impact of commuting in and out of the area. It is not stated in the DEIR just how the VMT numbers were affected by the standard practice, so the VMT data provided is ambiguous at best. Should we double the numbers to assess the true impact of the project? See Table 3.4-1 and Appendix C Table 20, p.65. Is the total VMT and GHG reported in Table 20 is just half of the real Total?

7-1
cont.

7-2

Access to the STFM is needed

The VMT data cannot be vetted without an understanding of the Sunnyvale Traffic Forecast Model (STFM), mentioned in section 3.4.1 and elsewhere. The DEIR should say how the STFM can be accessed and reviewed by the public, including documentation about its assumptions and procedures.

7-3

Comparative impacts of the Alternatives is needed

The relative impacts on traffic and air quality of the three alternatives considered in section 4 are not adequately assessed. These alternatives can and should be compared by showing the commuting VMT induced by each alternative. The results should be shown in Table 4.0-1 in section 4.2 by adding rows for number of workers, commuting VMT and commuting GHG for each of the three origin-destination categories: inbound commuting, outbound commuting and internal commuting. The full VMT and GHG values should be used in these comparisons as discussed above, not reduced by half by the standard practice. These totals would preferably be further broken down by RHNA worker income category to show how lower-paid workers are more adversely affected. Data is available to make these pay and income-category estimates, e.g., in the Housing Element.

7-4

My recommendation is to base the comparison on commuting VMT, not total VMT, because commuting is the dominant difference. Non-work home-based tours are likely to be about the same for residents anywhere in the region, the distances to local schools, shopping and entertainment being comparable. The big difference is the commuting, as commuters know all too well.

Conversion factors are needed to add the rows to Table 4.0-1, to estimate the number of workers per square foot of office space and the number of workers per housing unit. Various sources report 200 to 300 square feet of office space per worker and about 1.5 workers per household.

Population numbers should include non-resident workers

Since any housing or office development induces travel, the proper way to assess the effect of growth over time is to compare how VMT and GHG change over time compared to how the population changes over time. The DEIR does this. However, the population used should be residents plus non-resident workers, not just residents, as is done in the DEIR. The population numbers used should be supplemented with non-resident workers. This will aid in comparing alternatives and will account for changes in the anticipated jobs-housing mix over time in the LSAP.

7-5

2

Letter 7 Continued

Stan Hendryx Lawrence Station Area Plan DEIR

Page 3 

Environmental impacts of different housing affordability ratios is needed

Studies have shown that inbound commuters into Sunnyvale travel about 40% farther than outbound commuters. I performed one such study and am attaching my data for your interest. It consists of longitudinal ACS data obtained from MTC that I combined with commuting distance data from Apple Maps.

The commuting gap in Sunnyvale between income levels is growing as we permit and build more office space without providing affordable worker housing. Only about 20% of Sunnyvale workers can afford to live in Sunnyvale, so all of the rest must commute to work here. About 20% of working Sunnyvale residents also work in Sunnyvale; the rest commute, mostly to relatively nearby jobs in Mountain View, Cupertino, Santa Clara, North San Jose and Palo Alto. In contrast, lower-income workers commute mostly from South Santa Clara County and other Bay Area counties and beyond. The numbers of inbound and outbound commuters to/from Sunnyvale are comparable, leading to the misconception that the jobs/housing ratio in Sunnyvale is about 1. These phenomena are discussed in the Housing Element of the General Plan. According to the Grand Boulevard Initiative, 60% of workers in the El Camino Real Corridor do not live in either Santa Clara or San Mateo County.

The affordability of housing in LSAP and other Specific Plan Areas, indeed, anywhere in Sunnyvale, makes a significant difference in the environmental impact of the housing. Building market-rate housing is expected to induce nearby commuting as discussed above. Building affordable worker housing is expected to *reduce* commuting VMT by the difference between the long-distance inbound commuting and local commuting, which, from the Lawrence Station Area, averages about 3 to 4 miles to Sunnyvale, Cupertino, or Santa Clara job centers. This assumes the lower-paying jobs are, in fact, going to be filled at all, which is, itself, an increasingly challenging assumption as the housing situation in the region continues to deteriorate. Thus, affordable housing makes an important positive impact by reducing VMT and GHG emissions, in addition to helping assure the long-term economic sustainability of Sunnyvale by providing worker housing. This is after accounting for optimistic transportation mode splits.

This DEIR needs to show the effect of different affordability mixes in the LSAP housing. The effect of housing affordability is not assessed in the DEIR. Two scenarios are suggested, for comparison, in Table 4.0-1. One, the baseline, is based on current zoning and BMR ordinances, i.e. 85% market rate and 15% low- and moderate-income BMR. The alternative should be based on an affordability mix that matches Sunnyvale's current and projected job pay mix, by RHNA category, without regard to existing zoning ordinances. Both mixes should be applied to both ownership and rental units, on the assumption that Palmer is going to be repealed. The alternate scenario should give no consideration to how the affordable housing might be financed; financing is a separate matter, challenging to be sure. This report is just about environmental impacts. The VMT savings from affordable housing should be based on realistic assumptions about where our lower-paid workers will live, if not in Sunnyvale. The 2035 projections should consider that alternative affordable housing will be increasingly distant, the value of local affordable housing correspondingly greater.

7-5
cont.

3

Letter 7 Continued

Stan Hendryx Lawrence Station Area Plan DEIR

Page 4 

Conclusion

Building affordable worker housing in the Lawrence Station Area, Alternative 2, will minimize the impact of the LSAP on the environment, help right a social injustice that forces lower paid workers into longer commutes, and improve the long-term economic prospects of the city.

7-5
cont.

An EIR is a planning tool. The major practical use of the LSAP EIR is to help us choose between alternatives and to support policy changes needed to implement the plan. This draft EIR should be revised to distinguish the relative environmental impacts of the alternatives and show the positive impact of providing affordable worker housing. The DEIR does not currently do this. Making the changes recommended here will substantially improve the usefulness of the report.

7-6

Thank you,



Stan Hendryx

Letter 7 Continued

[illegible]

2.0 RESPONSES TO COMMENTS

Letter 7 Continued

Sunnyvale	San Jose	San Jose	0.0	5,882	5,032	44,264	550	24,228	120	286	66	0	0	0	0	0	0	4	4	25	4	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5
Sunnyvale	San Jose	San Jose	111.3	1,375	11,855	385	10,595	50	130	25	75	0	0	0	0	0	0	0	0	11	0	27.3	34.3	24.4	18.4	0.0	0.0	36.3	
Sunnyvale	Stanford	San Jose	11.3	20	225	20	220	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13.5	40.0	0.0	0.0	0.0	0.0	0.0	
Sunnyvale	Remediation of County	San Jose	1,425	1,425	11,150	47,260	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425	1,425		
Sunnyvale	San Jose	San Jose	4,223	40	1,482	40	1,482	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	52.3	0	248	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	79.0	0	5,135	30	2,370	10	285	20	652	0	0	0	0	0	0	0	0	0	0	114.0	41.4	15.0	96.0	0.0	0.0	0.0	
Sunnyvale	San Jose	San Jose	36.3	40	1,440	25	2,180	10	430	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	Remediation of County	San Jose	74.3	4	368	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	110.0	4	440	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	30.3	30	1,485	10	850	4	195	10	277	10	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	99.0	10	940	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	36.3	10	660	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	San Jose	San Jose	134.0	4	414	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	
Sunnyvale	Remediation of County	San Jose	36.2	35	1,462	20	2,430	10	400	0	0	0	0	0	0	0	0	0	0	0	0	18.9	24.3	16.6	22.2	25.4	0.0	26.5	

Totals not including Sunnyvale residents

San Jose MHI each year	1,342,222
MHI range	15.2
Median income per capita in 1997	14,794
Sunnyvale median income in 1997	71,260
Sunnyvale MHI (1997)	140,000
Sunnyvale MHI (2000)	110
Sunnyvale MHI (2000)	47,500
Median income in 1997	14,794
Median income in 2000	14,794

Percent outside the nine county Bay Area have been added

City of Sunnyvale is located at: <http://www.sunnyvale.ca.gov>For more information about the Census Tract population and income data, please go to: <http://www.census.gov>

Letter 7 Stan Hendryx

Response 7-1

This comment raises two separate but related issues: how VMT was calculated and how greenhouse gas (GHG) impacts were determined. Each of these topics is addressed below.

Table 20 in the TIA (Appendix C in the Draft EIR) presents the detailed calculation of VMT for the Lawrence Station Area Plan. The use of half trips to account for trips with only one trip end in the LSAP within the larger context of the Sunnyvale General Plan is appropriate for the project's VMT analysis. If full trips were used instead, this would result in double counting trips (as noted by the commenter). One of the purposes of Table 20 in the TIA (Appendix C in the Draft EIR) is to show the relative difference in VMT across all scenarios in TIA Table 20 (i.e., Santa Clara County, LSAP area, Peery Park Specific Plan area, and Draft Land Use and Transportation Element [LUTE] area). If full trips were used for the internal-external and external-internal calculations, there would be a commensurate increase in all of the VMT calculations. However, the relative numerical difference between existing and existing plus project compared to cumulative under the current General Plan and the Draft LUTE would still be the same as calculated when using half trips. The methodology for estimating VMT is explained on page 65 in the TIA. There is no ambiguity in the VMT data or its interpretation, and new calculations do not need to be performed.

Response 7-2

Table 20 in the TIA reports vehicle miles traveled. There are no estimates of GHG emissions in Table 20. The VMT data reported in Table 20 is correct, as explained in Response 7-1.

Response 7-3

The Sunnyvale Traffic Forecast Model (SFTM) requires Citilabs' Cube licensed software to access. A description of the model is available from the City of Sunnyvale Public Works Department.

Response 7-4

The discussion of VMT on pages 3.4-1, -2, -13, and -33 in Draft EIR Section 3.4, Transportation and Circulation, is for informational purposes. There is currently no CEQA requirement for a VMT analysis or a threshold by which to determine whether an impact would be significant. As such, quantification of commuting VMT to allow comparison of the GHG impacts of the alternatives, as suggested by the commenter, is not required. Generally, VMT for Alternative 2 (Residential Emphasis Alternative) would be reduced compared to the proposed project because there would be more housing available for local jobs relative to both existing conditions and as compared to the assumptions in the LSAP (i.e., a better jobs/housing ratio). As a result, criteria air pollutant and GHG emissions would be less than with the proposed LSAP. With Alternative 3 (Office/Research and Development Alternative), VMT would be higher because there would be more jobs and fewer residential units, which would result in greater VMT than the proposed project because workers would have to commute from more distant locations outside Sunnyvale. This would, in turn, result in greater GHG emissions than the proposed LSAP. Under both alternatives, as stated on pages 4.0-12 and -15 in Draft EIR Section 4.0, Alternatives, development would be required to implement the City's Climate Action Plan (CAP), which would reduce GHG emissions.

As stated on page 4.0-1 in Section 4.0 in the Draft EIR, the evaluation of alternatives does not need to be as detailed as the assessment of the proposed project. The qualitative analysis of VMT and associated GHG emissions above is sufficient to inform the decision-making process. Calculations

2.0 RESPONSES TO COMMENTS

to estimate the number of workers per square foot of office space, the number of workers per housing unit, and commuting VMT, as suggested by the commenter, are not necessary to support the alternatives analysis and would not affect the conclusions of the Draft EIR. No revisions to the Draft EIR are necessary.

Please see Response 12-1 regarding the LSAP assumption for the number of square feet per employee.

The Draft EIR is not required to evaluate how worker income would affect VMT. This is a socioeconomic consideration, whose evaluation would be remote and speculative, and would not affect the alternatives analysis.

The analysis of VMT accounts for nonresident workers. The “capita” in “VMT per capita” is calculated by adding residents and nonresident workers. The traffic study does not differentiate between resident and nonresident jobs, nor are such estimates necessary for determining the LSAP’s traffic impacts. Table 20 in the TIA (Appendix C in the Draft EIR) presents the detailed calculation of vehicle miles traveled for the LSAP. Because VMT takes workers into consideration, this is accounted for in the GHG emissions analysis.

Response 7-5

This comment is directed to the development assumptions in the LSAP, which is the basis for the analysis in the Draft EIR. The type and mix of housing, housing affordability, and commuter behavior as it relates to housing affordability are socioeconomic considerations, which do not require evaluation in the Draft EIR per CEQA Guidelines Section 15131. As such, the Draft EIR does not need to show the effect of different housing affordability mixes, nor how funding or financing would occur.

As the commenter correctly notes in the comment, “This report is just about environmental impacts.” That is precisely the purpose of the Draft EIR, as explained in subsection 1.1, Purpose of the EIR, on page 1.0-1 in Section 1.0, Introduction, in the Draft EIR. It is not the Draft EIR’s purpose to analyze how housing needs might be met in Sunnyvale. The commenter is referred to the General Plan Housing Element for detailed information on this topic. An affordable housing strategy is also presented in the LSAP document in Appendix B. The information contained in Appendix B does not require evaluation in the Draft EIR.

The commenter’s apparent preference for Alternative 2 (Residential Emphasis), along with a recommendation that such housing be affordable worker housing, is noted.

Response 7-6

The purpose of the Draft EIR is to inform the public and decision-makers about the environmental effects of implementing the LSAP. It does not determine whether the LSAP or an alternative should be approved. The environmental impacts of the LSAP are identified in the technical sections of the Draft EIR (Sections 3.1 through 3.13). A comparative analysis of the environmental impacts of the alternatives relative to the proposed LSAP is provided in Section 4.0, Alternatives. The Draft EIR (and the CEQA process) is not the appropriate mechanism for consideration of the “positive impact of providing affordable worker housing,” as requested by the commenter. No changes to the Draft EIR are necessary as a result of this comment.

Letter 8

From: **james hudson** <jrh68@comcast.net>
Date: Fri, May 27, 2016 at 9:39 AM
Subject: Lawrence Station EIR
To: amminer@sunnyvale.ca.gov, jrh69_misc@sti.net

To Andrew Miner,

My wife and I live in the impact zone of the environmental study area of the Lawrence Station DEIR south of Monroe on Crocker Way up against Lawrence express way (North East of Corn Palace). The first thing I note while briefly reviewing the proposal is that on it's maps (LS-DEIR) that it does not discuss or show the "Lawrence Express way" proposed "Freeway" project.

8-1

So here are the questions for you:

(1) Are you designing it such that it will take into account the Lawrence Express way proposal (Subterranean lowered freeway from Cabrillo under Monroe then to go underneath the Lawrence Expressway Sunnyvale station - main proposal so far in Santa Clara).

(2) What are your estimated time frame's for beginning construction of the LS train station modifications.

8-2

(3) Concern, if this is not coordinated with the Lawrence Express way project, you'll just be causing major construction that will just be torn out and re-worked.

Thanks for answering my questions,

James Hudson
2290 Crocker Way
Santa Clara, CA 95051
408-398-4730

2.0 RESPONSES TO COMMENTS

Letter 8 James HudsonResponse 8-1

The Draft EIR includes a description of the planned Lawrence Expressway Grade Separation project on page 3.4-4 in Section 3.4, Transportation and Circulation. The LSAP also includes information about this planned facility (page 4.6). The grade separation project is a separate project, which would not be constructed by the City or by private development projects as part of LSAP implementation.

Response 8-2

The LSAP does not propose physical modifications to the Lawrence Caltrain Station related to the Lawrence Expressway project. The LSAP and the Lawrence Expressway Grade Separation projects are separate and independent. A final design and schedule for the Lawrence Expressway Grade Separation project and any related improvements in the Caltrain station area have not been developed because that project has not been approved. The LSAP includes Policy CF-P13, which recognizes the planned Lawrence Expressway Grade Separation project. As individual projects move forward under the LSAP and plans for the Lawrence Expressway Grade Separation project are refined, the City would ensure coordination regarding the timing of improvements.

Letter 9

From: **Chris Iremonger** <systembomb@gmail.com>
Date: Sun, May 22, 2016 at 10:15 AM
Subject: Project: Lawrence Station Area Plan (LASAP) questions
To: amincer@sunnyvale.ca.gov
Cc: "Sooyeon C. Kim" <sooyeon.c.kim@gmail.com>

Hi,

My name is Chris Iremonger and I live in Sunnyvale in the impacted space for the LASAP project.

I was directed to this address for questions on the LASAP project.

In the overview it states owners would "have the option to develop a variety of uses such as office/research and development (R&D) or residential, depending on market demand and land owner preferences."

1. Can you expand on if you are looking at any quotas in the area? If the goal is to make mixed use, and the ability to walk between properties, having all office, all residential based on owners preferences could go against the project goals.

9-1

2. Can you provide more detail on commercial spaces? Beyond the costco, I would hope to have more shops, restaurants, or other spaces to keep people in the area in the afternoons and evenings. Likely space for a grocery store would be helpful if the project at Monroe and Lawrence doesn't add one in their larger retail space.

I like the idea of trying to make mixed use spaces, decrease the dependency on drivers by increasing living and working spaces.

I would like to see the following if possible:

- More ways to cross over or under the train tracks than just at Lawrence Station. This would help the current residential spaces by the train tracks not have to funnel through the Lawrence Station pedestrian under pass.

9-2

- Some park or areas for kids to play that are open to the community.

9-3

- Ample parking for employees and visitors to the commercial spaces. This could be on the street or in garages required by the property owners. (We live about 30 min walking away and would still like to be able to drive over for shopping when the walk is too far.) This may sound counter to the project goals, but I don't want the space to feel inaccessible if you don't live and work in the nearby space. Given most of the area still requires a car it would be a nice hybrid solution.

9-4

Thank you and we appreciate the opportunity to ask questions and provide feedback.

Chris Iremonger and Sooyeon Kim.

2.0 RESPONSES TO COMMENTS

Letter 9 Chris IremongerResponse 9-1

This comment is directed to the land use concepts of the LSAP. The LSAP is a planning document and does not propose quotas or the types or locations of specific projects. This comment does not address the adequacy of the analysis in the Draft EIR.

Response 9-2

The commenter's suggestion that there should be more ways to cross over or under the railroad tracks in addition to the existing underpass is noted. Two new pedestrian crossings at the tracks are a key element of the bicycle/pedestrian circulation system in the LSAP; the crossings are shown in Figures 2.0-7 and 2.0-8 in the Draft EIR. This comment is directed to project design and does not address the adequacy of the analysis in the Draft EIR.

Response 9-3

The LSAP includes provisions for parks, which are described on page 2.0-17 in Section 2.0, Project Description, in the Draft EIR. Figure 2.0-4 on page 2.0-19 shows a conceptual open space plan. The LSAP proposes approximately 32.5 to 39.0 acres of new open spaces and plazas open to the public throughout the plan area. Subsequent projects would also be required to dedicate land, pay a fee in lieu thereof, or both for park or recreational facilities pursuant to Chapter 18.10 of the City's Municipal Code. This comment is directed to project design and does not address the adequacy of the analysis in the Draft EIR.

Response 9-4

The Draft EIR (page 2.0-28 in Section 2.0, Project Description) describes the LSAP's approach to parking facilities in the LSAP. This comment is directed to project design and does not address the adequacy of the analysis in the Draft EIR.

