



## MEMORANDUM

DATE June 9, 2016

TO Catarina Kidd, Senior Planner, City of Cupertino

FROM Terri McCracken, Senior Associate, PlaceWorks

SUBJECT The Hamptons Redevelopment Project Initial Study and Mitigated Negative Declaration Response to Comments Memo

The 30-day public comment period for the Hamptons Redevelopment Project Initial Study and Mitigated Negative Declaration (IS/MND) started on Friday, April 15, 2016 and comments were accepted through Monday, May 16, 2016. A public hearing was held at the Planning Commission Meeting on Tuesday, May 10, 2016; however, no comments were made on the IS/MND. Comment letters submitted during the 30-day public comment period are attached to this Response to Comment Memo. Table 1, below, lists and provides a brief response to written comments that were received.

Text revisions to the IS/MND include typographical corrections, insignificant modification, amplifications and clarifications of the IS/MND. In each case, the revised page and location on the page is presented, followed by the textual, tabular, or graphical revision. Underline text represents language that has been added to the IS/MND; text with strikethrough has been deleted from the IS/MND.

The comments and responses, and text revisions shown in this Response to Comment Memo do not require any “substantial revisions” to the IS/MND as defined in the California Environmental Quality Act (CEQA) Guidelines Section 15073.5. No new, avoidable significant impacts have been identified and no mitigation measures or project revisions must be added in order to reduce the effect to insignificance. Accordingly, no recirculation of the IS/MND is required.

This Response to Comments Memo, together with the IS/MND dated April 15, 2016, constitutes the Final IS/MND for the proposed project.

### Attachments:

- » Letter 1: Aruna Bodduna, Associate Transportation Planner, County of Santa Clara, Roads and Airports Department, dated May 12, 2016.
- » Letter 2: Roy Molseed, Senior Environmental Planner, Santa Clara Valley Transportation Authority (VTA), dated May 31, 2016.
- » Letter 3: Noren Caliva-Lepe, Associate Planner, and City of Sunnyvale, dated May 16, 2016.
- » Letter 4: Patricia Maurice, District Branch Chief, State of California- California State Transportation Agency, dated May 16, 2016.
- » Appendix J Interior Noise Study



**Table 1 Response to Comments on the Initial Study and Mitigated Negative Declaration**

No.	Name/Agency/Organization	Date	Response
1	Aruna Bodduna, Associate Transportation Planner County of Santa Clara Roads and Airports Department	5/12/16	<p><b>Comment 1:</b> The commenter identifies a discrepancy in the traffic volumes applied to the Lawrence Expressway and Homestead Road Intersection as they are described on Figure 2-4 of the Traffic Impact Analysis (TIA) and the level of service calculations. The commenter states that the project applied the 2011 traffic counts as existing conditions when 2014 traffic counts should have been applied.</p> <p><b>Response 1:</b> The traffic volumes used for the existing conditions LOS analysis at the intersection of Lawrence Expressway at Homestead Road were collected on March 24, 2015. The appendices will be updated to show the 2015 traffic counts instead of the 2011 counts.</p> <p><b>Comment 2:</b> The commenter requests justification for the ten percent reduction in trips to account for the project's location adjacent the Apple Campus 2 Project when there is no formal agreement to reserve the units for Apple employees.</p> <p><b>Response 2:</b> The Apple Campus is adjacent to the site and is very large, with approximately 13,000 employees. Because of Hampton's proximity, it will be a highly attractive housing option for Apple's employees. It is also likely that Apple will rent units as corporate housing. As a result, it is likely that more than 10% of the Hampton's units will be occupied by Apple's employees. However, a conservative reduction of 10% was applied to account for residents walking to work instead of driving.</p> <p><b>Comment 3:</b> The commenter states that the TIA should include cumulative analysis and identify mitigation measures as needed.</p> <p><b>Response 3:</b> A separate Cumulative conditions analysis was not conducted because the Hamptons project was already evaluated in the General Plan 2040 EIR. Therefore, this TIA focuses on the evaluation of near-term impacts including Existing and Background conditions. As described in Chapter 1, Introduction, of the IS/MND, CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference. Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are</p>

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			susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).
			<b>Comment 5:</b> The commenter identifies the County's preferred methodology for mitigating impacts to County intersections if significant impacts are identified.
			<b>Response 5:</b> Based on the responses to the comments above, additional analysis is not required and impact conclusion results remain unchanged.
2	Roy Molseed, Senior Environmental Planner Santa Clara Valley Transportation Authority (VTA)	5/13/16	<b>Comment 1:</b> The commenter acknowledges support for the project land use, pedestrian and bicycle accommodations, financial contributions to the Wolfe Road/Interstate 280 Interchange Improvement, and the transit incentives offered in the Draft Transportation Demand Management (TDM) Plan. The commenter requests that the Draft TDM Plan identify target traffic reduction goals. The commenter also provided a VTA Development Review Program Contact List dated April 22, 2016. <b>Response 1:</b> Comment noted. The City is working with the applicant to determine the parameters of the TDM Plan and required monitoring. These will be finalized as part of the project approvals.
3	Noren Caliva-Lepe, Associate Planner City of Sunnyvale	5/16/16	<b>Comment 1:</b> The commenter identifies that while cumulative conditions were evaluated as part of the Cupertino new General Plan (Community Vision 2015-2040), the traffic analysis should identify cumulative impacts for the intersections within the City of Sunnyvale and the project should mitigate such impacts. <b>Response 1:</b> Recent studies, such as the Stratford School EIR (dated September 2015), show that three of the four study intersections within the City of Sunnyvale including Wolfe Road at Fremont Avenue, Marion Way, and Inverness Avenue operate acceptably under Cumulative conditions. The Hamptons is adding minimal traffic volumes (40 or fewer peak hour trips) to major intersection movements that operate with low delays. Therefore, it is very unlikely that the added traffic would degrade level of service to unacceptable levels at these three intersections. The Stratford School EIR also shows that one of the four study intersections within the City of Sunnyvale, Wolfe Road at Elizabeth Way is operating unacceptably under Cumulative conditions. It is an unsignalized intersection and the traffic volumes do not meet the peak hour signal warrant. Therefore, the impact at this intersection was considered less than significant. Because the Hamptons Redevelopment Project is adding traffic to the major street and not the minor street, the additional project traffic would not affect the results of the signal warrant analysis and the Hamptons Redevelopment Project would not cause a significant cumulative impact at this intersection.

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			<p><b>Comment 2:</b> The commenter requests the following to confirm that existing plus project, background, and background plus project conditions yield less than significant impacts, and do not require mitigation as noted in the Traffic Impact Analysis (TIA) prepared for the proposed project:</p> <ul style="list-style-type: none"> <li>▪ <b>Comment 2a:</b> An analysis with counts less than two years old. Several of the "existing" traffic counts shown in Appendix A of the TIA are from 2012 or 2011.  <b>Response 2a:</b> New traffic counts were not collected at some of the study intersections because of the roadway construction along Wolfe Road. The on-going construction has altered normal traffic patterns and new counts would not accurately represent normal driving conditions.</li> <li>▪ <b>Comment 2b:</b> Verify the traffic volumes used for the analysis. Several volumes shown in figure 2-4 of the TIA do not correspond with the volumes shown in the appendix.  <b>Response 2b:</b> Volumes are not identical to the traffic counts because the traffic volumes used for the LOS analysis were balanced (especially along Wolfe Road) to account for traffic volumes from counts with different count dates. See Response to Comment 2a above.</li> <li>▪ <b>Comment 2c:</b> Sunnyvale Development at 871 E. Fremont Avenue ("Butcher's Corner Project") should be included in the background conditions analysis.  <b>Response 2c:</b> As part of the TIA process, projects on the City of Sunnyvale's approved project list were considered when developing traffic forecasts for Background conditions. The most recent list used at the time of the study (dated July 17, 2015) did not include the "Butcher's Corner Project" as an approved project. Additionally, the "Butcher's Corner Project" is currently listed as pending; therefore, would not be considered as an approved project to be under Background conditions.</li> </ul> <p><b>Comment 3:</b> The commenter states that the project identifies a 10 percent reduction in AM and PM peak hour trips under the assumption that the site will serve as housing to the adjacent Apple project. However, this 10 percent reduction is significantly higher than the 3 percent noted for a similar mixed-use development with housing and employment per VTA TIA Guidelines. The commenter asks that there is a justification of the additional 7 percent reduction and reasoning as it is applied to the project.  <b>Response 3:</b> The Apple Campus is adjacent to the site and is very large with approximately 13,000 employees; it is much larger than most office developments and the office component of most mixed-</p>

