

### **REPORT TO COUNCIL**

#### **SUBJECT**

Mary Avenue Extension (Information Only)

#### **BACKGROUND**

On August 18, 2015, the City Council held a Study Session to discuss four different items. This included Study Session #4 - Transportation Impact Fee and Project Prioritization. As part of this item, staff discussed the City's transportation priorities as part of the approved Traffic Impact Fee (TIF) program. One of the key items the Council focused on was the Mary Avenue Overcrossing (Mary Avenue). Specifically, Council deliberated on the requirement to construct Mary Avenue, how it fits within the TIF, and how it should be prioritized. This informational report to Council provides additional details to further clarify and help guide the discussion and next steps.

#### **DISCUSSION**

Mary Avenue first appeared in the Sunnyvale General Plan in the Transportation Element adopted in 1981. A North/South corridor study of Sunnyvale identified the need for an extension of Mary Avenue to meet desired levels of service. When the Land Use and Transportation Elements (LUTE) were merged into a single document in 1997, Mary Avenue was addressed in a policy as well as in the implementation and mitigation requirements for build-out of the General Plan. The Council decision on Mary Avenue and the 1997 LUTE was also informed by the "Futures" study Environmental Impact Report (EIR) in 1993 and the EIR prepared for the Lockheed Martin campus Master Use Permit (1994).

The Moffett Park Specific Plan EIR, certified in November 2003, and the first Transportation Strategic Program (also November 2003) and its related Transportation Impact Fee reaffirmed the need for Mary Avenue to meet desired levels of service at Sunnyvale intersections. In 2011, the Council adopted a new Consolidated General Plan that captured the highest level information from the prior individual General Plan documents (Elements and Sub-Elements). The 2011 Consolidated General Plan is the current General Plan (with a few amendments that have been approved to the Land Use Map).

#### **Mary Avenue Requirements**

Below is a summary of information (and associated attachments) that describes the requirements for Mary Avenue.

#### **1981 Transportation Element**

- Page (1.1) 9

##### Planned Roadway Improvements

Several other roadway improvement projects are planned for eventual completion, but may not have yet been included in future budgeting. These projects are shown in Figure 3A and described below:

1. Mary Avenue Extension - Mary Avenue would be extended north over routes 237 and 101, eventually linking up with Caribbean Drive. An overpass over Evelyn Avenue and the SP railroad tracks would be constructed, as well as a Central Expressway overpass over Mary Avenue.

- Figure 3A. Long-Range Roadway - (Attachment 1)
- Action Statement A.4.b

Preserve the option of extending Mary Avenue to the industrial areas north of Highway 101 and South to Cupertino

Extending Mary Avenue is the most practical way to significantly expand the City's capacity in the north-south direction. The City will continue to acquire the necessary right-of-way so that this roadway can be constructed when and if it is deemed necessary.

### **1997 Land Use and Transportation Element**

- Policy R1.6 Preserve the option of extending Mary Avenue to the industrial areas north of U.S. Highway 101.
- Appendix E -Transportation Mitigations (Attachment 2)
  - Figure E-1 General Plan Build-out Roadway Capacity Mitigations
  - Figure E-4 Transportation Capacity Mitigation for Sunnyvale Projects Map
- Mitigation Monitoring and Reporting Program

### **2003/2004 Moffett Park Specific Plan**

- On November 11, 2003 the City Council approved the Transportation Strategic Program and established the Transportation Impact Fee
- On the same evening, Council certified the EIR and adopted General Plan level buildout and general development direction for Moffett Park.
- Mitigation Monitoring and Reporting Program (MMRP) (Attachment 3)
- EIR Preferred Alternative Intersection Mitigations (Attachment 4)
- Page 26 - "The most significant transportation improvements necessary to facilitate development of Moffett Park the Mary Avenue Extension (or equivalent alternative) and a Lawrence Expressway grade separation."
- Page 27 - "The Mary Avenue extension project is identified as a needed improvement per the City's General Plan and the Program EIR."