Letter 10

From: Larry Klein <larrykleinsunnyvale@gmail.com>
Date: Mon, Jul 4, 2016 at 1:54 PM
Subject: LSAP DEIR Comments
To: Andy Miner <aminers@sunnyvale.ca.gov>

Hi Andy,

I had several questions and comments related to the LSAP DEIR.

First, I applaud the use of Mixed Use at this underutilized transit center. I am happy to see that Lawrence Station plan of mixing residential, retail and office space uses is finally going forward after being proposed when I was first on the Planning Commission.

Please see my comments on the LSAP Draft EIR below.

1. PROJECT ALTERNATIVES NEED TO ENCOURAGE SMALLER UNITS

In examining the project alternatives, it becomes apparent that the issue with Sunnyvale residential zoning code continues to cause problems in estimating the best housing evaluation of large projects, especially for this large mixed used location.

Sunnyvale's residential zoning code is based upon a density of units per acre. Therefore, we evaluate one, two and three bedrooms units as similar in impact on a site (except for a slight increase in percentage of parking as bedrooms are added). However, they have a very different impact on traffic and the number of actual residents on the site. The DEIR estimates a net change increase of 2323 units, however, if a significant percentage of these units were studios or one-bedrooms, then the number of units could be increased even more **without** any height or set-back increase.

Part of the regional Affordable Housing Issue is based on the lack of smaller size units (as rental prices are primarily based upon square footage of the entire unit and number of bedrooms). If more units were smaller, then the total housing numbers for Lawrence Station could be even higher than the 2323 amount. We have a general lack of housing stock in the Bay Area, and this change would help provide additional housing of a size that is rarely produced in Sunnyvale.

I believe that Lawrence Station Plan offers a great opportunity to add needed housing, especially of this specifically smaller housing stock.

As for parking, many residents complain about our parking ratios where adding additional bedrooms (and corresponding possible residents with cars) only adds a partial space requirement to a site. Focusing projects more on studio and one-bedroom units would also alleviate this complaint in that the partial space requirements for additional bedrooms wouldn't apply. Besides this fact, the possibility to share parking in this Mixed Use area is an overall benefit of the Lawrence Station Mixed Use Site.

10-1

2.0 RESPONSES TO COMMENTS

Letter 10 Continued

Additionally, the **implementation plan incentives** for Lawrence Station should be similarly changed. We should not just allow a density bonus for the adding Affordable Housing. A **Density Bonus** should also be given for the number of units 600 square feet or less. Creating smaller units should be a goal of the city, since even market rate costs for these smaller units will provide more affordable alternatives to middle income residents wanting to live/work in Sunnyvale.

10-1
cont.

2. VEHICLE MILES TRAVELED

In going through the DEIR (3.4-13), I am puzzled by the LSAP area residents having a VMT estimate of 12.00 miles per capita as opposed to 11.09 miles per capita project for the rest of Sunnyvale. This doesn't seem correct in that the nearness to a transit center would ultimately translate into few miles per capita for many of the residents since they would live so closely to CalTrain.

10-2

Specifically the numbers on page 3.4-13 don't seem to match Table 3.4-1 on page 3.4-33. (12.00 verses 10.58 verses). The numbers need more explanation and correlation.

Best regards,

Larry Klein

Sunnyvale City Council Candidate for Seat 4, VOTE on **August 16** and **November 8**

E-mail: LarryKleinSunnyvale@gmail.com

Learn more about my campaign: LarryForCouncil.com

Letter 10 Larry Klein

Response 10-1

The commenter's suggestion that the number of bedrooms in a unit rather than the number of housing units per acre could be a better indicator of the actual number of residential units that can be accommodate in the Mixed-Use Transit Core designation is noted. The programmatic analysis of the environmental impact of construction and occupancy of 2,323 residential units is based on the estimated likely development scenario proposed in the LSAP (see Draft EIR page 2.0-10 in Section 2.0, Project Description). The Draft EIR does not establish the number of units. Because the LSAP is planning document, which does not identify specific private development projects for housing, it is unknown how many bedrooms (and thus smaller units) could be built. Because of this uncertainty, there is no requirement for the Draft EIR to evaluate what the impacts would be, per CEQA Guidelines Sections 15144, 15145, and 15146, which address forecasting, speculation, and degree of specificity, respectively. However, the Draft EIR does include an alternative (Alternative 2, Residential Development Emphasis), which assumes approximately twice as many units as the LSAP. This alternative incorporates the Residential Emphasis land use and circulation concept included in Appendix A of the LSAP document. This alternative is one of three concepts prepared for review by the general public, business and property owners, the Sunnyvale Planning Commission and City Council, and others.

The Planning Commission and City Council appreciate the commenter's support for the LSAP and how it might be improved to address the City's regional housing allocation and smaller housing stock. The LSAP document (Appendix B) contains a comprehensive description of these issues, to which the commenter is referred.

Response 10-2

The correct VMT values are shown in Table 20 in the TIA (Draft EIR Appendix C). The Draft EIR (top of page 3.4-13 under the Vehicle Miles Traveled subheading) has been revised as follows:

Vehicle Miles Traveled

Year 2035 VMT for the City under the current General Plan is projected to be 2,804,7542 miles and ~~11.09~~ 12.30 miles per capita, while the LSAP area (under current General Plan land use designations) is projected to have a total VMT of ~~105,383~~ 143,179 miles and ~~12.00~~ 10.28 miles per capita.

These minor revisions to the text in the Draft EIR correct typographical errors and do not affect the analysis.

2.0 RESPONSES TO COMMENTS**Letter 11**

562 Carlisle Way
Sunnyvale, CA 94087

July 05, 2016

BY EMAIL (.PDF)

City of Sunnyvale
Department of Community Development
456 W. Olive Ave.
Sunnyvale, CA 94088

Attention: Andrew Miner
(aminer@sunnyvale.ca.gov)

Re: Lawrence Station Area Plan (LSAP) Draft Environmental Impact Report (EIR)

Dear Mr. Miner:

The Final EIR should do further study on the impact the project will have on Sunnyvale's parks and recreation facilities. Section 3.11.4.3 says impacts to the parks and recreation facilities are "Less-Than-Significant". I disagree with that assessment, the impact to Sunnyvale parks should be listed as "Potentially Significant".

As mentioned in section 3.11.4.1, part of the 745 acres of parkland in Sunnyvale is school open space. As school enrollments rise, school open space declines. School Districts will build classrooms on the open space to accommodate a growing student population.

The Final EIR should analyze the loss of school open space due to an increase of students at Ellis Elementary and Sunnyvale Middle. Although the impact from the LSAP may be limited, the EIR needs to consider the cumulative effect of recent and reasonably foreseeable future projects on the loss open space, i.e. parkland, at Ellis Elementary and Sunnyvale Middle.

The Final EIR should also analyze the loss of school open space due to an increase of students at the other schools located in Sunnyvale. Although the impact from the LSAP may be limited, the EIR needs to consider the cumulative effect of recent and reasonably foreseeable future projects on the loss of school open space at all schools in Sunnyvale.

11-1

Sincerely,
Martin Landzaat

Letter 11 Martin Landzaat

Response 11-1

The Draft EIR (page 3.11-11 in Section 3.11, Public Services and Utilities) describes existing parks and recreation facilities within the Sunnyvale city limits. Part of the 745 acres owned or maintained by the City is 143 acres of playfields, of which 111 acres are at schools and accessible to the public through joint-use agreements with three school districts.

The commenter is of the opinion that implementation of the LSAP would result in a loss of “school open space” and that the project-specific impact conclusion in the Draft EIR for Impact 3.11.4.1 (page 3.11-12 in Section 3.11) should be potentially significant, not less than significant. The acreage at the schools is not open space, contrary to the commenter’s statement. The basis for the commenter’s assertion that the impact should be potentially significant is that the increased school-age population associated with the LSAP would result in the school districts building classrooms in open space areas at the schools. Other than speculation, the commenter did not provide any technical analysis supported by substantial evidence that the proposed LSAP would directly or indirectly result in a decrease in joint-use public recreation facilities at schools.

The LSAP includes provisions for parks, which are described on page 2.0-17 in Section 2.0, Project Description, in the Draft EIR. Figure 2.0-4 on page 2.0-19 shows a conceptual open space plan. The LSAP proposes approximately 32.5 to 39.0 acres of new open spaces and plazas open to the public throughout the plan area. Subsequent projects would also be required to dedicate land, pay a fee in lieu thereof, or both for park or recreational facilities pursuant to Chapter 18.10 of the City’s Municipal Code. This reduces the impact to a less than significant level.

The Draft EIR (page 3.11-13) evaluates cumulative impacts on parks and recreation facilities in Impact 3.11.4.2. The analysis considers the LSAP’s effects in addition to other development in Sunnyvale. As stated on page 3.11-13 in the Draft EIR, under cumulative conditions, there would be sufficient park and recreation facilities to accommodate the LSAP population in addition to other cumulative development, and the LSAP’s contribution would not be cumulatively considerable.

No revisions to the Draft EIR, as requested by the commenter, are necessary as a result of this comment.

2.0 RESPONSES TO COMMENTS**Letter 12**

From: **Adina Levin** <adina.levin@friendsofcaltrain.com>

Date: Tue, Jul 5, 2016 at 4:20 PM

Subject: Comments on Lawrence Station Area Plan DEIR

To: Andrew Miner <aminer@sunnyvale.ca.gov>

Dear Mr. Miner,

Thank you for the opportunity to comment on the Lawrence Station Area Plan Draft EIR, and for a plan to develop this underutilized station area into a vibrant, mixed use neighborhood with jobs, homes and services.

Following are several comments

1) The Lawrence Station Area Plan has been designed to have a mix of uses, which is can be helpful in reducing vehicle miles travelled by providing more options for shorter trips. While both housing and jobs near transit tend to increase use of transit, the greatest influence on use of transit is a job nearby has the greatest affect on likelihood of using transit. At the same time, the region is experiencing a housing crisis, with undersupply resulting in skyrocketing prices, displacement, and long commutes.

12-1

One of the important questions for policymakers in assessing the alternatives with regard to the amount of housing and jobs. Unfortunately, to report the jobs/housing ratio, the City of Sunnyvale has used assumptions of 400 square feet per employee for office and R&D uses. However, the Silicon Valley Leadership Group has reported current data with a ratio of 200 square feet for such uses in today's market. Please re-calculate the jobs / housing ratio and related impacts using current the current metric for jobs per square feet. In order to provide policymakers with data to inform the decision, it is essential to have the ratio reported with using up-to-date information.

2) VMT for alternatives. The EIR reports on VMT per capita for the plan area, getting ready for the new CEQA rules. However, in reviewing the DEIR and appendices I am not seeing results for VMT/Capita for the various alternatives. Can this data be reported (the EIR describes the relative LOS impacts of the scenarios but not the VMT impacts) In Menlo Park's recent DEIR for the General Plan update focusing on the area near Facebook, that study shows lower VMT per capita by adding housing near jobs.

12-2

3) VMT for BMR housing options. The plan provides various scenarios for below market rate housing. According to research, residents in BMR housing typically own fewer cars and generate fewer vehicle trips. Can the report assess the relative VMT/capita for scenarios with different levels of BMR housing?

12-3

4) The plan incorporates welcome policies for transportation demand management and vehicle trip reduction. However, the number used seem inconsistent. How is it possible to require 20%-35% vehicle trip reduction but yet show the auto mode share declining only from 94.5% to 90.3%? Also, the EIR reports that internal trips average less than 2 miles, but the bicycle mode share remains less than 2%. Because of the short internal trips, improved bike/ped facilities, flat

12-4

Letter 12 Continued

terrain and perfect weather, a higher bicycle mode share is realistic - please increase the target bicycle mode share of 5% to 10% (reach out to SVBC to assess).

12-4
cont.

1.

5) The 8% trip reduction expectation for residential seems modest compared to the expectations at San Mateo Bay Meadows - contact San Mateo staff for explanation and potential justification for stronger goals (see attachment).

Thank you for your consideration,

- Adina

Adina Levin
Friends of Caltrain
<http://greencaltrain.com>
[650-646-4344](tel:650-646-4344)

Letter 12 Continued

Table 6: Trip Reductions for Transit Use

Land Use	Pre-Grade Separation		Post-Grade Separation	
	AM Peak	PM Peak	AM Peak	PM Peak
Residential				
Work Trips	18.85%	18.85%	18.85%	18.85%
Non-Work Trips	5.30%	5.30%	5.30%	5.30%
Retail	5.00%	5.00%	5.00%	5.00%
Restaurant	5.00%	5.00%	5.00%	5.00%
Office				
Work Trips	12.70%	12.70%	12.70%	12.70%
Non-Work Trips	0.70%	0.70%	0.70%	0.70%

Letter 12 Adina Levin

Response 12-1

The first paragraph of this comment provides the commenter's interpretation as to how housing and jobs near transit are interrelated. In the second paragraph, the commenter is of the opinion that the Draft EIR should have assumed 200 square feet per employee, not 400 square per employee, and that the jobs/housing ratio and related impacts should be recalculated.

The LSAP assumes 420 square feet per employee. This value was determined by the City through its evaluation of existing conditions, which included demographic data, review of traffic analysis zone (TAZ) data, and extrapolation of those data. This value is representative of conditions the City has determined are reasonably expected to occur under the LSAP, based on the City's judgment, is consistent with City and Association of Bay Area Government (ABAG) projections for Sunnyvale, and is appropriate for use in both the LSAP and the EIR.

Response 12-2

Please see Response 7-4 regarding VMT for the alternatives. The commenter is correct that adding jobs near housing would improve VMT.

Response 12-3

This response assumes the commenter is referring to Appendix B in the LSAP, which includes information on below market rate (BMR) housing, among other items. The Draft EIR does not address BMR housing, nor is it required to analyze how it should be achieved. The information presented in Appendix B was compiled primarily from the City's Housing Element and was prepared to assess the potential need for affordable housing in the LSAP and recommend strategies to meet the City's affordable housing goals (LSAP Appendix B, page A.8). It is not a component of the LSAP that requires analysis in the Draft EIR. The different levels of BMR housing that could be developed under the LSAP policies and guidelines would be determined when specific projects are proposed. The information requested by the commenter regarding BMR housing is not available, nor is it necessary in determining the environmental impacts of implementing the LSAP.

Response 12-4

This comment addresses assumptions for reductions that may be achieved through Transportation Demand Management measures, which are a component of the LSAP. The LSAP includes a goal of 20 to 35 percent trip reduction for office development. However, this reduction was not assumed in the EIR traffic analysis, and no reduction was assumed for residential, so the analysis in the Draft EIR is conservative and does not underestimate impacts. The TIA discusses trip reduction measures as mitigation for some impacts. The comment about the bike mode share is relevant to the LSAP and not to the EIR. The commenter's recommendation that the trip reduction target be higher will be considered by the City during the decision-making process.

2.0 RESPONSES TO COMMENTS

Letter 13

From: **Lily Huang Liao** <lilyhuangliao@gmail.com>
Date: Tue, Jun 7, 2016 at 1:20 PM
Subject: Lawrence Station Area Plan (LSAP)
To: aminet@sunnyvale.ca.gov

Dear Sir/Madam,

How are you? I received a notice regarding the subject plan. I am not sure what to make of it. The map has two circled area. Does it mean the plan includes two phases?

My business is located in the business park of 3350 Scott Blvd., Santa Clara, CA 95054. Is this location within the plan now or in the future? Thank you!

Sincerely,
Lily Huang

13-1

Letter 13 Lily Huang Liao

Response 13-1

This comment is a general inquiry to City staff and is not directed to the adequacy of the analysis in the Draft EIR. City staff responded directly to the commenter that the LSAP does not include the City of Santa Clara.

2.0 RESPONSES TO COMMENTS

Letter 14

From: **David Theresa Liu** <campusfamily@hotmail.com>

Date: Fri, May 27, 2016 at 7:35 AM

Subject: Re: LSAP mixed use plan detail ?

To: Andrew Miner <aminer@sunnyvale.ca.gov>

Dear Andrew:

Your introduction is appreciated. As a residence within LSAP, my only concern is the traffic congestion. While I support City's effort to build on people's needs for housing and work.

I will keep LSAP development in mind. While pointing out a success model in Irvine City that kept development going without causing painful traffic jams.

Also, I like to thank the City Traffic Department for many construction sites planning to curb the construction traffic to minimize the community disturbance. For example, the Aster Street KB Home project about 7 years ago.

Thank you!

from Sunnyvale Citizen David Liu

14-1

Letter 14 David Liu

Response 14-1

This is a general comment regarding the potential for traffic congestion. It does not address any specific analysis in the Draft EIR.

2.0 RESPONSES TO COMMENTS

Letter 15

Dear Sunnyvale City Council,

I am writing in responses to the draft DEIR for the LASP. This is certainly an important plan which requires our attention.

It was not possible to specifically determine if the proposed zoning for mixed use would result in homes at higher than 5 stories (55 feet) given the wording of the report. The report must make the new zoning intentions much clearer in regards to height.

15-1

The DEIR concluded that there would be significant and unavoidable impacts to: Impact 3.4.6 Traffic and 3.5.3 Air pollution.

The DEIR acknowledged that even with the planned improvement at Wolfe and Kifer, the significant and unavailable impact at this intersection would remain. This is certainly true as the Sunnyvale City Council approved a massive development called the 'Landbank' project at this location utilizing a planning exception to do so. I think it likely that there will be many other significant and unavailable intersections affected by traffic in this vicinity on a cumulative basis as most of the city's other DEIR's traffic analyses are incomplete.

15-2

The DEIR has no mitigation for significant and unavailable air pollution due to the addition of this complex. This is unacceptable. The DEIR should identify mitigation for this increasingly serious problem.

15-3

In alternative #3 – Office and R&D space, under Population and Housing

"Implementation of the proposed LSAP would not result in any significant environmental impacts associated with substantial increases in population and housing, or result in displacement of substantial numbers of persons (see Section 3.2, Population/Housing)." I do not believe this statement. Clearly, the introduction of new office/ R&D space has had the effect of raising rent prices and displacing individuals who used to live in Sunnyvale and surrounding area. The Mercury News has a story about this phenomenon almost daily. This conclusion should be removed from the DEIR as it is unsubstantiated and false. Additionally, as displacement occurs, more and more people are driving in to their jobs from Tracy, Livermore, Stockton and even Fresno. The DEIR should calculate the environmental impact of this displacement on subsequent air quality.

15-4

Further, I do not believe that alternative #3 is a serious alternative. The LASP was conceived for housing and should largely remain for housing, Alternative #2. However, alternative #2 still calls for the addition of 1.2 million square feet of office/R&D and this will displace too many more Sunnyvale residents. This is unacceptable.

