

## 9212 Environmental Analysis

*Initiative adopting the Vallco Town Center Specific Plan to (1) provide that the Vallco Shopping District Special Area (“Area”) contains a mixture of residential, office, retail, civic and educational uses; (2) require any development to fund or provide community benefits such as transit, schools, a green roof, and recycled water; and (3) grant the property owner initial entitlements to develop in accordance with the Initiative and establish a process for future approvals; and making related amendments to Cupertino’s General Plan and Municipal Code.*

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**Prepared for:**  
**City of Cupertino**

**Prepared by:**



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## SECTION 1.0 INTRODUCTION AND SUMMARY OF INITIATIVE

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The purpose of this report is to analyze the environmental impacts of a proposed initiative for inclusion in an Elections Code 9212 report (9212 Report). The Initiative<sup>1</sup> would adopt the Vallco Town Center Specific Plan (VTCSP) to govern the development of the Vallco Shopping District Special Area (Vallco). The VTCSP is attached as Exhibit C to the Initiative.

Vallco is an approximately 58-acre area located at the North Wolfe Road/Vallco Parkway and North Wolfe Road/Stevens Creek Boulevard intersections in the City of Cupertino. Most of Vallco (approximately 51 acres) is developed with the Vallco Shopping Mall. A 148-room hotel was recently approved on approximately two acres in the northeastern portion of the area (Hyatt House Hotel).

General Plan Policy LU-19.1 requires a specific plan for Vallco prior to redevelopment of the site. The Initiative adopts a specific plan, which is the VTCSP. The VTCSP provides for a mixed-use development of 389 residential units (or up to 800 units with a Conditional Use Permit), 2.0 million square feet of office uses, 640,000 square feet of commercial uses, and 339 hotel rooms at Vallco. The VTCSP also allows the development of 50,000 square feet of public/civic space (or maximum of 100,000 square feet if office space is reduced on a per square foot basis). The Initiative also would amend the General Plan and the Municipal Code to incorporate the VTCSP.

The VTCSP includes Environmental Design Features (EDFs), which are described in Appendix A of the VTCSP, and include the following:

- 30-acre green roof,
- LEED Platinum certification (or equivalent),
- Utility infrastructure improvements,
- Town squares (minimum of three acres),
- Community/civic space (minimum of 50,000 square feet),
- School improvements, and
- Transportation improvements.

The intent of the EDFs is to avoid or minimize environmental impacts that could result from the implementation of the VTCSP.

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<sup>1</sup> The City Attorney's official Ballot Title for the Initiative is: "Initiative adopting the Vallco Town Center Specific Plan to (1) provide that the Vallco Shopping District Special Area ("Area") contains a mixture of residential, office, retail, civic and educational uses; (2) require any development to fund or provide community benefits such as transit, schools, a green roof, and recycled water; and (3) grant the property owner initial entitlements to develop in accordance with the Initiative and establish a process for future approvals; and making related amendments to Cupertino's General Plan and Municipal Code." Pursuant to Section 1 of the Initiative, the short title used by the Initiative's proponents is: "The Vallco Town Center Specific Plan Initiative" or "the Initiative."

## SECTION 2.0 ENVIRONMENTAL ANALYSIS

### 2.1 ADOPTED GENERAL PLAN VS. GENERAL PLAN WITH INITIATIVE

Pursuant to Elections Code Section 9212 and the City Council's resolution authorizing preparation of a 9212 Report, this environmental analysis examines the differences between the adopted General Plan (i.e., without the Initiative) at buildout and the General Plan with the Initiative at buildout. In this way, the analysis, where possible, calculates and evaluates what the actual impacts of the Initiative will be.

Table 1 summarizes the development assumptions at buildout of the City in 2040 under both the adopted General Plan and the General Plan with Initiative. As shown in Table 1, the Initiative does not change the amount of development citywide under the adopted General Plan. As a result, the total number of housing units, population, and jobs in the City at buildout would not change with the Initiative (see Table 2).

<b>Table 1: Comparison of Citywide Development Buildout in 2040 under Adopted General Plan and General Plan with Initiative</b>			
<b>Land Uses</b>	<b>Citywide<sup>a</sup></b>		
	<b>Adopted General Plan</b>	<b>General Plan with Initiative</b>	<b>Change with Initiative</b>
Residential (units)	23,294	23,294	No Change
Commercial (sq. ft.)	4,430,982	4,430,982	No Change
Office (sq. ft.)	11,470,005	11,470,005	No Change
Hotel (rooms)	1,429	1,429	No Change
Note: <sup>a</sup> This table presents the maximum allowable buildout under each scenario, which is defined to include existing development "on the ground," projects approved as of December 10, 2014, and potentially allowable future development through 2040. This definition is used consistently throughout this report.			

<b>Table 2: Comparison of Population and Housing under the Adopted General Plan and General Plan with Initiative</b>			
	<b>Adopted General Plan</b>	<b>General Plan with Initiative</b>	<b>Change with Initiative</b>
Housing Units	23,294	23,294	No Change
Population <sup>a</sup>	68,484	68,484	No Change
Jobs <sup>b</sup>	48,509 <sup>c</sup>	48,509	No Change
Notes: <sup>a</sup> Assumes 2.94 persons per household (City of Cupertino. <i>General Plan Amendment, Housing Element Update and Associated Rezoning EIR</i> . State Clearinghouse No. 2014032007. Certified December 2014. Table 4.11-3, footnote b.). <sup>b</sup> Assumes 1 job/300 sf of office; 1 job/450 sf of commercial; 0.3 jobs/hotel room (City of Cupertino. <i>General Plan Amendment, Housing Element Update and Associated Rezoning EIR</i> . State Clearinghouse No. 2014032007. Certified December 2014. Table 4.11-3, footnote c.) <sup>c</sup> 4,430,982 commercial sf/450 = 9,847 commercial jobs; 11,470,005 office sf/300 = 38,233 office jobs; 1,429 hotel rooms x 0.3 = 429 hotel jobs.			

In addition, the Initiative does not change the amount of development allowable at Vallco under the adopted General Plan (see Table 3). In Table 3, The Hills at Vallco development proposal is used as an example of a project that was proposed for the Vallco site under the adopted General Plan as a point of reference. By letter dated December 21, 2015, the applicant for The Hills at Vallco requested that the City and its consultants cease work on the Environmental Impact Report in light of the filing of the Cupertino Citizens' Sensible Growth Initiative.<sup>2</sup>

As shown in Table 3, while the adopted General Plan allows 389 residential units at Vallco, there is available housing allocation citywide to develop 800 residential units at Vallco. Unused allocations can be re-assigned elsewhere in the City (General Plan policy LU-1.2.3). For this reason, while the Initiative would not develop the maximum commercial square footage allowed by the adopted General Plan (see Table 3), there is no net decrease in citywide commercial development at buildout (see Table 2).

The difference between what is proposed under the Initiative and what is allowed under the adopted General Plan citywide and at Vallco is either nonexistent, or at most minimal, and therefore, would not result in substantially different environmental impacts.

Based on the above discussion, the magnitude of development and impacts from citywide buildout under the General Plan with Initiative would be the same as for citywide buildout under the adopted General Plan. The impacts of the adopted General Plan were evaluated in the certified 2014 General Plan Amendment, Housing Element Update and Associated Rezoning Environmental Impact Report (General Plan EIR) and 2015 General Plan Amendment, Housing Element Update and Associated Rezoning EIR Final Addendum (General Plan Addendum).<sup>3</sup> The General Plan EIR assumed Vallco would be redeveloped with 800 residential units, 2.0 million square feet of office uses, 625,335 square feet of commercial uses, and 339 hotel rooms.

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<sup>2</sup> The City Attorney's official Ballot Title for the Cupertino Citizens' Sensible Growth Initiative is: "Initiative amending Cupertino's General Plan to limit redevelopment of the Vallco Shopping District, limit building heights and lot coverages in areas throughout the City, establish new setbacks and building planes on major thoroughfares, and require voter approval for any changes to these provisions."

<sup>3</sup> The General Plan EIR (City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning Environmental Impact Report*. State Clearinghouse No. 2014032007. Certified December 2014.) and General Plan Addendum (City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR Final Addendum*. Adopted October 2015.) are the best resources available that evaluate the impacts of the adopted General Plan. The General Plan EIR, as amended by the Addendum, analyzed more intense development and greater citywide buildout than ultimately was approved by the City Council. Because the General Plan EIR and Addendum analyzed more development than was approved, the General Plan EIR and Addendum provide a conservative analysis of the environmental impacts from the buildout of the adopted General Plan.

**Table 3: Comparison of Development Assumptions for Vallco**

Land Uses	Vallco			
	Adopted General Plan		General Plan with Initiative	Increase/ (Decrease)
	As Currently Allowed	Assuming 2015 Sand Hill Proposal		
<b>Residential (units)</b> <sup>a</sup>	389	800 with CUP <sup>a</sup>	389, or 800 with CUP	No Change <sup>a</sup>
<b>Office (sq. ft.)</b>	2,000,000	2,000,000	2,000,000	No Change
<b>Commercial (sq. ft.)</b> <sup>b</sup>	1,200,000 (Minimum of 600,000 retained on site)	650,000	640,000	Minimal Change
<b>Hotel (rooms)</b> <sup>c</sup>	339	339	339 <sup>c</sup>	No Change

Notes:

<sup>a</sup> The allowable number of housing units citywide would remain the same because the City's General Plan has additional housing units available in other Planning Areas that are not allocated to specific Housing Element sites. The adopted General Plan EIR analyzed the development of up to 800 residential dwelling units on Vallco.

<sup>b</sup> While the Initiative would prescribe changes at the Specific Plan level, the changes are consistent with the adopted General Plan. The General Plan allows a reduction of commercial square feet to a minimum of 600,000 square feet, and the reallocation of the remaining square feet (difference between proposed square footage and maximum allowable build out of 1,207,744 at Vallco) within the Vallco Shopping District or elsewhere in the City. (Numbers shown above are rounded to nearest 10,000 square feet for ease of discussion and analysis.)

<sup>c</sup> Vallco has an allocation of 339 hotel rooms, of which the City has already approved 148 rooms for the Hyatt House Hotel. No current development plans have been submitted for the remaining 191 rooms.

Following the Initiative sponsors' Notice of Intent to Circulate Petition for the Initiative, Steve Lynch, a representative of Sand Hill Property Company submitted the *Vallco Town Center Specific Plan Environmental Assessment* (April 2016) (EA). Given the time constraints for completing the 9212 Report, the length of the EA, and the date the EA was submitted to the City, it is not possible for the City or its consultants to complete an adequate technical peer review of the entire EA. Accordingly, the following is a high-level analysis of the site-specific impacts that could occur from the development contemplated in the VTCSP under the General Plan with Initiative with CUP scenario.<sup>4</sup> This analysis assumed development of the VTCSP would include 800 residential units (160 of which would be age restricted senior housing), 2.0 million square feet of office uses, 640,000 square feet of commercial uses, 339 hotel rooms, 50,000 square feet of public/civic space, two town squares totaling three acres, and a 30-acre green roof.

This site-specific environmental analysis is primarily qualitative and based on available information and the professional judgement of the City's environmental consultant. This analysis is not a review of the Initiative under the California Environmental Quality Act (CEQA).

The site-specific analysis for each issue (1) identifies potential environmental impacts or constraints that could result from the implementation of the VTCSP and (2) discusses the adequacy of the VTCSP's Environmental Design Features (EDFs) to mitigate or avoid environmental impacts compared to mitigation and conditions of approval the City would typically require for such impacts under the standard approval process. A summary of the consistency of the VTCSP EDFs with the City's typical mitigation or conditions of approval is provided in Table 4 at the end of this section. Consistency of the VTCSP EDFs with mitigation measures identified in the General Plan EIR for future development is also discussed, as appropriate. Accordingly, this analysis identifies instances in which the conclusions in the EA differ from the conclusions of the 9212 Report based on the available information and professional judgement.

The environmental analysis looks at effects of implementing the Initiative on the following resources:

#### **Infrastructure**

- Transportation
- School Services
- Parks/Open Space
- Other Public Services (police, fire, library)
- Utilities and Service Systems

#### **Other Environmental Issues**

- Aesthetics/Community Form
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Noise

<sup>4</sup> The environmental analysis focuses on the environmental impacts of the General Plan with Initiative with CUP scenario because it assumes the most development under the Initiative. Lesser development (i.e., development under the General Plan with Initiative without CUP) would result in lesser impacts.



The environmental analysis does not discuss the Initiative's impact on the following resources for the reasons specified below:

- **Agricultural and Forestry Resources** – Vallco is located in an urban, developed area. Vallco is not designated or used for agricultural or forestry uses; nor are properties adjacent to Vallco designated or used for agricultural or forestry uses.
- **Hydrology and Water Quality** – Impacts to hydrology and water quality from redevelopment of Vallco would be mitigated and avoided through compliance with existing policies and regulations.
- **Mineral Resources** – Vallco does not contain any known mineral resource, and is not designated as a locally important mineral resource recovery site.
- **Population and Housing** – As discussed in *Section 2.1*, the Initiative would not affect the population and housing projections from buildout of the adopted General Plan.
- **Solid Waste** – The estimated solid waste generation and disposal requirements for the City at buildout are the same with or without the Initiative. The solid waste impacts for buildout of the General Plan (including redevelopment of Vallco with or without the Initiative) are disclosed in the General Plan EIR.

A discussion of the Initiative's impacts on population and housing and land use are discussed in the 9212 Report.

## **2.2.1            Infrastructure**

### **2.2.1.1            *Transportation***

Development of the VTCSP is subject to applicable General Plan policies that ensure adequate transportation facilities are available to the residents of Cupertino including Policies M-1.2, M-1.3, M-2.1 through 2.6, M-3.2 through M-3.6, M-3.8, M-4.4, M-4.7, M-5.2, M-7.1, M-8.3, M-8.4, M-9.2, and M-10.1 (refer to Attachment A for referenced policies). The development of the VTCSP could result in impacts to roadways and transit, bicycle, and pedestrian facilities. Other transportation-related concerns include parking and neighborhood intrusion.

The following discussion of transportation impacts is primarily based on the preliminary transportation technical assessment of the proposed The Hills at Vallco project prepared by *Fehr & Peers*, the City's traffic consultant.<sup>5</sup> *Fehr & Peers* prepared a memo that compares the preliminary assessment of The Hills at Vallco to the transportation analysis in the EA. A copy of this memo is included in Attachment B. Some of the analyses differ due to the differences in methodology and assumptions applied. The transportation impacts from development of the VTCSP are discussed below.

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<sup>5</sup> As shown in Table 3, the proposed The Hills at Vallco project involved a similar amount of development at Vallco as the Initiative. Therefore, in general, the transportation impacts from implementation of the VTCSP would be similar to the impacts from implementation of The Hills at Vallco.

- **Intersection Level of Service Impacts** – Buildout of the General Plan (including redevelopment of Vallco with or without the Initiative) would result in significant congestion at intersections.<sup>6</sup> As required by General Plan Policy M-10-2 and General Plan EIR Mitigation Measure TRAF-1, the City will prepare and implement a citywide Transportation Mitigation Fee Program (TMFP) to provide for funding for roadway and infrastructure improvements that would mitigate transportation impacts resulting from the buildout of the General Plan.<sup>7</sup> As part of the TMFP, the City will prepare a “nexus” study that will serve as the basis for requiring development impact fees. The fees will be assessed when there is new construction, an increase in square footage in an existing building, or the conversion of existing square footage to a more intensive use. The City is currently in the initial stages of preparing the TMFP.

Based on preliminary analysis, it is likely that 15 intersections would be significantly impacted from the VTCSP development. The EA identified five intersections that would be significantly impacted by the VTCSP development. These significantly impacted intersections are listed below.

Due to the differences approach used by the City and in the EA in trip assignments for approved and pending development projects and in the amount of added project traffic, there are volume differences between what the City and the analysis in the EA assumed at intersections. These volume differences result in different impacts being identified by the City and in the EA. In addition, the EA did not evaluate traffic impacts under existing with project conditions.

Significantly Impacted Intersection		Identified by	
		City	EA
8	De Anza Boulevard/Homestead Road		✓
11	De Anza Boulevard/Stevens Creek Boulevard	✓	✓
12	De Anza Boulevard/McClellan Road	✓	✓
13	De Anza Boulevard/Bollinger Road	✓	✓
34	Wolfe Road/Stevens Creek Boulevard	✓	✓
37	Miller Avenue/Bollinger Road	✓	
44	Stevens Creek Boulevard/Tantau Avenue	✓	
45	Stevens Creek Boulevard/Calvert Drive-I-280 Ramps (east)	✓	
48	Stevens Creek Boulevard/Lawrence Expressway Ramps (west)	✓	
53	Lawrence Expressway/I-280 Southbound Ramps	✓	
54	Lawrence Expressway/Mitty Way	✓	
55	Lawrence Expressway/Bollinger Road	✓	
56	Lawrence Expressway/Doyle Road	✓	
57	Lawrence Expressway/Prospect Road	✓	
58	Lawrence Expressway/Saratoga Avenue	✓	
60	SR 85 (North)/Saratoga Avenue	✓	
Total Number of Significantly Identified Intersections		15	5

<sup>6</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.13-52.

<sup>7</sup> Ibid. Pages 4.13-53 through 4.13-56.

The VTCSP includes the following EDFs that would reduce impacts to significantly impacted intersections:

**43. Level of Service (LOS) at Local Intersections:** Prior to the issuance of the first certificate of occupancy, the Town Center/Community Park applicant and other project applicants for future development shall demonstrate to the reasonable satisfaction of the Public Works Director that geometric and/or signal improvements (in close collaboration with the applicable governing agencies) have been implemented at the following intersections alleviating the increase in delay due to the addition of net project traffic. To improve traffic operations where no geometrical improvements are deemed necessary, the Town Center/Community Park applicant, in conjunction with City Staff, shall contribute toward software acquisition and implementation that would improve traffic signal operations and signal coordination along the study area roadways. These improvements are subject to future City approval. The City shall have the discretion to modify these improvements or require alternative improvements, as determined by the Public Works Director, provided the modified or alternative improvements provide similar congestion relief and are similar in scope and cost.

Intersection	Improvements
De Anza Blvd/ Homestead Rd	In the AM peak, provide an eastbound right turn overlap phase
De Anza Blvd/ Stevens Creek Blvd	In the PM peak, provide an eastbound right turn and a northbound right turn overlap phases
De Anza Blvd/ McClellan Rd	In the PM peak, provide an eastbound right turn overlap phase
De Anza Blvd/ Bollinger Rd	In the AM peak, provide a westbound right turn overlap phase
Wolfe Rd/Stevens Creek Blvd	Add a second southbound left turn lane by widening 400 feet along project frontage and modify the signal accordingly. In addition, provide an overlap phase for the southbound right turn and the eastbound right turn. Alternatively, if the City prioritizes the retention of trees, the City has the option to require the applicant to provide \$250,000 as an in lieu payment for traffic improvements in the area
Stevens Creek Blvd/ Calvert Dr/ I-280 Ramps	The intersection traffic operations will benefit due to the implementation of new traffic signal software

**45. Queues at Local Intersections:** Prior to the issuance of the first certificate of occupancy, the Town Center/Community Park applicant and other project applicants for future development shall demonstrate to the satisfaction of the Public Works Director that geometrical improvements and signal phasing improvements (in close collaboration with the applicable governing agencies) have been implemented at the following intersections to alleviate queue length due to the addition of the net project traffic. To improve traffic operations where no geometrical improvements are deemed necessary, the Town Center/Community Park applicant and other project applicants for future development shall contribute \$2,000,000 to \$3,000,000 toward software acquisition and implementation that would improve traffic signal operations and signal coordination along the following study area intersections, subject to modifications approved by the Director of Public Works in coordination with other agencies:

Intersections

- De Anza Boulevard/I-280 Ramps North
- De Anza Boulevard/Stevens Creek Boulevard
- De Anza Boulevard/McClellan Road
- De Anza Boulevard/Bollinger Road
- De Anza Boulevard/SR 85 Ramps South

- Stevens Creek Blvd/Perimeter Road
- Wolfe Road/El Camino Real
- Wolfe Road/Fremont Ave
- Wolfe Road/Iverness Avenue
- Wolfe Road/Vallco Parkway
- Wolfe Road/Stevens Creek Boulevard
- Tantau Avenue/Pruneridge Avenue
- Stevens Creek Blvd/Agilent Driveway

**46. Queues at Intersection - De Anza Boulevard/Stevens Creek Boulevard, PM Peak,**

**Westbound Left:** To potentially eliminate the need to lengthen the westbound left turn pocket at this intersection, and prior to the issuance of final occupancy for each building sequence, the Town Center/Community Park applicant and other project applicants for future development shall evaluate the PM peak hour queue length to confirm if alternative signal phasing and/or geometric improvements would achieve level of service or queue that is equivalent to lengthening the westbound left turn pocket at this intersection. If geometric and/or signal phasing improvements would result in the same or better level of service and queue, then lengthening the left-turn pocket would not be required.

**52. Transportation Demand Management Plan:** Prior to the issuance of the first certificate of occupancy, the Town Center/Community Park applicant and other project applicants for future office development shall prepare and implement a Transportation Demand Management (TDM) Plan with an overall target of reducing Specific Plan office-generated weekday peak hour trips by 30 percent below applicable Institute of Transportation Engineers trip generation rates. Future project applicant(s) for office developments must demonstrate to the satisfaction of the Public Works Director that a TDM manager has been appointed and retained with the responsibility to implement and monitor the TDM Plan....<sup>8</sup>

**55. Queues at Intersection- Lawrence Expressway/Saratoga Avenue, AM Peak, Eastbound**

**Left:** To potentially eliminate the need to lengthen the eastbound left turn pocket at this intersection, and prior to the issuance of certificate(s) of occupancy that triggers a level of service equivalent to the existing occupied Vallco Mall level of service, the Town Center/Community Park applicant and other project applicants for future development shall evaluate the queue length to confirm if alternative signal phasing and/or geometric improvements would achieve level of service and queue that is environmentally equivalent to lengthening the eastbound left turn pocket at this intersection . If geometric and/ or signal phasing improvements would result in an equivalent level of service and queue, then lengthening of the left-turn pocket would not be required.

**56. County Expressway Facilities:** Lawrence Expressway: Prior to the issuance of certificate(s) of occupancy that triggers a level of service equivalent to the existing occupied Vallco Mall level of service, the Town Center/Community Park applicant and other project applicants for future development shall pay a fair share contribution towards the following planned transportation improvements along Lawrence Expressway. The fair share shall be calculated as a portion of the total Specific Plan percentage fair share and consultation with County Roads and Airports Department subject to design optimization based on level of service standard, other funding sources, and local match.