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			<p>use developments. Therefore, due to its size and location, there will be a greater propensity for its employees to rent larger portions of nearby apartment complexes, especially given the housing shortage in Silicon Valley. It is also likely that Apple will rent units as corporate housing. Initial estimates of Hamptons' units occupied by Apple employees at the adjacent site ranged from 20 to 30%. After discussions with the City of Cupertino, it was decided that 10% was reasonably conservative assumption for this analysis.</p> <p><b>Comment 4:</b> The commenter states that Table 4-1 and 5-1 of the TIA shows a reduction in delay at the intersection of Wolfe Rd. and Marion and Inverness under existing plus project conditions and would like to see additional explanation.</p> <p><b>Response 4:</b> Because the reported delay in level of service calculations is based on a weighted average, the delay improves when traffic is added to movement with low delays, such as the major through movements. Project traffic is added to the Wolfe Road approaches of these intersections, which have low delays, thus lowering the weighted average delay.</p> <p><b>Comment 5:</b> The commenter requests that the Birdland Neighbors and the Raynor Park Neighborhood Association be notified of the upcoming City Council public hearing and that the contact information is available on the City of Sunnyvale's website.</p> <p><b>Response 5:</b> Comment noted.</p> <p><b>Comment 6:</b> The commenter states that the nearest residential neighborhood is approximately 700 feet away along Linnet Lane within the City of Sunnyvale and requests that the staff report adequately discuss aesthetic impacts to that neighborhood and states that include line of sight drawings would be helpful.</p> <p><b>Response 6:</b> Comment noted.</p> <p><b>Comment 7:</b> The commenter noted that a positive feature of the project is the preservation of perimeter trees along Wolfe Road.</p> <p><b>Response 7:</b> Comment noted.</p>
4	Patricia Maurice District Branch Chief State of California- California	5/16/16	<p><b>Comment 1:</b> The commenter introduces the California Department of Transportation (Caltrans) and describes their new mission to reduce statewide vehicle mile traveled (VMT) and increase non-auto modes of active transportation. The commenter also provides a summary of the proposed project and</p>

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	State Transportation Agency		<p>describes the City's role as the Lead Agency.</p> <p><b>Response 1:</b> Comment noted.</p> <p><b>Comment 2:</b> The commenter states that the project potentially will have cumulatively significant impacts to State facilities, in particular the Interstate 280 (I-280) mainline and ramps at Wolfe Road, and would like cumulative and cumulative plus project scenarios for the studied intersections, including freeway segment analysis under these conditions.</p> <p><b>Response 2:</b> A separate Cumulative conditions analysis was not conducted because the Hamptons project was already evaluated in the General Plan 2040 EIR. Therefore, this TIA focuses on the evaluation of near-term impacts including Existing and Background conditions. As described in Chapter 1, Introduction, of the IS/MND, CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference. Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents on individual parts of the program by incorporating by reference analyses and discussions that apply to the program as a whole. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152(d)).</p> <p><b>Comment 3:</b> The commenter requests that the traffic analysis include queuing analysis for freeway on- and off-ramps at I-280/Wolfe Road interchange and suggests that the proposed project could have impacts on the following metered freeway on-ramps:</p> <ul style="list-style-type: none"> <li>▪ Northbound (NB) I-280/N. Wolfe Road diagonal on-ramp (metered 6:00 am to 9:00am)</li> <li>▪ Southbound (SB) I-280/N. Wolfe Road loop on-ramp (metered 3:00 pm to 7:00 pm)</li> </ul> <p><b>Response 3:</b> Significant impacts were identified in the General Plan EIR at the Wolfe Road/I-280 interchange. VTA, in collaboration with the City of Cupertino, has recently started the planning stages for the evaluation of a new interchange at this location. As described in Chapter 3, Project Description, of the IS/MND, the project applicant will pay a fair-share contribution to the mitigation measures proposed at this interchange. Furthermore, traffic queues will likely change with the reconfiguration of the Wolfe Road/I-280 interchange, which is currently in the early planning stages.</p>

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			Therefore, an analysis of traffic queues would not be beneficial.
			<p><b>Comment 4:</b> The commenter requests the trip generation or trip distribution pattern associated with the project.</p> <p><b>Response 4:</b> Trip generation and trip distribution is provided in Table 3-2 and Figure 3-1 of the transportation impact analysis respectively.</p> <p><b>Comment 5:</b> The commenter requests that the project's consistency with both the Circulation Element of the General Plan and the Congestion Management Agency's Congestion Management Plan should be evaluated in this specific project's environmental document. These smart growth approaches are consistent with the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Communities Strategy goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent. Also, these would meet Caltrans Strategic Management Plan target of increasing by 2020 non-auto modes in tripling bicycle and double both pedestrian and transit.</p> <p><b>Response 5:</b> Comment noted. The IS/MND for this project is tiered from the General Plan EIR, which evaluated the project's consistency with the planning documents listed above. As described in Chapter 1, Introduction, of the IS/MND, CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. See Response to Comment 2 above.</p> <p><b>Comment 6:</b> The commenter states that the mitigation for any roadway sections or intersections with increasing Vehicles Miles Traveled (VMT) should be identified, such as those included in the "Wolfe Interchange Assessment District" and the \$7,000,000 pro rata fair share contribution. If this or additional mitigation is to be contributed either through the VTA voluntary contribution program or otherwise, Caltrans recommends the contribution support the use of transit and active transportation modes. Potential mitigation that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally binding instruments under the control of the city.</p> <p><b>Response 6:</b> Comment noted.</p> <p><b>Comment 7:</b> Caltrans recommends unbundling parking space from the apartment unit (i.e., parking</p>



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			<p>space is available through separate lease agreement) to discourage auto ownership for the residents and encourage biking, walking, and taking transit. The project developer is also encouraged to explore ways to further reduce the 2 parking spaces per unit parking supply, in order to discourage driving and reduce impacts to the State Transportation Network (STN).</p> <p><b>Response 7:</b> Comment noted. The proposed project includes unbundled parking spaces. As described in Chapter 5, Environmental Analysis, under Section IX, Land Use, a parking study was conducted to justify the 1.8 parking spaces per unit proposed by the project instead of the required 2 parking spaces per unit.</p> <p><b>Comment 8:</b> In addition to the measures proposed, the Transportation Demand Management (TDM) program should also include transit passes for residents, annual reporting to determine the program's effectiveness, and clarify whether the project is committed to including a transportation coordinator. Section 3.2.3.5 states that a TDM Plan is required for the project; however, in the second paragraph states that a transportation coordinator "would" be assigned to the project. So, please clarify whether the transportation coordinator is also a requirement for the TDM plan.</p> <p><b>Response 8:</b> The City of Cupertino is working with the project applicant on the final TDM plan and will include TDM strategies such as Eco Passes and Parking Cash-outs. A transportation coordinator would be required as part of the final TDM plan.</p> <p><b>Comment 9:</b> The commenter has requested that the TIA include an analysis of improved bicycle facilities along this roadway, in addition to using green paint, given the high traffic volumes along Wolfe Road. Caltrans Design Information Bulletin 89 provides design guidance for separated bikeways, which use a vertical element to separate bicyclists from motor vehicle traffic. Vertical separation may be particularly useful at the intersection with Pruneridge Avenue, where bicyclists are positioned between the right-turn pocket and through traffic. Transition between a Class IV and a Class II buffered bike lane can occur where necessary. The project developer should coordinate with the City and Caltrans to determine the feasibility of constructing a Class IV bikeway on a portion of Wolfe Road.</p> <p><b>Response 9:</b> Comment noted. Bicycle improvements along Wolfe Road and near the project site have been proposed by nearby developments such as Apple Campus 2. These improvements include the use of green paint, where appropriate. Also, as described in Chapter 3, Project Description, of the IS/MND, the proposed project includes additional off-site improvements at the Wolfe</p>