15-5

Letter 15 Continued

Conclusions

The conclusion of the DEIR that building housing near transit will result in more people using transit is not studied properly and thoroughly. Even with some amount of increased mass transit use, the DEIR fails to identify how much of an advantage that will be. What will the net effect be of the addition of 2,323 more residential units? I do not believe that a substantial portion of these residents will be living without a car as most jobs are not accessible via Caltrain (*some* area accessible). Further, I don't believe that *most* people have the choice of selecting either a job or a home based on whether it is near a Caltrain station – they must do so based upon price and availability. Therefore, these conclusions in the DEIR overstate the value of this proximity. The worst traffic jams I have been in are near where massive housing developments have been built along light rail in San Jose. The cars are everywhere and the light rail is empty. If Caltrain has a better effect on users who will be able to walk to the Lawrence Station, exactly what will that be?

15-6

Finally, my major objection to the conclusions of this DEIR regarding air traffic and air quality basis are who and how will pay for the improvements necessary to support the DEIR? Without a plan for how these improvements will be made, (both improvements acknowledged by the DEIR and improvements not identified by the DEIR) they may not be implemented. I have little confidence in the city's assertion that water will be available, given charts that indicate that water use has been highly variable and given that drought conditions will allow for further expansion in a way that is environmentally sustainable.

15-7

15-8

This DEIR has significant flaws and should be revised with much more analysis. Softball questions of the DEIR preparers or city staff are not appreciated.

15-9

Holly Lofgren

2.0 RESPONSES TO COMMENTS

Letter 15 Holly LofgrenResponse 15-1

Figure 3.12-2 on page 3.12-13 in Draft EIR Section 3.12, Visual Resources and Aesthetics, clearly shows that the maximum 55-foot height limitation would apply to the areas south of the Caltrain tracks (the proposed Mixed-Use Transit Supporting South designation). This figure is reproduced from Figure 6.2 in the Lawrence Station Area Plan. LSAP policy BH-UDG1 (included on Draft EIR page 3.12-6) specifically states that building heights must be restricted to the heights indicated in LSAP Figure 6.2. Any future proposal to develop in that designation will be required to demonstrate compliance with the height restriction.

Response 15-2

The cumulative scenario (year 2035) includes all of the land use and transportation network changes proposed under the Lawrence Station Area Plan, the Peery Park Specific Plan, and the Land Use and Transportation Element of the proposed 2035 General Plan (Draft LUTE), including the Landbank project. Traffic impacts generated by future developments that are consistent with the proposed Draft LUTE, should it be adopted, would be covered within the cumulative scenario. Traffic impacts generated by future developments that are not consistent with the proposed Draft LUTE, should it be adopted, would require a General Plan amendment and would be responsible for evaluating and mitigating, as necessary, their potential traffic impacts.

Response 15-3

The Draft EIR identifies two significant and unavoidable air quality impacts. Impact 3.5.3 on page 3.5-26 in Section 3.5, Air Quality, addresses construction air emissions. The Draft EIR includes mitigation measures MM 3.5.3a and MM 3.5.3b, which require compliance with Bay Area Air Quality Management District (BAAQMD) construction mitigation measures. As stated on page 3.5-27 in the Draft EIR, each future project would require site-specific analysis. Some projects developed under the LSAP may not be large enough to generate emissions that would exceed the BAAQMD's thresholds. However, larger projects could exceed thresholds. Because the Draft EIR is programmatic, the City conservatively assumes not all projects could be mitigated to less than significant levels. The other significant and unavoidable air quality impact is cumulative air quality. The discussion of Impact 3.5.8 on page 3.5-42 states that air pollution is largely a cumulative impact, and no single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. The LSAP project alone cannot mitigate the cumulative impact. The City will need to prepare written findings and adopt a statement of overriding considerations to address both impacts. No revisions to the Draft EIR are necessary as a result of this comment.

Response 15-4

This response assumes the commenter is referring to Impact 3.2.2 on page 3.2-7 in Section 3.2, Population and Housing, in the Draft EIR. The analysis of displacement of people or housing concerns physical displacement and associated direct and/or indirect effects (e.g., the need to build replacement housing elsewhere, which could result in environmental effects). As stated in that analysis, the proposed areas for new residential development are in locations that contain nonresidential uses. As such, projects developed under the LSAP would not physically displace housing. The phenomenon noted by the commenter that new nonresidential space has the effect of raising rent prices and displacing individuals is a socioeconomic effect, which does not require evaluation in the Draft EIR per CEQA Guidelines Section 15145. For these reasons, the Draft EIR is not required to evaluate impacts on air quality, as requested by the commenter.

Response 15-5

The commenter's disagreement with the purpose of including an analysis of Alternative 3 (Office/Research and Development Emphasis) is noted. The commenter speculates that Alternative 2 (Residential Emphasis) would displace residents because it would include more nonresidential space than the LSAP. This comment is unfounded. As stated on page 4.0-8 Section 4.0, Alternatives, in the Draft EIR, this alternative would expand the residential uses in the plan area. Nonresidential office/R&D uses, particularly north of the Caltrain tracks, would be replaced over time by residential development at higher densities. This is clearly illustrated in Figure A.1 (Preliminary Land Use Concept A) on page A-3 in the LSAP document. Please see Response 15-4 regarding displacement of housing.

Response 15-6

The purpose of the Draft EIR is to evaluate the impacts of the project on the environment, not to determine whether the project would or would not result in increased transit use. The Draft EIR includes a quantitative analysis of the effect on LSAP on transit, which is derived from the Sunnyvale Travel Demand Forecasting Model (SFTM), which forecasts demands for all modes of transportation (i.e., driving, walking, biking, riding a bus, riding Caltrain, etc.). The resulting traffic analysis thus accounts for the LSAP's proximity to the Lawrence Caltrain Station. As shown on Table 19 in the TIA (Draft EIR Appendix C), the percentage of people in the LSAP area using transit is forecast to be 3.5 percent under the current General Plan conditions and 4.5 percent under the 2035 proposed General Plan conditions, which compares to 4.1 percent and 4.4 percent for the Peery Park Specific Plan area and 3.2 percent and 3.6 percent for the rest of Sunnyvale.

Response 15-7

The commenter's objections to the Draft EIR traffic and air quality analyses are noted. However, the commenter did not provide any data or technical analysis that contradicts the Draft EIR or that should have been considered. No further response on this topic is possible. The commenter does not specify what improvements were not identified in the Draft EIR that should have been included. The LSAP includes a financial analysis in Appendix C. LSAP Appendix D describes impact fees and assessments. The Draft EIR is not required to establish a plan for financing improvements or for evaluating the effectiveness of such a plan.

Response 15-8

The potential effects on water supply with implementation of the LSAP are evaluated in the Draft EIR in Impact 3.11.5.1 on page 3.11-25 in Section 3.11, Public Services and Utilities. The impact evaluation is based on a water supply assessment, included in Appendix G in the Draft EIR, that documents in detail existing and future water supplies and demands. Sufficient water supplies would be available to meet the LSAP demands in addition to existing and future demands in the city. Other than general statements, the commenter does not provide any analysis or evidence that contradicts the conclusions in the Draft EIR, or provide additional data or information with appropriate references that should have been considered.

Response 15-9

Responses to the commenter's objections and disagreement with the conclusions of the Draft EIR are presented in Responses 15-1 through 15-8, above. The Draft EIR fully and adequately evaluates the topics raised in this comment letter, and the information provided by the commenter does not raise any new significant environmental issues that should have been studied. The requirements for responding to comments on the Draft EIR are described in Subsection 2.1 of this Final EIR, above.

2.0 RESPONSES TO COMMENTS**Letter 16**

From: **Paul Melnyk** <pmelnik@hotmail.com>
 Date: Tue, Jul 5, 2016 at 6:35 PM
 Subject: Re: Lawrence Station Area Plan 16-0656 File # 2012-8003 ACTION ITEMS x25 ver 7-05-16 Tue UPDATED
 To: Andrew Miner <amminer@sunnyvale.ca.gov>
 Cc: Paul Melnyk <pmelnik@hotmail.com>

Hello Andrew,

Lawrence Station Area Plan 16-0656 File # 2012-8003 ACTION ITEMS x25 ver 7-05-16 Tue UPDATED

Thank you for your reply. I have updated my ACTION ITEMS x25 document to ver 7-05-16. Please use this ver 7-05-16 moving forward and delete the previous ver 6-30-16.

Please see the attached document for full details of the 25 ACTION ITEMS listed below in SUMMARY format.

16-1

Please find attached map for 1100 block Aster Ave showing placement of speed humps x5. Reference Problem #13 reckless drivers.

Please find docs attached for your reference as follows:

Lawrence Station Area Plan ACTION ITEMS x25 ver 7-05-16 Tue.docx

Lawrence Station Area Plan Aster Ave speed humps x5 ver 6-30-16 Thu.JPG

LSAP - Lawrence Station Area Plan

BMR - Below Market Rate

CLS - Caltrain Lawrence Station

NOC - North of Caltrain

SOC - South of Caltrain

PBM/C - Peninsula Building Materials/Calstone property on Aster Ave

PCL - Pine Cone Lumber at 895 E Evelyn Ave

P1 - Parcel 1, NOC at San Zeno Way & Lawrence Station Rd

P2 - Parcel 2, NOC at Kifer Rd & Sonora Ct and Kifer Rd & Calabazas Creek

P3 - Parcel 3, SOC at PBM/C at Aster Ave & Willow Ave

P4 - Parcel 4, NOC at Kifer Rd & Uranium Dr

P5 - Parcel 5, SOC at Willow Ave & Reed Ave

P6 - Parcel 6, SOC at Willow Ave & Buttercup Terr

P7 - Parcel 7, SOC at 1134 Aster Ave

P8 - Parcel 8, SOC at PCL at 895 E Evelyn Ave

A) Lawrence Station Area Plan (LSAP) ACTION ITEMS that need to be addressed moving forward:

Letter 16 Continued

- 01) PROBLEM: P3, P5, & P6, P7, & P8 SOC mixed use, office/retail, or high density
- 02) PROBLEM: P3 SOC "RETAIL MIXED USE"
- 03) PROBLEM: High density mixed use SOC
- 04) PROBLEM: Monroe St & French St development is a gigantic ugly monstrosity that is too big & too tall, three stories
- 05) PROBLEM: Micro high density small housing units are unwanted and not needed SOC.
- 06) PROBLEM: Lack of public owned city park open space area SOC within walking distance of Aster Ave neighborhood.
- 07) PROBLEM: Parking on Aster Ave or Willow Ave impedes traffic, interferes with bike lanes, & is unsafe for pedestrians.
- 08) PROBLEM: Existing KB Homes & Citation Homes properties SOC on Aster Ave do not have enough visitor parking.
- 09) PROBLEM: At P6 at 1160 Willow Ave & Buttercup Terr townhouses in 2013-2014 developer Taylor Morrison removed four heritage tall trees. This is a crime against the environment.
- 10) PROBLEM: Caltrain new pedestrian crossing underpass is unwanted and not needed.
- 11) PROBLEM: High volume of traffic every day and night from French St Santa Clara use Willow Ave & Aster Ave as a short cut on Sunnyvale streets.
- 12) PROBLEM: GIGANTIC MONSTER project at Monroe St & French St in Santa Clara will generate TREMENDOUS INCREASE IN TRAFFIC VOLUME.
- 13) PROBLEM: Reckless drivers drive high performance muscle cars, racing motorcycles, and illegal off road trail mini motorcycles with excessive speed, excessive noise, hot rodding, and drag racing in the 1100 block of Aster Ave between Willow Ave to Evelyn Ave. Many of these reckless drivers come and go from Santa Clara via French St.
- 14) PROBLEM: Improved south side Caltrain Lawrence Station (CLS) street traffic connection on Willow Ave is unwanted and not needed.
- 15) PROBLEM: Aster Ave & Willow Ave missing sidewalks SOC.
- 16) PROBLEM: Existing street parking on French St from Lawrence Expy to Monroe St is a big eyesore and makes driving on French St hazardous.
- 17) PROBLEM: Narrowing Kifer Rd from four lanes to two lanes is a misguided notion and would impede traffic flow that will increase in coming years.
- 18) PROBLEM: Any improvements to Lawrence Expy crossings is a misguided notion that would waste scarce public funds and is unwanted and not needed.
- 19) PROBLEM: Sidewalk bulb outs are a misguided notion that are unwanted and not needed.
- 20) PROBLEM: UGLY EYESORE CELL PHONE TOWER in the middle of P3 PBM/C property needs to be removed.
- 21) PROBLEM: BMR housing is unwanted and not needed SOC.
- 22) PROBLEM: Daycare or senior assisted living facilities are unwanted and not needed SOC.
- 23) PROBLEM: Land use exceptions, special use cases, or sweetheart deals are unwanted and not needed SOC.
- 24) PROBLEM: Unique sense of place, Santana Row mixed use, high density, reduced parking, innovative alternatives are unwanted and not needed SOC.
- 25) PROBLEM: VERY CONCERNED that the goal of "Respect and Preserve the existing character of surrounding residential neighborhoods" will be overlooked and ignored SOC by Sunnyvale

Letter 16 Continued

Planning Commission.

B) What is the appeal process and any deadlines associated with the appeal process, once the Sunnyvale City Planning Commission approves the Lawrence Station Area Plan?

Best regards,

PAUL MELNYK

From: Andrew Miner <aminer@sunnyvale.ca.gov>

Sent: Tuesday, July 5, 2016 4:40 PM

To: Paul Melnyk

Subject: Re: Lawrence Station Area Plan 16-0656 File # 2012-8003 ACTION ITEMS ver 6-30-16 Thu

Hi Paul-

Thanks for providing your comments. I will answer you question in Item B on your list:

What is the appeal process and any deadlines associated with the appeal process, once the Sunnyvale City Planning Commission approves the Lawrence Station Area Plan?

Answer- There is no appeal necessary for the Planning Commission recommendations on the Lawrence Station Area Plan because it automatically goes to the City Council for consideration since it is a legislative action (a change in zoning and adoption of the station plan). I expect it will go to the Council in October.

Andy

Andrew Miner, AICP
Planning Officer
City of Sunnyvale
[408 730-7707](tel:4087307707)



Save the environment. Please don't print this email unless you really need to.

On Thu, Jun 30, 2016 at 4:33 PM, Paul Melnyk <pmelnyk@hotmail.com> wrote:
Hello Andrew,

Lawrence Station Area Plan 16-0656 File # 2012-8003 ACTION ITEMS ver 6-30-16 Thu

Please see the attached document for full details of the 25 ACTION ITEMS listed below in SUMMARY format.

Letter 16 Continued

LSAP - Lawrence Station Area Plan

BMR - Below Market Rate

CLS - Caltrain Lawrence Station

NOC - North of Caltrain

SOC - South of Caltrain

PBM/C - Peninsula Building Materials/Calstone property on Aster Ave

P1 - Parcel 1, NOC at San Zeno Way & Lawrence Station Rd

P2 - Parcel 2, NOC at Kifer Rd & Sonora Ct and Kifer Rd & Calabazas Creek

P3 - Parcel 3, SOC at PBM/C at Aster Ave & Willow Ave

P4 - Parcel 4, NOC at Kifer Rd & Uranium Dr

P5 - Parcel 5, SOC at Willow Ave & Reed Ave

P6 - Parcel 6, SOC at Willow Ave & Buttercup Terr

P7 - Parcel 7, SOC at 1134 Aster Ave

A) Lawrence Station Area Plan (LSAP) ACTION ITEMS that need to be addressed moving forward:

01) PROBLEM: P3, P5, & P6, mixed use, office/retail, or high density

02) PROBLEM: P3 "RETAIL MIXED USE"

03) PROBLEM: High density mixed use

04) PROBLEM: Monroe St & French St development is a gigantic ugly monstrosity that is too big & too tall

05) PROBLEM: Micro high density small housing units are unwanted and not needed.

06) PROBLEM: Lack of public owned city park open space area SOC within walking distance of Aster Ave neighborhood.

07) PROBLEM: Parking on Aster Ave or Willow Ave impedes traffic, interferes with bike lanes, &

2.0 RESPONSES TO COMMENTS

Letter 16 Continued

is unsafe for pedestrians.

08) PROBLEM: Existing KB Homes & Citation Homes properties SOC on Aster Ave do not have enough visitor parking.

09) PROBLEM: At P6 at 1160 Willow Ave & Buttercup Terr townhouses in 2013-2014 developer Taylor Morrison removed four heritage tall trees.

10) PROBLEM: Caltrain new pedestrian crossing underpass is unwanted and not needed.

11) PROBLEM: High volume of traffic every day and night from French St Santa Clara use Willow Ave & Aster Ave as a short cut.

12) PROBLEM: GIGANTIC MONSTER project at Monroe St & French St in Santa Clara will generate TREMENDOUS INCREASE IN TRAFFIC VOLUME.

13) PROBLEM: Reckless drivers drive high performance muscle cars, racing motorcycles, and illegal off road trail mini motorcycles with excessive speed, excessive noise, hot rodding, and drag racing in the 1100 block of Aster Ave between Willow Ave to Evelyn Ave.

14) PROBLEM: Improved south side Caltrain Lawrence Station (CLS) street traffic connection on Willow Ave is unwanted and not needed.

15) PROBLEM: Aster Ave & Willow Ave missing sidewalks.

16) PROBLEM: Existing street parking on French St from Lawrence Expy to Monroe St is a big eyesore and makes driving on French St hazardous.

17) PROBLEM: Narrowing Kifer Rd from four lanes to two lanes is a stupid notion and would impede traffic flow that will increase in coming years.

18) PROBLEM: Any improvements to Lawrence Expy crossings is a stupid notion that would waste scarce public funds and is unwanted and not needed.

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24) PROBLEM: Unique sense of place, Santana Row mixed use, high density, reduced parking, innovative alternatives are unwanted and not needed SOC.

25) PROBLEM: VERY CONCERNED that the goal of "Respect and Preserve the existing character of surrounding residential neighborhoods" will be overlooked and ignored SOC by Sunnyvale Planning Commission.

B) What is the appeal process and any deadlines associated with the appeal process, once the Sunnyvale City Planning Commission approves the Lawrence Station Area Plan?