- Lawrence Expressway/Homestead Rd
- Lawrence Expressway/Pruneridge Ave
- Lawrence Expressway/Prospect Rd

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<sup>8</sup> The full text of EDF 52 is provided in Appendix A of the VTCSP.

A discussion of the consistency of each EDF with what the City would typically require as mitigation or a condition of approval is provided below. Table 6 in Attachment B lists each impacted intersection and the corresponding EDF and/or mitigation that would typically be identified by the City under the standard approval process.

VTCSF EDF 43 provides for geometric and/or signal improvements at specified intersections. The City's support of the identified improvements in EDF 43 are summarized below. Overall, most of the identified improvements in EDF 43 are not acceptable to the City and other improvements, which are identified below, would be required by the City during the standard approval process.

<b>Intersection</b>	<b>VTCSF EDF 43 Improvements</b>	<b>Consistency with City's typical mitigation or conditions of approval</b>
8. De Anza Blvd/ Homestead Rd	In the AM peak, provide an eastbound right turn overlap phase	The City would not support the proposed improvement. Because the City would not likely identify a significant impact at this intersection, no improvements would be required under the standard approval process at this intersection.
11. De Anza Blvd/ Stevens Creek Blvd	In the PM peak, provide an eastbound right turn and a northbound right turn overlap phases	The City would not support the proposed improvement.  The City would likely require the developer to pay a fair share contribution to the addition of a westbound right-turn lane from Stevens Creek Boulevard to De Anza Boulevard under the standard approval process.
12. De Anza Blvd/ McClellan Rd	In the PM peak, provide an eastbound right turn overlap phase	The City would not support the proposed improvement.  The City would likely require the developer to realign the current off-set intersection and provide double left-turn lanes on the northbound and southbound De Anza Boulevard (with associated receiving lanes) under the standard approval process.
13. De Anza Blvd/ Bollinger Rd	In the AM peak, provide a westbound right turn overlap phase	The City would not support the proposed improvement. There is no feasible mitigation for this intersection that the City would support.
34. Wolfe Rd/Stevens Creek Blvd	Add a second southbound left turn lane by widening 400 feet along project frontage and modify the signal accordingly. In addition, provide an overlap phase for the southbound right turn and the eastbound right turn. Alternatively, if the City prioritizes the retention of trees, the City has the option to require the applicant to provide \$250,000 as an in lieu payment for traffic improvements in the area	The City would support the addition of a second southbound left turn lane and signal improvements.  The City would not support an overlap phase for the southbound right turn and eastbound right turn (nor the alternative in-lieu payment).  Additionally, the City would likely require the developer to restripe the westbound leg to provide a designated right-turn lane by narrowing all existing lanes.
45. Stevens Creek Blvd/ Calvert Dr/ I-280 Ramps	The intersection traffic operations will benefit due to the implementation of new traffic signal software	The City would support new traffic signal software.

VTCSF EDF 45 is consistent with what the City would typically require during the standard approval process to improve operations along De Anza Boulevard (between I-280 and SR 85), Wolfe Road (generally between El Camino Real and Stevens Creek Boulevard), select locations on Stevens Creek Boulevard (Agilent Driveway and Perimeter Road), and the intersection of Tantau Avenue and Pruneridge Avenue. It should be noted that as written in EDF 45, the \$2 million to \$3 million contribution would not solely come from the Town Center/Community Park applicant, but also other project applicants in the area; though the other project applicants are not identified. In addition, contributions toward signal software and improved signal coordination would be based on the project's fair share contribution would typically be finalized in consultation with the City and other appropriate agencies under the standard approval process. Thus, the contribution amount could be different than what is identified in EDF 45.

VTCSF EDFs 46 and 55 are consistent with what the City would typically require to reduce queue lengths. Typically the City would require queue lengths be evaluated and necessary improvements identified prior to development approval rather than prior to issuance of final occupancy permits/certificates, however. The necessary improvements would need to be completed prior to issuance of occupancy permits.

VTCSF EDF 52 is consistent with what the City would typically require to reduce intersection and freeway impacts under the standard approval process. VTCSF EDF 52 is unclear how the office trip generation would be monitored. Because the office uses do not have exclusive parking areas with driveways that are separated from the remaining uses in the VTCSF, the monitoring for the TDM plan would need to be resolved in order to determine whether the TDM goals were met.

VTCSF EDF 56 is consistent with what the City would require during the standard approval process to reduce impacts on Lawrence Expressway. However, because the fair share calculation is based on the number of trips added by the VTCSF and the EA identified a lower trip generation than the City would likely identify, the EA contribution would be less than what would be required by the City during the standard approval process. Additionally, VTCSF EDF 56 identifies only three intersections along Lawrence Expressway (Homestead Road, Pruneridge Avenue, and Prospect Road) that would receive funding while the City would have likely identified additional locations on Lawrence Expressway, including the I-280 southbound ramps at Stevens Creek Boulevard, Mitty Way, Bollinger Road, Doyle Road, and Saratoga Avenue and require the payment of fair-share contributions to improvements at those intersections as well. For these reasons, VTCSF EDF 56 is inconsistent with and insufficient compared to what the City would typically require during the standard approval process.

The City identified significantly impacted intersections that are not addressed by EDFs because of the reasons stated above regarding differences in methodology and approach. Those intersections identified by the City are listed below along with the mitigation or conditions of approval the City would likely require during the standard approval process.

#	Intersection	City's Typical Mitigation or Conditions of Approval
37	Miller Avenue/Bollinger Road	The City would likely require the developer to pay a fair share contribution to provide a dedicated right-turn lane on southbound Miller Avenue.
44	Stevens Creek Boulevard/Tantau Avenue	The City would likely require the developer to construct an additional separate left-turn lane on northbound Tantau Avenue.
60	SR 85 (North)/Saratoga Avenue	The City would likely require the developer to pay a fair share contribution toward reconfiguring the northbound off-ramp approach to include two left-turn lanes and two right-turn lanes.

- **Freeway Level of Service Impacts** – Buildout of the General Plan (including the redevelopment of Vallco with or without the Initiative) would result in significant freeway impacts. Improvements to freeways are under the jurisdiction of the California Department of Transportation (Caltrans), not the City of Cupertino. The City will cooperate with Caltrans to identify improvements to the affected freeway segments and include identified freeway improvements as part of the City's TMFP (when adopted) so that proposed projects pay their fair-share towards mitigating improvements.<sup>9</sup> The City is currently in the initial stages of preparing the TMFP.

A summary of the number of significantly impacted freeway segments from the VTCSP development is provided below. Refer to Attachment B for a list impacted freeway segments.

Freeway	Number of Identified Segments Impacted by	
	City	EA
<b>Existing with VTCSP conditions</b>		
SR 17	2	0
SR 85	5	14
I-280	10	16
I-880	3	0
<i>Total Segments Impacted</i>	<i>20</i>	<i>30</i>
<b>Cumulative with VTCSP conditions</b>		
SR 17	2	3
SR 85	5	18
I-280	15	18
I-880	4	0
<i>Total Segments Impacted</i>	<i>26</i>	<i>39</i>

<sup>9</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.13-59.

Overall, the EA identified more significantly impacted freeway segments than the City would have likely identified. Specifically, the EA identified fewer impacted segments on SR 17, more impacted segments on SR 85, more impacted segments on I-280, and fewer impacted segments on I-880. The difference in freeway impacts identified by the City and in the EA are due to differences in trip generation assumptions, trip dispersion, and the volume of traffic assigned to HOV lanes.

The VTCSP includes the following EDFs that would reduce freeway impacts:

**22. Freeway Interchange, Overpass, and Segment Funding:** Consistent with the Plan Area's environmental design features, provide a fair share financial contribution of \$30 million for freeway infrastructure, specifically the build-out of the roadway improvements planned for North Wolfe Road and I-280 overpass and interchange and future I-280 freeway segment improvements, to address traffic congestion.<sup>10</sup>

**44. Level of Service at Freeway Segments:** Prior to the issuance of the first certificate of occupancy, the Town Center/ Community Park applicant and other project applicants for future development shall pay a voluntary fair share contribution of \$4,000,000 towards planned transportation projects identified in VTA's Valley Transportation Plan 2040 (VTP 2040) that would improve traffic operations of the impacted freeway segments and provide added transportation capacity on parallel facilities. The fair share contribution amount will be calculated in consultation with VTA staff with the development's contribution to the impacted freeway segment.

**52. Transportation Demand Management Plan:** Prior to the issuance of the first certificate of occupancy, the Town Center/Community Park applicant and other project applicants for future office development shall prepare and implement a Transportation Demand Management (TDM) Plan with an overall target of reducing Specific Plan office-generated weekday peak hour trips by 30 percent below applicable Institute of Transportation Engineers trip generation rates. Future project applicant(s) for office developments must demonstrate to the satisfaction of the Public Works Director that a TDM manager has been appointed and retained with the responsibility to implement and monitor the TDM Plan....<sup>11</sup>

**54. Wolfe Road Interchange:** Prior to the issuance of certificate(s) of occupancy that triggers a level of service equivalent to the existing occupied Vallco Mall level of service, the Town Center/ Community Park applicant and other project applicants for future development shall pay \$26 million contribution towards the planned transportation improvements at the I-280 and Wolfe Road interchange subject to design optimization based on level of service standard, other funding sources, and local match.<sup>12</sup>

The concept of fair share contributions towards improvements at impacted freeway segments in Specific Plan EDFs 22, 44, and 54 is consistent with what the City would typically require under the standard approval process, although the monetary contribution by the Specific Plan would be assessed to determine the appropriate fair share contribution for all impacted freeway segments identified by the City and finalized in consultation with the City and other

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<sup>10</sup> Of the \$30 million contribution, it is assumed \$26 million is for improvements to the North Wolfe Road and I-280 interchange (EDF 54) and the remaining \$4 million would be for future I-280 and other freeway segment improvements (EDF 44).

<sup>11</sup> The full text of EDF 52 is provided in Appendix A of the VTCSP.

<sup>12</sup> The \$26 million payment by the VTCSP towards the planned improvements at the I-280/Wolfe Road interchange equates to approximately 25 percent of the total cost of reconstructing the interchange.



appropriate agencies under the standard approval process. Thus, the contribution amounts could be different than what are identified in EDFs 22, 44, 54.

VTCSF EDF 52 is consistent with what the City would typically require to reduce freeway impacts under the standard approval process. It is unclear how the office trip generation would be monitored, however. Because the office uses do not have exclusive parking areas with driveways that are discrete from the remaining uses in the VTCSF, the monitoring for the TDM plan would need to be resolved.

- **Impacts to Transit Facilities** – The addition of traffic on roadways from the development of the VTCSF could impact transit service and performance. The City and VTA do not have a specified significance threshold for transit delay, however, the City is not opposed to the transit delay analysis and conclusion in the EA. The analysis in the EA concluded that the development of the VTCSF would not result in significant delays in transit service.

The VTCSF includes the following EDFs to enhance transit service:

19. **Free Community Shuttle:** Require that a project applicant spearhead and provide substantial funding for a community effort to provide a free community shuttle, in partnership with the City, VTA, local school districts, property owners, and/ or corporate employers.

47. **Transit/ East Side Transit Center & Community Shuttle:** The Town Center/ Community Park applicant and other project applicants for future development shall implement the following transit improvements prior to issuance of certificate(s) of occupancy that trigger a level of service equivalent to the existing occupied Vallco Mall level of service:

1. Install a public transit center on the east side of the Specific Plan Area to serve office workers.
2. Spearhead and provide substantial funding for a partnership with the City, VTA, local school districts, property owners, and/ or corporate employers....<sup>13</sup>

48. **Transit/Mobility Hub:** The Town Center/Community Park applicant and other project applicants for future development shall implement the following transit improvements prior to issuance of certificate(s) of occupancy for (i) the Block 1 buildings or (ii) the entirety of the Residential allocation: Install a public transit center as part of the Mobility Hub on the north side of Stevens Creek Boulevard.

VTCSF EDFs 19, 47, and 48 are consistent with the City would typically require for a development such as VTCSF during the standard approval process. Transit improvements are typically coordinated with and agreed upon by the VTA during the standard approval process to ensure that the improvements are consistent with VTA's long-term plans and needs.

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<sup>13</sup> The full text of EDF 47 is provided in Appendix A of the VTCSF.

- **Impacts to Bicycle and Pedestrian Facilities** – The City would review a project’s impact on bicycle and pedestrian quality of service during the standard approval process. As part of the review, the City would typically measure features of the physical environment that affect comfort and safety for bicyclists and pedestrians and require bicycle and pedestrian improvements to reduce impacts.

The VTCSP includes the following EDFs to improve bicycle and pedestrian facilities:

**49. Bicycles and Pedestrian Improvements:** The Town Center/Community Park applicant shall, prior to the issuance of the first certificate of occupancy, and to the extent not already constructed or funded by other existing commitments, implement the following bicycle and pedestrian improvements:

1. Install green color backed sharrows on Tantau Avenue between Stevens Creek Boulevard and Bollinger Road for Class III facilities.
2. Install marked bike loop-detectors on southbound Portal Avenue at Stevens Creek Boulevard and convert all-way stop-control to two-way stop-control at the Portal Avenue and Wheaton Drive intersection with stops on Wheaton Drive.
3. On Portal Avenue between Stevens Creek Boulevard and Wheaton Drive, install green color backed sharrows for a Class III facility, and install a ladderstyle crosswalk at Amherst Drive and Portal Avenue, and install “neighborhood greenway” signage along Portal Avenue.

**50. Bicycle and Pedestrian Funding:** The Town Center/ Community Park applicant shall, prior to the issuance of the final certificate of occupancy, and to the extent not already constructed or funded by other existing commitments, implement the following bicycle and pedestrian improvements:

If approved by the City, provide a \$6 million cash donation to the City for the express purpose to analyze and construct a 2-mile bicycle/ pedestrian trail along the southern edge of Interstate 280 between De Anza Boulevard and Wolfe Road (See Community Benefit 17).

VTCSP EDF 49 is generally consistent with what the City would typically require during the standard approval process but would require some adjustments to conform to City standards. VTCSP EDF 50 is consistent with what the City would typically require during the standard approval process.

Additionally, the City would likely require green or buffered bicycle lanes on Wolfe Road; Class IV bike lanes (i.e., separated bikeways) on Stevens Creek Boulevard; removal of pork chop islands at Stevens Creek Boulevard/Wolfe Road; and enhanced pedestrian crossing at Stevens Creek Boulevard intersections at Perimeter Road and Wolfe Road, as well as the Vallco Parkway intersections at Wolfe Road and Perimeter Road. While EDFs 49 and 50 do not specifically require these additional improvements, the Specific Plan requires a developer to “construct and/or fund additional improvements to pedestrian and bike trail(s) throughout the Plan Area, including along the entirety of the existing Perimeter road, and in the Plan Area vicinity to improve Safe Routes to Schools and address both bike and pedestrian safety and traffic concerns.” (C-90.) Therefore, the Specific Plan contemplates that additional measures, like those the City would typically require, are required community benefits.

- **Parking** – Based on the City’s Municipal Code, the Specific Plan would be required to provide 10,413 vehicle parking spaces. The VTCSP proposes 9,060 vehicle parking

spaces.<sup>14</sup> The proposed parking for the VTCSP, therefore, would not meet the City's parking standards. However, under Municipal Code Section 19.124.060(c), if a proposed project does not meet the standard parking requirements, an applicant can request alternative parking standards. To obtain approval of these alternative parking standards, a detailed parking study is conducted to determine the required parking supply. The proposed parking for the Specific Plan, therefore, would not meet either the City's standard parking standards requirements, but could meet an alternative parking standard if supported by a detailed parking study.

Pursuant to the City's Municipal Code, and based on the vehicle parking supply, the VTCSP would be required to provide 1,022 Class I bicycle parking spaces and 128 Class II bicycle parking spaces.<sup>15,16</sup> The EA identified a bicycle parking supply of 487 Class I facilities and 81 Class II facilities. The bicycle parking supply presented in the EA for the VTCSP is deficient by 535 Class I bicycle parking spaces and 47 Class II bicycle parking spaces compared to what the City would require under the standard approval process.

- **Neighborhood Intrusion** – There is a potential for vehicles traveling to and from the VTCSP to divert to Blaney Avenue, Portal Avenue, Finch Avenue, and Tantau Avenue to avoid potential congestion on Stevens Creek Boulevard, De Anza Boulevard, and Wolfe Road. The VTCSP includes the following EDF to reduce neighborhood intrusion:

**53. Potential Neighborhood Intrusion:** The Town Center/ Community Park applicant and other project applicants for future development shall fund neighborhood traffic monitoring studies and provide fees to implement potential traffic calming improvements to minimize neighborhood traffic if needed. The City of Cupertino Traffic Calming Programs should be considered when evaluating traffic calming measures. Prior to the issuance of the first certificate of occupancy, the Town Center/Community Park applicant and other project applicants for future development shall provide up to \$300,000 for the City of Cupertino for potential neighborhood traffic improvements. The monitoring program could include the following items:

- Identifying the monitoring areas (roadways where the monitoring will occur);
- Setting baseline conditions (number of parked vehicles and traffic volumes on the roadways);
- Determining thresholds for parking and traffic volume increases requiring action;
- Establishing the monitoring schedule; and
- Creating reporting protocols.

The baseline conditions shall be established prior to but within 1 year of initial occupancy. Monitoring would then occur annually for 5 years.

VTCSP EDF 53 is consistent with what the City would typically require during the standard approval process. Overall, the \$300,000 is reasonable for the area of impact compared to the funding the City required of Apple Campus 2 for monitor neighborhood intrusion (\$250,000 for monitoring within the City Santa Clara and \$500,000 for monitoring within the City of Sunnyvale).

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<sup>14</sup> Under the Specific Plan, this number may be increased or decreased by five percent (450 stalls) without approval of the Community Development Director. It further contemplates that parking beyond the five percent deviation can be granted by the Community Development Director with "justification for the adjustment being sought."

<sup>15</sup> Class I bicycle parking facilities are usually enclosed and intended for long-term parking while Class II bicycle parking is intended for short-term parking and typically includes bike racks.

<sup>16</sup> Though not specified in the Municipal Code, the City typically applies the bicycle parking supply rates to the gross vehicle parking supply numbers.

- **Safety Hazards and Accessibility** – Under the standard approval process, the City would typically review a project for the potential to increase hazards due to a design feature or incompatible use. This process would still occur if the Initiative is approved. The City would review the potential for safety hazards (e.g., inadequate sight distance, inadequate emergency vehicle access, impacts of proposed programmable electronic signs on driver safety, etc.) and compatibility with Americans with Disabilities Act (ADA) requirements during subsequent City approvals for the VTCSP.
- **Construction-Related Traffic Impacts** – Construction vehicles, including construction workers' vehicles and trucks carrying construction materials or hauling excavated soil from the site, would travel to and from the site as part of the development of the VTCSP. The EA estimates that the number of average daily construction trips could be up to 661 (which represents approximately two percent of the average daily trips from the VTCSP development once the project is completed). Construction-related vehicle trips are temporary and would likely be spread out over the day.

The VTCSP includes the following EDF that would reduce impacts from construction-related traffic:

**51. Construction Traffic Management:** The Town Center/Community Park applicant and other project applicants for future development shall prepare and maintain a Construction Management Plan (CMP) to minimize disruption to transportation facilities caused by short term construction activities. The CMP will include flagmen, schedules of potential closures, a construction hotline, delineation layout, truck routes, delivery schedules, and alternative routes, per city industry standards and requirements.

VTCSP EDF 51 is consistent with what the City would require during the standard approval process.

### **2.2.1.2 School Services**

The following discussion is based on a school impact analysis completed by *Schoolhouse Services* in February 2016. Vallco is located within the Cupertino Union School District (CUSD) and Fremont Union High School District (FUHSD). Both CUSD and FUHSD have grown steadily in recent decades. Due to maturing households and the rapid increase in the cost of housing, however, CUSD enrollment is projected to decrease by about 400 elementary and 500 middle school students over the next five years. FUHSD enrollment is expected to increase by about 600 students over the same five year period, then either stabilize or begin to decline as fewer students move up from the younger grades.

Students generated from residential development at Vallco would likely attend Collins Elementary, Lawson Middle, and Cupertino High schools. The development of 800 residential units (160 of which would be age-restricted senior units) at Vallco would generate about 218 students (122 elementary school students, 58 middle school students, and 38 high school students).<sup>17, 18</sup>

The projected rate of decline in enrollment at CUSD is different among the three areas of the district. Most of the schools within CUSD north and northeast of I-280 are anticipated to continue experiencing some growth, thereby worsening existing capacity issues at local schools. Schools in the central area lying south of I-280 and Bollinger Road overall are crowded, although not to the extent of the northern schools. These central schools, including Collins Elementary School, are beginning to experience decreases in enrollment. The schools in the southern portion of the district are not at capacity, and are projected to have a continued decline in enrollment in the future.

Collins Elementary School has an enrollment capacity of 700 students and is currently 19 students over capacity. Projected enrollment is anticipated to decline by 49 students by 2019, providing available capacity at the school. The projected available capacity, however, is not sufficient to accommodate the 122 students projected from redevelopment of Vallco.<sup>19</sup>

Lawson Middle School has an enrollment capacity of about 1,500 students and is currently 250 students below capacity. There is sufficient capacity at Lawson Middle School to accommodate future projected enrollment, including the 58 students estimated from redevelopment of Vallco.<sup>20</sup>

Cupertino High School has an enrollment capacity of about 2,268 students and is currently 35 students below capacity.<sup>21</sup> There is not sufficient capacity at Cupertino High School to accommodate projected enrollment nor the estimated 38 high school students projected from redevelopment of Vallco. There is, however, sufficient capacity at Lynbrook High School whose attendance area lies south of the attendance area for Cupertino High School.<sup>22</sup> In January 2016, the School Board acted to allow students from Miller Middle School (which feeds into Cupertino High School) to choose to enroll at Lynbrook instead and appointed a committee to study options for changes in district attendance assignment policies.<sup>23</sup>

CUSD and FUHSD could add capacity to local schools by constructing new buildings on existing campuses, constructing new buildings on newly purchased land, and/or repurposing existing properties.<sup>24</sup>

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<sup>17</sup> The number of students was estimated based on the following student generation rates: 0.19 elementary school students per unit; 0.09 middle school students per unit, and 0.06 high school students per unit (Source: Schoolhouse Services. *Enrollment and Fiscal Impact Analysis for The Hills at Vallco*. February 2016. Table I-6.).

<sup>18</sup> If 389 residential units (80 of which would be age-restricted senior units) were developed at Vallco, approximately 105 students would be generated (59 elementary school students, 28 middle school students, and 19 high school students).