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			<p>Road/Pruneridge Avenue Intersection that would enhance and complement the improvements required under the AC2 project. These improvements are as follows:</p> <ul style="list-style-type: none"> <li>▪ Add new directional curb ramps at the northwest corner.</li> <li>▪ Relocate the southbound, left-turn bike box so that it is outside of the path of southbound bike traffic.</li> <li>▪ Relocate the crosswalk at the western leg of the intersection to accommodate the relocation of the southbound left-turn bike box, and relocate the associated southwest corner curb ramp to align with the relocated crosswalk.</li> <li>▪ Paint green dashed lines on the Class II bike lanes on Wolfe Road.</li> </ul> <p>A diagram showing these improvements is included in Appendix I of the IS/MND.</p> <p><b>Comment 10:</b> The commenter suggests that the project should contribute fair share traffic impact fees because the project's contribution to area traffic and its proximity to I-280. These contributions would be useful to lessen future traffic congestion and improve transit in the project vicinity. The project developer may consider contribution to the I-280/Wolfe Road interchange modification project, if insufficient queuing storage is concluded from the ramp queueing analysis.</p> <p><b>Response 10:</b> Comment noted. As discussed under the subheading "General Plan EIR" in Section XIV, Transportation and Circulation, on page 5-80 of the IS/MND, traffic impacts are found to be significant and unavoidable in the General Plan EIR. Implementation of General Plan EIR Mitigation Measure TRAF-1 requires the City to commit to preparing and implementing a Transportation Mitigation Fee Program (TMFP) to guarantee funding for roadway and infrastructure improvements that are necessary to mitigate impacts from future projects based on the then current City standards. General Plan EIR Mitigation Measure TRAF-1, which was previously adopted by the City and incorporated into the General Plan, will be implemented by the City.</p> <p><b>Comment 11:</b> The commenter states that a Caltrans-approved Traffic Control Plan (TCP) is required to avoid project-related impacts to the STN that complies with the requirements of corresponding jurisdiction and that the pedestrian access through the construction zone must be in accordance with the Americans with Disabilities Act (ADA) regulations.</p> <p><b>Response 11:</b> Comment noted.</p>

## Revisions to the Initial Study and Mitigated Negative Declaration

### *Revisions to the Table of Contents*

The list of technical appendices on page I of the IS/MND is hereby amended as follows:

Appendix A:	Tree Survey
Appendix B:	Geotechnical Investigation
Appendix C:	Water Supply Assessment
Appendix D:	Air Quality and Greenhouse Gas Emissions Data
Appendix E:	Health Risk Assessment
Appendix F:	Draft Tenant Relocation Plan
Appendix G:	Noise Data
Appendix H:	Draft Transportation Management Plan
Appendix I:	Parking and Transportation Data
Appendix J:	<u>Interior Noise Study</u>

### *Revisions to Chapter 3, Project Description*

The first paragraph under the subheading “Vehicular Parking” on page 3-31 of the IS/MND is hereby amended as follows:

As previously stated in Section 3.1.4.2, Zoning, pursuant to City requirements, high-density residential apartments are required to provide two parking spaces per dwelling unit. The project proposes a total of 942 dwelling units, which would equate to a parking supply requirement of 1,884 vehicle parking spaces based on City code. However, the project applicant proposes to provide ~~1,716~~ 1,696 vehicle parking spaces, for a parking supply rate of approximately 1.8 parking spaces per dwelling unit, which, as discussed in Section IX, Land Use and Planning, under criterion (b), is an appropriate parking ratio for the proposed project. Vehicular parking would be provided on two levels of below-grade parking and 1.5 levels of at-grade parking as shown on Figure 3-8. Tandem stalls are located throughout the parking garage for residents, and guest parking is located on the first level and accessed from the Pruneridge Avenue entrance. The proposed project would include parking with electric vehicle charging stations.

### *Revisions to Chapter 5, Environmental Analysis*

The second paragraph under criterion “b” in Section IX, Land Use, on pages 5-57 and 5-58 of the IS/MND is hereby amended as follows:

Municipal Code Section 19.124.040 requires high-density residential apartments are required to provide two parking spaces per dwelling unit for vehicular parking and 0.4 bicycle storage spaces per

dwelling unit.<sup>1</sup> The project would include more than the 377 Class I bike storage spaces in accordance with the 0.4 space per dwelling unit requirement; however, the project would provide ~~1,716~~1,696 vehicle parking spaces, which represents approximately 9 percent fewer parking spaces (~~1,716~~1,696 parking spaces compared to 1,884 parking spaces) and a parking supply rate of approximately 1.8 parking spaces per dwelling unit.

**The second paragraph under the subheading “Impacts to Residential Areas-Exterior” under the criterion “a” in Section X, Noise, on pages 5-62 and 5-63 of the IS/MND is hereby amended as follows:**

Based on the General Plan EIR noise analysis, both existing (2014) and future (2040) noise levels on most portions of the project site would generally be between 65 and 70 dBA CNEL. Some portions of the project site would have noise levels greater than 70 dBA CNEL, ~~however~~. Specifically, approximately 75 percent of the site would be between 65 and 70 dBA CNEL, and approximately 25 percent<sup>2</sup> would be at or above 70 dBA CNEL, due to traffic flows on adjacent roadways. These exterior noise levels would fall within either the “Conditionally Acceptable” or “Normally Unacceptable” land use compatibility classifications. Therefore, the noise environment for the entire project site would not conform to the land use compatibility guidelines of the City’s Health and Safety Element policies (for exterior environments), a detailed analysis of the noise reduction requirements must be completed for plan check approvals, and the needed noise insulation features must be included in the design. Although the project by itself would not be a major source of noise, vehicle traffic, construction equipment, and project mechanical equipment would contribute to existing sources of noise. Under the *CBIA v. BAAQMD*, where a project would exacerbate an existing environmental hazard, CEQA requires an analysis of the worsened condition on future project residents and the public at large.

**The third paragraph under the subheading “Impacts to Residential Areas-Interior” under the criterion “a” in Section X, Noise, on pages 5-62 and 5-63 of the IS/MND is hereby amended as follows:**

Based on these average exterior-to-interior noise attenuation factors (i.e., 24 to 25 dB), interior levels in residences which face and have a clear exposure to the I-280 freeway can be expected to be above the state interior requirement of 45 dBA CNEL when standard thermal Insulating windows are closed (for the purpose of noise control). Additionally, with such a windows-closed configuration, adequate ventilation must be provided according to the 2013 California Building and Mechanical Code as well as the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). Additionally, such ventilation systems and the associated HVAC units must be selected and installed to comply with the noise standards contained within the City of Cupertino’s Municipal Code. Further, the ventilation

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<sup>1</sup> Cupertino Municipal Code, Title 19, Zoning, Chapter 19.124, Parking Regulations, Section 19.124.040, Regulations For Off-Street Parking, Table 19.124.040(A).

<sup>2</sup> These greater-than-70 dBA CNEL would include the southern portions of proposed Buildings D and E that face the Wolfe Road exit ramp and the I-280 freeway.

system selected should not compromise the outdoor-to-indoor noise attenuation of the structure. ~~These projected interior noise levels—even with closed windows—would not comply with the requirements of the State of California Building Code and would, thus, require noise reduction measures to pass the plan check approval process. As part of the project approval process, an Interior Noise Study was prepared and identifies the appropriate building materials required to ensure the interior noise levels would comply with the requirements of the State of California Building Code.~~ It should be noted that the windows-open configuration would be even more problematic when residential windows are open. This is because traffic noise attenuation from the exterior to interior spaces is reduced to between 15 to 17 dB in a best-case scenario and, more typically, to between 12 to 14 dB.<sup>3</sup> Since the entire site has existing and future noise environment above 65 dBA CNEL – due to traffic flows on I-280, Wolfe Road, and Pruneridge Avenue – essentially the entire proposed project can also be expected to experience an interior level exceeding 45 dBA CNEL when the windows are open.<sup>4</sup> Therefore, there is a high probability that interior noise levels for most, if not all, residential areas would be in excess of the State standards for residential interiors when windows are in the open configuration. As such, these window-open interior noise levels would expand both the severity and breadth of the non-compliance with the requirements of the State of California Building Code (relative to the windows-closed plus active ventilation configuration). The Interior Noise Study has been included as Appendix J to this Initial Study.