Best regards,

PAUL MELNYK

Letter 16 Continued

Lawrence Station Area Plan ACTION ITEMS ver 7-05-16 Tue

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P8 - Parcel 8, SOC at PCL at 895 E Evelyn Ave

A) Lawrence Station Area Plan (LSAP) ACTION ITEMS that need to be addressed moving forward:

- 01) **PROBLEM:** P3, P5, & P6, P7, & P8 south of Caltrain (SOC) show legend of mixed use, office/retail, or high density. This is contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
ISSUE: Existing neighborhoods SOC on Aster Ave, Evelyn Ave, & Reed Ave are low density or medium density residential. All new development SOC on P3, P5, P6, P7, or P8 needs to be the same low density or medium density RESIDENTIAL ONLY.
FIX: Change legend for P3, P5, & P6, P7, & P8 SOC to low density residential single family detached homes or medium density residential townhouses, same as existing KB Homes & Citation Homes properties on Aster Avenue at Willow Ave.
- 02) **PROBLEM:** P3 SOC shows "RETAIL MIXED USE" on east side portion at Aster Ave & Willow Ave. Existing Aster Ave home owners will NEVER allow businesses of any kind across the street from our homes in our existing residential neighborhood.
ISSUE: This is contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
FIX: Remove the retail mixed use designation in the eastern portion of P3 PBM/C at Aster Ave & Willow Ave SOC.
- 03) **PROBLEM:** High density mixed use structures SOC are unwanted by existing home owners on Aster Ave SOC.
ISSUE: Existing neighborhoods SOC on Aster Ave, Evelyn Ave, & Reed Ave are all medium density residential townhouses. Existing home owners bought these home on the understanding that all surrounding new developments would be of the same design moving forward and expect the City of Sunnyvale to uphold their part of this implied trust moving forward.
FIX: P3, P5, P6, P7, & P8 SOC need to all be low density residential single family detached homes or medium density residential townhouses only, the same as existing KB Homes & Citation Homes properties on Aster Ave & Willow Ave.
- 04) **PROBLEM:** The development at Monroe St & French St is a gigantic ugly monstrosity in Santa Clara. Sunnyvale existing home owners in the Aster Ave, Evelyn Ave, & Reed Ave neighborhood SOC do NOT WANT ANYTHING LIKE that in Sunnyvale.
ISSUE: Tall and gigantic ugly monstrous structures are unwanted in Sunnyvale Aster Ave neighborhood SOC. This is contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
FIX: All structures SOC MUST BE homes no higher than the THREE STORIES existing structures on Aster Ave & Willow Ave.
- 05) **PROBLEM:** Micro high density housing units are NOT wanted by existing home owners on Aster Ave & Evelyn Ave SOC.
ISSUE: Existing neighborhood on Aster Ave, Evelyn Ave, & Reed Ave SOC are all low density residential single family detached homes or medium density residential townhouses. Existing home owners bought these homes on the understanding that all surrounding new developments would be of the same design moving forward and expect the City of Sunnyvale to uphold their part of this implied trust moving forward. You need to do what LDAP WEBSITE SAYS you will do.
FIX: All new developments P3, P5, P6, P7, & P8 must be HOUSING ONLY and each home must be 1700 square feet or larger.

2.0 RESPONSES TO COMMENTS

Letter 16 Continued

06) **PROBLEM:** There is no public owned city park open space area SOC within walking distance of Aster Ave neighborhood. The closest Sunnyvale city parks are too far to walk to from the Aster Ave neighborhood: Ponderosa Park at Henderson Ave & Iris Ave is 1.0 mile away. Pedestrians must cross Evelyn Ave & Reed Ave to reach it. Fair Oaks Park at Wolfe Rd & Maude Ave is 2.0 miles away. Pedestrians must cross Kifer Rd, Arques Ave, & Central Expy to reach it. This is too far to walk to.

ISSUE: Existing home owners on Aster Ave, Evelyn Ave, & Reed Ave, Evelyn Gardens Apartments & Willowbend Apartments existing families, home owners at 1160 Willow Ave & Buttercup Terrace, and new home owners at P3, P5, P6, P7, & P8 need to have a city public park within walking distance. A city public park within walking distance of the Aster Ave neighborhood is needed for families to have a place for their children to play and for senior citizens to sit on park benches and enjoy life.

FIX: The white cross hatch area on east side of P3 at Aster Ave SOC needs to be a city owned and operated public park. The eastern portion of P3 SOC closest to Caltrain Lawrence station is the best location for a city owned public park. There is precedence for green park areas near Caltrain stations, such as the Burlingame, Atherton, and Menlo Park Caltrain stations. The developer of P3 PBM/C property paying a fee (BRIBE) to the city to get out of setting aside land and building a city park is UNACCEPTABLE. The P3 PBM/C property is such a large development of a single parcel, therefore this is the ONLY ACCEPTABLE COURSE OF ACTION TO HAVE A CITY PUBLIC PARK WITHIN WALKING DISTANCE IN THE ASTER AVE NEIGHBORHOOD located on the eastern portion of the P3 PBM/C property and next to Caltrain Lawrence station.

07) **PROBLEM:** Parking on Aster Ave or Willow Ave impedes traffic, interferes with bike lanes, & is unsafe for pedestrians.

ISSUE: Allowing parking on city streets enables derelict eyesore vehicle storage on city streets, is a big nuisance, makes it impossible for Streets Dept to sweep the streets & gutters properly, is unsafe for pedestrians, & impedes bike lane traffic.

FIX: NO street parking anytime on both sides of Aster Ave or Willow Ave 24x7x365. This allows safe access for bike lanes.

08) **PROBLEM:** Existing KB Homes & Citation Homes properties SOC on Aster Ave do not have enough visitor parking.

ISSUE: Parking lots in KB Homes & Citation Homes properties are always full. This is because some three bedroom units are rented out by the property owner as separate rooms. A three bedroom rental unit could have up to six cars. Some families own more than two vehicles. Some families have teen age kids, college age kids, or parents living at home who also own cars. Then there needs to be open parking spaces for all home owners to have visitors. In the 42 unit Citation Homes complex every unit has a two car garage. The complex has 22 visitor parking spots, two of which are handicapped and are almost always empty. That leaves 20 usable visitor parking spaces for 42 units. The Citation Homes complex really needs 42 visitor parking spaces plus the 2 handicapped parking spaces for a total of 44 parking spaces. So there is a shortage of 22 visitor parking spaces in the Citation Homes complex. The KB Homes complex has a similar shortage of parking spaces. The P3 PBM/C property is three times bigger than KB Homes & Citation Homes properties combined & needs adequate parking.

FIX: SOC, P3, P5, P6, P7, & P8 parking per unit MUST be x3 per each unit. Two enclosed garage parking spaces & one open visitor parking space per each unit PLUS handicapped parking as per ADA requirements for the entire complex.

09) **PROBLEM:** At P6 at 1160 Willow Ave & Buttercup Terr townhouses in 2013-2014 the developer Taylor Morrison removed four heritage tall trees on Willow Ave facing Lawrence Expy. How convenient that all four tall trees were "DAMAGED" and were removed so quickly and with NO public input or hearing? The developer immediately increased the development footprint to their advantage. Our environment has forever lost four tall trees that will never be replaced.

ISSUE: The existing heritage old growth tall trees in the LSAP have taken decades and centuries to reach their current mature and majestic size. We must all respect, maintain, and nurture all of our existing heritage tall trees in the LSAP.

FIX: NO existing trees are to be removed, damaged, or cut down anywhere in LSAP area AND especially P3, P5, P6, P7, & P8

16-2

10) **PROBLEM:** Existing home owners on Aster Ave SOC do not want a new Caltrain pedestrian crossing underpass. There is no need for an additional new underpass crossing of Caltrain. This would be a gross waste of scarce public funds.

ISSUE: An additional underpass crossing of Caltrain tracks would become an immediate crime, drugs, garbage, homeless, & graffiti magnet. Scarce public funds are needed for more urgent and useful projects such as a city owned park at P3 SOC.

FIX: Remove Caltrain tracks underpass at P3 & P2 from LSAP. Existing underpass at Caltrain Lawrence Station is adequate.

11) **PROBLEM:** High volume of traffic every day and night from Santa Clara French St, Balmoral Apartments 3585 Agate Dr, high density apartments along Agate Dr, and the new Santa Clara MONSTER development at Monroe St & French St. use Willow Ave & Aster Ave as a short cut to and from their homes every day and night.

ISSUE: Sunnyvale home owners on Aster Ave & Willow Ave SOC do not want SANTA CLARA TRAFFIC on Sunnyvale streets.

FIX: Change French St to two way traffic from CLS to Monroe St so that SANTA CLARA TRAFFIC STAYS ON SANTA CLARA STREETS. Add bike lanes on both sides of French St from CLS to Monroe St.

Letter 16 Continued

12) **PROBLEM:** GIGANTIC MONSTER project at Monroe St & French St in Santa Clara will generate TREMENDOUS INCREASE IN TRAFFIC VOLUME on Monroe St & French St adding to already heavy traffic volume.

ISSUE: Area traffic is already heavy every day along Monroe St. The GIGANTIC MONSTER Monroe St project will increase traffic from heavy to UNBEARABLE.

FIX: Need to add new traffic signal on Monroe St at Nobili Ave due to GIGANTIC MONSTER Monroe St project in Santa Clara.

13) **PROBLEM:** Every day and night reckless drivers drive high performance muscle cars, racing motorcycles, and illegal off road trail mini motorcycles with excessive speed, excessive noise, hot rodding, and drag racing in the 1100 block of Aster Ave from Willow Ave to Evelyn Ave. These drivers use the 1100 Block of Aster Ave as a race track & drag strip because it is straight & flat, and there are no four way intersections with cross traffic on this half mile stretch. The related problem, is that the reckless drivers then use Willow Ave and go into Santa Clara on French St to escape and hide. This is especially true for riders of the illegal off road trail mini motorcycles. They come from French St to Willow Ave to Aster Ave westbound.

They make an illegal U turn on Aster Ave near the Willowbend Apartments driveway near Evelyn Ave. Then they return eastbound on Aster Ave to Willow Ave to French St and escape & hide back into Santa Clara. Since these reckless drivers are in Sunnyvale for only about one minute, it is very difficult for Sunnyvale Police to catch these reckless drivers in Sunnyvale.

ISSUE: This is an ongoing constant safety problem that is detrimental to public safety of the reckless drivers, playing children, pedestrians, bicyclists, and vehicle traffic on Aster Ave & Willow Ave. These illegal off road mini motorcycle riders do not wear helmets and do not have a headlight, taillight, or license plate on their illegal off road mini motorcycles.

FIX: Need FIVE SPEED HUMPS across Aster Ave on both sides of traffic from curb to curb equally spaced in the 1100 block of Aster Ave between Evelyn Ave & Willow Ave.

14) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need improved south side Caltrain Lawrence Station (CLS) traffic connection on Willow Ave. This will only add more traffic from French St & Agate St in Santa Clara to come to Willow Ave in Sunnyvale. This would be unwanted extra traffic that Aster Ave SOC residents do not want or need.

ISSUE: Willow Ave is just fine in the existing state to access CLS. Any improved access to CLS needs to be on the NORTH SIDE of Caltrain. This is the only way that makes sense because there is no room for Caltrain parking on Willow Ave south of CLS.

FIX: Leave Willow Ave road traffic as is. Remove street parking on Willow Ave and add bike lanes on both sides from CLS to Reed Ave. Add passenger drop off & pick up lanes on Willow Ave under Lawrence Expy like existing lanes on San Zeno Way.

15) **PROBLEM:** There are many places along Aster Ave & Willow Ave missing sidewalks. This causes people to walk on the street in the bike lanes near vehicle traffic.

ISSUE: This is a very dangerous situation. As pedestrians walking on the street at night in the dark are more vulnerable to being struck by vehicular traffic or by bicycles. This is a safety issue for everyone.

FIX: Sidewalks on all streets for pedestrians on Aster Ave & Willow Ave on both sides are needed for pedestrian safety.

16) **PROBLEM:** Existing street parking on French St from Lawrence Expy to Monroe St is a big eyesore and makes driving on French St hazardous as the street is narrow and congested with vehicles and people getting into and out of vehicles. Cars are stored indefinitely on French St contributing to lower quality of life, urban blight, and urban decay.

ISSUE: Allowing parking on city streets allows derelict eyesore vehicles to be stored on city streets, is a big eyesore & nuisance, and makes it very difficult for Streets Dept to sweep the streets & gutters properly.

FIX: NO street parking anytime on both sides of French St from CLS at Lawrence Expy to Monroe St 24x7x365. Add bike lanes on both sides of French St from CLS to Monroe St.

17) **PROBLEM:** Existing traffic on Kifer Rd is heavy and will increase in volume over time as the LSAP is implemented bringing more people and cars into the Kifer Rd area.

ISSUE: Any notion of roadway narrowing on Kifer Rd is misguided and counterproductive to traffic flow in the area. Traffic needs to flow to large employers with two lanes in each direction on all major traffic streets. Reducing Kifer Rd from four lanes to two lanes is a very counterproductive notion. City planners are out of touch of what it is like to commute to and from work on a daily basis juggling work, kids, school, education, classes, spouse, home, pets, etc and think that their "PET PROJECT" traffic calming plans will somehow magically fix traffic and get people out of their cars and into mass transit or onto bicycles if they make commuting more difficult and time consuming. This is DREAMLAND and EXTREMELY INSENSITIVE to what people who live and/or work in Sunnyvale are dealing with every day for work/life balance, commuting, and traffic.

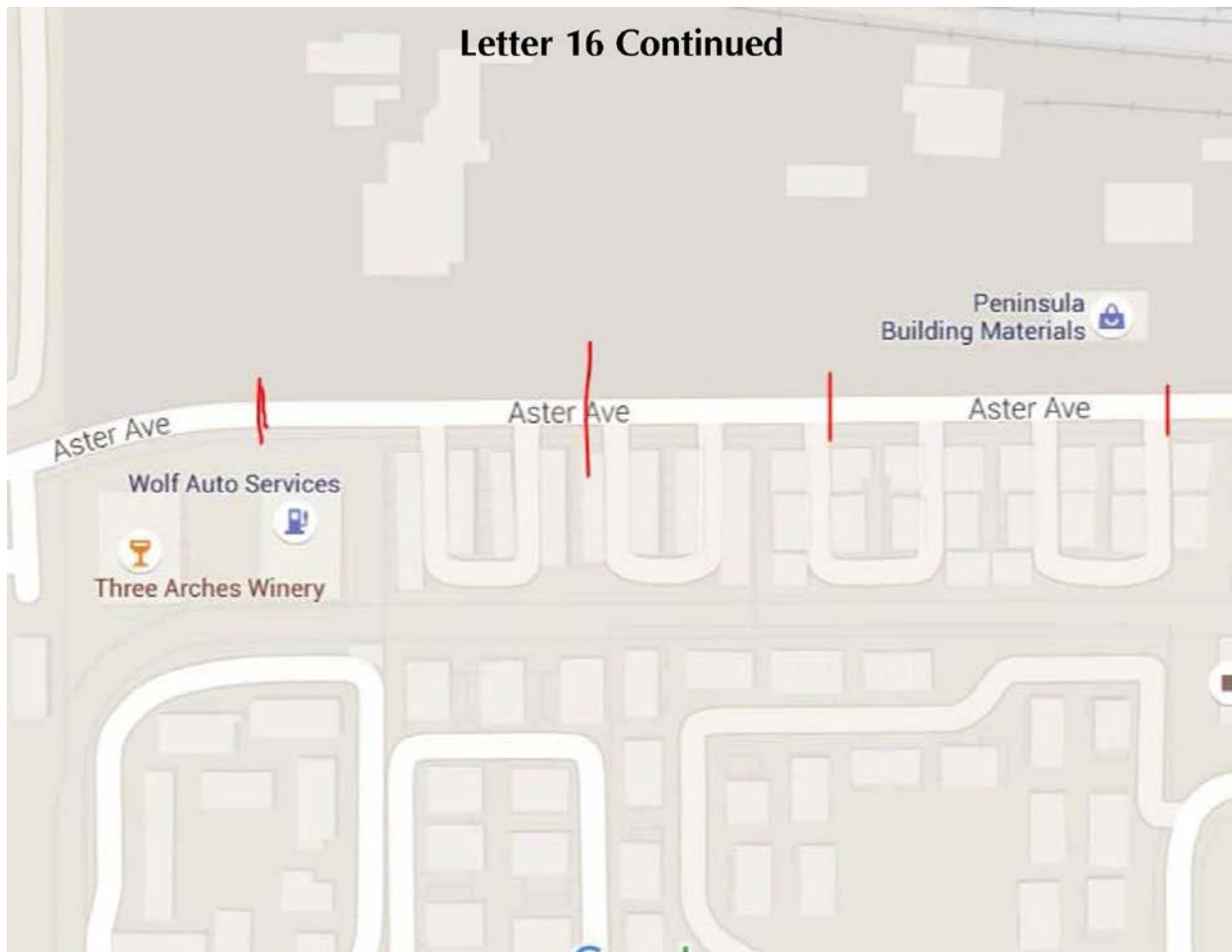
FIX: Kifer Rd needs to stay exactly the way that it is now with four lanes from Fair Oaks Ave to Bowers Ave & no bottlenecks.

16-3

2.0 RESPONSES TO COMMENTS

Letter 16 Continued

- 18) **PROBLEM:** Public funds are scarce and need to fund the most useful projects that will make meaningful improvements. Any massive changes to existing intersection crossings of Lawrence Expressway are misguided use of scarce public funds.
ISSUE: Existing intersection crossings of Lawrence Expy work just fine the way that they are now. Pouring large amounts of money into such a PORK BARREL project is very ill conceived and misguided use of public funds. This would be a tremendous WASTE of scarce resources that would be poured into a massive PORK BARREL project that would make no real change to traffic. Any change to traffic flow would merely push the problem down the road to where there are no enhanced crossings thereby not really improving the overall traffic flow, but merely pushing the problem down the road.
FIX: All intersections for Lawrence Expy & San Tomas Expy are now at ground level and need to STAY THAT WAY. We do not need or want anyone's PIPE DREAM PET PROJECT for misguided enhanced crossings of Lawrence Expy.
- 19) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need sidewalk bulb outs.
ISSUE: Sidewalk bulb outs are UGLY EYESORES, slow down traffic, take up needed parking spaces, and waste space. NO PET PROJECTS like this are needed or wanted in Sunnyvale. We need streamlined vehicle traffic flow WITHOUT PET PROJECTS.
FIX: NO sidewalk bulb outs SOC in P3, P5, P6, P7, or P8 LSAP area.
- 20) **PROBLEM:** There is an UGLY EYESORE CELL PHONE TOWER in the middle of the PBM/C property in P3 SOC.
ISSUE: This cell phone tower is unwanted by Aster Ave home owners SOC.
FIX: Remove ugly eyesore cell phone tower from P3 PBM/C property SOC.
- 21) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need BMR housing SOC.
ISSUE: BMR housing SOC is contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
FIX: NO BMR housing SOC in P3, P5, P6, P7, or P8 LSAP area.
- 22) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need daycare or senior assisted living facilities SOC.
ISSUE: Daycare or senior assisted living facilities SOC is contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
 NO exceptions to RESIDENTIAL ONLY existing zoning SOC. RESIDENTIAL MEANS RESIDENTIAL, NO EXCEPTIONS.
FIX: NO daycare or senior assisted living facilities SOC in P3, P5, P6, P7, or P8 LSAP area.
- 23) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need land use exceptions, special use cases, or sweetheart deals. All land SOC, must be for residential use ONLY. NO PET PROJECTS pushed by sweetheart special interests.
ISSUE: Exceptions or special use cases are contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
 NO exceptions to RESIDENTIAL ONLY existing zoning SOC. RESIDENTIAL MEANS RESIDENTIAL, NO EXCEPTIONS.
FIX: NO sweetheart deals, exceptions, or special use cases for land use SOC in P3, P5, P6, P7, or P8 LSAP area.
- 24) **PROBLEM:** Existing home owners on Aster Ave SOC do not want or need unique sense of place, Santana Row mixed use, high density, reduced parking, innovative alternatives projects SOC. Keep the PET PROJECTS north of Caltrain (NOC).
ISSUE: Unique sense of place, Santana Row mixed use, high density, reduced parking, innovative alternatives are contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" shown on LSAP website.
FIX: NO unique sense of place, Santana Row type mixed use, high density, reduced parking, innovative alternatives SOC.
- 25) **PROBLEM:** Existing home owners on Aster Ave SOC ARE VERY CONCERNED that the goal of "Respect and Preserve the existing character of surrounding residential neighborhoods" will be overlooked SOC by Sunnyvale Planning Commission.
ISSUE: There are many "CODE WORDS" in the LSAP such as: destination, unique sense of place, multiuse, mixed use, high density, innovation, reduced parking, active ground floor uses, innovative alternatives, etc. These "CODE WORDS" are all contrary to the goal "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/> Please keep the PET PROJECTS NOC.
FIX: Sunnyvale Planning Commission needs to make sure that ALL DEVELOPMENTS SOC in P3, P5, P6, P7, & P8 "Respect and Preserve the existing character of surrounding residential neighborhoods" that is featured on the LSAP website <http://www.lawrencestationinsunnyvale.org/>
- B) What is the appeal process and any deadlines associated with the appeal process, once the Sunnyvale City Planning Commission approves the Lawrence Station Area Plan?