<sup>19</sup> Schoolhouse Services. *Enrollment and Fiscal Impact Analysis for The Hills at Vallco*. February 2016, pages 12-13.

<sup>20</sup> Ibid, pages 1 and 14.

<sup>21</sup> Ibid, page 14.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Schoolhouse Services. *School Enrollment and Fiscal Impact Analysis General Plan Amendment Alternatives*. June 2014. Page 34.

Pursuant to Senate Bill 50 (SB 50) and the adopted school fees, the VTCSP development is required to pay school impact fees based on the square footage of the development. Under SB 50, payment of school impact fees provides full and complete school facilities mitigation for new development.

The VTCSP includes the following EDF that would reduce impacts to the local school districts:<sup>25</sup>

**9. Exceptional Educational Benefits:** In addition to paying the maximum state-required school fees, which are expected to be approximately \$4 million, to recognize the important asset that schools are to the larger Cupertino community and in an effort to make a net positive impact on the local school districts, the Plan Area will provide exceptional community benefits, summarized below, to the local schools including Fremont Union High School District (“FUHSD”) and Cupertino Union School District (“CUSD”). While the precise nature of these benefits must be determined in coordination and cooperation with the school districts, the community benefits for local schools shall be valued at approximately \$40 million....

The benefits for local schools may include the following:

- Construction and 34-year charitable lease of a new 10,000 square foot high school science and engineering “Innovation Center;”
- Construction and 34-year charitable lease of up to 5,000 square feet of classroom and/or administrative space for FUHSD’s Adult School;
- A new 700-student elementary school at the former Nan Allan Elementary School site;
- Replacement of all portable classrooms at Collins Elementary School with permanent classrooms;
- Improvement and expanded utilization of athletic and recreation facilities at the Nan Allan/Collins Elementary School location;
- Fund a \$1.0 million endowment for the CUSD 8<sup>th</sup> Grade Yosemite Science Program; and
- Payment of the equivalent applicable parcel tax to each school district for each unrestricted apartment unit.<sup>26</sup>

The VTCSP EDF 10 would enhance school services:

**10. Facilitating Experienced Based Learning:** Leases shall include obligations that office and retail tenants in the Plan Area participate in the enhancement of FUHSD students’ experience-based knowledge and opportunities for learning-by-doing by, for example, offering business environment internship, scholarship and/or mentoring opportunities or classroom-environment special curriculum, among others.

The CUSD and FUHSD recently approved educational facilities and donation agreements with the Valco Property Owner, LLC regarding local school benefits. During the typical approval process, the impacts for school facility improvements and projects would be analyzed and mitigation to reduce significant impacts would be required.

The City can only require the VTCSP pay the school fees adopted pursuant to SB 50 to mitigate impacts on schools. The General Plan EIR concluded that the compliance of future development with SB 50 would mitigate impacts on schools. VTCSP EDFs 9 and 10, therefore, exceed what the City could require as mitigation or as a condition of approval for the development of the VTCSP under the standard approval process.

<sup>25</sup> Approximately \$4 million of the SB 50 school fees identified in EDF 9 is based on the development of 800 residential dwelling units.

<sup>26</sup> Kimley Horn. *Valco Town Center Specific Plan Environmental Assessment*. Appendix A, Page C-212.

### 2.2.1.3 *Parks/Open Space*

The development of the VTCSP is subject to the Quimby Act<sup>27</sup> and applicable General Plan policies to provide adequate park land/open space including Policies RPC-2.4 and RPC-2.5 (refer to Attachment A for referenced policies). In addition, the development of the VTCSP is subject to the City's Municipal Code, which requires residential developers to dedicate park land or pay in-lieu fees to accommodate and offset their fair share of the provision of park and recreational facilities (Chapter 13.08 and 18.24). The General Plan EIR concluded that future development, in compliance with applicable General Plan policies (including Policy RPC-2.4) and the City's Municipal Code Chapter 18.24, would not result in significant impacts to parks.<sup>28</sup>

Pursuant to the City's Municipal Code, VTCSP would be required to provide about four acres of park land.<sup>29</sup> The VTCSP includes the following EDFs that would reduce impacts to park and open space:

1. **Green Roof & Community Park:** A 30-acre rooftop Community Park & Nature Area, accessible to the public, privately constructed and maintained at no cost to taxpayers, and irrigated by recycled water.
2. **Rooftop Trails:** A minimum of 3.8 miles of accessible walking and jogging trails, through native and drought-tolerant landscaping, meadows, vineyards, orchards and organic gardens in the Community Park & Nature Area.
5. **Town Squares:** Two ground-level Town Squares totaling at least 3 acres in area, programmed to accommodate civic, cultural, community, and school events, performances, and celebrations, among other uses.

The VTCSP EDFs listed above include a total of three acres of publicly accessible open space (the town squares) and a 30-acre roof top open space which appears to include about nine acres of publically accessible space. VTCSP EDFs 1, 2, and 5, therefore, would exceed what the City would typically require as mitigation or as conditions of approval for the development of the VTCSP under the standard approval process.

In addition, VTCSP EDF 9 includes community benefits for local schools valued at approximately \$40 million which may include improving and expanding the athletic and recreation facilities at the Nan Allan/Collins Elementary School location. The improvement of existing school fields, however, does not qualify as park land mitigation under the City's Municipal Code.

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<sup>27</sup> The 1975 Quimby Act, Government Code section 66477, authorizes the City to adopt ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements.

<sup>28</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.12-32.

<sup>29</sup> The estimated amount of park land required is based on the development of the VTCSP with 800 residential units (160 of which would be senior units). If the VTCSP were developed with 389 residential units (80 of which would be senior units), approximately two acres of park land would be required.

## **2.2.2      Other Public Services**

### **2.2.2.1      *Police Services***

The City of Cupertino contracts with the Santa Clara County Sheriff's Office for police services. Development of the VTCSP is subject to General Plan policies that ensure adequate police protection services in the City, including Policies HS-4.2 and HS-4.3 (refer to Attachment A for referenced policies). The buildout of the General Plan would increase the number of calls for police services; however, buildout of the General Plan (with or without the Initiative) would not result in the need for expansion or addition of police facilities or personnel.<sup>30</sup> In addition, the increase in property tax revenue from buildout of the General Plan could offset additional costs incurred by the City to increase its service contract with the Sheriff's Department, if required.<sup>31</sup>

Development of the VTCSP would increase the property taxes collected from the site, compared to existing conditions, due to the resulting increase in property value. The VTCSP includes the following EDF that could potentially enhance police services:

7. **Charitable-Civic Space:** A charitable lease or leases for at least 5,000 square feet of civic space dedicated for use and potentially shared by local non-profits and civic organizations, such as the Cupertino Historical Society (for museum and office space), the Cupertino Library (for a materials pick-up and/ or return annex), *the Sheriff's Department (for a substation)* [emphasis added], and the Fire District (for a substation).

The Santa Clara County Sheriff's Office expressed a desire to explore locating a new substation at Vallco during the planning process for The Hills at Vallco. The City would not likely require new or expansion of existing police facilities to serve the VTCSP, however, given the analysis and conclusion in the General Plan EIR. VTCSP EDF 7, therefore, exceeds what the City would typically require as mitigation or as a condition of approval for the development of the VTCSP under the standard approval process.

### **2.2.2.2      *Fire Services***

Development of the VTCSP is subject to General Plan policies that ensure adequate fire protection in the City including Policies HS-3.2, HS-3.4, and HS-3.7 (refer to Attachment A for referenced policies) and the City's Fire Code (Municipal Code Chapter 16.40). The existing fire protection facilities, equipment, and staff are adequate to accommodate growth anticipated from buildout of the General Plan (with or without the Initiative).<sup>32</sup> The increase in property tax revenue from buildout of the General Plan would result in additional funding available to the Santa Clara County Fire Department for future growth, if needed.<sup>33</sup>

Development of the VTCSP would result in an increase in property taxes collected from the site, compared to existing conditions, due to its increase in property value. The VTCSP includes the following EDF that could potentially enhance fire services:

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<sup>30</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.12-11.

<sup>31</sup> Ibid, pages 4.12-12 and 4.12-13.

<sup>32</sup> Ibid, page 4.12-7.

<sup>33</sup> Ibid.



7. **Charitable-Civic Space:** A charitable lease or leases for at least 5,000 square feet of civic space dedicated for use and potentially shared by local non-profits and civic organizations, such as the Cupertino Historical Society (for museum and office space), the Cupertino Library (for a materials pick-up and/ or return annex), the Sheriff's Department (for a substation), and the *Fire District (for a substation)* [emphasis added].

The Santa Clara County Fire Department expressed a desire to explore locating a new substation at Vallco during the planning process for The Hills at Vallco. The City would not likely require new or expansion of existing fire facilities to serve the VTCSP, however, given the analysis and conclusion in the General Plan EIR. VTCSP EDF 7, therefore, exceeds what the City would typically require as mitigation or as a condition of approval for the development of the VTCSP under the standard approval process.

### 2.2.2.3 *Library Service*

The existing employees and library facilities in the Santa Clara County Library system are sufficient to accommodate the increased demand in library services from buildout of the General Plan (with or without the Initiative) and no physical expansion of library facilities is required.<sup>34</sup> Library services are primarily funded by County property taxes.

Development of the VTCSP would result in an increase in property taxes collected from the site, compared to existing conditions, due to its increase in property value. The VTCSP includes the following EDF that could potentially reduce impacts to library services:

7. **Charitable-Civic Space:** A charitable lease or leases for at least 5,000 square feet of civic space dedicated for use and potentially shared by local non-profits and civic organizations, such as the Cupertino Historical Society (for museum and office space), *the Cupertino Library (for a materials pick-up and/ or return annex)* [emphasis added], the Sheriff's Department (for a substation), and the Fire District (for a substation).

The City would not likely require new or expansion of existing library facilities to serve the VTCSP, given the analysis and conclusion in the General Plan EIR. VTCSP EDF 7, therefore, exceeds what the City would typically require as mitigation or as a condition of approval for the development of the VTCSP under the standard approval process.

## 2.2.3 Utilities and Service Systems

### 2.2.3.1 *Wastewater Treatment/Sanitary Sewer System*

A discussion of the VTCSP's potential impacts on wastewater treatment capacity and local sewer system is provided below.

- **Wastewater Treatment Capacity** – Wastewater generated in the City is treated at the San Jose/Santa Clara Regional Wastewater Facility and the City of Sunnyvale Water Pollution Control Plant. The existing design and permitted capacity of both plants are sufficient to treat the wastewater generated from buildout of the General Plan (with or without the

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<sup>34</sup> Ibid, page 4.12-24.

Initiative).<sup>35</sup> In addition, the City has sufficient wastewater treatment capacity at the plants to serve the buildout of the General Plan (with or without the Initiative).<sup>36</sup>

- **Sanitary Sewer System Capacity** – The existing sewer lines in the vicinity of Vallco are in North Wolfe Road, Vallco Parkway, and Stevens Creek Boulevard. Most sewage generated at Vallco discharges to the 15-inch sewer main in North Wolfe Road. Under existing peak wet weather flow conditions, flows to this 15-inch sewer main in North Wolfe Road exceed its capacity.<sup>37</sup>

Development of the VTCSP would intensify the use of the site, which would result in an increase in sewage generated from the site compared to existing conditions. For this reason, the development of the VTCSP would require sewer system improvements to ensure sufficient conveyance capacity. Based on preliminary analysis, redevelopment of Vallco under the General Plan would require the construction of a parallel pipe to the existing 15-inch sewer main in North Wolfe Road.<sup>38</sup>

The VTCSP includes the following EDF that would reduce impacts to the sewer system:

57. **Sanitary Sewer Conveyance Facilities:** Prior to the issuance of occupancy permit(s) for the final construction sequence, the Town Center/Community Park applicant and other project applicants for future development shall demonstrate to the reasonable satisfaction of the Public Works Director that adequate sanitary sewer services are available.

VTCSP EDF 57 are consistent with what the City would typically require to ensure adequate sewer service under the standard approval process. Typically the City would determine sewer system capacity and identify necessary improvements prior to development approval rather than prior to issuance of occupancy permits, however. In addition, the City would evaluate downstream capacity of the sewer collection system and the need for improvements to downstream capacity. In any case, the City would require any necessary utility improvements to be constructed concurrent with the development and be financed by the developer.

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<sup>35</sup> Ibid, pages 4.14-33 through 4.14-41.

<sup>36</sup> Cupertino Sanitary District. *District Response to your letter dated November 10, 2015*. December 8, 2015.

<sup>37</sup> Cupertino Sanitary District. *Letter RE: Questions regarding Cupertino Sanitary District Services relative to Vallco Development*. Received November 19, 2015.

<sup>38</sup> Ibid.

### 2.2.3.2 Water

There is sufficient water supply from San Jose Water Company and Cal Water to serve buildout of the adopted General Plan (with or without the Initiative). No new or expanded entitlements are required.<sup>39</sup>

Development of the VTCSP is subject to existing water regulations that promote water efficiency and conservation including the following:

- Water Conservation Act of 2009
- 2010 California Plumbing Code
- Cupertino's Landscaping Ordinance
- Cupertino's Water Conservation Ordinance
- San Jose Water Company's, Cal Water's, and Santa Clara Valley Water District's water supply and demand management strategies and water shortage contingency plans
- Cupertino Municipal Code (including Green Building Ordinance)

Existing water lines in the Vallco area are located in North Wolfe Road, Vallco Parkway, Stevens Creek Boulevard, and Perimeter Road. Currently, recycled water service and infrastructure is not available in the Vallco vicinity. Connections to existing water lines and improvements to meet current fire flow standards would likely be required for the development of the VTCSP.

The VTCSP includes the following EDFs that would reduce impacts to water service:

3. **Sustainability Leadership/Recycled Water:** A sustainable design goal of achieving the highest level of certification from a globally recognized environmental sustainability certification program, such as LEED Platinum certification or its equivalency, which shall be achieved in part by providing recycled water for such purposes as irrigation, toilet flushing, and heating and cooling systems, among other design features.

58. **Potable Water Supply:** Prior to the issuance of building permits, the Town Center/Community Park applicant and other project applicants for future development shall demonstrate, to the satisfaction of the Public Works Director, that adequate water facilities are available at the time of permit issuance and will continue to be available until time of occupancy.

59. **Potable Water Lines:** Prior to issuance of any grading permits or improvement plans, the Town Center/Community Park applicant and other project applicants for future development shall design public water facilities in conjunction with the California Water Service Company engineer and City and the City of Cupertino engineer for implementation into the proposed improvements.

60. **Recycled Water Lines:** Prior to the issuance of any grading permits or improvement plans, the Town Center/Community Park applicant and other project applicants for future development shall design landscape and irrigation plans utilizing recycled water as a source to meet all non-potable water demands as discussed in the Sustainability Strategies element in the Specific Plan.

61. **Recycled Water Line Extension:** Prior to the issuance of final occupancy permits for 500,000 square feet of office space, the Town Center/Community Park applicant and other project applicants for future development shall provide to the Director of Public Works a status update of the Santa Clara Valley Water

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<sup>39</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.14-22.

District's Wolfe Road Recycled Water Facilities Project. Once the Wolfe Road Recycled Water Facilities Project is complete north to I-280, the applicant shall initiate the design, permitting and construction of the recycled line extension across I-280 to Wolfe Road at Stevens Creek Boulevard.

VTCSF EDFs 58 and 59 are consistent with what the City would typically require of a proposed development to ensure adequate water supply and service under the standard approval process. Typically the City would determine water supply availability and identify necessary improvements prior to development approval rather than prior to issuance of grading permits, however. In addition, the Santa Clara County Fire Department would typically review all design and construction management plans for building construction to ensure that adequate water and fire hydrants are available to serve the proposed development. In any case, the City would require any necessary utility improvements to be constructed concurrent with the development and be financed by the developer.

The Hills at Vallco proposed a similar development with landscaping as is included in the VTCSF. A Water Supply Assessment (WSA) was completed by *Yarne & Associates, Inc.* on behalf of the California Water Service (Cal Water) in March 2016 for The Hills at Vallco development project. Cal Water, specifically the Los Altos Suburban District, provides potable water service to the Vallco area. The WSA concluded there were adequate water supplies to meet projected demands of The Hills at Vallco project and those of all existing customers and other anticipated future customers for normal, single dry year, and multiple dry year conditions.<sup>40</sup> Therefore, there is likely sufficient water supply to serve the development of the VTCSF. In addition, the WSA did not account for future use of recycled water at Vallco, which would substantially reduce potable water demand. It is estimated that recycled water could be used to meet 33 percent of the VTCSF water demand.<sup>41</sup>

VTCSF EDF 61 is the extension of the Wolfe Road Recycled Water Facilities project from the Apple Campus 2 to Vallco. VTCSF EDF 61 is in excess of what the City would require during the standard approval process. The City of Sunnyvale (recycled water producer), Santa Clara Valley Water District (wholesaler), Cal Water (retailer), and Apple Inc. (customer) have partnered to extend the City of Sunnyvale's existing recycled water system south in Wolfe Road to the Apple Campus 2 in Cupertino (referred to as the Wolfe Road Recycled Water Facilities project). The system will extend from the existing San Lucar Pump Station near the intersection of Wolfe Road and Kifer Road to the Apple Campus 2, just north of Vallco, and include a booster pump station.

As part of the agreement for the Wolfe Road Recycled Water Facilities project, the WPCP will supply a minimum of 1,095 acre feet of recycled water to the Santa Clara Valley Water District (SCVWD) per fiscal year.<sup>42</sup> SCVWD has contracted with the City of Sunnyvale to guarantee 595 acre feet per year (AFY) to cover projects within Sunnyvale and retailers outside of the City of Sunnyvale, including Apple Campus 2, will be allotted at least 500 AFY.<sup>43</sup> Apple Campus 2 demand

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<sup>40</sup> Yarne & Associates, Inc. *Vallco Shopping District Specific Plan and The Hills at Vallco Project SB610 Water Supply Assessment Cupertino, California*. March 1, 2016.

<sup>41</sup> Kimley Horn. *Vallco Town Center Specific Plan Environmental Assessment*. Appendix UT-C.

<sup>42</sup> Recycled Water Supply and Distribution Agreement Between City of Sunnyvale and Santa Clara Valley Water District. SCVWD Board meeting March 24, 2015 authorized SCVWD CEQ to execute agreement.

<sup>43</sup> Sources: 1) Santa Clara Valley Water District. *Wolfe Road Recycled Water Facilities Project No. 91244001 Planning Study Report*. December 2014; and 2) Recycled Water Supply and Distribution Agreement Between City of Sunnyvale and Santa Clara Valley Water District. SCVWD Board meeting March 24, 2015 authorized SCVWD CEQ to execute agreement.

is estimated to be 235-500 AFY.<sup>44</sup> It is estimated that the recycled water demand for The Hamptons project is 35 AFY and 99 AFY for VTCSP.<sup>45</sup> There are existing constraints that may affect the availability of the recycled water to reach the VTCSP site including the amount of recycled water able to be produced from the Donald M. Somers Water Pollution Control Plant<sup>46</sup>, the supply available to Cupertino users, and the demand of upstream recycled water users from the VTCSP site.

The capacity of the booster pump station that would be constructed as part of the Wolfe Road Recycled Water Facilities project should be evaluated to ensure sufficient capacity exists to serve the recycled water needs of the downstream users (e.g., Apple Campus 2, The Hamptons, and VTCSP).

The City would typically require environmental analysis of utility improvements (such as the extension of the recycled water line) proposed to serve a development prior to development approval. Because the pipeline extension would occur within the existing road rights-of-way for Wolfe Road and I-280, it is likely that environmental impacts associated with construction could be mitigated or avoided with the implementation of standard practices and measures (e.g., standard tree replacement requirements and standard construction-related noise and air quality best management practices).

VTCSP EDF 3 identifies a “design goal of achieving the highest level of certification from a globally recognized environmental sustainability certification program, such as LEED Platinum certification or its equivalency” for future development at Vallco. Pursuant to the City’s Green Building Ordinance, a development such as VTCSP would be required to achieve LEED Silver.<sup>47</sup> VTCSP EDF 3, therefore, exceeds what the City would typically require of a development such as VTCSP under the City’s Green Building Ordinance.

### **2.2.3.3      *Energy***

No new energy supply facilities or distribution infrastructure or capacity-enhancing alterations to existing facilities are required to serve buildout of the General Plan (with or without the Initiative).<sup>48</sup> The development of the VTCSP is subject to applicable General Plan policies that ensure efficient use of energy resources including Policies ES-1.1, ES-2.1, and ES-3.1 (refer to Attachment A for referenced policies), as well as the Cal Green Building Code and the City’s Green Building Ordinance.

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<sup>44</sup> Sources: 1) HydroScience. *City of Sunnyvale Feasibility Study for Recycled Water Expansion Report*. June 2013; and 2) City of Sunnyvale. *CEQA Addendum to the Mitigated Negative Declaration for the Wolfe Road Recycled Water Project*. Adopted September 24, 2013.

<sup>45</sup> Kimley Horn. *Vallco Town Center Specific Plan Environmental Assessment*. Appendix UT-A.

<sup>46</sup> The City of Sunnyvale has prepared and is circulating an Environmental Impact Report for the Sunnyvale Water Pollution Control Plant Master Plan Program. The proposed Master Plan includes improvements to the plant’s infrastructure that would increase the amount of recycled water produced.

<sup>47</sup> Projects pursuing LEED (Leadership in Energy and Environmental Design) certification earn points across several areas that address sustainability issues. Based on the number of points achieved, a project then receives one of four LEED rating levels: Certified, Silver, Gold and Platinum. LEED Certified being the lowest level and LEED Platinum being the highest level.

<sup>48</sup> As stated in footnote 3, the General Plan EIR analyzed more intense development and greater buildout of the City than ultimately approved by the City Council. The amount of development and buildout assumptions in the General Plan EIR are greater than the development assumptions from the buildout of the General Plan with Initiative. The General Plan EIR concluded that no new energy supply facilities or distribution infrastructure or capacity-enhancing alterations to existing facilities are required to serve buildout of the General Plan (City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.14-63.). The buildout of the General Plan with Initiative, therefore, would not require new or expanded energy supply facilities or distribution infrastructure.

The VTCSP includes the following EDF that minimizes energy use:

3. **Sustainability Leadership/Recycled Water:** A sustainable design goal of achieving the highest level of certification from a globally recognized environmental sustainability certification program, such as LEED Platinum certification or its equivalency, which shall be achieved in part by providing recycled water for such purposes as irrigation, toilet flushing, and heating and cooling systems, among other design features.

Pursuant to the City's Green Building Ordinance, a development such as VTCSP would be required to achieve LEED Silver. VTCSP EDF 3, therefore, exceeds what the City would typically require of a development such as VTCSP under the City's Green Building Ordinance.