The first paragraph under the subheading “General Plan EIR” in Section XIV, Transportation and Circulation, on page 5-80 of the IS/MND is hereby amended as follows:

The General Plan EIR included an analysis of 820 additional units for the site; however, the proposed project would have only 600 additional units on the project site. Traffic impacts are found to be significant and unavoidable in the General Plan EIR. Implementation of General Plan EIR Mitigation Measure TRAF-1 requires the City to commit to preparing and implementing a Transportation Mitigation Fee Program (TMFP) to guarantee funding for roadway and infrastructure improvements that are necessary to mitigate impacts from future projects based on the then current City standards. The General Plan EIR Mitigation Measure TRAF-1, which was previously adopted by the City and incorporated into the General Plan, will be is currently being implemented by the City.

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<sup>3</sup> U. S. Environmental Protection Agency (EPA). 1978, November. Protective Noise Levels (Condensed Version of EPA Levels Document...see immediately below). EPA 550/9-79-100. U. S. Environmental Protection Agency (EPA). 1974, March. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. U.S. EPA Office of Noise Abatement and Control, Washington, D.C. Society of Automotive Engineers, Inc. (SAE). 1971, October. *House Noise – Reduction Measurements for Use in Studies of Aircraft Flyover Noise*. AIR 1081.

<sup>4</sup> For brevity in this evaluation, benefits to northernmost and easternmost portions of the project due to intervening buildings (i.e., proposed Buildings D, E, and F) were neglected.



The first paragraph under the subheading “General Plan EIR” in Section XV, Utilities and Service Systems, on pages 5-99 and 5-100 of the IS/MND is hereby amended as follows:

Chapter 4.14, Utilities and Services Systems, of the General Plan EIR, includes an analysis of impacts related to water supply, wastewater, solid waste, and energy conservation. Impacts were found to be less than significant and less than significant with mitigation. The City is required to implement General Plan Mitigation Measures UTIL-6a through UTIL-6c, and UTIL-8 to ensure impacts related to wastewater and solid waste are less than significant. General Plan Mitigation Measures UTIL-6a through UTIL-6c require the City to work with the Cupertino Sanitary District (CSD) to increase the available citywide treatment and transmission capacity, identify appropriate and current wastewater generation rates that are approved by CSD and establish a monitoring and tracking system for wastewater generation to better understand the City’s need for potential capacity upgrades from CSD. General Plan Mitigation Measure UTIL-8 requires the City to continue current recycling and zero-waste practices, monitor solid waste generation and seek new landfill sites to replace the Altamont and Newby Island landfills, at such time that these landfills are closed. While these mitigation measures, which were previously adopted by the City and incorporated into the General Plan, will be are being implemented by the City, as described below, impacts related to wastewater and solid waste as a result of the proposed project would be less than significant and the proposed project would not have a considerable contribution to cumulative impacts. Accordingly, the implementation of General Plan EIR Mitigation Measures UTIL-6a through UTIL-6c, and UTIL-8 are not required for the proposed project.



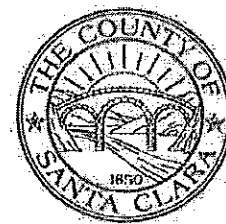
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# County of Santa Clara

Roads and Airports Department



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May 12, 2016

Catarina Kidd  
Senior Planner, Planning Division  
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10300 Torre Avenue  
Cupertino, CA 95014

**SUBJECT: Notice of Intent to Adopt a Mitigated Negative Declaration  
The Hamptons Redevelopment Project**

Dear Ms. Kidd:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) and is submitting the following comments.

- 1) Page 21 of Appendix I, Figure 2-4, the traffic volumes for the intersection of Lawrence Expressway at Homestead Road intersection do not match with the volumes used for analysis in the level of service calculations. It is further noted that the project uses year 2011 traffic counts as existing conditions. The latest CMP approved 2014 traffic volumes should be used for analysis. Please revise the analysis accordingly and provide to County for review. Should the revised analysis result in significant impact at this location, appropriate mitigation measures should be identified.
- 2) Pages 24 and 25 of Appendix I: Parking and Transportation Data, Section 3.1.1: Trip Reductions states

*"There is no known agreement between the Hamptons and Apple regarding employee occupancy of the new residential development ... A 10 percent reduction in AM and PM peak hour trips was included to take into account trips by Apple employees living in the Hamptons Apartments made by walking instead of driving."*

The two statements seem self-contradictory. Please justify the basis of using "10% trip reduction" which appears to be high when there is no firm commitment to set aside units for Apple employees. Should there be a revision in the trip reduction estimate, analysis should be revised accordingly to identify any significant impacts and appropriate mitigation measures.

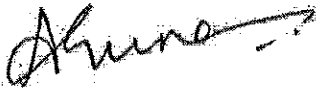
- 3) TIA should include analysis for Cumulative conditions also. If there are any significant conditions identified under Cumulative conditions, appropriate mitigation measure should be identified.



- 4) Based on the comments above, should there be any significant impacts identified to the County intersections, the preliminary Comprehensive County Expressway Planning Study – 2040 project list should be consulted for a list of mitigation measures for significant impacts to the expressways. If the preliminary Expressway Plan 2040 project list not include an improvement that would mitigate a significant impact, the TIA should identify mitigation measures that would address the significant impact. Mitigation measures listed in the TIA should be incorporated into the EIR document.

If you have any questions or concerns about these comments, please contact me at (408) 573-2462 or [aruna.bodduna@rda.sccgov.org](mailto:aruna.bodduna@rda.sccgov.org).

Sincerely,



Aruna Bodduna  
Associate Transportation Planner

cc: MA, AP, DSC



May 13, 2016

City of Cupertino  
Public Works Department  
10300 Torre Avenue  
Cupertino, CA 95014

Attention: Catarina Kidd

Subject: Hampton Apartments

Dear Ms. Kidd:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study for 942 apartments on a 12.4-acre site bounded by Pruneridge Avenue, Wolfe Road, and I-280. We have the following comments.

#### Land Use

VTA supports the proposed land use intensification of this site. While not in an established core or station area, the project will improve the land use mix in the immediate vicinity of the Apple Campus 2 currently under construction. The project is also within walking distance to shops and services at Cupertino Village and Valco Mall, providing additional opportunities for residents to walk or bike to accomplish daily tasks, thereby incrementally reducing the vehicle miles traveled and greenhouse gas emissions associated with the project.

#### Pedestrian and Bicycle Accommodations

The Apple Campus 2 DEIR noted that the project would make the following improvements on North Wolfe Road: "Replace existing fully detached sidewalks where they currently exist and provide fully detached sidewalks where such sidewalks are missing, from I-280 to East Homestead Road." These improvements appear to be included in the site plans for Hampton Apartments, which show a buffer strip with consistent street trees along the project frontages on North Wolfe Road as well as Pruneridge Avenue (Figures 3-5 and 3-16). Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations (which are sometimes called a 'continuous barrier') improve pedestrian perceptions of comfort and safety on a roadway. VTA supports the inclusion of these improvements.

#### Contribution to Wolfe Interchange Improvement

VTA commends the City and applicant for including a contribution of \$7,000,000 towards the "Wolfe Interchange Assessment District" in the Initial Study (Table 3-3, Required Fees and

City of Cupertino  
May 13, 2016  
Page 2

Community Benefits). VTA looks forward to working with the City and other parties to plan and implement these improvements.