2.0 RESPONSES TO COMMENTS

Letter 16 Paul MelnykResponse 16-1

This comment consists of a summary list and detailed description of 25 issues of concern to the commenter. Each of the topics includes the commenter's suggestions regarding land use designations and allowable uses, development standards, housing types, traffic and circulation, and parking, along with design-related topics, some of which are specifically directed to the LSAP, while others are not. Many of the issues raised are about existing conditions that the commenter believes should be addressed, a number of which do not pertain to the LSAP but rather to other projects or conditions. The commenter also includes opinions as to how the LSAP should be implemented to address some of the commenter's concerns. The City appreciates the commenter's specificity and recommendations, which will be considered during the decision-making process. None of the comments directly address the adequacy of the analysis in the Draft EIR or identify a specific discussion in the Draft EIR. However, two comments do contain references to the LSAP and an environmental topic, for which responses are provided below.

Response 16-2

The Draft EIR evaluates the LSAP's potential impacts on heritage trees. As stated on page 3.9-9 in Section 3.9, Biological Resources, in the Draft EIR, the LSAP planning area contains an abundance of mature planted street trees, but according to the City's Heritage Resources Inventory, there are no heritage or landmark trees in the inventory that are within the LSAP area. Nonetheless, as stated on page 3.9-20, the LSAP recognizes the aesthetic value of the mature trees. The LSAP includes policies for tree protection. In addition, future development would be required to comply with the City's Municipal Code, which addresses tree protection.

Response 16-3

The impacts on the traffic and circulation network are evaluated in the Draft EIR in Impact 3.4.6 in Section 3.4, Transportation and Circulation. The analysis identifies which intersections and freeway facilities would be affected by LSAP implementation, and includes mitigation measures to address those impacts. The commenter's concern about the "road diet" for Kifer Road and its potential impacts is noted. The Draft EIR evaluates the potential impacts of this circulation improvement in Impact 3.4.4 on page 3.4-39 in Section, 3.4, Transportation and Circulation. While the commenter is of the opinion that the road diet would worsen conditions, no analysis or data is provided that should have been considered or that would change the Draft EIR's conclusions.

Letter 17

From: **Russell Melton** <russell.w.melton@gmail.com>
Date: Sun, Jun 26, 2016 at 4:44 PM
Subject: Draft LSAP Questions
To: Andy Miner <aminers@sunnyvale.ca.gov>

Hi Andy, here are some questions I have regarding the Draft LSAP. I apologize in advance if this has already been covered and I'm not remembering.

1. Looking at the plan area boundary, are there any parcels bisected in two? Especially along the southwest edge, instead of using the radius could we use streets like Lily, Reed and Evelyn and the EC Storm drain channel to set the boundary line?

17-1

2. Page ES-2 discusses the max allowable development based on incentives. Where is the specific list of prioritized items that the City wants to get done? It would seem to me that street rights-of-way would be a top-priority category and that the specific ROWs desired would be spelled out item by item. Then, where is the algorithm that specifically spells out how much density bonus is available for each of the desired item. Assuming the list hanged over time, who controls the list and who negotiates the potential density bonus on each application?

17-2

Thanks,

Russ

Sent from my iPhone

2.0 RESPONSES TO COMMENTS

Letter 17 Russell MeltonResponse 17-1

The boundary of the LSAP planning area in the southwest quadrant, which shows a curved radius, is not a precise boundary but rather reflects the initial planning efforts to identify a larger 629-acre study area encompassing portions of the cities of Sunnyvale and Santa Clara that would be within a one-half-mile radius of the Lawrence Caltrain Station (see Draft EIR page 2.0-1). The study area boundary was carried forward into the Draft EIR for ease of reference. The LSAP does not propose splitting parcels. This comment is directed to the LSAP itself and does not raise any significant environmental issue.

Response 17-2

The LSAP document includes information requested by the commenter. The information pertains to issues that do not require analysis in the Draft EIR. Chapter 7 of the LSAP addresses Priority Improvement Projects on pages 7.11 through 7.13, which include a list of projects in Table 7.4. Appendix B of the LSAP includes details on incentives, housing, and density bonus considerations on pages A.16 through A.21.

Letter 18

From: **Stan Mussynski** <stanmussynski@gmail.com>
Date: Tue, May 24, 2016 at 12:31 PM
Subject: Draft Environment Impact Report
To: aminer@sunnyvale.ca.gov

Mr. Miller,

I am a local resident of Santa Clara residing near the area close to the new Apartment (825 Apartments) and Retail Development on Monroe near Lawrence Expressway. I was sent your notice for the area regarding the area surrounding the existing Caltrain Train Station. As nothing specific is noted as to what plans are in the works regarding the businesses noted that are located in Sunnyvale is it safe to assume the city of Santa Clara in which I reside may have similar plans and are they being coordinated with respect to the Sunnyvale Impact Report. Is this correct?

18-1

With the population in both Sunnyvale and Santa Clara growing quickly and many new housing projects in both cities that are either already underway or in planning stages one of the major concerns for residents in or surrounding this marked area in our course "traffic". Sunnyvale, specifically on Evelyn, has used the "road diet" approach, that could impact residents trying to navigate this area. This is especially true near Costco and more than likely impact the area near the apartment development on Monroe once that projects is completed.

18-2

So as a resident of this area what input can I provide or do I need to wait to the June 27th meeting scheduled at 8 PM in Sunnyvale to express any concerns?

18-3

Look forward to your reply.

Regards,
Stan Mussynski
Resident of Santa Clara
[\(408\)482-8155](tel:(408)482-8155)

2.0 RESPONSES TO COMMENTS

Letter 18 Stan MussynskiResponse 18-1

This comment concerns actions within the City of Santa Clara as they may relate to the LSAP. The LSAP is part of a larger 629-acre study area that includes portions of both Sunnyvale and Santa Clara. The larger study area includes Santa Clara to ensure coordination of circulation systems and land uses between the two cities. However, the plans, policies, and guidelines of the LSAP are limited to the jurisdictional area of the City of Sunnyvale. The Draft EIR for the LSAP does consider, where appropriate, existing and planned future development in Santa Clara in its analysis of cumulative impacts. The City of Sunnyvale cannot provide the information requested by the commenter concerning plans for businesses within Santa Clara because it has no jurisdiction over those projects.

Response 18-2

A “road diet” for Kifer Road is proposed as part of the LSAP. The Draft EIR evaluates the potential impacts of this circulation improvement in Impact 3.4.4 on page 3.4-39 in Section 3.4, Transportation and Circulation.

Response 18-3

There will be opportunities for the public to submit comments on the LSAP and the Final EIR at upcoming Planning Commission and City Council meetings.

Letter 19

From: <oneill.stephen@dorsey.com>
Date: Tue, Jul 5, 2016 at 3:22 PM
Subject: FW:
To: amirer@sunnyvale.ca.gov
Cc: speediswimmer@gmail.com

I am a long time resident of Sunnyvale. I currently live at 876 Nantucket Court with my wife Elaine.

It appears that major assumption of the EIR is that the Commercial space will average 420 square feet per employee. Where did you come up with this number? I did a small amount of research and found this chart which appears to be the source <http://www.usgbc.org/Docs/Archive/General/Docs4111.pdf>. The chart is eight years old and second it does not reflect the average for Silicon Valley. The norm that commercial real estate brokers use is approximately 200 a square, see <http://www.naiop.org/en/Magazine/2015/Spring-2015/Business-Trends/Trends-in-Square-Feet-per-Office-Employee.aspx>. However in Silicon Valley, since rents are so high, the actual number is around 150 square feet and is trending downward. Thus the new jobs created is at least 2x the amount listed in the plan.

19-1

Due to using the wrong number, all of the conclusions in the Report are probably wrong. I also wonder if the other projects that are under construction in Sunnyvale or are in the planning stages used the wrong number.

Stephen T. O'Neill

Partner
Palo Alto Office Head



Letter 19 Continued

DORSEY & WHITNEY LLP
305 Lytton Avenue | Palo Alto, CA 94301

P: 650.843.2719 C: 408.335.9540

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Please help reduce paper and ink usage. Print only if necessary.

Letter 19 Stephen T. O'Neill

Response 19-1

Please see Response 12-1 regarding the LSAP and Draft EIR assumption of 420 square feet per employee.

2.0 RESPONSES TO COMMENTS

Letter 20

From: **Horst Raisch** <br333@pacbell.net>

Date: Fri, Jul 1, 2016 at 9:30 AM

Subject: LSAP and related comments...

To: "amir@sunnyvale.ca.gov" <amir@sunnyvale.ca.gov>

Good Morning! I'd like to comment on this proposed LSAP development as well as a few other specific but related issues with my neighborhood bordering LSAP.

I've lived on Bluebonnet Drive in a neighborhood "sandwiched" in between Wolfe and Lawrence and bordered by Evelyn and Reed Avenue for nearly 25 years now. It has been a quiet neighborhood for many years until the past few years during which traffic and corresponding noise on neighborhood streets has increased substantially.

Lawrence Expwy, in the SB direction, esp. during the evening commute, is at a standstill from 4-7pm as people trying to get from Hwy 101 to their homes on the western part of our valley. What this has done is "PUSH" traffic onto Wolfe Rd and through our neighborhoods as people try to find short-cuts. Best example is my street, Bluebonnet Drive, which parallels Reed Ave. Due to the left turning light at Wolfe/Reed being too short, cars take the "free" left turn onto Palo Verde and onto Bluebonnet Drive, then turn right at Sequoia Drive and left onto Reed on their way to Lawrence.

We have 18 families living on Bluebonnet from Palo Verde to Sequoia Drive but encounter about 300 (!!!!) cars from 4-7pm, Monday through Friday. What comes with those cars is noise and constant speeding in excess of 40 miles/hour by almost all cars increasing the risk for a serious accident on our street. Our kids, animals and older people can no longer enjoy their neighborhood during those times.

Why did this happen?

1. Sunnyvale's "calming-traffic" endeavor on Evelyn is a disaster for Bluebonnet Drive since you simply pushed the traffic onto my street.

2. Your left-turning light on the Wolfe/Reed intersection is way too short (I've tried to talk to your traffic department but they don't listen), discouraging people to cut through our neighborhood (Bluebonnet Dr)

3. The light at Sequoia and Reed is too short (triggered by cars waiting) and "ENCOURAGES" people even more to take a 25mph neighborhood street like Bluebonnet rather than taking the two-lane Reed Ave. I have also asked SV's city planners to change that light to no avail.

So what can be done to my street -and other to follow once the Wolfe/Central Campus and your LSAP is complete-?

1. Check your timing of traffic lights and LISTEN to your residents!

2. Widen/lengthen the approach to the left-turning lane(s). Example: Approach to two left-turning lanes onto Reed from Wolfe is TOO short

3. Prohibit access to neighborhood streets from major thoroughfares like Wolfe and Lawrence during commute/rush hour with a sign "No left (or right) turn during 4-7pm (example, could be in the morning, too)

And it's about to get even worse BEFORE your LSAP gets the first stone turned when the 800-unit complex on Lawrence and Monroe is fully occupied. How do you think those people will get home from Hwy 101 in the evening (or get to work via 101 in the morning)???

THEY WILL FIND A WAY THROUGH OUR NEIGHBORHOODS!

Sunnyvale MUST deal with Lawrence traffic without pushing it into our neighborhood which will get a lot worse with your LSAP. You cannot simply allow that plan to have cars allocated. I'm all for tax revenue and new shops and recreational facilities but WITHOUT additional traffic.

Sincerely, Horst Raisch 408-245-9394.

20-1

Letter 20 Horst Raisch

Response 20-1

Hexagon Transportation Consultants, Inc., prepared the transportation impact analysis (see Appendix C in the Draft EIR) for the proposed LSAP to determine potential impacts and mitigation measures. Under 2035 Proposed General Plan conditions, the LSAP would cause significant impacts at intersections along Lawrence Expressway at Cabrillo Avenue, Benton Street, Homestead Road, and Pruneridge Avenue. The County of Santa Clara identified interchanges at these intersections in the August 2015 update of the County of Santa Clara Expressway Plan 2040. The identified improvements would alleviate traffic congestion along Lawrence Expressway and reduce the demand for traffic diverting to adjacent streets.

2.0 RESPONSES TO COMMENTS**Letter 21**

From: <droleff@comcast.net>
 Date: Fri, May 27, 2016 at 8:57 AM
 Subject: Stop! Stop! Stop! this insane over-development
 To: aminer@sunnyvale.ca.gov
 Cc: "Roleff, David" <droleff@comcast.net>

Dear Andrew,

Since your name is listed as the contact on the recent Sunnyvale Public Notice letter, I am addressing this to you. Please forward this email to the Sunnyvale city planners.

Please stop this blind and insane over-development along the corridor. Every individual who has received your Notice with whom I discussed this with also feel strongly against this over-development. The Sunnyvale residents have noticed a sharp decline in the quality of life in the last year. This sharp decline reflects the decision making process of our city planners, making it obvious to us that our city planners do not have the backbone and common sense to recognize the serious traffic problems we are currently facing due to their decisions. We feel that our planners are driven by the usual vice: greed.

21-1

I am emailing this to you because I must work during the time your meeting takes place on Monday, June 27. I asked others to go, and they said this: the city planners won't listen to us, they are just following governmental protocol to make it look like they will listen, when they have already made up their minds by the influence of big business and greed.

Why can't you stop this developing for awhile and examine the damage you have caused and the greater damage you will cause when all your current development is finished. While you are spending your time, energy, resources, and money in this over-development process you are unable to repair the problems we currently have, such as Old San Francisco Rd where so much construction has taken place. Will you ever repave those roads that suffered so during construction?

21-2

Why is it always that we the people see these problems? Don't the city planners have any backbone to stand up for the common sense and the good of the people they represent? Why do the city planners treat people like cattle?

21-3

Please Stop, Stop, Stop this over-development. Very soon, at the rate this over-development is taking place, people can't function anymore, which will effect the efficiency of business. In the long run, when the planners operate with blinders as they have been doing, everyone loses out, including big business.

Sincerely,
 David C. Roleff of Sunnyvale Cal.

Letter 21 David Roleff

Response 21-1

This comment is directed toward the merits of the proposed project and does not address the adequacy of the analysis in the Draft EIR, nor does it raise any significant environmental issue that should have been studied.

Response 21-2

The City has complied with CEQA requirements by preparing a Draft EIR that examines the physical environmental effects of implementing the LSAP and the cumulative impacts of the LSAP when combined with other development. This is a general comment, and the commenter does not identify any specific topic or resource area of concern that should have been evaluated.

Response 21-3

The commenter's concerns about the need to remedy existing problems is noted. This comment is directed toward the merits of the proposed project and does not address the adequacy of the analysis in the Draft EIR, nor does it raise any significant environmental issue that should have been studied.

2.0 RESPONSES TO COMMENTS

Letter 22

From: **George** <gsakoda@sbcglobal.net>
Date: Sun, May 22, 2016 at 10:11 PM
Subject: LSAP
To: aminers@sunnyvale.ca.gov

Dear Sir,

I am against any project that would potentially cause the problems listed in the Primary Issues section of the letter you sent to all affected parties.

22-1

Can you give me a reason why i should support such a project?

Thank you,

George Sakoda

Letter 22 George Sakoda

Response 22-1

This comment is directed toward the merits of the proposed project and does not address the adequacy of the analysis in the Draft EIR.

2.0 RESPONSES TO COMMENTS

Letter 23

From: **Mike Serrone** <mikeserrone@comcast.net>
 Date: Mon, Jul 4, 2016 at 4:06 PM
 Subject: Lawrence Station Draft EIR - Public Input
 To: amminer@sunnyvale.ca.gov, PlanningCommission@sunnyvale.ca.gov,
council@sunnyvale.ca.gov, mayor@sunnyvale.ca.gov

To Andy Miner, Planning Commissioners, Mayor Hendricks and City Council,

I would like to commend all participants for developing an excellent plan for Lawrence Station. Over the past 20 years I have worked at two different companies at the corner of Kifer and Lawrence, so I am very familiar with the area.

An ongoing concern of anyone familiar with Sunnyvale is the increasing imbalance between jobs and housing. The Flexible Use Plan in the Lawrence Station Draft EIR permits a move towards more residential development at this site, particularly Alternative 2 of the EIR which has a more residential focus.

I urge the Staff, the Planning Commission and the City Council to use whatever tools are available to encourage higher density development, including affordable housing, at this location so close to mass transit. The implementation plan incentives for Lawrence Station should be changed to provide density bonuses both for adding affordable housing and for the number of units 600 square feet or less. This reduces the cost per dwelling and increases the number of units available.

I also support the request to examine all incentives for affordable housing that are available to the City.

If we do not address the housing shortage soon, the cost of housing will reach a point where local companies will not be able to attract new employees and will have no choice but to re-locate. If that happens, we will all need to concede that we saw this coming years ago, but did not act.

Regards,

Mike Serrone
 665 Wingate Dr.
 Sunnyvale CA 94087
[408-431-0511](tel:408-431-0511)

23-1

Letter 23 Mike Serrone

Response 23-1

The City appreciates the commenter's support for the LSAP and acknowledges the commenter's recommendations concerning affordable housing. As a point of clarification, the Draft EIR does not contain the term *Flexible Use Plan*, but it does state that the LSAP is built around the flexible mixed-use concept (Draft EIR page 2.0-11 in Section 2.0, Project Description). It should also be noted the Draft EIR itself does not "permit a move towards more residential development" (the commenter's interpretation). The purpose of the Draft EIR is to disclose the environmental effects of implementing the LSAP, not to recommend that the project (or a specific alternative) be approved.