## **2.2.4            Other Environmental Issues**

### **2.2.4.1        *Aesthetics/Community Form***

Pursuant to General Plan Policy LU-19.1, a specific plan is to be created for Vallco that would include design standards and guidelines. The General Plan includes supporting Strategies to provide a street grid system (LU-19.1.6), open space in the form of town squares (LU-19.1.8), transitions from taller buildings on-site to existing buildings (LU-19.1.10), tree preservation (LU-19.1.13), and neighborhood buffers (LU-19.1.14). The Initiative amends Strategy LU-19.1.6, but does not change the intent of the strategy, which is to improve connectivity. The Initiative would result in the adoption of a specific plan (VTCSP) that includes design standards and guidelines for a street grid system, town squares, building setbacks, tree retention, and low-intensity frontages. The development of VTCSP could result in the aesthetic impacts discussed below.

- **Change in visual character** – The development of the VTCSP would result in a substantial change to the visual character of the site as it currently exists. The VTCSP identifies a minimum 35 foot setback from the eastern and western site boundaries, and a maximum building height of 95 feet (four to six stories tall) on the east side of North Wolfe Road. The maximum building height on the west side of North Wolfe would be 80 feet with a maximum building height of 65 feet for buildings along the western edge of the site. The top of the roofs, which would include mechanical equipment, would be up to 25 feet above the maximum building height. Rooftop pavilions would be no greater than 24 feet in height. Buildings on the western edge would have a minimum building plane of 1:1 and include “privacy measures (i.e., minimal interface, no or minimal windows on the outermost west-facing facades),” which would minimize visual intrusion to the existing, adjacent residential neighborhood west of Vallco.

The General Plan EIR assumed that the redevelopment of Vallco would include buildings with a maximum height of 160 feet on the east side of North Wolfe Road and a maximum building height of 85 feet on the west side of North Wolfe Road.<sup>49</sup> The General Plan EIR also assumed that the redevelopment of Vallco would include “suitable building setbacks from public rights of way” and “appropriate buffers and/or height transitions for buildings

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<sup>49</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.1-31.

adjacent to low-density residential development.”<sup>50</sup> The General Plan EIR concluded that redevelopment of Vallco as envisioned in the General Plan would not result in a significant change in visual character. The maximum building heights proposed under the VTCSP are lower than the maximum building heights assumed for the redevelopment of Vallco in the General Plan EIR.

While the development of the VTCSP would change the visual character of the Vallco site compared to existing conditions, the development of the VTCSP would not result in a significant change in visual character for the following reasons:

- The development of the VTCSP is consistent with the development envisioned for the site in the adopted General Plan;
  - The VTCSP maximum building heights are lower than what was assumed for the site in the General Plan EIR and the General Plan EIR concluded that development of Vallco as envisioned by the General Plan would not result in a significant change in visual character; and
  - The VTCSP requires:
    - A 35-foot minimum setback from the eastern and western site boundaries,
    - A 20-foot minimum setback from North Wolfe Road and Vallco Parkway,
    - A minimum building plane of 1:1 on the western edge, and
    - Privacy measures (including VTCSP EDF 16. **Residential-Area Plan Sensitivity:** Protect adjacent residential property owners by retaining healthy trees and existing walls and encouraging inactive and/or generously set-back building facades along the Plan Area’s western property line.).
- **Scenic vistas** – Scenic vistas are generally interpreted as long-range views of a specific scenic feature (e.g., open space lands, mountain ridges, bay, or ocean views).<sup>51</sup> In the Vallco area, views of the Santa Cruz Mountains and eastern foothills are intermittent and obscured by existing development and mature landscaping. The development of the VTCSP, therefore, would not substantially effect scenic vistas. This conclusion is consistent with the conclusion in the General Plan EIR.<sup>52</sup>
  - **Scenic highway viewshed** – Vallco is not within the viewshed of an officially designated state scenic highway. The segment of I-280 adjacent to Vallco is, however, an eligible state scenic highway. Views of Vallco from I-280 are obscured by existing, mature trees. While greater in mass and scale than the existing development on-site, the development of the VTCSP would not result in substantial adverse impacts to the existing I-280 viewshed because the VTCSP includes the preservation of most of the existing trees along the site’s perimeter<sup>53</sup> and there are intermittent views of urban development (including Apple Campus 2) from I-280 within the same viewshed. This conclusion is consistent with the conclusion in the General Plan EIR.<sup>54</sup>

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<sup>50</sup> Ibid.

<sup>51</sup> Ibid, page 4.1-21.

<sup>52</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.1-24.

<sup>53</sup> Kimley Horn. *Vallco Town Center Specific Plan Environmental Assessment*. April 2016. Page 7-4.

<sup>54</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.1-31.

- **Light and glare** – The development of the VTCSP would include nighttime and security lighting, and may include building material that is reflective. The development of the VTCSP, therefore, could result in light and glare impacts.

The VTCSP includes the following EDFs that would reduce light and glare impacts:

EDF 24. **Lighting:** The Town Center/Community Park applicant and other project applicants for future development shall comply with the lighting guidelines in the Specific Plan which would prevent unnecessary glare from unshielded or undiffused light sources. The following guidelines are required to avoid light trespass across property lines:

- Unnecessary glare from unshielded or undiffused light sources should be avoided. Commercial buildings and landscaping can be illuminated indirectly by concealing light features within buildings and landscaping to highlight architectural features and avoid intrusion into neighborhood properties.
- Light fixtures should be directed downward from the horizontal plane of the light source to prevent unnecessary light spillover.

EDF 27. **Building Materials:** To limit reflectivity and prevent exterior glass from attracting birds, projects shall use low-reflectivity glass to minimize bird collision. Low-reflectivity glass shall be used for the entirety of a building's glass surface (not just the lower levels nearest trees where bird collisions may be the most common), and other measures shall be undertaken for avian safety.

VTCSP EDFs 24 and 27 are consistent with what the City would typically require of a project under the standard approval process. The City typically requires outdoor lighting to be directed downward and not spill over onto adjacent properties, consistent with Municipal Code Chapter 1.09 and Section 19.168. To ensure development projects would not result in significant glare impacts, the City would typically review proposed building materials for highly reflective materials (such as mirrored glass) and large, uninterrupted expanses of glass or other highly reflective materials. This process would still occur if the Initiative is approved. The City would review the potential for proposed building materials to result in glare impacts during subsequent City approvals for the VTCSP.

#### 2.2.4.2 *Air Quality*

Development of the VTCSP is subject to applicable General Plan policies to minimize air quality impacts including Policies ES-4.1 and ES-4.3 (refer to Attachment A for referenced policies). Development of the VTCSP would result in air pollutant emissions during construction and operation. The development of the VTCSP could result in the air quality impacts discussed below.

- **Clean Air Plan consistency** – Based on preliminary analysis, it appears that the VTCSP is consistent with the Bay Area 2010 Clean Air Plan. The VTCSP would result in a reduction in vehicle miles traveled per capita citywide<sup>55</sup> and includes EDFs that are consistent with

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<sup>55</sup> Fehr & Peers. *Memorandum Review of the Vallco Town Center Plan Environmental Assessment, Cupertino, California*. June 23, 2016. Pages 34-35.



applicable mobile, transportation, and energy control measures in the CAP, including the following:

1. **Green Roof & Community Park;**
  3. **Sustainability Leadership/Recycled Water;**
  18. **Transportation Demand Management Plan;**
  19. **Free Community Shuttle;**
  20. **Bike-Pedestrian Trails Funding;**
  21. **Bike-Pedestrian Improvements;**
  26. **Construction Emissions Minimization;**
  47. **Transit/East Side Transit Center & Community Shuttle;** and
  48. **Transit/Mobility Hub.**
- **Construction-related emissions** – Construction-related emissions would occur as *fugitive dust emissions* associated with demolition and ground disturbance and *exhaust emissions* from construction equipment, truck travel, and worker traffic. The development proposed under the VTCSP exceeds the Bay Area Air Quality Management District (BAAQMD) construction criteria pollutant screening criteria and, therefore, it is possible that the construction of the VTCSP could exceed BAAQMD thresholds of significance.

The VTCSP includes the following EDF that would reduce fugitive dust emissions during construction:

EDF 25. **Dust Control:** The Bay Area Air Quality Management District (BAAQMD) Best Management Practices for dust control shall be required for all construction activities within the Town Center/Community Park. These measures will reduce dust emissions primarily during soil movement, grading and demolition activities, but also during vehicle and equipment movement on unpaved project sites:

- (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 mph.
- (5) All streets, 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) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points.
- (7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- (8) 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. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

VTCSF EDF 25 is consistent with the mitigation identified in the General Plan EIR<sup>56</sup> and with what the City would typically require of a project to reduce fugitive dust emissions under the standard approval process.

The VTCSF includes the following EDFs that would reduce construction-related exhaust emissions (specifically NO<sub>x</sub>):

**EDF 26. Construction Emissions Minimization:** The Town Center/Community Park applicant and other project applicants for future development shall require in its construction specifications an Emissions Reduction Plan that requires the following:

- That all off-road equipment shall have engines that meet either U.S. EPA or California Air Resources Board (CARB) Tier 4 final off-road emission standards. If engines that comply with Tier 4 off-road emission standards are not commercially available, then the contractor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in the table below. “Commercially available” shall mean the availability of Tier 4 equipment taking into consideration factors such as: (i) critical path timing of construction; (ii) geographic proximity to the Project site of equipment; and (iii) geographic proximity of access to off haul deposit sites. The applicant(s) and contractor shall maintain records concerning its efforts to comply with this requirement.

Off-Road Equipment Compliance Step-Down Schedule

Compliance Alternative	Engine Emission Standard
■ 1	■ Tier 4 Interim
■ 2	■ Tier 3
■ 3	■ Tier 2

Abbreviations:

CARB = California Air Resources Board

N/A = not applicable

Note: How to use the table: If the requirements of the above bullet cannot be met, Compliance Alternative 1 shall be met. If Compliance Alternative 1 cannot be met, then Compliance Alternative 2 would need to be met. If Compliance Alternative 2 cannot be met, then Compliance Alternative 3 would need to be met.

- The idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, and Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- Construction operators shall properly maintain and tune equipment in accordance with manufacturer specifications.

VTCSF EDF 26 is consistent with what the City would typically require to reduce significant construction-related exhaust emissions impacts under the standard approval process.

<sup>56</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.2-55.

- **Operation-related emissions** – Operation-related emissions would mostly occur from vehicles traveling to and from the site. The development proposed under the VTCSP exceeds the BAAQMD operational criteria pollutant screening criteria and, therefore, it is possible that the operation of the VTCSP could exceed BAAQMD thresholds of significance.

The VTCSP includes the following EDF that would reduce operation-related emissions:

**EDF 18. Transportation Demand Management Plan:** Consistent with the Plan Area’s environmental design features, require the preparation and implementation of a Transportation Demand Management (“TDM”) Plan with an overall target of reducing Specific Plan office-generated weekday peak hour trips by 30 percent below applicable Institute of Transportation Engineers trip generation rates, an unprecedented restriction on a “specific plan” area.

The VTCSP EDF 18 is consistent with what the City would typically require to reduce operation-related emissions under the standard approval process.

- **Community risk** – There is a potential for community risk impacts to nearby sensitive receptors from construction-related toxic air contaminants (TACs).

The VTCSP includes the following EDF that would reduce community risk to nearby sensitive receptors from project construction:

**EDF 26. Construction Emissions Minimization:** The Town Center/Community Park applicant and other project applicants for future development shall require in its construction specifications an Emissions Reduction Plan that requires the following:

- That all off-road equipment shall have engines that meet either U.S. EPA or California Air Resources Board (CARB) Tier 4 final off-road emission standards. If engines that comply with Tier 4 off-road emission standards are not commercially available, then the contractor shall provide the next cleanest piece of off-road equipment as provided by the step down schedules in the table below. “Commercially available” shall mean the availability of Tier 4 equipment taking into consideration factors such as: (i) critical path timing of construction; (ii) geographic proximity to the Project site of equipment; and (iii) geographic proximity of access to off haul deposit sites. The applicant(s) and contractor shall maintain records concerning its efforts to comply with this requirement.

Off-Road Equipment Compliance Step-Down Schedule

Compliance Alternative	Engine Emission Standard
■ 1	■ Tier 4 Interim
■ 2	■ Tier 3
■ 3	■ Tier 2

Abbreviations:

CARB = California Air Resources Board

N/A = not applicable

Note: How to use the table: If the requirements of the above bullet cannot be met, Compliance Alternative 1 shall be met. If Compliance Alternative 1 cannot be met, then Compliance Alternative 2 would need to be met. If Compliance Alternative 2 cannot be met, then Compliance Alternative 3 would need to be met.

- The idling time for off-road and on-road equipment be limited to no more than two minutes, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment. Legible and visible signs shall be posted in multiple languages (English, Spanish, and Chinese) in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
- Construction operators shall properly maintain and tune equipment in accordance with manufacturer specifications.

VTCSF EDF 26 is consistent with the mitigation identified in the General Plan EIR<sup>57</sup> and with what the City would typically require to reduce significant community risk to nearby sensitive receptors under the standard approval process.

Based on BAAQMD screening tools, future residences at Vallco could be exposed to substantial community risk from existing, surrounding sources of TACs (i.e., I-280, Stevens Creek Boulevard, North Wolfe Road, and stationary sources).<sup>58</sup> Site-specific modeling and risk assessment are needed to confirm whether future residences at Vallco would be exposed to community risks above the BAAQMD thresholds of significance. The EA includes site-specific modeling and a risk assessment, which concludes that the community risk to future residents on-site from TAC sources is below the BAAQMD thresholds of significance. Given the time constraints for the 9212 Report, the air quality analysis and conclusions in the EA were not peer reviewed. Typically, to reduce significant community risk to future residents on-site from surrounding TAC sources, projects could be required to install air filtration for residential units that have predicted risk above BAAQMD thresholds of significance.

### **2.2.4.3 Biological Resources**

Development of the VTCSF is subject to applicable General Plan policies to protect the City's urban ecosystem including Policies ES-5.1 and ES-5.6 (refer to Attachment A for referenced policies). Habitats in developed, urban areas such as Vallco are extremely low in species diversity. There are no sensitive habitats or wetlands on or adjacent to Vallco. Due to the lack of sensitive habitats and the developed nature of Vallco, special-status plant and animal species are not expected to occur on-site.

The primary biological resources at Vallco are trees. There is also a potential for nesting birds to be present in trees on or adjacent to Vallco. Nesting birds are protected under provisions of the Migratory Bird Treaty Act and Fish and Game Code Sections. The development of the VTCSF may also impact migratory birds depending on the building materials used.

<sup>57</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Page 4.2-63.

<sup>58</sup> In December 2015, the California Supreme Court issued an opinion in *California Building Industry Association v. Bay Area Air Quality Management District* holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project's future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. The CEQA Guidelines and the courts are clear that a CEQA document can include information of interest even if such information is not an "environmental impact" as defined by CEQA. Therefore, where applicable, effects of the environment on the project are discussed as planning considerations. Examples of planning considerations include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a high noise environment, or on/adjacent to sites involving hazardous substances.

The VTCSP includes the following EDFs that would reduce impacts to birds and trees:

27. **Building Materials:** To limit reflectivity and prevent exterior glass from attracting birds, projects shall use low-reflectivity glass to minimize bird collision. Low reflectivity glass shall be used for the entirety of a building's glass surface (not just the lower levels nearest trees where bird collisions may be the most common), and other measures shall be undertaken for avian safety.

28. **Tree Replacement:** Prior to the issuance of the first demolition permit, the Town Center/Community Park applicant and other project applicants for future development shall submit a Tree Management Plan for review and approval by the City of Cupertino. The Tree Management Plan shall be prepared in compliance with the Municipal Code sections that address retention, relocation, and replacement of trees.

29. **Nesting and Migratory Bird Surveys:** The Town Center/Community Park applicant and other project applicants for future development shall retain a qualified biologist to perform nesting bird surveys prior to tree pruning, tree removal, transplantation, ground disturbing activities, or construction activities that could affect nesting and migratory birds. Preconstruction surveys are not required for tree removal, tree pruning, and ground disturbance or construction activities outside the nesting period. All necessary vegetation clearing shall be performed prior to the nesting season, if at all possible. Vegetation can be cleared and maintained to prevent migratory bird nesting. Recommendations of the biologist shall be implemented such that no birds, nests with eggs, or nests with hatchlings are disturbed. An annual report shall be submitted to the City of Cupertino and the California Department of Fish and Wildlife (CDFW) documenting the observations and actions implemented to comply with this Environmental Design Feature.

VTCSP EDFs 27, 28, and 29 are consistent with the mitigation identified in the General Plan EIR<sup>59</sup> and with what the City would typically require to reduce impacts to birds and trees under the standard approval process. The City would require the preconstruction bird surveys to be completed no more than 14 days prior to initiation of demolition/construction activities (including tree removal and pruning).

The City of Cupertino, including the Vallco site, is not located within an adopted Habitat Conservation Plan or Natural Community Conservation Plan. The redevelopment of Vallco, therefore, would not be subject to fees in the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan. The VTCSP includes the following EDF to fund mitigation for impacts from vehicle exhaust/nitrogen deposition to serpentine habitat:

30. **Nitrogen Deposition Fee:** The Town Center/Community Park applicant and other project applicants for future development shall pay a Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan Nitrogen Deposition Fee to the Implementing Entity of the Habitat Conservation Plan, the Santa Clara Valley Habitat Agency, even though the fee would not otherwise be legally applicable to the future development. The Town Center/Community Park applicant shall pay the Nitrogen Deposition Fee commensurate with the issuance of building permits within the Town Center/Community Park.

VTCSP EDF 30 exceeds what the City would require as mitigation or as a condition of approval for the development of the VTCSP under the standard approval process.

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<sup>59</sup> City of Cupertino. *General Plan Amendment, Housing Element Update and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Pages 4.3-12 and 4.3-13.

#### 2.2.4.4 *Cultural Resources*

The development of the VTCSP would be subject to applicable policies and regulations including General Plan policy LU-6.3 and Municipal Code 19.104.210. The development of VTCSP could result in the cultural resources impacts discussed below.

- **Historical Resources** – The buildings on-site are less than 50 years old and are not listed or appear to be eligible for listing on the National Register or California Register. The Vallco Shopping District is designated as a City Community Landmark in the City's General Plan.

The General Plan EIR concluded that the redevelopment of the Vallco site would not result in significant impacts to historic resources, if redevelopment is consistent with General Plan Policy LU-6.3.<sup>60</sup> The VTCSP would be consistent with General Plan Policy LU-6.3 by providing a plaque, reader board and/or other educational tools on the site to explain the historic significance of the resource. The plaque shall include the city seal, name of resource, date it was built, a written description, and photograph. The plaque shall be placed in a location where the public can view the information.

- **Paleontological Resources and Unique Geologic Features** – Paleontological resources are fossils, the remains or traces of prehistoric life preserved in the geologic record. They range from the well-known and well-publicized (such as mammoth and dinosaur bones) to scientifically important fossils. Most of the City of Cupertino, including the Vallco area, is on recent alluvium deposits of Holocene (11,700 years ago to present). Holocene deposits are too recent to contain fossils.<sup>61</sup> There are no recorded paleontological resources in the Vallco area.

The project site is located in an urban, developed, infill area. No unique geologic features such as serpentine outcrops and boulders, pinnacles, or Tafoni sandstone are located on-site.

The VTCSP includes the following EDF to reduce impacts to paleontological resources, if found on-site during construction:

33. **Paleontological monitor:** The Town Center/Community Park applicant and other project applicants for future development shall retain a paleontological monitor to respond on an as-needed basis to address unanticipated paleontological discoveries. In the event that paleontological resources are encountered during grading and construction operations, all construction activities shall be temporarily halted or redirected to permit a qualified paleontologist to assess the find for significance. If paleontological resources are found to be significant, the paleontological monitor shall determine appropriate actions, in coordination with a qualified paleontologist, City staff, and the project applicant(s).

VTCSP EDF 33 is consistent with what the City would typically require to reduce impacts to paleontological resources (if discovered on-site) under the standard approval process.

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<sup>60</sup> City of Cupertino. *General Plan Amendment, Housing Element Update, and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Pages 4.4-17 and 4.4-18.

<sup>61</sup> Ibid, page 4.4-16.

- **Archaeological Resources** – An archaeological literature review was completed by *Holman & Associates* at the Northwest Information Center in August 2015. A copy of the report is on file at the City. The archaeological site maps reviewed revealed almost no recorded archaeological resources within a one-mile radius of the Vallco site. The most archaeologically sensitive feature in the area, Calabazas Creek, was systematically surveyed in 1974 with negative findings. Research completed for the Apple Campus 2 in the area did not identify any archaeological resources.<sup>62</sup> In addition, no cultural resources were found during a recent survey of the KCR Development property within the Vallco area.<sup>63</sup> Given the developed nature of Vallco (i.e., most of the site is covered with buildings, pavement, and landscaping), visual inspection of native soils is not possible. Overall, the general vicinity of the Vallco area has a low to, at most, moderate potential for containing archaeological resources.

The VTCSP includes the following EDF that would minimize impacts to archaeological resources, if discovered on-site during construction:

32. **Archaeological monitor:** The Town Center/ Community Park applicant and other project applicants for future development shall retain an archaeological monitor to inspect the ground surface at the completion of demolition activities as they occur to search for archaeological site indicators. If archaeological resources are found to be significant, the archaeological monitor shall determine appropriate actions, in coordination with a qualified archaeologist, City staff, and the project applicant(s).

VTCSP EDF 32 is consistent with what the City would typically require to reduce impacts to unknown buried archaeological resources (if present on-site) under the standard approval process.

#### 2.2.4.5 *Geology and Soils*

Vallco is located in an area that is considered to have relatively low levels of geologic hazard risk, although all of the San Francisco Bay Area is seismically active.<sup>64</sup> Vallco is not located within an Alquist-Priolo Earthquake Fault Zone. Like all of the San Francisco Bay Area, however, Vallco is located in a seismically active area and subject to strong ground shaking in the event of an earthquake. Based on preliminary analysis, the site has a low liquefaction potential and on-site soils may be potentially expansive.

The VTCSP includes the following EDFs to reduce impacts from geology and soils:

34. **Geotechnical Report Recommendations:** Prior to the issuance of grading permits or improvements plans, the Town Center/Community Park applicant and other project applicants for future development shall demonstrate to the satisfaction of the Director of Public Works that all earthwork operations, including site preparation, and the selection, placement, and compaction of fill materials have incorporated the recommendations and the project specifications set forth in the Geotechnical Investigation (TRC, 2015) to ensure the safety of people and structures.