Transportation Demand Management - General

VTA commends the City and applicant for including a Transportation Demand Management (TDM) Plan in the Initial Study (Appendix H), including the establishment of a Transportation Coordinator and Parking Management measures such as unbundled parking. VTA also supports the additional TDM measure included in the May 10, 2016 Planning Commission Staff Report (Attachment 1A) for the project to participate in a future Transportation Management Association (TMA), if and when such an organization is formed.

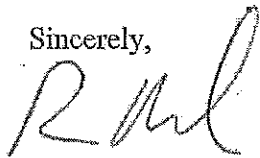
However, although the TDM Plan in the Initial Study notes that "Ongoing monitoring is needed to ensure the TDM Program... is meeting its target metrics in terms of reduction of vehicle trips and/or vehicle miles travelled," VTA notes that no specific target metrics as described are established in the Initial Study, Transportation Impact Analysis or TDM Plan. In addition, no specific monitoring or enforcement mechanisms are required in the TDM Plan. VTA notes that establishing vehicle trip reduction goals and including a Lead Agency monitoring and enforcement mechanism in a TDM Plan can be an effective strategy to reduce automobile trips, traffic impacts and vehicle miles traveled, which has been utilized by a number of cities in Santa Clara County.

Transportation Demand Management - Transit Incentives

VTA commends the City for including a condition of approval in the May 10, 2016 staff report to the Planning Commission for the project to "provide VTA eco passes to residents who have one or no car per residential unit and to employees of Irvine Company." VTA would be happy to offer assistance in refining and implementing this condition of approval.

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

CU1503

## **VTA Development Review Program Contact List**

*Last Updated: 4/22/2016*

Please route development referrals to:

### **Environmental (CEQA) Documents, Site Plans, other miscellaneous referrals**

Roy Molseed – [Roy.Molseed@vta.org](mailto:Roy.Molseed@vta.org) – 408.321.5784

### **Transportation Impact Analysis (TIA) Reports and Notification Forms:**

Robert Cunningham – [Robert.Cunningham@vta.org](mailto:Robert.Cunningham@vta.org) – 408.321.5792

Eugene Maeda – [Eugene.Maeda@vta.org](mailto:Eugene.Maeda@vta.org) – 408.952.4298

Electronic/email referrals are preferred, but please mail any hardcopy documents to:

[Name of recipient(s) as detailed above, depending on type of document]

Planning & Program Development Division

3331 North First Street, Building B-2

San Jose, CA 95134-1906

---

Contacts for specific questions related to VTA comments on a referral are below by topic area:

### **Transportation Impact Analysis (TIA) Guidelines (General Questions)**

Robert Swierk – [Robert.Swierk@vta.org](mailto:Robert.Swierk@vta.org) – 408.321.5949

Robert Cunningham – [Robert.Cunningham@vta.org](mailto:Robert.Cunningham@vta.org) – 408.321.5792

### **Auto LOS Methodology**

#### **VTA Highway Projects & Freeway Ramp Metering**

Shanthi Chatradhi – [Shanthi.Chatradhi@vta.org](mailto:Shanthi.Chatradhi@vta.org) – 408.952.4224

### **VTA Transit Service, Ridership & Bus Stops**

Rodrigo Carrasco – [Rodrigo.Carrasco@vta.org](mailto:Rodrigo.Carrasco@vta.org) – 408.952.4106

Nicholas Stewart – [Nicholas.Stewart@vta.org](mailto:Nicholas.Stewart@vta.org) – 408.321.5939

### **TDM Programs**

#### **Congestion Management Program (CMP)**

**VTA Eco Pass Program Questions Before Project Approval** (e.g. when writing Conditions of Approval)

Robert Cunningham – [Robert.Cunningham@vta.org](mailto:Robert.Cunningham@vta.org) – 408.321.5792

**VTA Eco Pass Program Questions After Project Approval** (e.g. Program Implementation)

Dino Guevarra – [Dino.Guevarra@vta.org](mailto:Dino.Guevarra@vta.org) – 408.321.5572

### **BART Silicon Valley Extension**

Kevin Kurimoto – [Kevin.Kurimoto@vta.org](mailto:Kevin.Kurimoto@vta.org) – 408.942.6126

### **VTA Bicycle & Pedestrian Projects**

Lauren Ledbetter – [Lauren.Ledbetter@vta.org](mailto:Lauren.Ledbetter@vta.org) – 408.321.5716

**VTA Real Estate**

Kathy Bradley – [Kathy.Bradley2@vta.org](mailto:Kathy.Bradley2@vta.org) – 408.321.5815

**VTA Permits (Construction Access Permit, Restricted Access Permit)**

Victoria King-Dethlefs – [Victoria.King-Dethlefs@vta.org](mailto:Victoria.King-Dethlefs@vta.org) – 408-321-5824

Cheryl D. Gonzales – [Cheryl.gonzales@vta.org](mailto:Cheryl.gonzales@vta.org) – 408-546-7608

**Other Topics and General Questions about VTA Comments**

Roy Molseed – [Roy.Molseed@vta.org](mailto:Roy.Molseed@vta.org) – 408.321.5784



Catarina Kidd, Senior Planner  
Planning Division  
City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014

March 16, 2016

Re: Hamptons Redevelopment Project – IS/MND Comments

Dear Ms. Kidd:

Thank you for allowing the City of Sunnyvale to review the Initial Study and Mitigated Negative Declaration (MND) for the proposed Hamptons Redevelopment Project. The Planning Division of the Community Development Department has reviewed the documents, along with the Traffic and Transportation Division of Public Works, and provides the following comments:

XIV. Transportation and Circulation:

1. While it is noted that cumulative conditions were evaluated as part of the Cupertino new General Plan (Community Vision 2015-2040), the traffic analysis should identify cumulative impacts for the intersections within the City of Sunnyvale and the project should mitigate such impacts.
2. To confirm that existing plus project, background, and background plus project conditions yield less than significant impacts, and do not require mitigation as noted in the TIA, we request the following to be reviewed and studied:
  - a. An analysis with counts less than two years old. Several of the "existing" traffic counts shown in Appendix A of the TIA are from 2012 or 2011.
  - b. Please verify the traffic volumes used for the analysis. Several volumes shown in figure 2-4 of the TIA do not correspond with the volumes shown in the appendix.
  - c. Sunnyvale Development at 871 E. Fremont Avenue ("Butcher's Corner Project") should be included in the background conditions analysis.
3. The project identifies a 10 percent reduction in AM and PM peak hour trips under the assumption that the site will serve as housing to the adjacent Apple project. However, this 10 percent reduction is significantly higher than the 3 percent noted for a similar mixed-use development with housing an employment per VTA TIA Guidelines. Please justify the additional 7 percent reduction and reasoning it is applied to the project.
4. Table 4-1 and 5-1 of the TIA shows a reduction in delay at the intersections of Wolfe Rd. at Marion and Inverness under existing plus project conditions. Please explain.

P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707 /planning@ci.sunnyvale.ca.us  
TDD (408) 730-7501



General Comments:

1. Please notify the following neighborhood organizations of the upcoming City Council public hearing (contact information available from the City of Sunnyvale):
  - a. Birdland Neighbors
  - b. Raynor Park Neighborhood Association
2. The nearest residential neighborhood is approximately 700 feet away along Linnet Lane within the City of Sunnyvale. The staff report should adequately discuss aesthetic impacts to that neighborhood. Line of sight drawings would be helpful.
3. A positive feature of the project is the preservation of perimeter trees along Wolfe Road.

Thank you for the opportunity to comment. Please contact Noren Caliva-Lepe, Senior Planner, at (408) 730-7659 or via email at [ncaliva-lepe@sunnyvale.ca.gov](mailto:ncaliva-lepe@sunnyvale.ca.gov) if you have any questions about the items raised in this letter.