### **2011 Consolidated General Plan**

- Policy LT -1.6 - Preserve the option of extending Mary Avenue to the industrial areas north of U.S. Highway 101. (Previously LUTE Policy R1.6)
- Appendix A Implementation Plan
  - Transportation Strategic Plan (funded by Transportation Impact Fees required by SMC 3.5)
- By reference to 1997 LUTE: Figure E.4: Transportation Capacity Mitigation for Sunnyvale Projects Map

### **Traffic Impact Fee**

On November 11, 2003, the City Council approved the City's Transportation Strategic Program and Transportation Impact Fee (RTC 03-385). The recommended improvements included the "Mary

Avenue Extension, or other corridor improvement” at a cost of \$50 million (Attachment 5). On December 17, 2013 the Council adopted an update to the Transportation Strategic Program. A list of improvements (Attachment 6) was included as part of the staff report, and this included the “Mary Avenue Extension” at a cost of \$67.2 million.

The TIF, by law, is required to meet nexus, and the improvements must provide a certain level of transportation benefit. What this means is that the fee being collected must align with the level of transportation benefit it provides. Specifically to Mary Avenue, if the City would prefer to not pursue the project, the City would be required to identify another project of similar cost that provides similar benefit. If this is not feasible, the City would be required to review the fees it has collected as part of the TIF and determine whether refunds would need to be provided to all the developers that have paid into the fund for their share of cost towards Mary Avenue.

Development in the Moffett Park Specific Plan (MPSP) area pays a significantly higher TIF than development south of State Route 237. This higher fee is due to the relative benefit the MPSP area would receive from improvements to three intersections along Lawrence Expressway and from the extension of Mary Avenue.

### **Next Steps**

Based on the review of all the documentation related to Mary Avenue, it is staff's perspective that Mary Avenue has been part of the City's transportation models (including regional models as part of the Valley Transportation Plan), and a planned and expected improvement in the City. Since Mary Avenue is a required improvement in the City's General Plan, has been included for mitigation for approved development, and is part of the TIF program, any modification or removal will require a full Traffic Impact Analysis (TIA) and EIR. A separate amendment to the MPSP would also be required to amend the language pertaining to Mary Avenue Extension as a necessary transportation improvement and to suggest a possible alternative mitigation measure.

As part of the August 2015 Study Session, staff proposed to move forward with the TIA and EIR for Mary Avenue and fully analyze four different options for Council consideration:

- A four-lane Mary Avenue
- A two-lane Mary Avenue with enhanced bike lanes
- A bicycle and pedestrian crossing
- Remove the extension from the General Plan

It is also acknowledged that in the documents that require Mary Avenue there is language that provides the option to identify other improvements in its place. In the traffic Analysis and Environmental Impact Report, as part of the “Remove from the General Plan” alternative, staff would also perform the appropriate analysis to determine if there are other improvements that could be constructed in lieu of Mary Avenue and would provide similar transportation benefits.

These four options would provide Council a full picture of the conditions and impacts associated with the construction of Mary Avenue, but also would disclose the future traffic conditions and impacts if it is removed from the General Plan. This would give Council the analysis and the required environmental clearance to proceed with any of the four alternatives. At this time, staff plans to start the EIR in mid-late 2016 with a completion date of late 2018 or early 2019. A future Council action will be required to appropriate funds from the Traffic Impact Fee and award a consultant contract prior to starting any work. This action will occur early-mid 2016.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

Prepared by: Manuel Pineda, Director of Public Works

Prepared by: Trudi Ryan, Planning Officer

Reviewed by: Hanson Hom, Director of Community Development

Reviewed by: Jane Chambers, Interim Assistant City Manager

Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. 1981 Transportation Element - Figure 3A. Long-Range Roadway
2. 1997 Land Use and Transportation Element - Appendix E-Transportation Mitigations
3. 2003/2004 Moffett Park Specific Plan - Mitigation Monitoring and Reporting Program
4. 2003/2004 Moffett Park Specific Plan - EIR Preferred Alternative Intersection Mitigations
5. Transportation Strategic Program - TIF Recommended Improvements
6. Transportation Strategic Program - TIF List of Improvements