<sup>62</sup> Holman & Associates. *Archaeological Literature Review for the Proposed Vallco Project, Cupertino, Santa Clara County, California*. September 4, 2015.

<sup>63</sup> Ibid.

<sup>64</sup> City of Cupertino. *Community Vision 2015-2040*. October 2015. Table HS-1 and Figure HS-5.

35. **Site-Specific Geotechnical Reports:** Prior to the issuance of grading permits or improvements plans, the Town Center/Community Park applicant shall be required to prepare and submit site-specific Geotechnical Reports that would be reviewed and approved by the City of Cupertino. All earthwork operations, including site preparation, and the selection, placement, and compaction of fill materials shall incorporate the recommendations and the project specifications set forth in the site-specific Geotechnical Report to ensure the safety of people and structures.

UTCSP EDFs 34 and 35 are consistent with what the City would typically require to reduce adverse geology and soils effects, as well as ensure structurally sound development, under the standard approval process.<sup>65</sup>

#### **2.2.4.6 Greenhouse Gas Emissions**

Development of the UTCSP is subject to applicable General Plan policies to ensure a sustainable future including Policy ES-1.1 (refer to Attachment A for referenced policies). The City of Cupertino Climate Action Plan (CAP) quantifies the City's share of statewide greenhouse gas emissions and establishes action steps towards achieving a local emissions reduction target. Pursuant to the BAAQMD CEQA Air Quality Guidelines, development (other than stationary sources) consistent with the adopted CAP is considered to have a less than significant greenhouse gas impact.

The CAP is based on the population and development assumptions in the General Plan EIR. The General Plan EIR analyzed more intense development and greater buildout of the City than ultimately approved by the City Council. In other words, the General Plan EIR and adopted CAP assume greater population and development than would occur under the buildout of the General Plan (with or without the Initiative).<sup>66</sup>

According to the CAP, if there is a lesser buildout scenario than what was analyzed in the General Plan EIR, the resulting emissions would be lower than was assumed in the CAP and fewer reduction measures would be required to achieve the City's emissions targets.<sup>67</sup> The development of the UTCSP would be required to be consistent with the City's CAP.

Based on preliminary review, it appears that development of the UTCSP (excluding stationary sources) would be consistent with the City's CAP, because it would be required to comply with existing plans, policies, and regulations (including the City's Construction and Demolition Recycling Diversion Requirements) and includes EDFs consistent with the CAP's goals and measures for reducing energy use, promoting alternative transportation, conserving water, reducing solid waste, expanding green infrastructure. Applicable EDFs include the following:

1. **Green Roof & Community Park;**
3. **Sustainability Leadership/Recycled Water;**

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<sup>65</sup> See footnote 56.

<sup>66</sup> The development assumptions in the General Plan EIR and the level of development approved in the adopted General Plan are summarized below.

<b>Land Use</b>	<b>General Plan EIR</b>	<b>Adopted General Plan (with or without Initiative)</b>
Residential (units)	25,833	23,294
Commercial (square feet)	4,975,744	4,430,982
Office (square feet)	12,956,410	11,470,005
Hotel (rooms)	2,455	1,429

<sup>67</sup> City of Cupertino. *City of Cupertino Climate Action Plan*. January 2015. Page ES-8.



18. **Transportation Demand Management Plan;**
19. **Free Community Shuttle;**
20. **Bike-Pedestrian Trails Funding;**
21. **Bike-Pedestrian Improvements;**
26. **Construction Emissions Minimization;**
47. **Transit/East Side Transit Center & Community Shuttle; and**
48. **Transit/Mobility Hub.**

The VTCSP includes a central plant (a stationary source), which would provide heating, ventilation, and air conditioning for most buildings. The central plant would consist of a condenser water system, cooling towers, and boilers. It is possible that operation of the central plant produce greenhouse gas emissions that would exceed the BAAQMD greenhouse gas threshold of significance for stationary sources. The VTCSP includes the following EDF to reduce greenhouse gas emission impacts from the central plant:

**36. Central Plant Boilers Carbon Offsets:** Prior to completion and operation of any Central Plant Boilers with emissions above 10,000 MT CO<sub>2</sub>e/yr., the Town Center/Community Park applicant and other project applicants for future development shall enter into one or more contracts to purchase voluntary carbon credits from a qualified greenhouse gas emissions broker in an amount sufficient to offset the operational emissions above 10,000 MT CO<sub>2</sub>e/yr., on a net present value basis in light of the fact that the applicant shall acquire such credits in advance of any creation of the emissions subject to the offset. Pursuant to CARB's Mandatory Reporting Requirements, applicant(s) shall register the Central Plant Boilers in the Mandatory Greenhouse Gas Emissions Reporting Program. The applicant(s) shall provide copies of carbon purchase contracts to CARB during registration.

VTCSP EDF 36 is consistent with what the City would typically require to mitigate greenhouse gas emissions from stationary sources under the standard approval process. The City would likely first require any feasible on-site modifications to the stationary source to reduce greenhouse gas emissions. If the greenhouse gas emissions from the stationary source could not be reduced below the BAAQMD threshold of significance, the City would likely require carbon credits (such as those identified in EDF 36) be purchased and that the credits be locally sourced (i.e., within the City of Cupertino, County of Santa Clara, or same air basin).

#### **2.2.4.7      *Hazards and Hazardous Materials***

Development of the VTCSP would be subject to applicable plans, policies, and regulations pertaining to the use, handling, storage, and disposal of hazards and hazardous materials including General Plan Policies HS-6.1 and HS-6.2 (refer to Attachment A for referenced policies). Hazards and hazardous materials planning considerations are discussed below.<sup>68</sup>

- **Potential sources of on-site contamination** – The Vallco site was historically used for agricultural purposes, and has been developed and operating as a shopping mall since at least 1979. The site is listed on regulatory agency databases as having leaking underground storage tanks (LUSTs), removing and disposing of asbestos containing materials (ACMs), and a small quantity generator of hazardous materials waste. Surface soils may contain elevated levels of residual pesticides and other chemicals of concern related to past and present use and operations at the site.

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<sup>68</sup> See footnote 56.

The VTCSP includes the following EDF that would reduce adverse effects from possible on-site soil contamination:

39. **Soil Management Plan:** A Soil Management Plan for all redevelopment activities shall be prepared by applicant(s) for future development to ensure that excavated soils are sampled and properly handled/disposed, and that imported fill materials are screened/analyzed before their use on the property.

VTCSP EDF 39 is consistent with mitigation identified in the General Plan EIR<sup>69</sup> and with what the City would typically require to reduce impacts from on-site soil contamination under the standard approval process. The City's requirements would likely be more explicit about the sampling standards and guidance to be followed and what contaminants should be tested for when exporting or reusing soils, however. The City would likely identify what topic areas would be included in the Soil Management Plan, such as site control procedures, measures to minimize dust generation, protocols for earthwork activities, worker training requirements, stockpiling protocols for clean and impacted soils, and other measures. It is possible that the City would also require an environmental professional monitor excavation activities near potential areas of contamination (e.g., former USTs).

- **Building demolition waste** – The demolition of buildings and existing improvements would generate waste that could include hazardous materials, including lead-based paint and ACMs.

The VTCSP includes the following EDF to reduce adverse effects from building demolition waste:

38. **Renovation or Demolition of Existing Structures:** Before conducting renovation or demolition activities that might disturb potential asbestos, light fixtures, or painted surfaces, the Town Center/Community Park applicant shall ensure that it complies with the Operations and Maintenance Plan for management and abatement of asbestos-containing materials, proper handling and disposal of fluorescent and mercury vapor light fixtures, and with all applicable requirements regarding lead-based paint.

VTCSP EDF 38 is consistent with what the City and regulatory agencies would typically require under the standard approval process. The City would likely clarify that asbestos surveys be completed for existing buildings to be demolished and require the removal of potentially friable ACMs prior to building demolition or renovation that may disturb these materials.

- **Proposed use of hazardous materials** – Development of the VTCSP could include uses that generate, store, use, distribute, or dispose of hazardous materials such as petroleum products, oils, solvents, paint, household chemicals, and pesticides. The VTCSP includes the following EDF to reduce adverse effects from on-site use of hazardous materials:

37. **Hazardous Materials Business Plan:** In accordance with State Code, facilities that store, handle or use regulated substances as defined in the California Health and Safety Code Section 25534(b) in excess of threshold quantities shall prepare and implement, as necessary, Hazardous Materials Business Plans (HMBP) for determination of risks to the community. The HMBP will

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<sup>69</sup> City of Cupertino. *General Plan Amendment, Housing Element Update, and Associated Rezoning EIR*. State Clearinghouse No. 2014032007. Certified December 2014. Pages 4.7-23 and 4.7-24

be reviewed and approved by the Santa Clara County Department of Environmental Health Hazardous Materials Compliance Division through the Certified Unified Program Agencies (CUPA) process.

VTCSF EDF 37 is consistent with what the County of Santa Clara, as the Certified Unified Program Agency by the State, would typically require under the standard approval process.

#### **2.2.4.8        *Noise***

The development of the VTCSF would be subject to applicable noise policies and regulations including those in the General Plan (including Policies HS-8.1, HS-8.2, HS-8.3, and HS-8.4), Municipal Code, and Zoning Ordinance. The development of the VTCSF could result in the noise and vibration impacts discussed below.

- **Construction-related noise** – Noise generated from construction activities associated with the development of the VTCSF would likely result in significant, temporary noise impacts at adjacent residences. The VTCSF includes the following EDFs that would reduce construction-related noise impacts:

40. **On-Site Construction Noise:** The Town Center/Community Park applicant and other project applicants for future development shall be required to adhere to the construction noise limits of the Cupertino Municipal Code. The following items would further reduce the potential for high levels of noise from construction equipment or activities, and ensure that noise complaints are addressed promptly and if necessary, corrective action is taken:

- Along the western boundary of the Town Center/Community Park and Block 14, near the existing residential district, prepare and implement a 24-hour construction noise monitoring program to be installed and operated remotely. The noise monitoring program would continuously monitor construction noise levels at select perimeter locations and alert a designated person(s) when noise levels exceed allowable limits. If noise levels are found to exceed allowable limits, additional noise attenuation measures (i.e., sound walls) will be undertaken.
- Require that all equipment be fitted with properly sized mufflers, and if necessary, engine intake silencers.
- Require that all equipment be in good working order.
- Use quieter construction equipment models if available, and whenever possible, use pneumatic tools rather than using diesel or gas-powered tools.
- Place portable stationary equipment as far as possible from existing residential areas, and if necessary, place temporary barriers around stationary equipment.
- Whenever possible, require that construction contractors lift heavy equipment rather than drag.
- For mobile equipment that routinely operates near residential area (i.e., within approximately 200 feet), consider placement of typical fixed pure-tone backup alarms with ambient-sensing and/or broadband backup alarms.
- Assign a noise control officer to ensure that the above requirements are being implemented.
- Implement a noise complaint hotline and post the hotline phone number on nearby visible signs and online. Require that either the noise control officer or a designated person be available at all times to answer hotline calls and ensure that follow-up and/or corrective action is taken, if necessary.

14. **Prompt Demolition:** To ensure swift completion of the remainder of the Plan Area, a commitment to demolish 100% of the remaining existing Mall improvements within 6 months of receiving a certificate of occupancy for the afore-described initial retail component, subject to existing leases and an appropriate temporary improvement plan for demolished areas.

VTCSF EDFs 40 and 14 are consistent with what the City would typically require to reduce construction-related noise impacts under the standard approval process.

The construction-related truck trips could also result in significant noise increases at sensitive receptors in the area. The VTCSF includes the following EDF that would reduce construction truck noise:

41. **Haul Traffic Noise:** To reduce haul traffic noise, contractors for developments pursuant to the Specific Plan shall require that haul trucks travel at low speeds (e.g., 10 mph) when operating on or adjacent to the Plan Area. The Town Center/Community Park applicant and other project applicants for future development shall ensure that this requirement is included in the construction specifications. In addition, the construction contractor shall ensure that haul trucks be fitted with properly sized and functioning exhaust mufflers.

VTCSF EDF 41 is consistent with what the City would typically require to reduce construction-related truck traffic noise under the standard approval process.

- **Construction-related vibration** – Vibration from construction-related activities could result in significant impacts at adjacent sensitive receptors. Given the fact that the adjacent residences are not historic resources, the identified minimum building setback of 35 feet from the property line with adjacent residences (thereby setting back building construction activity and sources of vibration from adjacent residences), and pile driving is not proposed, it is unlikely that the development of the VTCSF would result in significant construction-related vibration impacts.
- **Operation-related noise** – Operation of the uses at Vallco under the VTCSF could result in significant noise increases at adjacent sensitive receptors. To mitigate operation-related noise impacts at adjacent sensitive receptors, the City requires compliance with the noise standards in the Municipal Code, and could require measures that limit or attenuate noise such as sound barriers, limitations on hours of operations, and orientation of stages and speakers away from sensitive receptors.

Operation of the VTCSF would result in an increase in traffic to and from the site, which could increase noise levels at adjacent sensitive receptors. On Stevens Creek Boulevard and North Wolfe Road in the Vallco vicinity, the existing daily trips are 30,000 and 34,000 respectively. In general, for traffic noise to increase noticeably (i.e., by a minimum of three dBA), existing traffic volumes must double. The development of the VTCSF is estimated to generate approximately 30,365 average daily trips;<sup>70</sup> therefore, the development of the VTCSF would not result in significant noise increases from project-generated traffic.

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<sup>70</sup> Fehr & Peers. *Memorandum Review of the Vallco Town Center Plan Environmental Assessment, Cupertino, California*. June 13, 2016. Page 7.

- **Other noise effects**<sup>71</sup>

The noise and land use compatibility of the proposed uses in the VTCSP with the existing ambient noise environment could also be an issue. Exterior and interior noise levels at future uses at Vallco under the VTCSP would exceed the City's noise standards in the General Plan and Municipal Code.

The VTCSP includes the following EDF to meet the State and City interior noise standard at future residences on-site:

42. **Acoustical Assessment:** Prior to completion of detailed design for dwelling units, the Town Center/Community Park applicant and other project applicants for future development shall prepare an acoustical assessment to demonstrate how interior sound levels would achieve interior sound levels at or below 45 dBA CNEL. The following development standards shall be included in the acoustical assessments:

- Install HVAC systems for all residential units to ensure that windows and doors can remain closed during warm weather;
- Install double-glazed windows, especially on sides of buildings that are adjacent to busy roadways;
- Ensure that all windows and doors are properly sealed; and
- Ensure that exterior wall building materials are of an adequately rated Sound Transmission Class.

VTCSP EDF 42 is consistent with what the City would typically require of proposed residential projects to meet interior noise standards under the standard approval process.

There could also be noise compatibility issues between proposed uses on-site. The interfaces between different uses would typically be evaluated by the City when specific development projects are proposed. Noise attenuation measures (such as enclosing trash compactors and loading docks, limiting cleaning activities in parking lots/garages, and limiting commercial deliveries) could be required.

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<sup>71</sup> See footnote 56.

**Table 4: Summary of VTCSP EDF Consistency with City's Typical Mitigation or Conditions of Approval**

Environmental Resource	Compared to the City's typical mitigation or conditions of approval, the VTCSP EDF(s) are:		
	In Excess	Consistent	Inconsistent
<b>Infrastructure</b>			
<ul style="list-style-type: none"> <li>• Transportation               <ul style="list-style-type: none"> <li>- Intersection Level of Service</li> <li>- Freeway Level of Service</li> <li>- Transit Facilities</li> <li>- Bicycle and Pedestrian Facilities</li> <li>- Parking*</li> <li>- Neighborhood Intrusion</li> <li>- Safety Hazards and Accessibility</li> <li>- Construction-Related</li> </ul> </li> </ul>		X       X	
• School Services	X		
• Parks/Open Space	X		
<b>Other Public Services</b>			
• Police Services	X		
• Fire Services	X		
• Library Services	X		
<b>Utilities and Service Systems</b>			
• Wastewater Treatment/ Sanitary Sewer System		X	
• Water		X	
• Energy	X		
<b>Other Environmental Issues</b>			
• Aesthetics/Community Form		X	
• Air Quality		X	
<ul style="list-style-type: none"> <li>• Biological Resources               <ul style="list-style-type: none"> <li>- Birds and Trees</li> <li>- Nitrogen Deposition</li> </ul> </li> </ul>	X	X	
• Cultural Resources		X	
• Geology and Soils		X	
• Greenhouse Gas Emissions		X	
• Hazards and Hazardous Materials		X	
• Noise		X	
Notes: * The consistency of the parking for the Specific Plan is based on the number of parking spaces identified in the Specific Plan, rather than an EDF. No EDF was identified for parking.  Refer to the body of the report for the complete discussion of the VTCSP EDFs consistency with the City's typical mitigation or conditions of approval.			

## SECTION 3.0 REFERENCES

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Recycled Water Supply and Distribution Agreement Between City of Sunnyvale and Santa Clara Valley Water District. SCVWD Board meeting March 24, 2015 authorized SCVWD CEQ to execute agreement.

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## ATTACHMENT A: REFERENCED GENERAL PLAN POLICIES

<b><u>Policies</u></b>	<b><u>Description</u></b>
ES-1.1	Incorporate the principles of sustainability into Cupertino's planning, infrastructure and development process in order to improve the environment, reduce greenhouse gas emissions and meet the needs of the community without compromising the needs of future generations.
ES-2.1	Encourage the maximum feasible conservation and efficient use of electrical power and natural gas resources for new and existing residences, businesses, industrial and public uses.
ES-3.1	Set standards for the design and construction of energy and resource conserving/efficient building.
ES-4.1	Minimize the air quality impacts of new development projects and air quality impacts that affect new development.
ES-4.3	Discourage high pollution fireplace use.
ES-5.1	Manage the public and private development to ensure the protection and enhancement of its urban ecosystem.
ES-5.6	Provide open space linkages within and between properties for both recreational and wildlife activities, most specifically for the benefit of wildlife that is threatened, endangered or designated as species of special concern.
HS-3.2	Involve the Fire Department in the early design stage of all projects requiring public review to assure Fire Department input and modifications as needed.
HS-3.4	Discourage the use of private residential electronic security gates that act as a barrier to emergency personnel.
HS-3.7	Ensure that adequate fire protection is built into the design of multi-story buildings and require on-site fire suppression materials and equipment.
HS-4.2	Consider appropriate design techniques to reduce crime and vandalism when designing public spaces and reviewing development proposals.
HS-4.3	Recognize fiscal impacts to the County Sheriff and City of Cupertino when approving various land use mixes.
HS-6.1	Require the proper storage and disposal of hazardous materials to prevent leakage, potential explosions, fire or the release of harmful fumes. Maintain information channels to the residential and business communities about the illegality and danger of dumping hazardous material and waste in the storm drain system or in creeks.
HS-6.2	Assess future residents' exposure to hazardous materials when new residential development or childcare facilities are proposed in existing industrial and manufacturing areas. Do not allow residential development or childcare facilities if such hazardous conditions cannot be mitigated to an acceptable level of risk.
HS-8.1	Use the Land Use Compatibility for Community Noise Environments chart, the Future Noise Contour Map (see Figure D-1 in Appendix D) and the City Municipal Code to evaluate land use decisions.
HS-8.2	Minimize noise impacts through appropriate building and site design.
HS-8.3	Regulate construction and maintenance activities. Establish and enforce reasonable allowable periods of the day, during weekdays, weekends and holidays for construction activities. Require construction contractors to use the best available technology to minimize excessive noise and vibration from construction equipment such as pile drivers, jack hammers, and vibratory rollers.



<b><u>Policies</u></b>	<b><u>Description</u></b>
HS-8.4	Ensure that roads and development along Highway 85 and Interstate 280 are designed and improved in a way that minimizes neighborhood noise.
INF-7.2	Ensure that public and private developments build new and on-site facilities and/or retrofit existing on-site facilities to meet the City's waste diversion requirements.
INF-7.3	Encourage public agencies and private property owners to design their operations to meet, and even, exceed regulatory waste diversion requirements.
INF-8.1	Meet or exceed Federal, State and regional requirements for solid waste diversion through implementation of programs.
LU-19.1	Create a Vallco Shopping District Specific Plan prior to any development on the site that lays out the land uses, design standards and guidelines, and infrastructure improvements required.
LU-6.3	Projects on Historic Sites, Commemorative Sites and Community Landmarks shall provide a plaque, reader board and/or other educational tools on the site to explain the historic significance of the resource. The plaque shall include the city seal, name of resource, date it was built, a written description and photograph. The plaque shall be placed in a location where the public can view the information.
M-1.2	Participate in the development of new multi-modal analysis methods and impact thresholds as required by Senate Bill 743. However, until such impact thresholds are developed, continue to optimize mobility for all modes of transportation while striving to maintain the following intersection Levels of Service (LOS) at a.m. and p.m. peak traffic hours: <ul style="list-style-type: none"> <li>• Major intersections: LOS D;</li> <li>• Stevens Creek Boulevard and De Anza Boulevard: LOS E+;</li> <li>• Stevens Creek Boulevard and Stelling Road: LOS E+</li> <li>• De Anza Boulevard and Bollinger Road: LOS E+</li> </ul>
M-1.3	Continue to plan and provide for a comprehensive system of trails and pathways consistent with regional systems, including the Bay Trail, Stevens Creek Corridor and Ridge Trail.
M-2.1	Adopt and maintain street design standards to optimize mobility for all transportation modes including automobiles, walking, bicycling and transit.
M-2.2	Design roadway alignments, lane widths, medians, parking and bicycle lanes, crosswalks and sidewalks to complement adjacent land uses in keeping with the vision of the Planning Area. Strive to minimize adverse impacts and expand alternative transportation options for all Planning Areas (Special Areas and Neighborhoods). Improvement standards shall also consider the urban, suburban and rural environments found within the city.
M-2.3	Promote pedestrian and bicycle improvements that improve connectivity between planning areas, neighborhoods and services, and foster a sense of community.
M-2.4	Reduce traffic impacts and support alternative modes of transportation rather than constructing barriers to mobility. Do not close streets unless there is a demonstrated safety or over-whelming through traffic problem and there are no acceptable alternatives since street closures move the problem from one street to another.
M-2.5	Ensure all new public and private streets are publicly accessible to improve walkability and reduce impacts on existing streets.
M-2.6	Consider the implementation of best practices on streets to reduce speeds and make them user-friendly for alternative modes of transportation, including pedestrians and bicyclists.
M-3.2	Require new development and redevelopment to increase connectivity through direct and safe pedestrian connections to public amenities, neighborhoods, shopping and employment destinations throughout the city.