2.0 RESPONSES TO COMMENTS

Letter 24

From: Sue Serrone <sueserrone@comcast.net>
 Date: Mon, Jul 4, 2016 at 1:22 PM
 Subject: Fwd: Lawrence Station Draft EIR
 To: Andrew Miner <amminer@sunnyvale.ca.gov>

Sent from my iPad

Begin forwarded message:

From: Sue Serrone <sueserrone@comcast.net>
Date: July 4, 2016 at 12:19:22 PM PDT
To: planningcommission@sunnyvale.ca.gov, mayor@sunnyvale.ca.gov,
council@sunnyvale.ca.gov
Subject: Lawrence Station Draft EIR

Dear Commissioners, Mayor Hendricks and Council,

I writing to ask that you please consider raising the cap now on the amount of housing units that can be provided under the flexible use plan in the Lawrence Station Draft EIR. And ideally, adopt Alternative 2 of the EIR which has a more residential focus.

As I understand it, the cap as written is for 1.2 million sq. ft. for office and 2,400 units for residential. At 1 job per 200 feet of office space that yields 6,000 new jobs. Additional jobs that the offices/commercial space creates is debatable depending on how many service jobs are already accounted for in the given space. But there will be additional jobs for maintenance, landscaping, care taking, etc. I believe 7 to 8 thousand jobs is a reasonable estimate. Again we are permitting so many more jobs than housing, we keep getting farther and farther away from meeting the desperate needs that already exist for affordable housing in Sunnyvale. And closer to a future where we may again see an abundance of vacant office buildings.

In this case, the jobs to housing is about 5 jobs for every unit of housing. In Peery Park, the proposal is 10 times the amount of jobs over housing. From Plan Bay Area, we know one in three people are considering moving out of the area due to lack of affordable housing. As recently reported in the Mercury News, our homes have gotten so far away from our jobs, that the Bay Area has become a Mega Region of nightmare traffic, impairing our health and reducing the quality of our lives.

Our city must use every tool it can to counter the market forces that are producing growing inequities and preventing inclusion. The time to let developers pick and choose their incentives and pay "in lieu of" fees should be over. We need to **require affordable** housing at higher percentages. We need to **require more, and denser housing**.

24-1

Letter 24 Continued

I urge you to be proactive and make bold moves in every way you can to secure more housing, especially more affordable housing and make Sunnyvale a community where all of us, rich and poor, young and old, can live and thrive.

**24-1
cont.**

Sincerely,

Sue Serrone
665 Wingate Dr.
Sunnyvale CA 94087
4087738851

Sent from my iPad

2.0 RESPONSES TO COMMENTS

Letter 24 Sue SerroneResponse 24-1

The additional number of housing units (2,323) and nonresidential square footage (1.2 million square feet) in the LSAP planning area represents the Estimated Likely Development Scenario, as explained under the Development Potential subheading beginning on page 2.0-9 and continuing on page 2.0-10 in Section 2.0, Project, Description, in the Draft EIR. The commenter has misinterpreted the development assumptions. The City is not proposing a “cap” on housing through the LSAP. The commenter’s preference for Alternative 2 (Residential Emphasis) because it would provide more housing is noted. Please see Response 12-1 regarding the calculation for determining the number of jobs.

Letter 25

From: **Tolu Thomas** <tthomas@gmail.com>
Date: Fri, May 20, 2016 at 8:47 PM
Subject: Re: Lawrence Station Area Plan (LSAP) Environmental Impact Report Available
To: Andrew Miner <amminer@sunnyvale.ca.gov>
Cc: Kristina <kristinasandoval@gmail.com>

Hi Andrew,

Thanks so much for sending this out. My wife Kristina and I had a couple of questions:

1) We noticed that some of the air quality risk ratings exceed the health thresholds (e.g. cancer). Does that mean that the LSAP would be legally prevented from moving forward because those ratings exceed the thresholds?

25-1

2) We saw that Calstone/Peninsula Building Materials was listed several places in the report, but it's not clear if this means that their factory would be razed in order to make way for the project. Can you clarify as to whether the factory will be shutting down, or will the LSAP be built around it?

25-2

Thanks,
Tolu

2.0 RESPONSES TO COMMENTS

Letter 25 Tolu ThomasResponse 25-1

This response assumes the commenter is referring to the analysis of toxic air contaminants associated with occupancy of future projects in the LSAP, as the commenter does not include any specific reference to an impact or pages in the Draft EIR. The analysis is presented in Impact 3.5.6 on page 3.5-32 in Section 3.5, Air Quality, in the Draft EIR. Three tables (Table 3.5-10, Table 3.5-11, and Table 3.5-12) identify cancer and non-cancer risk levels associated with the proximity of the LSAP to the Caltrain tracks, Lawrence Expressway, and stationary sources, respectively, along with applicable numerical thresholds. As the commenter correctly notes, there are some locations where the threshold would be exceeded. The purpose of the Draft EIR is to determine whether thresholds would be exceeded and whether that would result in a significant impact, thus requiring mitigation, as required by CEQA. The Draft EIR identifies the impact as potentially significant and includes mitigation measures to reduce impacts to less than significant (mitigation measure MM 3.5.6 on page 3.5-40). Mitigation measure MM 3.5.6 requires that future development (i.e., individual projects) within the LSAP that would locate sensitive receptors within 1,000 feet from Caltrain and/or stationary sources must use the results of a site-specific study to determine what controls, if any, should be included in the project design to reduce the risk to a level lower than the threshold. If this is not possible, mitigation measure MM 3.5.6 requires the new receptors to be relocated.

Exceedance of a threshold does not mean the project would be legally prevented from moving forward. As the CEQA lead agency, the City of Sunnyvale may approve the LSAP, even though there are significant but mitigable impacts. As part of that approval, the City would be required to prepare written findings documenting the rationale for its conclusion.

Response 25-2

If approved, the LSAP would enable the Calstone/Peninsula Building Materials property to be redeveloped to residential and/or commercial uses should the owners decide to change the use. Whether any change occurs is up to the property owners. The City will not force any property to be redeveloped. At the time a specific development proposal is submitted to the City, the development would be required to demonstrate compliance with the policies and guidelines in the LSAP, and the site plan and building design would be made available to the public for review and comment prior to the issuance of any approvals, among other requirements.

Letter 26

From: **Don Tran** <dtran@svlg.org>
Date: Mon, Jun 27, 2016 at 5:45 PM
Subject: 6/27 Planning Commission Meeting - Agenda Item #2 (16-0656) - Lawrence Station Area Plan
To: PlanningCommission@sunnyvale.ca.gov
Cc: amoner@sunnyvale.ca.gov, Amanda Montez <amontez@svlg.org>

Good evening Chair Melton and Commission Members,

On behalf of the Silicon Valley Leadership Group, attached is a summary of our comments for the Lawrence Station Area Plan Draft EIR for tonight's Planning Commission meeting (6/27/16).

Thank you for your consideration of our input.

With warm regards,
Don Tran

--
Don Tran
Health and Community Development Associate
Silicon Valley Leadership Group
Office: [\(408\) 501-7854](tel:(408)501-7854)
Cell: [\(408\) 375-9104](tel:(408)375-9104)

www.svlg.org

2.0 RESPONSES TO COMMENTS

Letter 26 Continued



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San Jose, California 95110
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President & CEO

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TIBCO
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VantagePoint Capital Partners
RON SEGE
Echelon Corporation
ROSEMARY TURNER
UPS
RICK WALLACE
KLA-Tencor
JED YORK
San Francisco 49ers
Established in 1978 by
DAVID PACKARD

June 27, 2016

Sunnyvale Planning Commission
Council Chambers, City Hall
456 W. Olive Ave.
Sunnyvale, CA 94086

RE: Draft Lawrence Station Area Plan

Dear Chair Melton and Commission Members,

On behalf of the Silicon Valley Leadership Group, I am writing to offer our comments on the draft Lawrence Station Area Plan. The Leadership Group focuses our advocacy on land use patterns that serve our region's economic and development needs. The Leadership Group is particularly interested in mixed-use developments such as the Lawrence Station Area Plan as it offers the city of Sunnyvale an opportunity to improve the relationship between transportation and housing while increasing the economic and environmental sustainability of the area.

The Silicon Valley Leadership Group, founded in 1978 by David Packard of Hewlett-Packard, represents over 400 of Silicon Valley's most respected employers in issues, programs and campaigns that affect the economic quality of life in Silicon Valley, including energy, transportation, education, housing, health care, tax policies, economic vitality and the environment. Leadership Group members provide nearly one out of every three private sector jobs in Silicon Valley.

Housing Density

In order to preserve open space and meet the housing needs of those currently living and working in Silicon Valley, the Leadership Group supports the construction of high density developments within infill areas. As a region, we need more homes, and encourage staff to adopt a plan that will better accommodate our future housing needs. This is significant as it is predicted that Santa Clara County's population will increase by 300,000 over the next 15 years.

We commend staff for incorporating a maximum density of 68 dwelling units per acre however we encourage you to increase the minimum residential density requirement. For all of the areas within ½ mile of the proposed Lawrence Station Area Plan, the Leadership Group would like to recommend a minimum of 40 dwelling units per acre with an ideal amount of 50+ where new developments are considered.

Housing Affordability

We praise the staff for creating various incentive packages for developers to produce more affordable housing than what is required under current city policy. The Lawrence Station Area Plan is expected to cater to a wide range of income levels and the distribution of market rate and below market rate units should reflect on the needs of residents. We would support staff and council if they decide to increase required percentage of below-market rate units so that it does not exceed what the market will allow and inadvertently create a burden for developers.

26-1

Letter 26 Continued

Job to Housing Imbalance

When assumed at maximum density, the proposed Lawrence Station Area Plan provides a strong increase of housing units. However, that figure does not provide a balance when incorporating the number of jobs that will be created. Within the draft, it is assumed that each employee takes up to 420 square feet. According to a survey from our member companies and statistics put up by the Building Owners and Managers Association (BOMA), the industry average per employee is 200 square feet.

Given this large discrepancy and potential implications on the actual job to housing balance if this assumption is kept, the draft could be running a risk of a highly imbalanced jobs to housing ratio for the future Lawrence Station Area Plan. Regarding traffic, this will create additional discrepancies with this draft environmental impact report. We highly encourage staff to re-examine the assumed square footage per employee within the draft plan or face unanticipated traffic repercussions as a result of contributing to our region's jobs to housing imbalance. This further emphasizes the need for higher density housing in the plan to reduce traffic impact and encourage transit use.

26-2

Conclusion

We commend staff for their thoughtful planning regarding the Lawrence Station Area Plan. As supporters of high density, transit oriented and mixed used developments, we are encouraged by the progression of the project as detailed within the draft environmental impact report. The Leadership Group encourages the Planning Commission to consider our comments. We look forward to working with the city of Sunnyvale to adopt a balanced Lawrence Station Area Plan.

Sincerely,



Carl Guardino
President & CEO

2.0 RESPONSES TO COMMENTS

Letter 26 Don TranResponse 26-1

The City appreciates the commenter's support for the LSAP and the Silicon Valley Leadership Group's recommendations concerning housing density and affordability. The information provided by the commenter does not address the adequacy of the Draft EIR or raise any significant environmental issue that should have been studied, but will be considered during the decision-making process.

Response 26-2

The LSAP assumes 420 square feet per employee. This value was determined by the City through its evaluation of existing conditions, which included demographic data, review of traffic analysis zone (TAZ) data, and extrapolation of those data. This value is representative of conditions the City has determined are reasonably expected to occur under the LSAP. Based on the City's judgment, the value is consistent with City and Association of Bay Area Government (ABAG) projections for Sunnyvale. As such, the traffic operations and transit impact analysis were based on reasonable assumptions, and analysis using a different factor, as suggested by the commenter, would not be appropriate.

The commenter's view on the jobs/housing ratio, its underlying assumptions, and the need for higher density is directed toward the merits of the project and will be considered by the City during the decision-making process.

Letter 27

From: Don V <thedenzels@gmail.com>
Date: Sun, Jul 3, 2016 at 6:45 AM
Subject: Re: LSAP DEIR
To: amirer@sunnyvale.ca.gov

Thanks for the opportunity to submit public input on the Lawrence Station Area Plan.

I urge that more residential development in the LSA be encouraged, incentivized, even mandated as much as public policy can do so, and that a greater portion of that housing be "affordable." The current imbalance of too many jobs to not enough housing is a causative factor in many of our area's woes, from homelessness to excess greenhouse gasses. I have heard that most people in city government and staff agree, but are stymied by public opinion which oversimplifies and wants to block growth in general. Yet somehow "jobs" keep increasing and "housing" can't keep up.

The general answer to the problem is increased density of housing, achieved not only through higher-storied buildings but through smaller-sized units, accompanied by changes around transportation (from unbundled parking to mode shift to transit shuttles). The challenge to government is not simply to allow trends in the right directions but to direct market forces in those directions. And it is the responsibility of government to do the right thing, even if that means bucking unenlightened public opinion.

Don Veith
955 Iris Avenue
Sunnyvale

27-1

2.0 RESPONSES TO COMMENTS

Letter 27 Don VeithResponse 27-1

The commenter's suggestion that more residential development is needed in the LSAP will be considered during the decision-making process. This comment does not address the adequacy of the analysis in the Draft EIR or raise a significant environmental issue that should have been studied.

Letter 28

From: **David Wessel** <davidwessel3@gmail.com>
Date: Tue, Jul 5, 2016 at 4:37 PM
Subject: Lawrence Station Draft EIR
To: planningcommission@sunnyvale.ca.gov, mayor@sunnyvale.ca.gov,
council@sunnyvale.ca.gov

The City of Sunnyvale has been approving projects that will add an enormous number of jobs in the City. Only weeks ago the City approved Moffett Towers II, which is projected to add 9000 new jobs. The Sunnyvale does not need to add new jobs in the Lawrence Station area, it needs to add residential housing.

The Draft Environmental Impact Report on Lawrence Station fails to provide a meaningful comparison of the three alternatives set out in the report. It improperly discounts vehicle miles travelled by employing what it calls the "standard practice" of counting "trips with only one end in the area . . . as half a trip." In part because of this the DEIR fails to show the true impact on the environment by the workers who would be commuting to and from the Lawrence Station area.

28-1

To properly compare the population impact of the alternatives, the DEIR should better compare the expected worker population of Alternative 3 to the expected resident population of Alternative 2. 80 per cent of Sunnyvale's workers are not residents of the City. Because of the daily influx of workers, the daytime population of Sunnyvale might be more under Alternative 3 of the DEIR than under Alternative 2. Because of the use of automobiles by the influx of workers, the adverse environmental impacts of Alternative 3 may be greater than that of Alternative 2. Because offices and industrial areas have higher parking requirements than do residential areas, and in particular than do senior and disabled housing in transit areas, Alternative 2 likely would provide better land use than would Alternative 3.

28-2

There is also an inherent bias in the DEIR toward larger living units, as Larry Klein has pointed out. I agree with him that the City should give a density bonus for the number of units 600 square feet or less in size.

28-3

David W. Wessel

2.0 RESPONSES TO COMMENTS

Letter 28 David WesselResponse 28-1

This comment appears to be referring to text that appears on page 3.4-1 in Section 3.4, Transportation and Circulation, in the Draft EIR that described how VMT is calculated. The Draft EIR does not improperly discount vehicle miles traveled. Please see Response 7-1.

Response 28-2

Alternative 3 (Office/Research and Development Emphasis) would include more workers than Alternative 2 (Residential Emphasis). The number of workers in Alternative 3 does not need to be compared to the expected resident population of Alternative 2 for determining environmental impacts. The purpose of the alternatives analysis is to evaluate whether an alternative would avoid or substantially reduce environmental impacts compared to the proposed project. CEQA does not require an alternative-to-alternative comparison, as requested by the commenter.

Response 28-3

The analysis in the Draft EIR reflects the development assumptions for the number of housing units set forth in the LSAP document, which is explained under the Development Potential subheading on page 2.0-9 in Section 2.0, Project Description, in the Draft EIR. Neither the LSAP nor the Draft EIR identify the sizes of living units, and there is no bias toward larger living units, as asserted by the commenter. The purpose of the Draft EIR is to disclose the environmental effects of implementing the LSAP in a factual and objective manner, not to promote or advance a certain type of housing product.

Letter 29

From: J Wu <johnwu08@gmail.com>
Date: Thu, Jun 16, 2016 at 10:25 PM
Subject: LSAP plan questions
To: aminet@sunnyvale.ca.gov

Hello,

I saw your mailed information. I'm currently a resident owner of a condo within the outlined area on the provided map. Just south of the Lawrence station.

Overall I'm encouraged by plans to develop the area. I just had a question which may sound dumb, but the plans will not affect my current property directly right?

29-1

Regards,

John

2.0 RESPONSES TO COMMENTS

Letter 29 John WuResponse 29-1

This comment is a general inquiry to City staff and is not directed to the adequacy of the analysis in the Draft EIR. City staff responded directly to the commenter that no changes in existing residential land uses south of the Lawrence Caltrain Station are proposed.

Letter 30

From: **Larry Yamaoka** <larry@yamaoka.net>
Date: Mon, Jun 20, 2016 at 4:18 PM
Subject: Lawrence Station Study
To: "Andy Minor (aminers@ci.sunnyvale.ca.us)" <aminers@ci.sunnyvale.ca.us>

Hello Andy,

I would appreciate it if you would distribute the enclosed information to the planning commissioners for their review prior to the hearing next week.

30-1

How much time will I have at the hearing next week to present my request to include residential use in the land usage designation ?

Larry

Letter 30 Continued

1155 Reed Avenue Overview

We believe the parcels at 1155 Reed Avenue and 1164-1165 Willow Avenue are ideally positioned for a transit-oriented mixed-use office/retail and residential development due to their proximity to the Lawrence Caltrain Station. Willow Avenue which encompasses the site on the north and west edges of the parcels provides a direct link (within a quarter mile) from the station. Existing sidewalks provide a leisurely three minute walk to and from the station. We believe this site would be an excellent location for people to live and work and have the train as a public transit option.

In accordance with the property's office/retail land use designation in the Lawrence Station Area Plan (LSAP), we would like to propose a four- and five-story project for this property that would include ground level office and retail uses along Reed Avenue and on the eastern edge facing Lawrence Expressway. Live-work combination residences with ground level business use would be located along Willow Avenue across from the existing multi-family neighbors.

We believe sensitivity to the existing residential neighborhood is of utmost importance so we would propose a three-story walk-up townhouse concept for the live-work residences. The design of these residences will complement the scale and architectural language of the surrounding neighborhoods and create a new sense of place for this area.

According to the LSAP, the minimum density goal for residential uses within the quarter mile radius of the station is 36 dwelling units per acre. We are proposing a residential density of 39 DU/A. We feel this density is appropriate due to the location along Reed Avenue immediately adjacent to the expressway, its location to transit and considering the mixed-use component. We believe we could increase this density further if this is desirable for the area by introducing a shared parking component with the residential and office/retail uses.

We would provide adequate parking for all uses in accordance with the City's residential parking goals in the LSAP (see LSAP Table 4.3 "Plan Area Parking Requirements" on Page 4.23) and the less stringent guidelines established in the Sunnyvale Municipal Code Section 19.46 for office and retail parking with two levels of parking above grade (wrapped by the office, retail and live-work). However, we would like to work with the City and the owner of the parcel to the east in possible expanding the project to provide additional R + D office space along the expressway or possible open space. A future office expansion could potentially meet the reduced parking standard set forth in the LSAP with parking being provided in the proposed building.