Sincerely,

  
Andrew Miner, AICP  
Planning Officer

cc: Trudi Ryan, Director of Community Development, City of Sunnyvale  
Manuel Pineda, Director of Public Works, City of Sunnyvale  
Shahid Abbas, Transportation/Traffic Manager, City of Sunnyvale

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

www.dot.ca.gov

*Serious Drought.  
Help save water!*

May 16, 2016

SCL280382  
SCL/280/PM 8.3  
SCH# 2016042040Ms. Catarina Kidd  
Community Development Department  
City of Cupertino  
10300 Torre Avenue  
Cupertino, CA 95014

Dear Ms. Kidd:

**The Hamptons Redevelopment Project – Mitigated Negative Declaration**

Thank you for including 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 transportation system, in which we seek to reduce statewide vehicle miles traveled (VMT) and increase non-auto modes of active transportation. Our comments are based on the Mitigated Negative Declaration (MND).

***Project Understanding***

The proposed project is located immediately adjacent to the ramp in the northeast quadrant of the Interstate (I-) 280/Wolfe Road interchange, across I-280 from the Vallico Mall (i.e., the proposed Hills at Vallico mixed-use project) and Pruneridge Avenue from the Apple Campus 2 currently under construction. It would demolish the existing 342 multi-family apartment complex and redeveloping the site with a new 942-unit residential apartment complex on the 12.4-acre site.

***Lead Agency***

As the lead agency, the City of Cupertino (City) is responsible for all project mitigation, including any needed improvements to State highways. 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***

1. This project potentially will have cumulatively significant impacts to State facilities, in particular the I-280 mainline and ramps at Wolfe Road, especially with the development of Apple Campus 2 and the proposed Hills at Vallico redevelopment due to this projects immediate proximity to the I-280/Wolfe Road interchange.

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Ms. Catarina Kidd/City of Cupertino  
May 16, 2016  
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- A. Please provide cumulative and cumulative plus project scenarios for the studied intersections, including freeway segments analysis under these conditions.
- B. The traffic analysis should include queuing analysis for freeway on- and off-ramps at 280/Wolfe Road Interchange. The proposed plan is likely to have impacts on the operations of the following metered freeway on-ramps:
  - Northbound (NB) I-280/N. Wolfe Road diagonal on-ramp (metered 6:00 am to 9:00 am)
  - Southbound (SB) I-280/N. Wolfe Road loop on-ramp (metered 3:00 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. Please provide additional storage on the on-ramps/local streets for the freeway on-ramp traffic to avoid such impacts.

- C. Analyze the traffic queues between study intersection #8 Wolfe Road/I-280 NB Ramps and #9 Wolfe Road/I-280 SB Ramps to see if the queues could block the traffic flow on the I-280 mainline.
  - D. Please provide the trip generation or trip distribution pattern associated with the project.
2. The project site's building potential as identified in the General Plan. The project's consistency with both the Circulation Element of the General Plan and the Congestion Management Agency's Congestion Management Plan should be evaluated in this specific project's environmental document. These smart growth approaches are consistent with the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Communities Strategy goals of both increasing non-auto mode transportation, and reducing per capita VMT by 10 percent. Also, these would meet Caltrans Strategic Management Plan target of increasing by 2020 non-auto modes in tripling bicycle and doubling both pedestrian and transit.
  3. Mitigation for any roadway sections or intersections with increasing VMT should be identified, such as those included in the "Wolfe Interchange Assessment District" and the \$7,000,000 pro rata fair share contribution which are mentioned in the Initial Study. If this or additional mitigation is to be contributed either through the Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program or otherwise, Caltrans recommends the contribution support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.

#### ***Vehicle Trip Reduction***

1. Caltrans recommends unbundling parking space from the apartment unit (i.e., parking space is available through separate lease agreement) to discourage auto ownership for the residents

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and encourage biking, walking, and taking transit. The project developer is also encouraged to explore ways to further reduce the 2 parking spaces per unit parking supply, in order to discourage driving and reduce impacts to the State Transportation Network (STN).

The high supply of parking space hinders efforts for mode shift toward transit and non-motorized travel. Although the project proposes to provide 1,716 parking spaces, which is less than the 1,884 required by the City of a development of this scale and scope, the City may want to consider lowering its parking requirement for new high density housing developments. Please refer to "Reforming Parking Policies to Support Smart Growth," an MTC study funded by Caltrans, for sample parking ratios.

2. In addition to the measures proposed, the Transportation Demand Management (TDM) program should also include transit passes for residents, annual reporting to determine the program's effectiveness, and clarify whether the project is committed to including a transportation coordinator. Section 3.2.3.5 states that a TDM Plan is required for the project; however, in the second paragraph states that a transportation coordinator "would" be assigned to the project. So, please clarify whether the transportation coordinator is also a requirement for the TDM.
3. Given the high traffic volumes along Wolfe Road, the project should study improved bicycle facilities along this roadway, in addition to using green paint. Caltrans Design Information Bulletin 89 provides design guidance for separated bikeways, which use a vertical element to separate bicyclists from motor vehicle traffic. Vertical separation may be particularly useful at the intersection with Pruneridge Avenue, where bicyclists are positioned between the right-turn pocket and through traffic. Transition between a Class IV and a Class II buffered bike lane can occur where necessary. The project developer should coordinate with the City and Caltrans to determine the feasibility of constructing a Class IV bikeway on a portion of Wolfe Road.

#### ***Traffic Impact Fees***

Given the project's contribution to area traffic and its proximity to I-280, the project should contribute fair share traffic impact fees. These contributions would be used to lessen future traffic congestion and improve transit in the project vicinity. The project developer may consider contribution to the I-280/Wolfe Road interchange modification project, if insufficient queuing storage is concluded from the ramp queuing analysis.

#### ***Cultural Resources***

Caltrans requires that a project's environmental document include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within State right-of-way (ROW). Current record searches must be no more than five years old. Caltrans requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, and evidence of Native American consultation to ensure compliance with CEQA, Section 5024.5 and 5097 of the California Public Resources Code, and Volume 2 of Caltrans' Standard Environmental Reference ([www.dot.ca.gov/ser/vol2/vol2.htm](http://www.dot.ca.gov/ser/vol2/vol2.htm)).

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These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in State ROW. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to State ROW.

#### ***Traffic Control Plan***

Since it is anticipated that vehicular, bicycle, and pedestrian traffic will be impacted during the construction of the proposed project requiring traffic restrictions and detours, a Caltrans-approved Traffic Control Plan (TCP) is required to avoid project-related impacts to the STN. The TCP must also comply with the requirements of corresponding jurisdictions. In addition, pedestrian access through the construction zone must be in accordance with the Americans with Disabilities Act (ADA) regulations (see Caltrans' *Temporary Pedestrian Facilities Handbook* for maintaining pedestrian access and meeting ADA requirements during construction at: [www.dot.ca.gov/hq/construc/safety/Temporary\\_Pedestrian\\_Facilities\\_Handbook.pdf](http://www.dot.ca.gov/hq/construc/safety/Temporary_Pedestrian_Facilities_Handbook.pdf)) (see also Caltrans' Traffic Operations Policy Directive 11-01 "Accommodating Bicyclists in Temporary Traffic Control Zones" at: [www.dot.ca.gov/hq/traffops/policy/11-01.pdf](http://www.dot.ca.gov/hq/traffops/policy/11-01.pdf)). All curb ramps and pedestrian facilities located within the limits of the project are required to be brought up to current ADA standards as part of this project.

For further TCP assistance, please contact the Caltrans District 4 Office of Traffic Management Operations at (510) 286-4579. Further traffic management information is available at the following website:

[www.dot.ca.gov/hq/traffops/trafmgmt/tmp\\_lcs/index.htm](http://www.dot.ca.gov/hq/traffops/trafmgmt/tmp_lcs/index.htm).

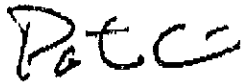
#### ***Encroachment Permit***

Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See this website for more information: [www.dot.ca.gov/hq/traffops/developserv/permits](http://www.dot.ca.gov/hq/traffops/developserv/permits).