<b><u>Policies</u></b>	<b><u>Description</u></b>
M-3.3	Enhance pedestrian and bicycle crossings and pathways at key locations across physical barriers such as creeks, highways and road barriers.
M-3.4	Preserve and enhance citywide pedestrian and bike connectivity by limiting street widening purely for automobiles as a means of improving traffic flow.
M-3.5	Minimize the number and the width of driveway openings.
M-3.6	Require parking lots to include clearly defined paths for pedestrians to provide a safe path to building entrances.
M-3.8	Require new development and redevelopment to provide public and private bicycle parking.
M-4.4	Work with VTA and/or major developments to ensure all new development projects include amenities to support public transit including bus stop shelters, space for transit vehicles as appropriate and attractive amenities such as trash receptacles, signage, seating and lighting.
M-4.7	Vallco Shopping District Transfer Station - Work with VTA and/or other transportation service organizations to study and develop a transit transfer station that incorporates a hub for alternative transportation services such as, car sharing, bike sharing and/or other services.
M-5.1	Promote Safe Routes to Schools programs for all schools serving the city.
M-5.2	Ensure that bicycle and pedestrian safety improvements include projects to enhance safe accessibility to schools.
M-7.1	Follow guidelines set by the VTA related to transportation impact analyses, while conforming to State goals for multi-modal performance targets.
M-8.3	Employ Transportation Systems Management strategies to improve efficiency of the transportation infrastructure including strategic right-of-way improvements, intelligent transportation systems and optimization of signal timing to coordinate traffic flow.
M-8.4	Require large employers, including colleges and schools, to develop and maintain TDM programs to reduce vehicle trips generated by their employees and students and develop a tracking method to monitor results.
M-8.5	Encourage new commercial developments to provide shared office facilities, cafeterias, daycare facilities, lunchrooms, showers, bicycle parking, home offices, shuttle buses to transit facilities and other amenities that encourage the use of transit, bicycling or walking as commute modes to work. Provide pedestrian pathways and orient buildings to the street to encourage pedestrian activity.
M-9.2	Promote effective TDM programs for existing and new development.
M-10.1	Develop and implement an updated citywide transportation improvement plan necessary to accommodate vehicular, pedestrian and bicycle transportation improvements to meet the City's needs.
RPC-2.4	Ensure that each home is within a half-mile walk of a neighborhood park or community park with neighborhood facilities; ensure that walking and biking routes are reasonably free of physical barriers, including streets with heavy traffic; provide pedestrian links between parks, wherever possible; and provide adequate directional and site signage to identify public parks.
RPC-2.5	Provide parks and recreational facilities for a variety of recreational activities.

**ATTACHMENT B: TRANSPORTATION MEMO**



## MEMORANDUM

Date: June 28, 2016  
To: Kristy Weis, David J. Powers & Associates  
From: Franziska Church, Fehr & Peers  
Subject: **Review of the Vallco Town Center Specific Plan Environmental Assessment, Cupertino, California**

SJ15-1574

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The purpose of this memorandum is to present the results of a review of the Transportation and Circulation section of the *Vallco Town Center Specific Plan Environmental Assessment* (April 2016) (EA) prepared by Kimley-Horn. The EA was submitted to the City in April 2016 by Steve Lynch, a representative of Sandhill Property Company. The EA states that it “discloses the potential environmental effects associated with implementation of the Vallco Town Center Specific Plan, and related amendments to the City of Cupertino General Plan, *Community Vision 2015–2040* (General Plan) and the Cupertino Municipal Code, as provided for in the ballot measure to be submitted to the voters, The Vallco Town Center Specific Plan Initiative (Initiative).” (EA, pp. 1-1 and 2-1.)

As part of this review, the results of the EA were compared to the initial results and mitigation measures in the preliminary transportation assessment (PTA) prepared by Fehr & Peers as part preparing an environmental impact report (EIR) for the proposed The Hills at Vallco project. Fehr & Peers is the City's transportation consultant for the Vallco Shopping District Specific Plan, also known as The Hills at Vallco, planning process. By letter dated December 21, 2015, Applicant requested that the City and its consultants cease work on the Environmental Impact Report in light of the filing of the Cupertino Citizens' Sensible Growth Initiative (Citizens' Initiative). At the request of the applicant, information prepared by the City's consultants, prior to the time that the City and its consultant were asked to stop work on the EIR for the Hills at Vallco project, was released to the applicant's consultant, Kimley-Horn.



## FINDINGS

The findings of the review are:

- The daily and PM peak hour traffic estimates for the Project in the EA are lower than the estimates in the PTA
  - Daily estimates are 14,000 lower and PM peak hour estimates are 850 lower (AM peak hour vehicle trips estimates are 200 higher)
  - EA assumed a higher mall occupancy resulting in fewer net-added trips
- The EA did not include an analysis of intersection operations under Existing with Project Conditions
  - PTA identified 2 significant intersection impacts
- Fewer significant Project intersection impacts are identified in the EA under Background with Project Conditions
  - PTA identified 8 significant intersection impacts and EA identified 4
- Fewer significant Cumulative intersection impacts are identified in the EA
  - PTA identified 15 significant intersection impacts and EA identified 5
- Most EA mitigation measures for intersection impacts comprise modifications to signal operations that are not acceptable to the City
- The EA identified more freeway segments with significant Project impacts
  - Impacts to freeway segments are significant and unavoidable
  - In lieu of physical mitigation measures the City allows project applicants to make voluntary contributions to the VTA
- The EA does not adequately evaluate transit, pedestrian, and bicycle impacts
- The vehicle and bicycle parking estimates in the EA are low and do not meet City requirements



## PROJECT BACKGROUND

In 2015, Fehr & Peers commenced work on a Transportation Impact Analysis (TIA) for the "Vallco Shopping District Specific Plan" for inclusion in the Environmental Impact Report (EIR) being prepared by the City of Cupertino. Following the filing of the Citizens' Initiative, Fehr & Peers' work was put on hold at the request of the applicant and the technical analysis was not completed. Subsequently, in March 2016, "The Vallco Town Center Specific Plan Initiative" (VTCSP Initiative) was filed. Thereafter, the proponents of the VTCSP Initiative submitted the *Vallco Town Center Specific Plan Environmental Assessment* (Kimley-Horn, April 2016), to the City to disclose the potential environmental effects of the VTCSP. The EA includes a Transportation and Circulation chapter with a detailed evaluation of the potential effects of the VTCSP Initiative, which includes the Specific Plan and related General Plan and Municipal Code amendments, on the transportation system. This technical memorandum compares the results presented in the EA's Transportation and Circulation chapter to the preliminary technical assessment (PTA) prepared by Fehr & Peers as part of the initial CEQA process.

## PTA WORK COMPLETED TO DATE

Fehr & Peers began work on the TIA for the Vallco Shopping District Specific Plan in Spring 2015. Intersection turning movement and driveway counts were conducted in May 2015 to establish the existing setting. Coordination with City staff continued throughout the next few months with an approximate due date for the Administrative Draft of the TIA of late-December 2015/early-January 2016.

On December 22, 2015, the City and its consultants, including Fehr & Peers, stopped work on the EIR at the request of the applicant. Draft results of following items were prepared, but internal reviews for final delivery had not been conducted:

- Existing Conditions
  - Intersection level of service analysis
  - Freeway level of service analysis
  - Transit service figure and description
  - Bicycle and pedestrian facilities figure and description
  - Field observations
- Project Trip Generation, Distribution and Assignment
  - Weekday daily, morning peak hour, and evening peak hour trip generation
  - Saturday peak hour trip generation
  - Trip distribution pattern



- Trip assignment
- Existing with Project Conditions
  - Intersection level of service analysis
  - Freeway level of service analysis
- Background and Background with Project Conditions
  - Intersection level of service analysis
- Cumulative and Cumulative with Project Conditions
  - Intersection level of service analysis
  - Freeway level of service analysis
- Identification of Transportation Facility Impacts and Mitigation Measures
- Parking Analysis (including bicycle parking)

## PROJECT DESCRIPTION

The approximately 58-acre Vallco District Specific Plan area is centered at the intersection of Wolfe Road and Vallco Parkway in Cupertino, California. The project site is generally bounded by I-280 to the north, Perimeter Road to the east and west, and Stevens Creek Boulevard to the south.

A comparison of the land uses assumed under the EA and the PTA is presented in **Table 1**. Overall, the land uses assumed in the EA and PTA are very similar. Any differences are relatively minor, and do not substantially affect the comparison of the results for the EA and the PTA.



**TABLE 1: VALLCO TOWN CENTER SPECIFIC PLAN LAND USES**

Land Use	Unit	Amount under EA	Amount under PTA	Difference
<b><i>Vallco Town Center / Community Park</i></b>				
Office	1,000 sq. ft.	2,000	2,000	0
Retail/Local Fitness Use-Gym <sup>1</sup>	1,000 sq. ft.	640	650	-10
Apartment <sup>2</sup>	Dwelling units	760	760	0
Senior Adult Housing <sup>2</sup>	Dwelling units	40	40	0
Banquet Hall	1,000 sq. ft.	15	20	-5
High School Innovation Center	Students	100	100	0
Civic Meeting Space	1,000 sq. ft.	5	5	0
Office Event Center	1,000 sq. ft.	20	20	0
Office Cafeteria/Fitness	1,000 sq. ft.	20	15	+5
Additional Office Amenities	1,000 sq. ft.	135	135	0
Loading Facilities and Security Areas	1,000 sq. ft.	75	75	0
Industrial Testing and Workshop	1,000 sq. ft.	175	175	0
Central Plant	1,000 sq. ft.	45	35	-10
Rooftop Garden	Acres	30	30	0
<b><i>Remaining Vallco Shopping District (Block 14)</i></b>				
Hotel	Rooms	191	191	0
Retail	1,000 sq. ft.	0	10	-10

Notes:

1. Local Fitness Use-Gym is assumed to be approximately 50,000 square feet under the PTA (the size of the fitness us-gym is not specified the EA).
2. According to the Specific Plan Description in the EA, 160 units of the total 800 residential units would be senior apartments pursuant to state and federal law. However, both the transportation section of the EA and the PTA evaluated 40 units of the 800 total residential units as senior housing. This results in a more conservative trip generation estimate as apartments have a higher trip rate compared to senior housing.

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.





## STUDY LOCATIONS

The study intersection locations presented in the EA are the same study intersections that would have been evaluated by the City in the EIR with the exception of the Wolfe Road and I-280 ramp intersections. Given the on-going Wolfe Road / I-280 interchange analysis that is being undertaken by the City of Cupertino, the Santa Clara Valley Transportation Authority (VTA),<sup>1</sup> and Caltrans, the EA deferred analysis of these two intersections whereas the City was intending to analyze them in the EIR. The EIR analysis would have included a detailed traffic simulation analysis (using VISSIM) of the Wolfe Road corridor between Homestead Road and Stevens Creek Boulevard, including the two Wolfe Road intersections at the I-280 interchange.

The EA evaluated 38 more freeway study segments than were analyzed in the PTA (68 total segments in the EA, and 30 in the PTA). In both the EA and PTA, the freeway segments to be included in the analysis were determined based on thresholds established by VTA. Pursuant to VTA's TIA Guidelines, a freeway segment should be included if a project adds trips that equal at least one percent of the freeway segment's capacity. Both the EA and the PTA applied a manual distribution of the project trips to determine the number of project trips that would enter/exit the freeway system at individual interchanges. In the EA, VTCSP project trips were conservatively assumed to remain on the freeway for a longer distance than was assumed in the PTA, which resulted in additional freeway study segments being considered in the EA. Both the PTA and EA applied standard engineering practices, and both would generally be considered acceptable by the City of Cupertino.

## TRAFFIC COUNTS AND FORECASTS

The traffic counts that were conducted as part of the PTA were used by Kimley-Horn for the EA. In addition, freeway forecasts developed using the VTA model by Fehr & Peers were used by Kimley-Horn for the EA. Therefore, both the EA and PTA used the same initial traffic data.

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<sup>1</sup> VTA is the congestion management agency for Santa Clara County



## ANALYSIS METHODOLOGY

Both the EA and PTA generally followed the guidelines of the City of Cupertino and VTA and used the guidelines of VTA's Congestion Management Program (CMP) *Transportation Impact Analysis (TIA) Guidelines* (adopted October 2014) to evaluate potential transportation impacts.

## ANALYSIS METHODS

The intersection and freeway segment level of service calculation methods used in the EA and PTA are consistent with the methods established in VTA *Transportation Impact Analysis Guidelines*.

## LEVEL OF SERVICE STANDARDS AND SIGNIFICANT IMPACT THRESHOLDS

The level of service (LOS) thresholds for intersections and freeways used in the EA are consistent with the thresholds applied for projects within Cupertino. The significance criteria used in the EA are consistent as well.

## ANALYSIS SCENARIOS

The EA includes five analysis scenarios, while the PTA included six scenarios, to evaluate intersection impacts. The study scenarios and the traffic volume assumptions for each are summarized in **Table 2**. The City-required analysis scenarios missing from the EA and the non-typical scenario included in the EA are described in the following subsections.

### ANALYSIS SCENARIOS MISSING IN EA

It is the City's practice to evaluate Existing Conditions to describe intersection operations for the Existing Setting and to evaluate Existing with Project Conditions to determine project-specific impacts. These two scenarios are missing from the EA.

The City would typically evaluate Existing Conditions using existing counts and field observations of intersection operations. Existing Conditions would assume the current occupancy of the mall and would be the basis for which approved and pending projects would be added under Background and Cumulative Conditions, respectively. This scenario relies on the occupancy level (62 percent) that constituted the best available information (May 2015 traffic counts) when the City and its consultants stopped work on the EIR in December 2015.



VTA's *TIA Guidelines* include the Existing with Project scenario as an Optional Scenario and it is not required for CMP purposes, but the VTA Guidelines state that this scenario may be included in a TIA to address local requirements or CEQA. There some debate about the adequacy of Existing Conditions rather than Background Conditions as being representative of "baseline conditions." Jurisdictions in Santa Clara County, including Cupertino, have tended to include both to fully cover all aspects of CEQA's requirements to identify significant project impacts. Therefore, the City's EIR would have included an evaluation of Project impacts under both Existing with Project and Background with Project Conditions.

**TABLE 2: ANALYSIS SCENARIOS AND TRAFFIC VOLUME ASSUMPTIONS**

Scenario	EA	PTA
Existing	not analyzed	Traffic volumes from May 2015 counts (62% mall occupancy)
Existing with Project	not analyzed	Traffic volumes from May 2015 counts, with net new Project trips
Baseline Existing	Traffic volumes from May 2015 counts plus traffic estimates to account for increased mall occupancy (62% to 82%)	not analyzed – not a City-required analysis scenario
Background	Traffic volumes from May 2015 counts plus traffic estimates to account for increased mall occupancy (62% to 82%), plus traffic estimates for other approved development projects	Traffic volumes from May 2015 counts, plus traffic estimates for other approved development projects
Background with Project	Traffic volumes from May 2015 counts plus traffic estimates to account for increased mall occupancy (62% to 82%), plus traffic estimates for other approved development projects, with net new Project trips	Traffic volumes from May 2015 counts, plus traffic estimates for other approved development projects with net new Project trips
Cumulative	Traffic volumes from May 2015 counts plus traffic estimates to account for increased mall occupancy (62% to 82%), plus traffic estimates for other approved and pending development projects	Traffic volumes from May 2015 counts, plus traffic estimates for other approved and pending development projects
Cumulative with Project	Traffic volumes from May 2015 counts plus traffic estimates to account for increased mall occupancy (62% to 82%), plus traffic estimates for other approved and pending development projects, with net new Project trips	Traffic volumes from May 2015 counts, plus traffic estimates for other approved and pending development projects, with net new Project trips

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.



## ADDITIONAL EA ANALYSIS SCENARIO NOT USED BY THE CITY - BASELINE EXISTING CONDITIONS

The EA evaluated Baseline Existing Conditions, which is defined in Section 17.6 of the EA to consist of an 82 percent occupied mall. Historic mall occupancy data submitted by the applicant shows that the mall was on average occupied at a level of 82 percent from 2009 to 2014. At the time the counts were collected for the study, the mall was approximately 62 percent occupied. The EA estimated traffic for the additional 20 percent occupancy and added it to the surrounding roadway network. This approach results in lower net new Project trip generation due to a higher amount of occupied land use assumed within the project area as the baseline existing condition. This has the potential to show lower incremental increases in critical delay and V/C ratio when evaluating the transportation effects of the Project. This scenario is not a scenario typically included in City studies.

## ANALYSIS ASSUMPTIONS

This section discusses the analysis assumptions as they relate to Project trip generation, Project trip distribution, growth in traffic due to approved and pending developments, intersection geometry improvements assumed under the "No Project" scenarios for Background and Cumulative Conditions, and Specific Plan proposed intersection geometry improvements.

## TRIP GENERATION

Both the EA and PTA applied "Silicon Valley Office" rates, rather than generic ITE office rates, to develop trip estimates for the office uses. These rates include employee densities and the effects of TDM programs that are typical for office developments in Silicon Valley, and therefore are more representative of type of office development that would be included in the VTCSP. These Silicon Valley office rates are higher than the Apple-specific rates used in the Apple Campus 2 EIR. The use of the Silicon Valley Office rates is consistent with City practices.

**Table 3** presents the net new trip generation from the EA and the PTA. The EA's VTCSP's net new trip generation is about 200 trips greater than the PTA estimates in the AM peak hour and about 850 trips less than the PTA in the PM peak hour. The daily trips estimates in the EA are 53 percent of the daily trip estimates from the PTA.



**TABLE 3: SPECIFIC PLAN NET NEW TRIP GENERATION COMPARISON**

Report	Daily	AM Peak Hour			PM Peak Hour		
		Total	In	Out	Total	In	Out
Preliminary Technical Assessment (PTA)	30,363	2,620	2,066	554	2,435	532	1,903
Environmental Assessment (EA)	16,162	2,805	2,269	537	1,583	132	1,452
Difference (EA minus PTA)	-14,201	185	203	-17	-852	-400	-451

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.

Besides the slight differences in the land use amounts presented earlier in this memorandum, the differences in the trip generation are primarily related to the following, which are discussed in more detail below:

- Different mixed-use development trip reductions
- Different assumptions for existing site uses

### **Mixed-Use Development Trip Reduction**

Both the EA and the PTA used the MXD Trip Generation Model Version 4 created by Fehr & Peers to determine the vehicle trip reduction percentage due to the proposed mix of land uses. Although the same model was used, different mixed-use trip reduction percentages were estimated. The MXD model requires input of multiple surrounding area parameters such as employment within one mile of the project site, employment with a 30-minute transit trip, average household size near the project site, and average vehicle ownership near the site. For the PTA, Fehr & Peers used the MXD Trip Generation web interface, called MainStreet, which automatically populates these model inputs from available sources, such as VTA's regional travel demand forecasting model and US Census Data. The publically available MXD tool requires users to manually enter the MXD model parameters; which requires greater engineering judgement and discretion than the MainStreet tool. The EA does not present the parameter values applied in their MXD Trip Generation Model; therefore, the inputs cannot be verified.

Also, the Silicon Valley Office rates include reductions due to transit usage; therefore, the mixed-use percentage reduction from the MXD model, which also takes into account transit usage, was reduced in the PTA in order to avoid double counting transit ridership. The EA states that the MXD reduction applied does not assume a built-in transit reduction for the Silicon Valley office land uses. This statement cannot be verified based on the detail presented in the trip generation table.



## Existing Land Use

In May 2015, Fehr & Peers collected mid-week (Tuesday through Thursday) 72-hour counts at all of the Vallco Mall's driveways along Perimeter Road, Wolfe Road, and Vallco Parkway. These counts were used to develop trip generation estimates for the existing uses on the project site. At the time the counts were collected, the mall was about 62 percent occupied. In the PTA, trip estimates for these existing uses derived from the driveway counts were subtracted from the Project's trip estimates to develop net new Project trips.

The 82 percent mall occupancy assumed in the EA is higher than the occupancy of Vallco Mall at the time of the counts (62 percent), resulting in a higher number of trips for existing site uses being subtracted from the VTCSP's gross trip estimate. Consequently, the EA includes a lower number of net new project trips than what would have been evaluated by the City in the EIR. The method applied in the EA is not consistent with past City practices. For example, for the Apple Campus 2 project, the occupancy level of the land uses on the site at the time of the counts (~4,800 employees) was used, not the full occupancy (~9,000 employees) or some other level of occupancy, to determine the net new project trips.

## TRIP DISTRIBUTION

The trip distribution pattern from the PTA was used to assign the Project trips to the roadway system in the EA. However, the EA used a different trip distribution pattern to assign the added trips to account for increased mall occupancy from 62 to 82 percent to the roadway system for the Baseline Existing scenario. This trip distribution pattern also was used to subtract traffic generated by from existing site land uses from the local roadway network resulting in some negative volumes at some intersection turning movements.

## PROJECT INTERSECTION IMPROVEMENTS

As part of the Specific Plan, on-site roadway geometry enhancements would be constructed to accommodate the increase in traffic and changes in travel patterns. The EA lists the geometry enhancements for the project driveways. This information was not reviewed since it represents a modified site plan that is different from the plan used for the PTA.

## BACKGROUND AND CUMULATIVE DATA

Traffic volumes for Background and Cumulative Conditions under the EA use estimates of vehicle trips from approved and pending development projects within the City of Cupertino, Santa Clara, and



Sunnyvale. Intersection infrastructure projects that are planned and funded are included as well. This procedure is consistent with the procedure used by the City and for the PTA.

### Approved and Pending Projects Trip Generation, Distribution, and Assignment

Fehr & Peers did not review in detail the EA's traffic volume estimates for the approved and pending development projects to determine the "No Project" volumes for the Background and Cumulative scenarios. Engineering judgment must be applied to estimate trip generation, distribution, and assignment for each of the approved and pending projects. Therefore, it is likely that the EA and PTA estimates would be different. Fehr & Peers did review and verify that the appropriate approved and pending projects were included in the EA. Additionally, Fehr & Peers did review in detail the roadway infrastructure adjustments included under Background No Project and Cumulative No Project Conditions, which are discussed below.