Although the land use being proposed for this property in the LSAP is purely office and retail, we believe a land use designation change would be appropriate considering the property's location and its surrounding uses—including those under construction and those being planned. The land use designation change will allow for more needed housing along the major transit corridors and the project's residents, in turn, can help support the retail and office uses that are desired for this area.



2.0 RESPONSES TO COMMENTS



CONCEPTUAL PERSPECTIVE
REED AVENUE



JOB NO. 1349.001

DATE 06.20.16
6-20-2016

A-1

1155 REED AVENUE, SUNNYVALE, CALIFORNIA



CONCEPTUAL PERSPECTIVE
REED AVENUE



JOB NO. 1349.001

DATE 06.20.16
6-20-2016

A-2

1155 REED AVENUE, SUNNYVALE, CALIFORNIA

Letter 30 Continued



CONCEPTUAL PERSPECTIVE
CORNER of WILLOW AVENUE at REED



JOB NO. 1349.001
DATE 06.20.16
6-20-2016

A-3

1155 REED AVENUE, SUNNYVALE, CALIFORNIA

Letter 30 Continued



CONCEPTUAL PERSPECTIVE
BIRD'S EYE OF WILLOW AVENUE



JOB NO. 1349.001
DATE 06.20.16
6-20-2016

A-4

1155 REED AVENUE, SUNNYVALE, CALIFORNIA

2.0 RESPONSES TO COMMENTS

Letter 30 Continued



1155 REED AVENUE, SUNNYVALE, CALIFORNIA

CONCEPTUAL ELEVATION
REED AVENUE

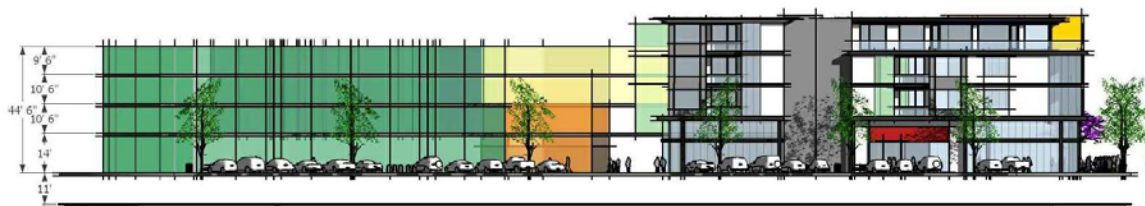


JOB NO. 1349.001

DATE 06.20.16
6-20-2016

A-5

Letter 30 Continued



1155 REED AVENUE, SUNNYVALE, CALIFORNIA

CONCEPTUAL ELEVATION
WILLOW AVENUE



JOB NO. 1349.001

DATE 06.20.16
6-20-2016

A-6

2.0 RESPONSES TO COMMENTS

Letter 30 Continued



1155 REED AVENUE, SUNNYVALE, CALIFORNIA

LAWRENCE STATION AREA PLAN
PEDESTRIAN CIRCULATION SYSTEM

JOB NO. 1349.001

DATE 06.20.16
5-20-2016**A-9**

Letter 30 Continued

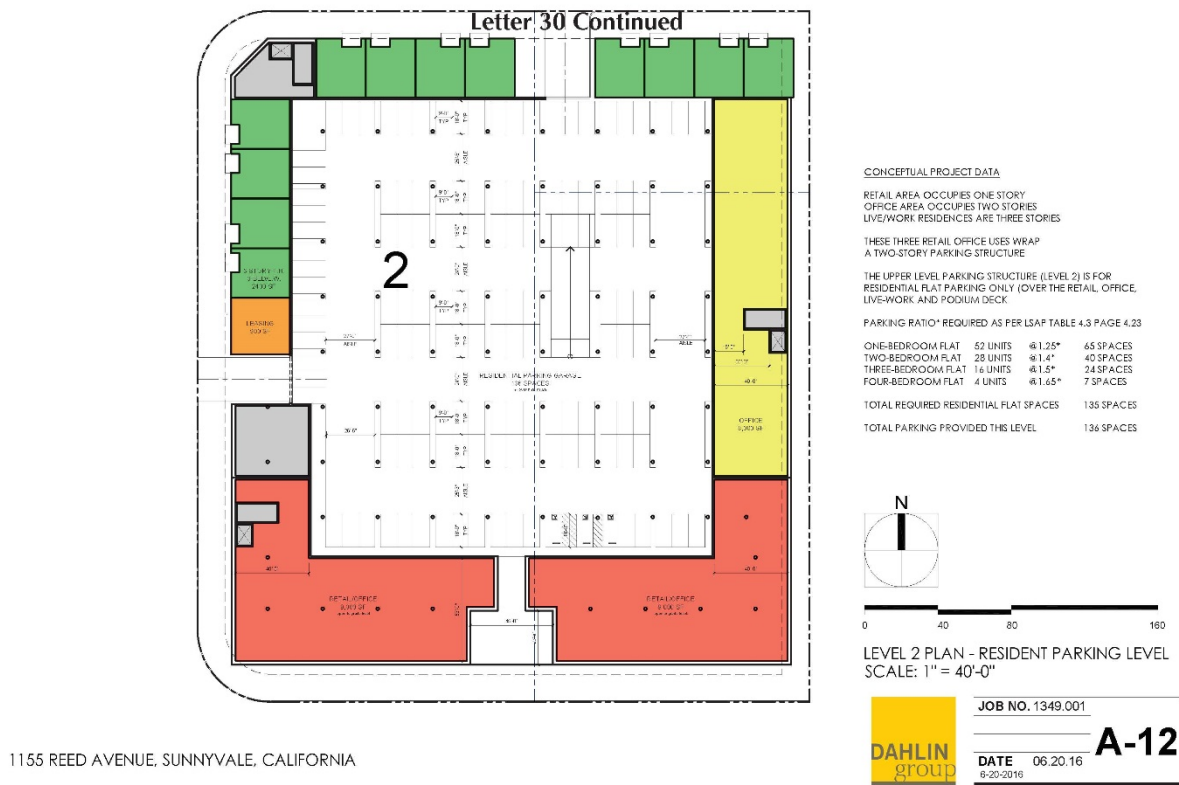
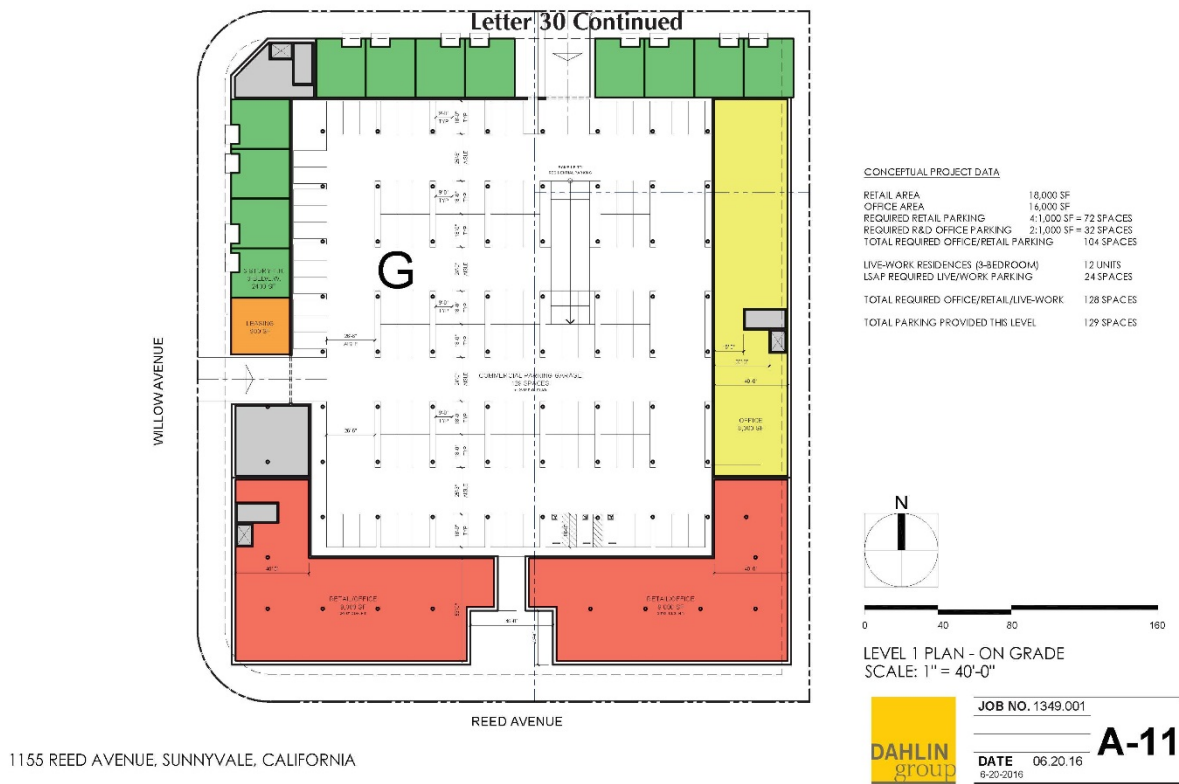


1155 REED AVENUE, SUNNYVALE, CALIFORNIA

LAWRENCE STATION AREA PLAN
BICYCLE FRAMEWORK

JOB NO. 1349.001

DATE 06.20.16
5-20-2016**A-10**

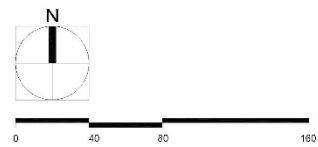


2.0 RESPONSES TO COMMENTS



CONCEPTUAL PROJECT DATA

ONE-BEDROOM FLAT	30 UNITS
TWO-BEDROOM FLAT	12 UNITS
THREE-BEDROOM FLAT	8 UNITS
FOUR-BEDROOM FLAT	2 UNITS
TOTAL UNITS THIS LEVEL	52 UNITS



LEVEL 3 PLAN - PODIUM LEVEL
SCALE: 1" = 40'-0"



JOB NO. 1349.001

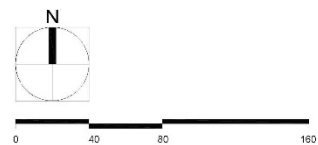
DATE 06.20.16
8-20-2016

A-13



CONCEPTUAL PROJECT DATA

ONE-BEDROOM FLAT	22 UNITS
TWO-BEDROOM FLAT	16 UNITS
THREE-BEDROOM FLAT	8 UNITS
FOUR-BEDROOM FLAT	2 UNITS
TOTAL UNITS THIS LEVEL	48 UNITS



LEVEL 4 PLAN
SCALE: 1" = 40'-0"



JOB NO. 1349.001

DATE 06.20.16
8-20-2016

A-14

Letter 30 Larry Yamaoka

Response 30-1

This comment letter presents a development proposal for parcels at 1155 Reed Avenue and 1164–1165 Willow Avenue. It does not address the adequacy of the analysis in the Draft EIR. The LSAP is a planning document and does not identify specific projects. As such, no environmental review of this proposal is required under CEQA at this time.

2.0 RESPONSES TO COMMENTS

Planning Commission Hearing

Planning Commission

Meeting Minutes - Final

June 27, 2016

Applicant: City of Sunnyvale**Proposed Project:****OVERVIEW AND PUBLIC COMMENTS ON THE DRAFT
ENVIRONMENTAL IMPACT REPORT AND DRAFT
LAWRENCE STATION AREA PLAN****Project Planner:** Andrew Miner, (408) 730-7707,
amminer@sunnyvale.ca.gov

Planning Officer Andrew Miner stated that the purpose of this public hearing is to provide an opportunity for the public to give comments on the adequacy of the Draft Environmental Impact Report (DEIR) for the Lawrence Station Area Plan (LSAP) and the Draft LSAP and not to consider the project so no action is required of the Planning Commission.

Pat Angell, with Michael Baker International, provided an overview of the DEIR.

Planning Officer Miner discussed the incentives that would allow property owners to redevelop their properties to the maximum density within the plan area.

Chair Melton opened the Public Hearing.

Maria Hamilton said the City needs to evaluate resource allocation, such as for water, to support the demands of this and future plans.

PC-1

Don Tran, speaking on behalf of the Silicon Valley Leadership Group (SVLG), said the group encourages increasing the minimum residential housing density to 40 dwelling units per acre for all areas within a half mile of the station and added that the ideal amount would be 50. He said the group encourages a balanced percentage of Below Market Rate (BMR) units, and that the plan includes an estimated 420 square feet for each employee but that the industry average is 200 square feet, which is a discrepancy that could lead to a jobs-to-housing imbalance.

PC-2

Rick Rodgers, Sunnyvale resident, referred to the increase in development near Wolfe/Evelyn and Wolfe/Central and asked how the City expects to accommodate the increase in traffic that these projects will bring.

PC-3

Jack Miller, Sunnyvale resident, said he prefers all businesses and mixed use developments be constructed north of the Caltrain station and that south of the train tracks the City should preserve existing neighborhoods with residential homes only. He said a City park is needed in the area south of the tracks and that speed humps are needed to reduce drag racing on Aster Avenue.

PC-4

Ray Crump, Sunnyvale resident, said multiple intersections on Lawrence are

PC-5

City of Sunnyvale

Page 3

Planing Comission Hearing Continued

Planning Commission

Meeting Minutes - Final

June 27, 2016

operating at the LOS F rating and cannot accommodate large nearby developments, and noted that on page 3.4-12 the document discusses a westbound left turn from Reed onto northbound Lawrence, which is actually eastbound. He suggested asking developers for community benefits to accelerate needed improvements to accommodate plans.

PC-5
cont.

Craig Lee, Sunnyvale resident, said 70 percent of the Lawrence Station Area is already developed and discussed his concern with the increased traffic new development would bring.

PC-6

Adina Levin, with Friends of CalTrain, said the group supports the concept of flexible mixed use development near the transit station, and that the numbers of the Transportation Demand Management plan seem inconsistent, particularly the 20-to-35 percent car trip reduction and auto mode share reduction from 95 to 90 percent. She noted the EIR states internal trips are less than two miles, but bike mode share is less than two percent and that if internal trips are less than two miles it is a good opportunity to use bikes. She said the Alternatives in the DEIR regarding housing are discussed as something having a negative impact on housing which is difficult to understand, and added that she echoes what Mr. Tran said about the potential jobs-housing imbalance and supports the increase in affordable housing.

PC-7

PC-8

PC-9

Stan Messmer, Santa Clara resident, said it is not safe to walk down Aster Avenue, that many developments in the area were built not too long ago, and that residents do not need another large development in the area. He asked where the water will come from to support new developments, discussed his concern with the increased traffic and said residents of new developments will not take CalTrain.

PC-10

Chair Melton closed the Public Hearing.

Planning Officer Miner noted that submitting comments in writing is the best mode for receiving responses in the Final EIR, and that the LSAP will be considered by the Planning Commission in September and the City Council in October.

Commissioner Klein confirmed with Planning Officer Miner that the deadline to submit written comments is Tuesday, July 5.

Commissioner Weiss said she would like to see examples of where flexible mixed use developments have been used successfully, especially if there is an economic downturn that could have a severe impact. She noted that the LSAP conceptualizes the Corn Palace area as a park on one page and as low and low-medium density

2.0 RESPONSES TO COMMENTS

City of Sunnyvale Planning Commission Meeting – Public Hearing to Accept Comments on LSAP DEIR (June 27, 2016)

Response PC-1

The potential impacts on water supply are evaluated in Subsection 3.11.5, Water Supply and Service, in Section 3.11, Public Services and Utilities, in the Draft EIR. The impact evaluation is based on a water supply assessment, included in Appendix G in the Draft EIR, that documents in detail existing and future water supplies and demands. Existing supplies and demand are described on pages 3.11-14 through -21, and impacts are evaluated in Impact 3.11.5.1 on page 3.11-25, which concluded that no new water supply entitlements would be required to support implementation of the LSAP. Impacts on other public services and utility systems are also addressed in Draft EIR Section 3.11, Public Services and Utilities.

Response PC-2

This comment is directed to the assumptions in the LSAP regarding housing density and employment assumptions. This commenter submitted written comments on the Draft EIR on this issue. Please see Responses 26-1 and 26-2.

Response PC-3

The impacts on the traffic and circulation network are evaluated in the Draft EIR in Impact 3.4.6 in Section 3.4, Transportation and Circulation. The analysis identifies which intersections and freeway facilities would be affected by LSAP implementation, along with mitigation measures to address those impacts.

Response PC-4

This comment is directed to the LSAP's proposed land uses and does not address the adequacy of the analysis in the Draft EIR. The commenter's suggestion that speed humps are needed on Aster Avenue reflects an existing condition. The LSAP does not propose any substantial changes for established residential areas south of the Caltrain tracks, as stated on page 2.0-23 in Section 2.0, Project Description, in the Draft EIR.

Response PC-5

The Draft EIR (pages 3.4-4 through -11 in Section 3.4, Traffic and Circulation) identifies several intersections operating at level of service (LOS) F, consistent with the commenter's interpretation of observed conditions. The impact on Lawrence Expressway of the LSAP along with other development in the area is evaluated in Impact 3.4.6 (pages 3.4-40 through -42). The analysis identifies which intersections and freeway facilities would be affected by LSAP implementation, along with mitigation measures to address those impacts. The Draft EIR (page 3.4-12, second paragraph, third sentence) has been revised as follows to correct the directional error noted by the commenter:

~~THE WESTBOUND~~ EASTBOUND LEFT-TURN MOVEMENT ON REED AVENUE ONTO NORTHBOUND LAWRENCE EXPRESSWAY...

This minor revision does not affect the conclusions of the intersection operations analysis presented in Impact 3.4.6.

Response PC-6

The impacts on the traffic and circulation network are evaluated in the Draft EIR in Impact 3.4.6 in Section 3.4, Transportation and Circulation. The analysis identifies which intersections and freeway facilities would be affected by LSAP implementation, along with mitigation measures to address those impacts.

Response PC-7

This commenter submitted written comments on the Draft EIR on the mode share reduction and internal trip length items noted in this comment. Please see Response 12-4.

Response PC-8

The purpose of the alternatives analysis is stated on page 4.0-1 in Section 4.0, Alternatives, in the Draft EIR. The alternatives analysis focuses on the comparative environmental impacts of the alternatives relative to the proposed LSAP, as required by CEQA. Table 4.0-2 on page 4.0-17 summarizes the results of the comparative environmental impact analysis.

The alternatives analysis is not intended to weigh the advantages or disadvantages of a particular alternative. The commenter's interpretation of the alternatives analysis in the Draft EIR is noted. However, there are no statements in the Draft EIR alternatives analysis that state the alternatives would result in negative impacts on housing, and as shown in Table 4.0-2 under the Population/Housing category, none of the alternatives would result in significant impacts related to housing compared to the proposed LSAP.

Response PC-9

Please see Response 26-2 regarding jobs/housing balance.