Ms. Catarina Kidd/City of Cupertino  
May 16, 2016  
Page 5

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

Sincerely,



PATRICIA MAURICE  
District Branch Chief  
Local Development - Intergovernmental Review

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

**APPENDIX J:  
INTERIOR NOISE STUDY**



April 27, 2016

**The Irvine Company Apartment Communities**  
690 North McCarthy Boulevard, Suite 100  
Milpitas, California 95035

**Attention:** Mr. Jon Paynter

**Subject:** The Hamptons; Cupertino, CA  
Exterior Envelope Acoustical Design  
VA Project No. 4214-049

Dear Jon:

Veneklasen Associates (VA) has completed our follow-up review of the Hamptons development located in Cupertino, California. This study was performed in order to assess any changes necessary due to updates to the facade design. VA's review is based on Development Application document drawings dated 1/29/16. This report represents the results of our findings.

## **1.0 INTRODUCTION**

This study was conducted to determine the impact of the exterior noise sources on the Hamptons Apartments in Cupertino, California. VA's scope of work included measuring and calculating the exterior noise levels impacting the site, determining the method, if any, required to reduce the interior and exterior sound levels to meet the applicable code requirement of State of California and the City of Cupertino.

The project consists of 6 and 7-story buildings containing multi-family residential units. The project is bounded by Interstate 280 to the south, Wolfe Road to the west, Pruneridge Avenue to the north, and commercial property to the east.

## **2.0 NOISE CRITERIA**

CNEL (Community Noise Equivalent Level) is the 24-hour equivalent (average) sound pressure level in which the evening (7 pm–10 pm) and nighttime (10 pm – 7 am) noise weighted by adding 5 and 10 dB, respectively, to the hourly level. Since this is a 24 hour metric, short-duration noise events (truck pass-by, bus, trains, etc.) are not as prominent in the analysis. Leq (equivalent continuous sound level) is defined as the steady sound pressure level which, over a given period of time, has the same total energy as the actual fluctuating noise.

### **2.1 Interior Noise Levels**

The State of California Building Code (Part 2, Title 24, CCR, section 1207, "Sound Transmission Control") and the City of Cupertino Noise Element states that interior CNEL values for residential land uses are not to exceed 45 CNEL in any habitable room.

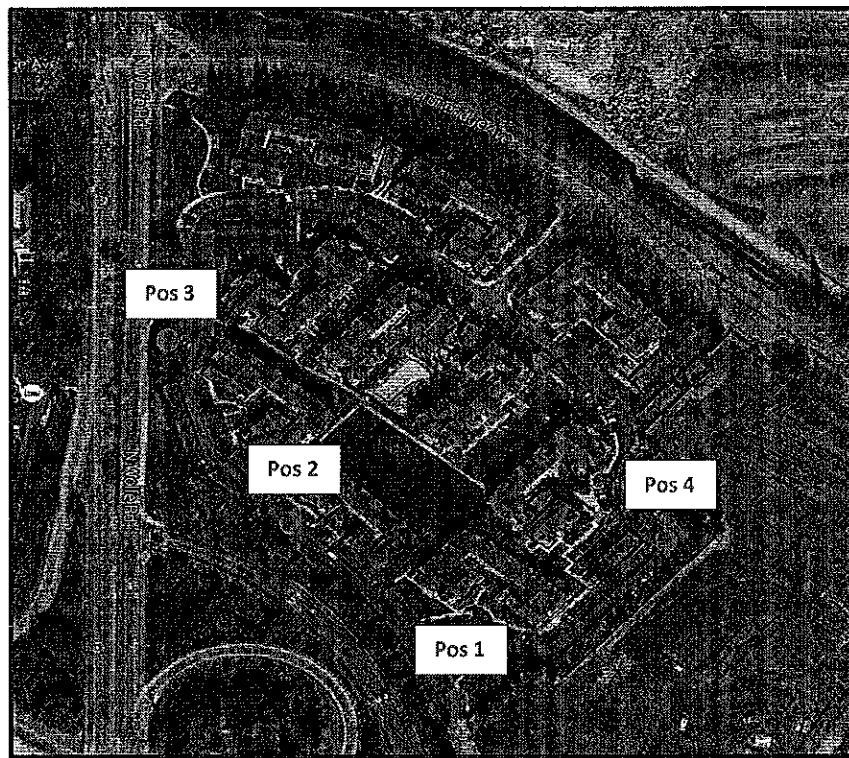
If the windows must be closed to meet an interior level of 45 CNEL, then a mechanical ventilating system or other means of natural ventilation shall be provided.

### 3.0 EXTERIOR NOISE ENVIRONMENT

#### 3.1 Measurements

Vehicular movement is the dominant exterior sound source affecting the site. VA visited the site and performed short-term measurements at four locations on May 16, 2015. Figure 1 and Table 1 below show the location and summary of the noise measurements.

**Figure 1 - Aerial View of Project Site Showing Measurement Locations**



**Table 1 - Measured Sound Levels**

Location	Exterior Sound Level, Leq, (dB)	Calculated CNEL
Position 1	61	66
Position 2	59	65
Position 3	67	73
Position 4	56	61

#### 3.2 Computer Modeling

VA has utilized the Traffic Noise Model computer software program developed by the FHWA in order to predict vehicular noise levels at various locations. The primary purpose of the computer model was to determine how the noise environment will change due to traffic and site changes.



### 3.3 Overall Exterior Exposure

### 4.0 BASED ON THE COMPUTER MODEL, MEASUREMENTS, AND THE PROJECT SITE PLAN PROVIDED BY THE CLIENT, VA CALCULATED THE NOISE LEVEL AT VARIOUS LOCATIONS WITHIN THE PROJECT SITE. VA HAS SEPARATED THE SITE INTO LOCATIONS BASED ON THE SOUND EXPOSURE AND REQUIRED MITIGATION. THE PREDICTED SOUND LEVELS AT EACH ZONE, SHOWN COLOR-CODED IN INTERIOR NOISE CALCULATION

### 4.1 Exterior Facade Construction

VA understands that the exterior wall will be of industry standard construction, which is stucco or cement plaster with gypsum board or plywood sheathing on single stud wall with batt insulation filling the stud cavity, and a single layer of 5/8 inch type 'X' gypsum board at the interior.

VA utilized the window (glass, frame and seals) shown in Appendix I.

### 4.2 Interior Average Noise Level (CNEL)

VA calculated the interior level within the residential units given the measured noise environment and the exterior facade construction described above. Table 3 shows the predicted interior CNEL noise levels based on the windows and doors with STC ratings as shown and glazing construction as described in Appendix I.

**Table 3 - Calculated Interior CNEL Noise Levels**

Location	Exterior Noise Level, CNEL	Window/ Door Rating	Interior Noise Level
Zone A	71-73	STC 38	< 42 CNEL < 50 Max
Zone B	65-70	STC 35	< 42 CNEL < 50 Max
Units Near Retail, Garage Entry, Pools, Courtyards, Parks	-	STC 31	< 42 CNEL < 50 Max
Units Near Garage Shafts, trash compactor	-	STC 34	< 42 CNEL < 50 Max
Remaining	≤65	STC 30	< 40 CNEL < 50 Max

VA recommends that the units near noise-generating site activities (retail, garage entry, pools, courtyards, garage shafts, trash compactor) be upgraded, as indicated in Table 3.

Figure 2, are listed in Table 2 below.

**Table 2 - Exterior Noise Levels**

Location	CNEL
Zone A	71-73
Zone B	65-70
Remaining Units	≤65

## 5.0 INTERIOR NOISE CALCULATION

### 5.1 Exterior Facade Construction

VA understands that the exterior wall will be of industry standard construction, which is stucco or cement plaster with gypsum board or plywood sheathing on single stud wall with batt insulation filling the stud cavity, and a single layer of 5/8 inch type 'X' gypsum board at the interior.

VA utilized the window (glass, frame and seals) shown in Appendix I.