### Background Intersection Improvements<sup>2</sup>

The intersection geometry assumptions for the EA were reviewed and compared to the assumptions in the PTA. The geometry assumptions included in the PTA are considered consistent with City practices. Differences between the EA and the PTA are listed below:

- **Intersection #29: Wolfe Road / Apple Campus 2 Driveway** – The EA and the PTA assumed similar geometry intersection except that the EA assumed two northbound through lanes and two westbound left-turn lanes, while the PTA assumed three lanes for each of these movements. The geometry assumptions in the PTA match what was proposed in the Apple Campus 2 TIA and is now constructed. The results presented in the EA are more conservative (i.e., higher delay/worse LOS) due to the reduced number of lanes.
- **Intersection #30: Wolfe Road / Pruneridge Avenue** – The geometry modifications assumed under Background Conditions for the EA would have been assumed under Existing Conditions in the PTA because they were constructed during the time the intersection turning movement counts were performed. However, this does not change the conclusions of the EA.
- **Intersection #33: Wolfe Road / Vallco Parkway** - The EA includes a westbound right-turn overlap phase as stated in the Apple Campus 2 TIA. After discussions with the City, implementation of a right-turn overlap phase is uncertain and was therefore not included in the PTA. The addition of the right-turn overlap phase improves intersection operations and could potentially result in impacts not being identified.

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<sup>2</sup> Includes planned and funded improvements that are included in Background Conditions but not in Existing Conditions.



- **Intersection #42: Tantau Avenue / Pruneridge Avenue** – The geometry modifications assumed under Background Conditions for the EA were assumed under Existing Conditions in the PTA. However, this does not change the conclusions of the EA.

### Cumulative Intersection Improvements

The geometry assumptions under Cumulative without and with Project Conditions were compared. There were no differences between the intersection improvements assumed under the EA and the PTA, with the exception of the intersections listed previously under Background Intersection Improvements.

## ANALYSIS RESULTS

This section discusses the EA's analysis results and compares them to those from the PTA.

### EXISTING CONDITIONS

The EA did not provide an analysis of Existing without and with Project Conditions to determine Project-specific intersection impacts. It used Background and Background with Project Conditions instead. However, the EA freeway segment analysis was conducted for Existing Conditions with and without the Project using the *2014 VTA Conformance and Monitoring Report* and Project traffic estimates. The City would evaluate both intersections and freeway segments under Existing without and with Project Conditions in the EIR.

### Intersections

Two intersections with significant Project impacts are identified in the PTA but not in the EA, because the EA did not include an Existing Conditions analysis:

- Intersection #12 De Anza Boulevard / McClellan Road-Pacifica Drive
- Intersection #55 Lawrence Expressway / Bollinger Road

### Freeways

In the PTA, the Project trips are dispersed more rapidly along the freeway network than in the EA. This reduces the number and severity of freeway impacts in the PTA. Therefore, the EA is considered conservative and identifies more freeway segment impacts than the PTA. Both the PTA and EA applied standard engineering practices and both would generally be considered acceptable by the City of Cupertino.





Of the 68 segments evaluated in the EA, a total of 30 segments had significant Project impacts in either the AM or PM peak hour. Of the 30 segments evaluated in the PTA, a total of 20 segments have significant Project impacts in either the AM or PM peak hour. **Table 4** summarizes the number of impacted locations in the PTA and EA.

**TABLE 4: IMPACTED FREEWAY SEGMENTS UNDER EXISTING CONDITIONS<sup>1</sup>**

Freeway	EA		PTA	
	Segments Studied	Segments Impacted <sup>1</sup>	Segments Studied	Segments Impacted <sup>1</sup>
SR 17	7	0	2	2
SR 85	19	14	9	5
SR 237	12	0	Not Analyzed	Not Analyzed
I-280	18	18	15	15
I-880	12	0	4	3

Notes:

1. A segment is determined to be impacted if the detailed impact analysis shows an impact in either direction of the segment, during either peak hour, and/or if the impact is on the HOV lane.

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.

In the EA, the volume of traffic assigned to the HOV lanes is higher than the currently observed HOV percentages. Applying City practices, the HOV percentage would match what is currently observed; thus, the approach in the EA likely results in more HOV lane impacts compared to the PTA.

## BACKGROUND CONDITIONS

The differences in Project intersection impacts identified in the EA and in the PTA for Background Conditions presented below. (More detailed technical explanations are attached.) There are slight volume differences for Background Conditions between the EA and the PTA at all study intersections due to differences in trip assignments for other approved development projects. There are additional volume differences between the EA and the PTA at all study intersections for Background with Project Conditions due to differences in the amount of Project traffic. These volume differences contribute to different delay estimates and ultimately different Project impacts.



### Intersections with Project Impacts in the EA and not the PTA

There were two intersections where a potential intersection impact was identified in the EA that was not identified in the PTA.

- Intersection #11 De Anza Boulevard / Stevens Creek Boulevard
- Intersection #13 De Anza Boulevard / Bollinger Road

### Intersections with Project Impacts Identified in the PTA but not the EA

There were six intersections where an impact was identified in the PTA that were not identified in the EA:

- Intersection #44 Stevens Creek Boulevard / Tantau Avenue
- Intersection #45 Stevens Creek Boulevard / Calvert Drive-I-280 Ramps (east)
- Intersection #53 Lawrence Expressway / I-280 Southbound Ramps
- Intersection #54 Lawrence Expressway / Mitty Way
- Intersection #55 Lawrence Expressway / Bollinger Road
- Intersection #57 Lawrence Expressway / Prospect Road

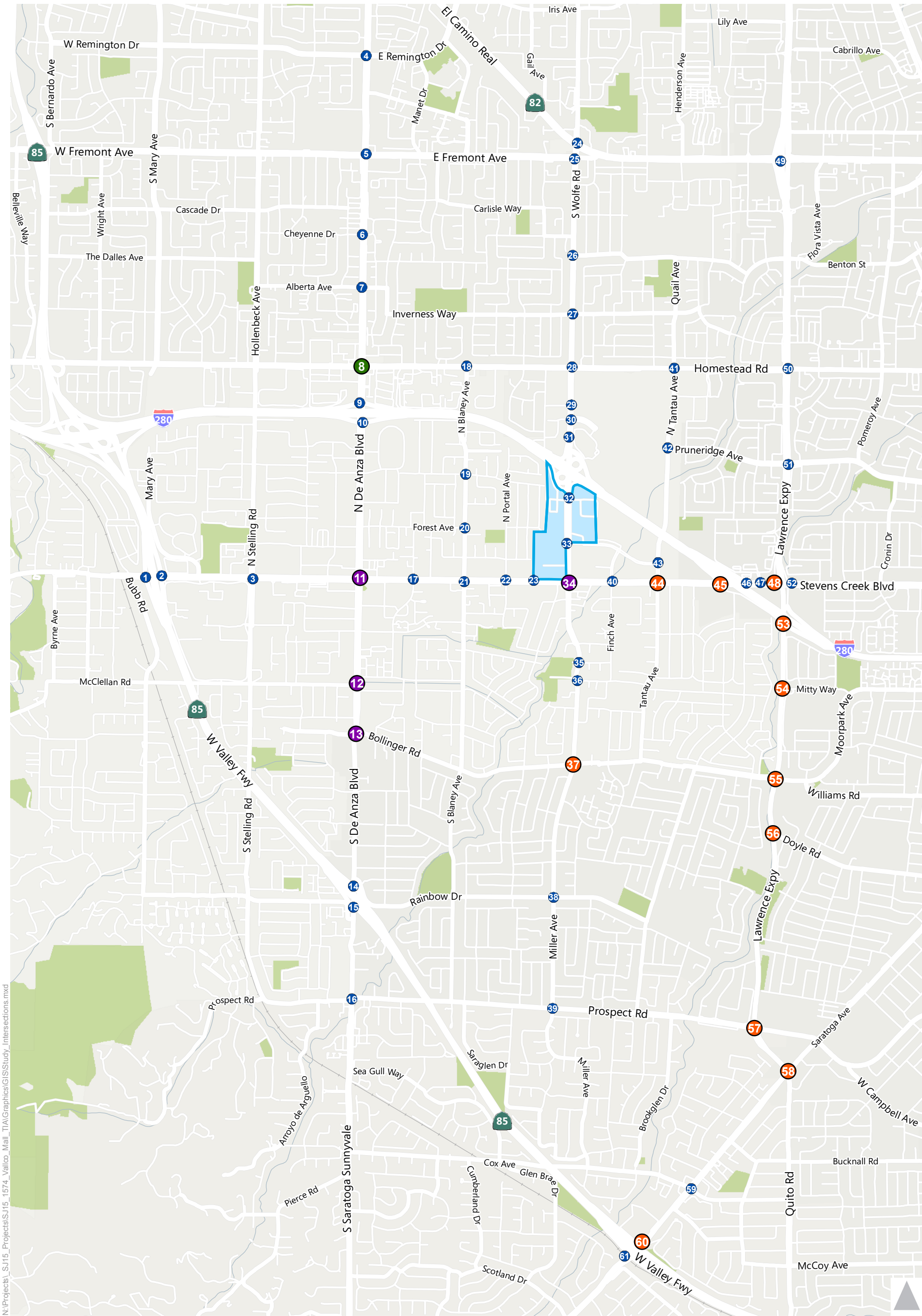
## CUMULATIVE CONDITIONS

The differences in number of intersection impacts identified in the EA and in the PTA for Cumulative Conditions are illustrated on **Figure 1** and presented below. (More detailed technical explanations are attached.) Due to the differences between the EA and the PTA in trip assignments for other approved development projects, for pending development projects, and the amount of added Project traffic, there are volume differences at the study intersections between the EA and the PTA. These volume difference contribute to different delay estimates and ultimately different impacts.

### Intersections with Cumulative Impacts in the EA and not the PTA

There was one intersection where a potential intersection impact was identified in the EA but not in the PTA.

- Intersection #8 De Anza Boulevard / Homestead Road



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- Study Intersection
- Project Area
- EA only impact
- PTA only impact
- EA + PTA impact



Figure 1

## Study Intersections with Significant Impacts



### Intersections with Cumulative Impacts Identified in the PTA but not the EA

There were eleven intersections where a Cumulative impact was identified in the PTA but not in the EA, including the six intersections with Project impacts identified under Background Conditions.

- Intersection #37 Miller Avenue / Bollinger Road
- Intersection #44 Stevens Creek Boulevard / Tantau Avenue
- Intersection #45 Stevens Creek Boulevard / Calvert Drive-I-280 Ramps (east)
- Intersection #48 Stevens Creek Boulevard / Lawrence Expressway Ramps (west)
- Intersection #53 Lawrence Expressway / I-280 Southbound Ramps
- Intersection #54 Lawrence Expressway / Mitty Way
- Intersection #55 Lawrence Expressway / Bollinger Road
- Intersection #56 Lawrence Expressway / Doyle Road
- Intersection #57 Lawrence Expressway / Prospect Road
- Intersection #58 Lawrence Expressway / Saratoga Avenue
- Intersection #60 SR 85 (North) / Saratoga Avenue

### Freeways

For the PTA, cumulative freeway volumes were estimated using the VTA Year 2040 forecasting model. The EA used the same mixed-flow freeway volumes as presented in the PTA; however, the HOV/HOT volumes were adjusted to match existing HOV/HOT percentages. The volumes presented in the EA are more conservative (i.e., higher) than those in the PTA.

In the PTA, Project trips along the freeway were dispersed more rapidly than in the EA, which means that the PTA assumes that more Project trips would get onto and off of the freeway network closer to the Project site. This reduces the number and severity of freeway impacts; therefore, the EA is considered conservative and identifies more impacts than the PTA.

Of the 68 segments evaluated under the EA, a total of 39 segments would have cumulative impacts during either the AM or PM peak hour. All 30 segments evaluated in the PTA would have cumulative impacts during either the AM or PM peak hour. **Table 5** summarizes the number of freeway segments with Cumulative impacts in the PTA and the EA.



**TABLE 5: IMPACTED FREEWAY SEGMENTS UNDER CUMULATIVE CONDITIONS**

Freeway	EA		PTA	
	Segments Studied	Segments Impacted <sup>1</sup>	Segments Studied	Segments Impacted <sup>1</sup>
SR 17	7	3	2	2
SR 85	19	18	9	5
SR 237	12	0	Not Analyzed	Not Analyzed
I-280	18	18	15	15
I-880	12	0	4	4

Notes:

1. A segment is determined to be impacted if the detailed impact analysis shows an impact in either direction of the segment, during either peak hour, and/or if the impact is on the HOV lane.

Source *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.

In addition, in the EA, the volume of Project traffic assigned to the HOV lanes is higher than the currently observed HOV percentage. In the PTA, the amount of Project traffic assigned to the HOV lanes would be the same as the currently observed percentage. Thus the approach in the PTA likely results in fewer HOV lane impacts.

## IMPROVEMENT MEASURES

The VTCSP identifies Environmental Design Features (EDFs) to address transportation impacts identified in the EA. These are discussed in more detail below.

## INTERSECTION IMPROVEMENTS

Under the EA, six intersection improvements are proposed as part of the VTCSP and are presented in **Table 6**. The preliminary intersection mitigation measures identified in the PTA are also presented in **Table 6**. City of Cupertino's *General Plan Amendment, Housing Element Update, and Associated Rezoning Draft EIR* (June 2014) identified several intersection impacts and potential mitigation measures. **Table 6** also identifies whether EDFs and preliminary improvements from the PTA are consistent with the General Plan.

The VTCSP also identifies financial contributions to address potential transportation deficiencies including traffic signal software, freeway segment improvements, and improvements to the Wolfe Road/ I-280 interchange, which are discussed in more detail in the following subsections.



## SIGNAL IMPROVEMENTS

To improve overall traffic operations along De Anza Boulevard (between I-280 and SR 85), Wolfe Road (generally between El Camino Real and Stevens Creek Boulevard), select locations on Stevens Creek Boulevard (Agilent Driveway and Perimeter Road) and the intersection of Tantau Avenue and Pruneridge Avenue, the VTCSP identifies a \$2M to \$3M contribution toward new signal software and improved signal coordination. It should be noted that as written in the VTCSP, the \$2M to \$3M contribution would not come solely from the Town Center/Community Park applicant, but also other project applicants in the area; although the other project applicants are not identified. Contributions toward signal software and improved signal coordination would be based on the project's fair share contribution necessary to mitigate its portion of any impacts identified in the EIR, and may be negotiated further in the context of a development agreement.

## I-280/WOLFE ROAD INTERCHANGE

The VTCSP identifies payment of \$26M towards the planned transportation improvements at the I-280/Wolfe Road interchange. The total cost of the new interchange is preliminarily estimated at around \$70M to \$80M. The VTCSP contribution equates to approximately 25 percent of the total cost. It should be noted that contributions toward freeway interchange improvements are typically assessed to determine the appropriate fair share contribution and finalized in consultation with the City and other appropriate agencies. This improvement is part of the Traffic Mitigation Fee Program discussed below.

## TRAFFIC MITIGATION FEE PROGRAM

The City of Cupertino's *General Plan Amendment, Housing Element Update, and Associated Rezoning Draft EIR* (June 2014) identified several intersection impacts. Under a standard EIR analysis, the Project would be subject to the Traffic Impact Fee mitigation measures identified in the General Plan.

Consistent with General Plan Policy M-10.2 and General Plan EIR Mitigation Measure TRAF-1, the City Public Works Department is currently undertaking the preparation of a nexus study and citywide traffic mitigation fee program (TMFP) for consideration by the City Council. At this time, however, there is no TMFP in place. If the City adopts a TMFP before a developer applies for building permits to develop the Vallco Town Center Specific Plan area, the applicant would pay the amount of the fee applicable to the project. Payment of the fee could either be required as a condition of project approval or issuance of permits, or as a term of a development agreement, if one is entered.

The EA identifies several Environmental Design Features (EDFs) that would mitigate identified transportation impacts. These EDFs include both physical improvements and monetary contributions.





Because the Initiative also requires substantial contributions to some of the same traffic improvements that may be included in the program of improvements funded by the TMFP, the developer's contribution under the future TMFP could be partially or fully offset by the contributions and improvements required by the Initiative to the extent that the fees payable pursuant to the TMFP are intended to fund the same improvements. If, on the other hand, the City has not adopted a TMFP before issuance of building permits, the developer will still be required to contribute those funds and improvements described in the Initiative, including, e.g., \$30 million for freeway infrastructure, specifically the build-out of the roadway improvements planned for North Wolfe Road and 1-280 overpass and interchange and future 1-280 freeway segment improvements, to address traffic congestion, as well as any other transportation mitigation measures identified pursuant to CEQA review for subsequent approvals.

## LAWRENCE EXPRESSWAY FACILITIES

The VTCSP identifies a fair share contribution toward planned transportation improvements at Lawrence Expressway intersections with Homestead Road, Pruneridge Avenue, and Prospect Road. Because the fair share calculation would be based on the number of trips added by the VTCSP and the EA had a lower trip generation estimate than the PTA, the EA contribution would be lower than what would be required by the City in the EIR. Under the EA, approximately three to five percent of the total background traffic along Lawrence Expressway is VTCSP traffic. Under the PTA, approximately two to three percent of the total background traffic along Lawrence Expressway is VTCSP traffic. However, the background volumes along Lawrence Expressway are approximately 1,000 vehicles higher under the PTA compared to the EA.

Additionally, the PTA assessment identified potential transportation impacts at other locations on Lawrence Expressway, including the southbound ramps at Stevens Creek Boulevard, Mitty Way, Bollinger Road, Doyle Road, and Saratoga Avenue.



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection	Potential TIF Intersection <sup>1</sup>	PTA			EA			Mitigation Included in GP EIR (PTA/EA)
		Impact	Mitigation	Impact	Improvement	City Comments		
Existing Conditions								
12	De Anza Boulevard / McClellan Road	Yes	Yes LOS E V/C incr.>0.01	Realign the current off-set intersection and provide double left-turn lanes on the northbound and southbound De Anza Boulevard with associated receiving lanes <i>(City of Cupertino General Plan 2014)</i> .	No	No Impact	N/A	Yes / N/A
55	Lawrence Expressway / Bollinger Road	No	Yes LOS F Delay incr.>4s	Construct a third eastbound left-turn lane and third westbound left-turn lane <i>(Santa Clara County Draft Expressway Plan 2040)</i> .	No	No Impact	N/A	No / N/A
Background Conditions								
11	De Anza Boulevard / Stevens Creek Boulevard	Yes	No	No Impact	Yes LOS E+ to LOS E-	Provide eastbound right turn and northbound right turn overlap phases  Monitor operation to evaluate need for extended westbound left-turn pocket	City would not support this improvement.	N/A / No
12	De Anza Boulevard / McClellan Road	Yes	Yes LOS E V/C incr.>0.01	Realign the current off-set intersection and provide double left-turn lanes on the northbound and southbound De Anza Boulevard with associated receiving lanes <i>(City of Cupertino General Plan 2014)</i> .	Yes LOS D to LOS E	Provide an eastbound right turn overlap phase.	City would not support this improvement.	Yes / No





**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection		Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
			Impact	Mitigation	Impact	Improvement	City Comments	
13	De Anza Boulevard / Bollinger Road	No	No	No Impact	Yes LOS D to LOS E	Provide a westbound right turn overlap phase.	City would not support this improvement.	N/A / No
34	Wolfe Road / Stevens Creek Boulevard	Yes	Yes LOS E Delay incr.>4s	Restripe westbound leg to provide designated right-turn lane by narrowing existing lanes ( <i>City of Cupertino General Plan 2014</i> ).	Yes LOS D to LOS E	Add a second southbound left turn lane.  Provide an overlap phase for the southbound right turn and the eastbound right turn OR pay \$250,000 in lieu traffic impact fee.	City supports this improvement.  City would not support this improvement.	Yes / No
44	Tantau Avenue / Stevens Creek Boulevard	Yes	Yes LOS E Delay incr.>4s	Construct an additional separate left-turn lane on northbound Tantau Avenue ( <i>City of Cupertino General Plan 2014</i> ).	No	No Impact	N/A	Yes / N/A
45	Stevens Creek Boulevard / Calvert Drive – I-280 Ramps	Yes	Yes LOS F Delay incr.>4s	Signal improvements	No	Implementation of new traffic signal software	City supports this improvement	Yes / N/A
53	Lawrence Expressway / Calvert Drive – I-280 Southbound Ramp	No	Yes LOS F Delay incr.>4s	Pay fair share contribution toward an overpass from southbound Lawrence Expressway to I-280 southbound on-ramp. ( <i>Santa Clara County Draft Expressway Plan 2040</i> ).	No	No Impact	N/A	No / N/A



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection	Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
		Impact	Mitigation	Impact	Improvement	City Comments	
54 Lawrence Expressway / Mitty Way	No	Yes LOS F Delay incr.>4s	Pay fair share contribution toward the widening of Lawrence Expressway between Moorpark Avenue and I-280 Southbound Ramps ( <i>Santa Clara County Draft Expressway Plan 2040</i> ).	No	No Impact	N/A	No / N/A
55 Lawrence Expressway / Bollinger Road	No	Yes LOS F Delay incr.>4s	Construct a third eastbound left-turn lane and third westbound left-turn lane ( <i>Santa Clara County Draft Expressway Plan 2040</i> ).	No	No Impact	N/A	No / N/A
57 Lawrence Expressway / Prospect Road	No	Yes LOS F Delay incr.>4s	Pay fair share contribution toward a second eastbound left-turn lane from Prospect Road to Lawrence Expressway ( <i>Santa Clara County Valley Transportation Plan 2040</i> ).	No	No Impact	N/A	No / N/A
<b>Cumulative Conditions</b>							
8 De Anza Boulevard / Homestead Road	No	No	No Impact	Yes LOS D to LOS E	Provide an eastbound right-turn overlap phase.	City would not support this improvement.	N/A / No
11 De Anza Boulevard / Stevens Creek Boulevard	Yes	Yes LOS E+ to LOS F	Pay fair share contribution to the addition of a separate westbound right-turn lane from Stevens Creek Boulevard to De Anza Boulevard ( <i>City of Cupertino General Plan 2014</i> ).	Yes LOS E to LOS F	Provide eastbound right turn and northbound right turn overlap phases  Monitor operation to evaluate need for extended westbound left-turn pocket	City would not support this improvement.	Yes / No



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection		Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
			Impact	Mitigation	Impact	Improvement	City Comments	
12	De Anza Boulevard / McClellan Road	Yes	Yes LOS E V/C incr.>0.01	Same mitigation as identified under Background Conditions.  (Realign the current off-set intersection and provide double left-turn lanes on the northbound and southbound De Anza Boulevard with associated receiving lanes ( <i>City of Cupertino General Plan 2014</i> )).	Yes LOS D to LOS E	Provide an eastbound right turn overlap phase.	City would not support this improvement.	N/A / No
13	De Anza Boulevard / Bollinger Road	No	Yes LOS E Delay incr.>4s	No feasible improvement at this location. (Significant and Unavoidable)	Yes LOS E Delay incr.>4s	Provide a westbound right turn overlap phase.	City would not support this improvement.	N/A / No
34	Wolfe Road / Stevens Creek Boulevard	Yes	Yes LOS F Delay incr.>4s	Same mitigation as identified under Background Conditions.  (Restripe westbound leg to provide designated right-turn lane by narrowing existing lanes ( <i>City of Cupertino General Plan 2014</i> )).	Yes LOS F Delay incr.>4s	Add a second southbound left turn lane.  Provide an overlap phase for the southbound right turn and the eastbound right turn OR pay \$250,000 in lieu traffic impact fee.	City supports this improvement.  City would not support this improvement.	Yes / No
37	Miller Avenue/Bollinger	No	Yes LOS E Delay incr.>4s	Pay fair share contribution to provide a dedicated right-turn lane on southbound Miller Avenue.	No	No Impact	N/A	No/No