Response PC-10

The potential impacts on water supply are evaluated in Subsection 3.11.5, Water Supply and Service, in Section 3.11, Public Services and Utilities, in the Draft EIR. Existing supplies and demand are described on pages 3.11-14 through -21, and impacts are evaluated in Impact 3.11.5.1 on page 3.11-25. The evaluation concludes that no new water supply entitlements would be required to support implementation of the LSAP.

The impacts on the traffic and circulation network are evaluated in the Draft EIR in Impact 3.4.6 in Section 3.4, Transportation and Circulation. The analysis identifies which intersections and freeway facilities would be affected by LSAP implementation, along with mitigation measures to address those impacts.

The LSAP proposes a number of improvements intended to improve pedestrian safety in the planning area. These are summarized in the Draft EIR on page 2.0-27 in Section 2.0, Project Description, and in Impact 3.4.3 on page 3.4-37 in Section 3.4, Transportation and Circulation, which also includes a list of LSAP policies concerning pedestrian facilities.

2.0 RESPONSES TO COMMENTS

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3.0 REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

This section includes minor revisions to the Draft EIR. These modifications resulted from responses to comments received during the Draft EIR public review period as well as staff-initiated changes. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis.

3.2 REVISIONS TO THE DRAFT EIR

SECTION 3.4, TRANSPORTATION AND CIRCULATION

Page 3.4-12 (second paragraph, fourth sentence):

The ~~westbound~~ eastbound left-turn movement on Reed Avenue onto northbound Lawrence Expressway...

Page 3.4-13 (paragraph under Vehicle Miles Traveled subheading):

Year 2035 VMT for the City under the current General Plan is projected to be 2,804,751~~2~~ miles and ~~11.09~~ 12.30 miles per capita, while the LSAP area (under current General Plan land use designations) is projected to have a total VMT of ~~105,383~~ 143,179 miles and ~~12.00~~ 10.28 miles per capita.

3.0 REVISIONS TO THE DRAFT EIR

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APPENDICES

APPENDIX A: SUPPLEMENTAL TRAFFIC IMPACT ASSESSMENT DATA

Traffic Impact Assessment, Additional Data Analysis and Revised TIA Table 7

Table 1 Caltrans Requested Ramp Analysis

Freeway On-ramp	Short Term Project		2035 Proposed General Plan	
	Greystar Added Traffic *	Analysis Needed	LSAP Added Traffic *	Analysis Needed
SB US 101/Lawrence Expressway diagonal on-ramp	19	Included	101	Included
SB US 101/Bowers Avenue diagonal on-ramp	0	No	0	No
SB US 101/San Tomas Expressway diagonal on-ramp	0	No	0	No
SB US 101/De La Cruz Boulevard diagonal on-ramp	0	No	0	No
NB US 101/Lawrence Expressway loop on-ramp	27	Included	23	Included
NB US 101/Fair Oaks Avenue diagonal on-ramp	12	Included	29	Included
NB US 101/Mathilda Avenue loop on-ramp	0	No	0	No
EB SR 237/Lawrence Expressway diagonal on-ramp	19	Included	80	Included
Notes: * AM or PM, whichever is higher.				

Table 2 Caltrans Requested Intersection Queuing Analysis

Intersection	Greystar Added Peak Hour	
	Left-Turn Trips *	Analysis Needed
NB US 101/Fair Oaks Avenue ramps	11	No
SB I-280/Lawrence Expressway ramp	0	No
El Camino Real/Wolfe Road	0	No
Notes: * AM or PM, whichever is higher.		

Table 3
Queuing Analysis

Measurement	Fair Oaks Avenue & NB US 101 Ramps	
	NBL	
	AM ³	PM
Existing		
Cycle/Delay ¹ (sec)	110	60
Volume (vphpl)	415	265
Avg. Queue (veh/ln.)	12.7	4.4
Avg. Queue ² (ft./ln)	317	110
95th %. Queue (veh/ln.)	19	8
95th %. Queue (ft./ln)	475	200
Storage (ft./ ln.)	275	275
Adequate (Y/N)	N	Y
Existing plus Project		
Cycle/Delay ¹ (sec)	110	60
Volume (vphpl)	427	272
Avg. Queue (veh/ln.)	13.0	4.5
Avg. Queue ² (ft./ln)	326	113
95th %. Queue (veh/ln.)	19	8
95th %. Queue (ft./ln)	475	200
Storage (ft./ ln.)	275	275
Adequate (Y/N)	N	Y
Background		
Cycle/Delay ¹ (sec)	110	60
Volume (vphpl)	423	270
Avg. Queue (veh/ln.)	12.9	4.5
Avg. Queue ² (ft./ln)	323	113
95th %. Queue (veh/ln.)	19	8
95th %. Queue (ft./ln)	475	200
Storage (ft./ ln.)	275	275
Adequate (Y/N)	N	Y
Background plus Project		
Cycle/Delay ¹ (sec)	110	60
Volume (vphpl)	435	277
Avg. Queue (veh/ln.)	13.3	4.6
Avg. Queue ² (ft./ln)	332	115
95th %. Queue (veh/ln.)	20	8
95th %. Queue (ft./ln)	500	200
Storage (ft./ ln.)	275	275
Adequate (Y/N)	N	Y
<ol style="list-style-type: none"> 1. Vehicle queue calculations based on cycle length for signalized intersections, and movement delay for unsignalized intersections. 2. Assumes 25 Feet Per Vehicle Queued 3. Cycle length calibrated so calculated average queue length match conditions observed in the field. 		

Appendix C - Table 7 (Revised) Existing Levels of Service at Freeway Ramps

Interchange	Ramp	Type	Peak	Lanes			Existing		
				Mixed	HOV	Meter	Capacity ¹	Peak Volume ²	V/C
SR 237/Lawrence Expwy	EB on-ramp from NB Lawrence Expwy	Diagonal	AM	1	1		2000	1513	0.76
			PM	1	1	ON	1800	1206	0.67
US 101/Lawrence Expwy	SB on-ramp from NB Lawrence Expwy	Diagonal	AM	2	1		2000	857	0.43
			PM	2	1	ON	1800	607	0.34
	NB on-ramp from NB Lawrence Expwy	Loop	AM	1	1	ON	1800	599	0.33
			PM	1	1		2000	428	0.21
	NB off-ramp to Lawrence Expwy	Diagonal	AM	2			3800	1188	0.31
			PM	2			3800	1344	0.35
	SB off-ramp to Lawrence Expwy	Diagonal	AM	2			3800	649	0.17
			PM	2			3800	1347	0.35
US 101/Fair Oaks Ave	NB on-ramp from Fair Oaks Ave	Diagonal	AM	1	1	ON	1800	608	0.34
			PM	1	1		2000	402	0.20
	SB off-ramp to SB Fair Oaks Ave	Diagonal	AM	1			2000	246	0.12
			PM	1			2000	686	0.34

Notes:

1. Ramp capacities were obtained from the *Highway Capacity Manual 2000*, and considered the free-flow speed, the number of lanes on the ramp, and ramp metering.
2. Existing peak hour volumes are obtained through personal communication with Caltrans staff on August 11, 2015.

APPENDIX B: MITIGATION AND MONITORING REPORTING PLAN

1. STATUTORY REQUIREMENT

When a lead agency makes findings on significant environmental effects identified in an environmental impact report (EIR), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

2. ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The City of Sunnyvale (City) is the lead agency responsible for the adoption of the MMRP. The City is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

3. MITIGATION MEASURES AND REPORTING PROGRAM

Table B-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the impact analysis sections of the Draft EIR.

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE B-1
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
Air Quality				
MM 3.5.3a	<p>Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District's (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. These basic construction mitigation measures include the following:</p> <ol style="list-style-type: none"> 1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 6. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 7. A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of grading or building permits • During construction 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (during construction)
MM 3.5.3b	<p>In the cases where construction projects are projected to exceed the Bay Area Air Quality Management District's (BAAQMD) air pollutant significance thresholds for NO_x, PM₁₀, and/or PM_{2.5}, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) shall be at least California Air Resources Board</p>	<ul style="list-style-type: none"> • Site inspection 	<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • Project applicant (during construction) • City of

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	(CARB) Tier 3 Certified or better.			Sunnyvale (during construction)
MM 3.5.5	<p>In the case when a subsequent project's construction is span greater than 5 acres and is scheduled to last more than two years, the subsequent project shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with the Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Limiting the amount of acreage to be graded in a single day, 2. Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal preschool hours, 3. Notification of affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment. 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of grading permit 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (during construction)
MM 3.5.6	<p>The following measures shall be utilized in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within 1,000 feet of emission sources:</p> <ul style="list-style-type: none"> • Future development with the LSAP that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of grading or building permit 	<ul style="list-style-type: none"> • City of Sunnyvale

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>within 1,000 feet from Caltrain and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual PM_{2.5} exposures greater than 0.8 µg/m³) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated.</p> <ul style="list-style-type: none"> Future nonresidential developments projected to generate more than 100 heavy-duty trucks daily will be evaluated through the CEQA process or BAAQMD permit process to ensure they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual PM_{2.5} exposures greater than 0.3 µg/m³. 			
Biological Resources				
MM 3.9.1	<p>If clearing and construction activities will occur during the nesting period for burrowing owls (February 1–August 31) on the vacant portion of the Corn Palace property, a qualified biologist shall conduct focused surveys for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation, published March 7, 2012. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.</p> <p>If no burrowing owls are detected, no further mitigation is required. If active burrowing owls are detected, the project proponent will implement the avoidance, minimization, and mitigation methodologies outlined in the CDFW's Staff Report prior to initiating project-related activities that may impact burrowing owls.</p>	<ul style="list-style-type: none"> Preconstruction surveys for work done between February 1 and August 31 	<ul style="list-style-type: none"> Up to 14 days prior to construction 	<ul style="list-style-type: none"> Project applicant (survey and protection measures)) City of Sunnyvale (document compliance)
MM 3.9.2	<p>Prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified biologist no more than 3 days prior to the start of construction activities. If bat roosts are identified, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed. If maternity roosts are identified during the maternity roosting season (typically May to September) they must remain undisturbed until a qualified biologist has determined the young bats are no longer roosting. If roosting is found to occur on-site, replacement roost habitat (e.g., bat boxes) shall be</p>	<ul style="list-style-type: none"> Preconstruction surveys 	<ul style="list-style-type: none"> No more than 3 days prior to building demolition and/or tree removal 	<ul style="list-style-type: none"> Project applicant (survey and protection measures) City of Sunnyvale

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>provided to offset roosting sites removed. If no bat roosts are detected, no further action is required if the trees and buildings are removed prior to the next breeding season.</p> <p>If a female or maternity colony of bats is found on the project site, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large oak tree not planned for removal), a qualified biologist shall determine what buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).</p> <p>If an active nursery roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after July 31 and before March 1 to prevent the formation of maternity colonies. Nonbreeding bats shall be safely evicted, under the direction of a bat specialist.</p>			(document compliance)
MM 3.9.3	<p>All construction and clearing activities shall be conducted outside of the avian nesting season (January 15–August 31), when feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, special-status resident birds, and other migratory birds protected by the Migratory Bird Treaty Act shall be conducted by a qualified biologist, up to 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.</p> <p>If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS, as necessary. The City shall be notified if altered exclusion zones widths are authorized by these agencies prior to the initiation of work. The exclusion zones shall remain in force until all young have fledged.</p>	<ul style="list-style-type: none"> • Preconstruction surveys for work done between January 15 and August 31 	<ul style="list-style-type: none"> • No more than 3 days prior to tree removal and/or site preparation involving removal of vegetation 	<ul style="list-style-type: none"> • Project applicant (survey and protection measures) • City of Sunnyvale (document compliance)
Cultural Resources				
MM 3.10.2	All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • City of Sunnyvale

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	construction cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can access the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.			(plan check) <ul style="list-style-type: none"> Project applicant (if resources found)
Geology, Soils, and Paleontological Resources				
MM 3.7.4	All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions are determined by a qualified paleontologist. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow.	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Prior to issuance of grading permit During construction 	<ul style="list-style-type: none"> City of Sunnyvale (plan check) Project applicant (if fossils discovered)
Hazards and Hazardous Materials				
MM 3.3.3	<p>The City shall require a Phase I Environmental Site Assessment (ESA) prepared and submitted with any application for new development or redevelopment in any LSAP subarea north of the Caltrain tracks, the Peninsula subarea, the Lawrence/Reed/Willow subarea, or the Corn Palace property. The Phase I ESA shall be prepared by a qualified professional registered in California and in accordance with ASTM E1527-13 (or the most current version at the time a development application is submitted for the project).</p> <p>If determined necessary by the Phase I ESA, a Phase II ESA shall be conducted to determine the lateral and vertical extent of soil, groundwater, and/or soil vapor contamination, as recommended by the Phase I ESA.</p> <p>The City shall not issue a building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the use of the site have been completed consistent with applicable regulations and to the satisfaction of the City of Sunnyvale, DTSC, or San Francisco Bay RWQCB (as appropriate) prior to initiation of construction activities. Deed restrictions, if appropriate, shall be recorded.</p>	<ul style="list-style-type: none"> Review of Phase I and/or Phase II ESA Site inspection 	<ul style="list-style-type: none"> Phase I at the time development application is submitted Phase II prior to building permit issuance Site inspection during construction 	<ul style="list-style-type: none"> Project applicant (Phase I/Phase II) City of Sunnyvale (document compliance)

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>If temporary dewatering is required during construction or if permanent dewatering is required for subterranean features, the City shall not issue an improvement permit or building permit until documentation has been provided to the City that the Water Pollution Control Plant has approved the discharge to the sewer. Discharge of any groundwater removed from a construction site in any LSAP subarea north of the Caltrain tracks, the Peninsula subarea, the Lawrence/Reed/Willow subarea, or the Corn Palace property to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be prohibited. The City shall ensure all plans and permits state this prohibition.</p> <p>If the Phase I ESA determines there are no recognized environmental conditions (RECs), no further action is required. However, the City shall ensure any grading or improvement plan or building permit includes a statement if hazardous materials contamination is discovered or suspected during construction activities, all work shall stop immediately until a qualified professional has determined an appropriate course of action.</p>			
MM 3.3.5	<p>Prior to issuance of a permit for a specific development project or prior to approving a City-initiated roadway improvement identified in the LSAP, the City shall determine whether project construction activities have the potential to affect traffic conditions on roadways as a result of construction of the development project or roadway improvement(s). If there is the potential the activities could impair or inhibit emergency response or evacuation, a Construction Traffic Control Plan shall be prepared for City review and approval. The plan shall include, but not be limited to, schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. All traffic control measures shall conform to City of Sunnyvale, Santa Clara County, and/or Caltrans standards, as applicable. The City shall ensure final approved plans for private development projects specify the requirement, as appropriate, to implement the construction traffic control plan.</p>	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Prior to permit issuance 	<ul style="list-style-type: none"> City of Sunnyvale (plan check and inspection) Project applicant (prepare plan)
Hydrology and Water Quality				
MM 3.8.3	<p>Prior to approving any subsequent projects in the LSAP at any location where fill is placed in the FEMA AO zone to elevate the ground surface above the base flood elevation, the project applicant shall submit a hydraulic analysis prepared by a California-registered professional engineer for City Engineer review and approval. The analysis shall, at a minimum, identify: (1) the specific locations</p>	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Prior to grading permit issuance 	<ul style="list-style-type: none"> City of Sunnyvale (plan check) Project applicant

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	where changes in water surface elevations due to fill encroachment could occur; and (2) drainage improvements that will be used to ensure placement of fill will not increase flood hazards in areas not previously subject to flooding during occurrence of the base flood discharge.			(hydraulic analysis)
Noise				
MM 3.6.4	<p>Subsequent projects in the LSAP shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Sunnyvale Building Services Division. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> • Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds. • Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used. • Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures. • Noise reducing pile-driving techniques shall be employed during project construction. These techniques shall include: <ul style="list-style-type: none"> ○ Installing intake and exhaust mufflers on pile-driving equipment. ○ Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible. ○ Implement “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of grading and/or building permits 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check and inspection) • Project applicant (during construction)

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>duration), where feasible, in consideration of geotechnical and structural requirements and conditions.</p> <ul style="list-style-type: none"> ○ Use cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material). ○ At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities. 			
Transportation and Circulation				
MM 3.4.6	<p>Should the proposed Land Use and Transportation Element update not be adopted, the following roadway improvements are required as a component of the implementation of the LSAP:</p> <ul style="list-style-type: none"> • <u>Wolfe Road & Kifer Road</u> – Construction of a second southbound left-turn lane and a second westbound left-turn lane. Both left-turn lanes would need to have the same length as the original left-turn lane. Depending on the width of each travel lane, the north and east legs of the intersection will need to be widened between 8 feet and 11 feet. The through lanes at this intersection will be realigned. The required right-of-way would need to be acquired from the northwest, northeast, and/or southeast quadrants of the intersection. Existing bicycle and pedestrian facilities will be retained. This improvement would be a requirement for projects within the LSAP only and not a citywide requirement. <p>With this improvement, the intersection would operate at an acceptable LOS D during the AM peak hour. There would be secondary deficiencies associated with this improvement such as increased pedestrian and bicyclist exposure to traffic when crossing the intersection. The increased exposure time would range from approximately 2 to 3 seconds for pedestrians and from 1 to 2 seconds for bicyclists. This increased exposure time would be minimal. Located in an industrial area and immediately between the rail tracks and Central Expressway, this intersection is also not expected to serve a considerable amount of pedestrian and bicyclist volume. The required right-of-way acquisition would be minimal and would not displace businesses or parking spaces. This improvement would be a requirement for</p>	<ul style="list-style-type: none"> • LSAP approval 	<ul style="list-style-type: none"> • Incorporated into LSAP should Draft LUTE not be adopted • Implemented during future development projects in LSAP only if Draft LUTE not adopted 	<ul style="list-style-type: none"> • City of Sunnyvale Planning Department

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>project within the LSAP only and not a citywide requirement.</p> <ul style="list-style-type: none"> • <u>Wolfe Road & Fremont Avenue</u> – Construction of an exclusive southbound right-turn lane for the length of the segment. The eastbound inner left-turn lane will require restricting the U-turn movement to allow a southbound overlap right-turn phase. Vehicles wishing to perform the eastbound U-turn movement would instead perform the U-turn at Eleanor Way. Depending on the extent of the median on the north leg that could be removed, the north leg would be widened between 3 and 11 feet. The north leg would be realigned to accommodate the southbound right turn. There is existing right-of-way on the northeast quadrant of the intersection. <p>With this improvement, the intersection would operate at an unacceptable LOS E during the PM peak hour, but would no longer have an LSAP intersection deficiency. Secondary deficiencies on the pedestrian and bicycle facilities associated with this improvement would not be considerable. The increased exposure time would range from approximately 1 to 3 seconds for pedestrians and from 1 to 2 seconds for bicyclists. This increased exposure time would be minimal. The required right-of-way acquisition would be minimal and would not displace businesses. This improvement would be a requirement for projects within the LSAP only and not a citywide requirement.</p> 			