### 5.2 Interior Average Noise Level (CNEL)

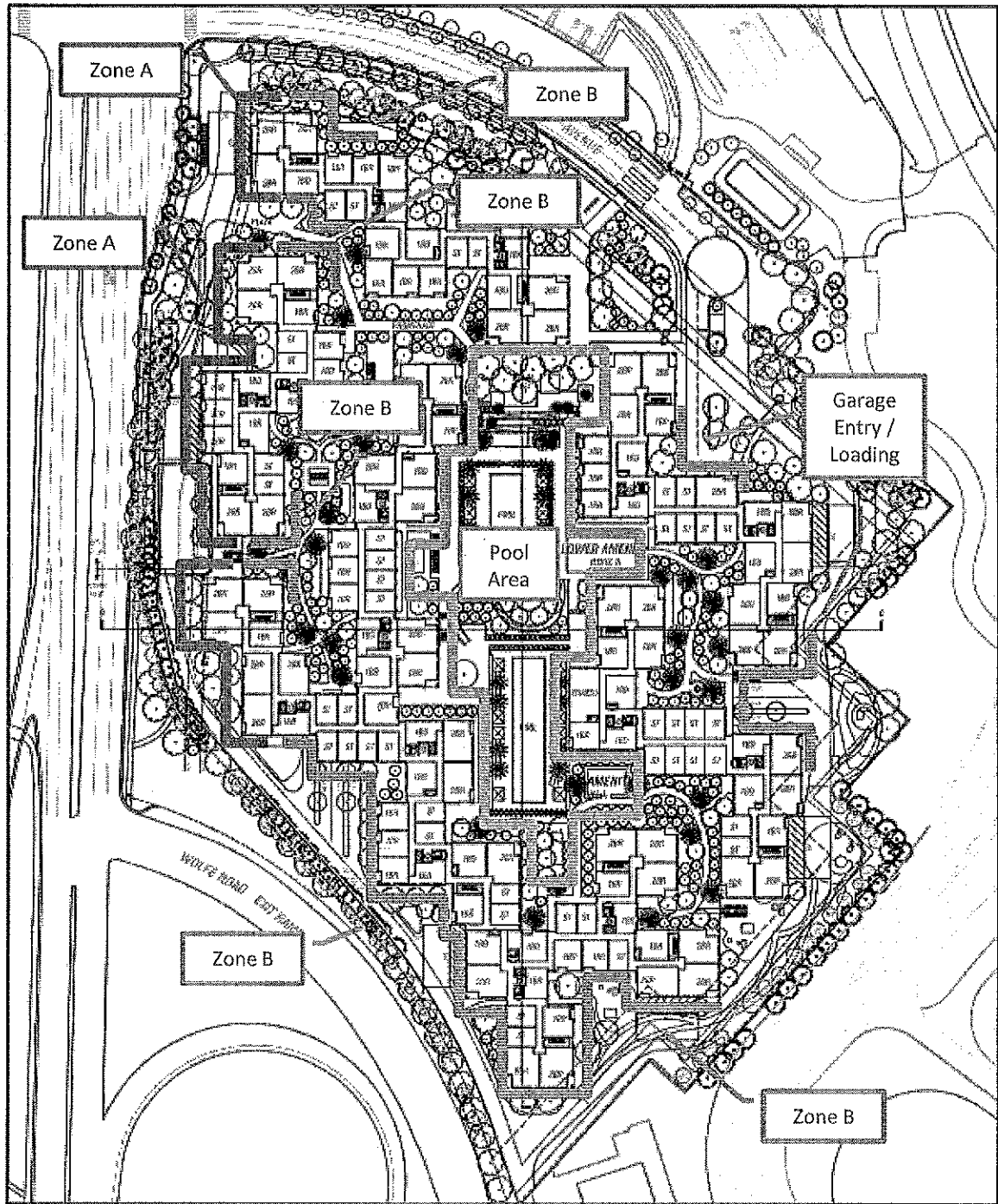
VA calculated the interior level within the residential units given the measured noise environment and the exterior facade construction described above. Table 3 shows the predicted interior CNEL noise levels based on the windows and doors with STC ratings as shown and glazing construction as described in Appendix I.

**Table 3 - Calculated Interior CNEL Noise Levels**

Location	Exterior Noise Level, CNEL	Window/ Door Rating	Interior Noise Level
Zone A	71-73	STC 38	< 42 CNEL < 50 Max
Zone B	65-70	STC 35	< 42 CNEL < 50 Max
Units Near Retail, Garage Entry, Pools, Courtyards, Parks	-	STC 31	< 42 CNEL < 50 Max
Units Near Garage Shafts, trash compactor	-	STC 34	< 42 CNEL < 50 Max
Remaining	≤65	STC 30	< 40 CNEL < 50 Max

VA recommends that the units near noise-generating site activities (retail, garage entry, pools, courtyards, garage shafts, trash compactor) be upgraded, as indicated in Table 3.

Figure 2 - Noise Zones



### 5.3 Mechanical Ventilation Recommendation

Because the windows and doors must be kept closed to meet the noise requirements, mechanical ventilation is recommended for units in Zone A and B and all other units with facades adjacent to the property lines (windows and doors facing property line). The mechanical ventilation shall meet all applicable Code requirements.

### 6.0 SUMMARY

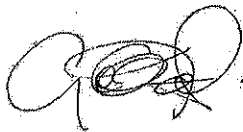
The follows summarizes the acoustical items recommended to satisfy the noise criteria as described in report.

- Typical stucco exterior wall construction as defined in section 4.1.
- The roof can remain as designed.
- Windows and glass doors with minimum STC ratings as shown in Table 3 and meeting requirements in Appendix I.
- Mechanical ventilation systems for Zone A and B and all other units with facades adjacent to the property lines (windows and doors facing property line).

Various noise mitigation methods may be utilized to satisfy the noise criteria described in this report. Alteration of mitigation methods that deviate from requirements should be reviewed by the acoustical consultant.

We trust this information is satisfactory. If you have any questions or comments regarding this report, please do not hesitate to contact us.

Sincerely,  
Veneklasen Associates, Inc.



George Kourtis, *MIOA*  
Associate



John Loverde  
Principal

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## APPENDIX I – GLAZING REQUIREMENTS

In order to meet the predicted interior noise levels described in Section 5.2 the glazing shall meet the following requirements:

**Table 4– Acoustical Glazing Requirements: Minimum Octave Band Transmission Loss and STC Rating**

STC Rating	Nominal Thickness	Minimum Transmission Loss Octave Band Center Frequency (Hz)						Min. STC Rating
		125	250	500	1000	2000	4000	
STC 30	1" dual	21	18	27	34	37	32	30
STC 31	1" dual	21	19	28	35	37	32	31
STC 34	1" dual	22	21	31	36	38	35	34
STC 35	1" dual	23	22	32	37	38	38	35
STC 38	1 1/8" dual	24	27	36	39	40	42	38

The transmission loss values in the table above can likely be met with the following glazing assemblies:

1. STC 30: 1/8" monolithic – 3/4" airspace – 1/8" monolithic
2. STC 31: 1/8" monolithic – 3/4" airspace – 1/8" monolithic
3. STC 34: 1/4" monolithic – 1/2" airspace – 1/4" monolithic
4. STC 35: 1/4" monolithic – 1/2" airspace – 1/4" monolithic
5. STC 38: 1/4" laminated – 5/8" airspace – 1/4" laminated

However, it should be noted that an assembly's frame and seals may limit the performance of the overall system. The assemblies given above are provided as a basis of design, but regardless of construction, the octave band transmission loss of the particular system selected must meet the minimum values in Table 4 above. Similarly, it is permissible to use an alternate assembly construction if it meets the transmission loss requirements. Note that the systems shall not be selected on the basis of STC rating alone.

Independent laboratory acoustical test reports should be provided for review by the design team to ensure compliance with glazing acoustical performance requirements. Lab shall be a member of the NVLAP program for accreditation. Lab reports shall be in compliance with ASTM standard E90 and be no more than 10 years old (from date of submission on specific project). The tests shall be performed on the entire assembly, including frame and seals. If test reports are not available for the assembly, VA would require that the assembly be tested at a third party independent lab accredited through NVLAP for the ASTM E90.