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection	Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
		Impact	Mitigation	Impact	Improvement	City Comments	
44	Tantau Avenue / Stevens Creek Boulevard	Yes	Yes LOS D to LOS E  (Construct an additional left-turn lane on northbound Tantau Avenue ( <i>City of Cupertino General Plan 2014</i> )).	No	No Impact	N/A	Yes / N/A
45	Stevens Creek Boulevard / Calvert Drive – I-280 Ramps	Yes	Yes LOS F Delay incr.>4s  Same mitigation as identified under Background Conditions.  (Signal improvements.)	No	Implementation of new traffic signal software	City supports this improvement	Yes / N/A
48	Lawrence Expressway Southbound Ramp / Stevens Creek Boulevard	No	Yes LOS E to LOS F  Pay fair share contribution to the addition of a second southbound right-turn lane from the Lawrence Expressway Ramp to Stevens Creek Boulevard ( <i>City of Cupertino General Plan 2014</i> ).	No	No Impact	N/A	Yes / N/A
53	Lawrence Expressway / Calvert Drive – I-280 Southbound Ramp	No	Yes LOS F Delay incr.>4s  Same mitigation as identified under Background Conditions.  (Pay fair share contribution toward an overpass from southbound Lawrence Expressway to I-280 southbound on-ramp. ( <i>Santa Clara County Draft Expressway Plan 2040</i> )).	No	No Impact	N/A	No / N/A



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection		Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
			Impact	Mitigation	Impact	Improvement	City Comments	
54	Lawrence Expressway / Mitty Way	No	Yes LOS F Delay incr.>4s	Same mitigation as identified under Background Conditions.  (Pay fair share contribution toward the widening of Lawrence Expressway between Moorpark Avenue and I-280 Southbound Ramps ( <i>Santa Clara County Draft Expressway Plan 2040</i> )).	No	No Impact	N/A	No / N/A
55	Lawrence Expressway / Bollinger Road	No	Yes LOS F Delay incr.>4s	Same mitigation as identified under Background Conditions.  (Construct a third eastbound left-turn lane and third westbound left-turn lane ( <i>Santa Clara County Draft Expressway Plan 2040</i> )).	No	No Impact	N/A	No / N/A
56	Lawrence Expressway / Doyle Road	No	Yes LOS F Delay incr.>4s	No feasible improvements at this location. (Significant and Unavoidable)	No	No Impact	N/A	No / N/A
57	Lawrence Expressway / Prospect Road	No	Yes LOS F Delay incr.>4s	Same mitigation as identified under Background Conditions.  (Pay fair share contribution toward a second eastbound left-turn lane from Prospect Road to Lawrence Expressway ( <i>Santa Clara County Valley Transportation Plan 2040</i> )).	No	No Impact	N/A	No / N/A



**TABLE 6: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR INTERSECTIONS**

Intersection	Potential TIF Intersection <sup>1</sup>	PTA		EA			Mitigation Included in GP EIR (PTA/EA)
		Impact	Mitigation	Impact	Improvement	City Comments	
58 Lawrence Expressway / Saratoga Avenue	No	Yes LOS F Delay incr.>4s	Pay fair share contribution toward a second eastbound left-turn lane from northbound Saratoga Avenue to northbound Lawrence Expressway ( <i>Santa Clara County Draft Expressway Plan 2040</i> ).	No	No Impact	N/A	No / N/A
60 SR 85 Northbound Ramps / Saratoga Avenue		Yes LOS D Delay incr.>4s	Pay fair share contribution toward reconfiguring the northbound off-ramp approach to include two left-turn lanes and two right-turn lanes ( <i>Fehr &amp; Peers 2015</i> ).	No	No Impact	N/A	No / N/A

Notes:

1. TIF intersections are those that are currently identified in the General Plan EIR as locations that would be included in the City's pending Traffic Mitigation Fee Program.

Source: Vallco Town Center *Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.



## FREEWAY IMPROVEMENTS

For the potential freeway impacts identified in the EA, the VTCSP proposes to pay a contribution of \$4M towards planned transportation improvements identified in VTA's Valley Transportation Plan 2040 that would benefit the affected freeway segments. The PTA had not identified the Project's traffic contribution to the impacted freeway segments to assess the potential magnitude of a fair share financial contribution. Although it should be noted that contributions to the VTA for freeway impacts are voluntary and the amounts are typically finalized in consultation with the City and other appropriate agencies. Overall, the City of Cupertino would request that the freeway fair share contribution be allocated to the I-280/Wolfe Road interchange, discussed below. **Table 7** summarizes the impacted freeway segments for both the PTA and the EA, along with the proposed mitigations that would be required under the PTA or are proposed as part of the EA.

## TRANSPORTATION DEMAND MANAGEMENT

The VTCSP includes a detailed TDM Plan for the office components with a required vehicle trip reduction of 30 percent below estimates using ITE's Office (ITE 710) trip generation rates. The Plan does not include trip reduction targets for the residential or commercial components.

The TDM Plan includes appointment of a TDM manager to implement and monitor the TDM Plan through annual driveway counts. The TDM Plan contains specific measures that could be implemented, along with a monitoring plan and penalty system, if goals are not achieved.

The 30 percent trip reduction is applied to estimates based on ITE rates and not the Silicon Valley office rates used to estimate the office trip generation in both the EA and PTA. The Silicon Valley office rates already account for a 17 percent AM peak hour and 19 percent PM peak hour TDM reduction. Thus the TDM Plan proposes to further reduce project trips by only an additional 13 and 11 percentage points for the AM and PM peak hours, respectively.

The TDM Plan is similar to what the City adopted as part of the Apple Campus 2 project and includes annual monitoring for the first ten years. If in the last three years the targets are met, then the frequency of monitoring is reduced to every two years. If TDM goals are not met while biennial monitoring is being conducted, the monitoring frequency reverts back to an annual basis. One difference is that the proposed monitoring starts one year after occupancy, while Apple is required to start monitoring 6 months after occupancy.



**TABLE 7: LIKELY EIR MITIGATIONS / PROPOSED EA IMPROVEMENTS FOR FREEWAY SEGMENTS**

Freeway Segment	PTA			EA		
	Segments Studied	Segments Impacted	Mitigation	Segments Studied	Segments Impacted	Improvement
<b>Existing Conditions</b>						
SR 17	2	2	Pay a contribution to freeway improvements as negotiated with VTA.	7	0	No impacts.
SR 85	9	5	Pay a contribution to freeway improvements as negotiated with VTA.	19	14	\$4 million toward freeway improvements along I-280 and other freeways.
SR 237	0	0	No impacts	12	0	No impacts.
I-280	15	10	Pay a contribution to freeway improvements as negotiated with VTA.	18	16	\$4 million toward freeway improvements along I-280 (and other freeways) and \$26 million toward Wolfe Road/I-280 interchange improvements.
I-880	4	3	Pay a contribution to freeway improvements as negotiated with VTA.	12	0	No impacts.
<b>Cumulative Conditions</b>						
SR 17	2	2	Pay a contribution to freeway improvements as negotiated with VTA.	7	3	\$4 million toward freeway improvements along I-280 and other freeways.
SR 85	9	9	Pay a contribution to freeway improvements as negotiated with VTA.	19	18	\$4 million toward freeway improvements along I-280 and other freeways.
SR 237	0	0	No impacts	12	0	No impacts.
I-280	15	15	Pay a contribution to freeway improvements as negotiated with VTA.	18	18	\$4 million toward freeway improvements along I-280 (and other freeways) and \$26 million toward Wolfe Road/I-280 interchange improvements.
I-880	4	4	Pay a contribution to freeway improvements as negotiated with VTA.	12	0	No impacts.

Source: Vallco Town Center *Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.





The penalty fee is \$5 per trip, which is the same as required by Apple; however the VTCSP TDM Plan proposes that this penalty is paid every three months until the next monitoring period (i.e., four payments annually). This is not required by Apple.

Some other differences from the Apple Campus 2 TDM Plan is that the VTCSP TDM Plan includes a provision that if the targets are not met and the TDM measures are increased/modified with the goal of meeting the TDM targets, then the penalty would be reduced to \$3 per trip. The revised Plan would require City approval. Additionally, since the office component of the VTCSP will not necessarily be occupied by one company and may have multiple tenants, the TDM Plan includes provisions that the new tenants can amend the TDM Plan per City approval.

Overall, the TDM Plan as outlined in the VTCSP is consistent with past practices in the City of Cupertino. One exception is that the TDM Plan states that if the City and future office development applicants cannot reach an agreement on a revised TDM Plan that that penalty shall accrue at a rate of \$3 per trip per weekday. With no agreement, the City would typically require the penalty to revert back to the original \$5 per trip fee.

In terms of implementation of the TDM Plan it is not clear how the office trip generation will be monitored separately from the remaining VTCSP uses. The offices uses do not have exclusive parking areas with driveways that are discrete from the remaining uses of the VTCSP. Thus any driveway counts would include all uses on the site and it would be difficult to determine trips generated by the office uses alone and whether the TDM goals are being met.

Overall, the TDM Plan would further reduce the trips generated by the Project as compared what was analyzed in the EA and PTA. Thus level of impacts identified in the EA would be further reduced.

## **TRANSIT EVALUATION**

Under the EA, transit ridership was estimated to be approximately 260 peak hour transit riders based on the mixed-use trip generation analysis. Under the EIR, the number of transit riders would be estimated by using the mixed-use trip generation analysis and by taking into account the transit ridership incorporated into the Silicon Valley office trip generation rates. This would most likely result in a higher number of transit riders associated with the Project that may or may not produce transit capacity impacts.

The EA calculates transit delay based on the average speed for each route throughout the study area under Background and Background with Project Conditions. The EA specifies that an impact would result when the average speed reduces by one mph or more when under Background Conditions the average speed is below 15 mph. When the speed is greater than 15 mph under Background Condition, an impact



would result when the speed reduces to below 15 mph, or if the Project results in a 25 percent reduction in the average speed. The City of Cupertino and VTA do not have a specified significance threshold for transit delay; although it is not uncommon for the lead agency to develop impact thresholds for evaluation purposes. Based on the threshold established in the EA, the VTCSP would have no transit delay impacts.

The EIR would have completed a transit delay analysis under Existing, Background, and Cumulative and all With Project Conditions to determine the amount of additional delay along each route throughout the study area. Therefore, the EIR would have evaluated the potential transit delay increases under multiple analysis scenarios and relied on the City to work closely with VTA to determine the need for improvements related to potential in transit delay impacts.

The VTCSP includes the following transit improvements, which would be implemented by the VTCSP and other developments, to the extent not already constructed or funded by other existing commitments:

- Public transit center on the east side of the Specific Plan Area to serve office workers
- Public transit center as part of the Mobility Hub on the north side of Stevens Creek Boulevard

In general these improvements seem reasonable and the VTCSP would need good access to transit to achieve its trip reduction goals. The City would negotiate with VTA transit improvements to be included as part of the Project during its planning and design stage to ensure that they are consistent with VTA's long-term plans and needs. Thus without confirmation with VTA the adequacy of the proposed transit improvements cannot be determined.

## **BICYCLE AND PEDESTRIAN EVALUATION**

According to the 2014 update to the VTA TIA Guidelines, a bicycle and pedestrian quality of service evaluation should be included as part of the EIR process. Therefore, the EIR would have evaluated the bicycle and pedestrian Quality of Service at all intersections where there is a proposed geometric change (including likely EIR mitigation measures). The evaluation would be completed using one of the Quality of Service methods provided within the VTA TIA Guidelines. A qualitative assessment of the current and proposed bicycle and pedestrian infrastructure would have been provided in accordance with City of Cupertino's May 2011 Bicycle Transportation Plan (the City is in the process of updating their Bicycle Plan with an anticipated release date of June 2016), City of Cupertino's April 2002 Pedestrian Transportation Guidelines, and the 2008 Santa Clara Countywide Bicycle Plan (the Countywide Bicycle Plan is currently being updated by VTA with an anticipated release date of Spring 2017) .



Under the EA, the current and proposed bicycle and pedestrian infrastructure is described for the proposed site, but there is no Quality of Service evaluation that would be included under the EIR.

The VTCSP includes the following bicycle and pedestrian improvements, to the extent not already constructed or funded by other existing commitments:

- Green color backed sharrows on Tantau Avenue between Stevens Creek Boulevard and Bollinger Road
  - Sharrows are already included on this segment of Tantau Avenue and the City would likely not require them to be modified to green color backed sharrows.
- Marked bike loop-detectors on southbound Portal Avenue at its intersection with Stevens Creek Boulevard.
  - This improvement would likely be required by the City as part of the EIR process.
- Convert all-way stop-control to a two-way stop control at the Portal Avenue/Wheaton Drive intersection, with stops on Wheaton Drive.
  - The City would likely not require this improvement as part of the VTCSP.
- Green color backed sharrows on Portal Avenue between Stevens Creek Boulevard and Wheaton Drive.
  - The City would likely require sharrows on this segment of Portal Avenue, though green backing would not be required.
- Ladder style crosswalk at Amherst Drive/Portal Avenue intersection.
  - The City would likely require this improvement as part of the VTCSP.
- "Neighborhood Greenway" signage on Portal Avenue.
  - The City would likely require this improvement as part of the VTCSP.
- Provide \$6M cash donation to analyze and construct a 2-mile bicycle/pedestrian trail along the southern edge of I-280 between De Anza Boulevard and Wolfe Road
  - The City would likely require this improvement as part of the VTCSP.

In addition to the measures outlined above, the City would likely require additional improvements, such as green or buffered lanes on Wolfe Road, Class IV protected bike lanes on Stevens Creek Boulevard, and removal of pork chop islands at the Stevens Creek Boulevard/Wolfe Road intersection. Additionally, the City would require enhanced pedestrian crossings at the Stevens Creek Boulevard intersections at Perimeter Road and Wolfe Road, as well as the Vallco Parkway intersections at Wolfe Road and Perimeter Road. The Specific Plan requires a developer to "construct and/or fund additional improvements to pedestrian and bike trail(s) throughout the Plan Area, including along the entirety of the existing



Perimeter road, and in the Plan Area vicinity to improve Safe Routes to Schools and address both bike and pedestrian safety and traffic concerns.” (C-90.) Therefore, the Specific Plan contemplates that additional measures, like those the City would typically require, are required community benefits.

## **PARKING**

The VTCSP discusses both proposed vehicle and bicycle parking.

### **VEHICLE PARKING**

In the VTCSP, vehicle parking within the plan area was designed to: a) meet the needs of site while avoiding spillover into adjacent neighborhoods, and b) to limit excess parking supply to support the trip reduction goals of the Project. A major component of the VTCSP’s parking supply recommendations are based on the mixed-use nature of the site. The VTCSP includes a total of 9,060 parking spaces.<sup>3</sup>

The City of Cupertino’s Municipal Code section 19.124.040 provides minimum parking requirements for mixed-use developments. The EA calculates the parking supply for the plan area by first calculating the parking supply requirements separately for each land use as set forth in the City of Cupertino’s Municipal Code. Then it applies the Municipal Code’s weekday PM peak hour shared use parking reductions to the City’s standard for each separate land use resulting in a parking requirement of 11,215 spaces. This number is further reduced by the 21 percent mixed-use trip reduction factor calculated as part of trip generation, resulting in a parking requirement of 8,860 spaces. The EA concludes that the proposed parking supply of 9,060 spaces exceeds the parking supply by 200 spaces.<sup>4</sup>

The 21 percent reduction used in the EA is based on the MXD reduction for daily trips used within the trip generation calculation. Although trip generation and parking are linked, it is not standard engineering practice to apply vehicle trip reductions to estimate parking supply reductions. Additionally, the EA minimum parking requirements double counts the mixed use reductions as follows: (1) once using the Municipal Code’s shared parking reductions; and (2) again using the 21 percent MXD reduction.

Under the PTA, the City’s shared parking calculations for mixed-use developments established in the Municipal Code would result in a parking requirement of 10,413 parking spaces. It would be

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<sup>3</sup> Under the Specific Plan, this number may be increased or decreased by 5% (450 stalls) without approval of the Community Development Director. It further contemplates that parking beyond the 5% deviation can be granted by the Community Development Director with “justification for the adjustment being sought.”

<sup>4</sup> There is an error in the parking supply calculation as presented in the EA. Based on the information presented in Table 17-17 the parking supply requirement for the Retail component would be 1,540 spaces and not 1,440 spaces ( $640 \text{ ksf} \times 4 \text{ spaces/ksf} = 2,560 \text{ spaces}$ ;  $2,560 \text{ spaces} \times 60\% = 1,540$ ). This would change total parking requirement to 11,315 or 8,939 spaces after applying the MXD reduction.



recommended as part of the EIR that a parking study be conducted to determine the demand for the project. The study could also review sources such as ULI that provide shared parking models. Overall, the EA's conclusions for parking are not consistent with City practices.

## BICYCLE PARKING

As presented in the EA, the City of Cupertino has the following bicycle parking requirements, presented in **Table 8**, which are consistent with what is presented in the City of Cupertino's Municipal Code.

**TABLE 8: CITY OF CUPERTINO BICYCLE PARKING REQUIREMENTS**

Land Use	Bicycle Space Rate Requirement	Approximate Bicycle Space Requirement
High Density Multiple-Family	One Class I space for every 0.4 dwelling unit	640 – Class I
Office (Corporate/Administrative/General Multi-Tenant)	One Class I facility for every 0.05 automobile parking space	382 – Class I
Commercial	One Class II facility for every 0.05 automobile parking space	128 – Class II

Source: City of Cupertino Municipal Code (Section 19.124.040).

Applying the rates outlined in **Table 8**, the Project would be required to provide 1,022 Class I parking spaces (640 + 382) and 128 Class II parking spaces. Class I bicycle parking spaces are usually enclosed and are intended for long-term parking, while Class II bicycle parking is more intended for short-term parking and typically includes bike racks.

The EA determined the bicycle parking requirements based on the vehicle parking supply numbers that were reduced for shared parking and mixed use. This resulted in a recommended bicycle supply of 487 Class I facilities and 81 Class II facilities. Although not specified in the Municipal Code, the City typically applies the bicycle parking supply rates to the gross parking supply numbers. Thus the bicycle parking supply calculations presented in the EA are not consistent with City practices.

## NEIGHBORHOOD INTRUSION

The VTCSP includes a \$300,000 fund for neighborhood traffic/parking monitoring and for construction of any necessary neighborhood protection measures to ensure there will be no Project parking spill-over or cut through traffic in the adjacent neighborhoods. As part of the environmental review process, the City would require a similar fee to monitor and implement any improvements related to neighborhood intrusion. Apple Campus 2 was required to set aside a \$250,000 fund for monitoring within Santa Clara



and \$500,000 within Sunnyvale. Overall the \$300,000 fund is reasonable, although the City could require a fund up to approximately \$500,000 to monitor traffic and parking intrusion in the surrounding neighborhoods based on Apple Campus 2.

## **VEHICLE MILES TRAVELED (VMT)**

As part of the EIR, an estimate of vehicle miles traveled (VMT) would have been calculated. VMT estimates would have been produced using the MainStreet trip generation tool referenced above for use in the trip generation estimates. Based on this web-based tool, the Project will generate an estimated 321,930 VMT. Using rough estimates of the service population and VMT characteristics, this translates to approximately 29.0 VMT per service population. The existing land uses on the site (at 62 percent occupancy) generate approximately 62.2 VMT per service population (102,870 VMT). Thus, although the total VMT would increase due to the redevelopment of the site; the VMT per service population would decrease.

# ATTACHMENT

## DETAILED EXPLANATIONS FOR DIFFERENCES IN PROJECT INTERSECTION IMPACTS AND CUMULATIVE INTERSECTION IMPACTS

### BACKGROUND CONDITIONS

Detailed technical explanations for the differences in Project intersection impacts identified in the EA and in the PTA are presented below. The primary explanation is volume differences caused by different trip assignments for other approved development projects and due to differences in the amount of Project traffic. These volume differences contribute to the different delay estimates and ultimately different Project impacts.

#### Intersection with Project Impacts in the EA and not the PTA

There was one intersection where a potential intersection impact was identified in the EA that was not identified in the PTA.

- Intersection #13 De Anza Boulevard / Bollinger Road:
  - For the PTA, intersection level of service calculation factors for CMP intersections were taken from the VTA 2014 CMP Traffic network. The arrival type provided in the CMP Traffic network is different than what was used for the EA. The EA's approach is not consistent with what the City would do for an EIR; however, Fehr & Peers did not test if the application of the appropriate arrival type in combination with the EA's volumes would result in a significant impact.

#### Intersections with Project Impacts Identified in the PTA but not the EA

There were seven intersections where an impact was identified in the PTA that were not identified in the EA:

- Intersection #44 Stevens Creek Boulevard / Tantau Avenue:
  - The primary reason for the impact difference is the differences in trip assignments for approved development projects and the amount of added Project traffic.
- Intersection #45 Stevens Creek Boulevard / Calvert Drive-I-280 Ramps (east):

- Differences in cycle length used in the EA and the PTA of 160 and 100 seconds, respectively, result in slight differences in delay. The PTA used a 100-second cycle length to match the value used in the Apple Campus 2 TIA. Using a cycle length from previous project is considered consistent with what the City practice for an EIR, however, it is also acceptable to use field observed cycle lengths as well. If the 160 seconds shown in the EA was observed in the field, then it would be considered consistent with City practices.
- Under the EA, the westbound left-turn movement has a minimum green time of 7 seconds under Background Conditions and 23 seconds under Background with Project Conditions. This is most likely a coding error. Fehr & Peers did not test if the application of the correct green time in combination with the EA's volumes would result in a significant impact.
- Intersection #53 Lawrence Expressway / I-280 Southbound Ramps:
  - The arrival type provided in the CMP Traffix network is different than what was used in the level of service calculation for the EA. The EA's approach is not consistent with City practice. Fehr & Peers did not test if the application of the appropriate arrival type in combination with the EA's volumes would result in a significant impact.
- Intersection #54 Lawrence Expressway / Mitty Way:
  - The primary reason is the differences in trip assignments for approved projects and the amount of added Project traffic.
- Intersection #55 Lawrence Expressway / Bollinger Road:
  - Under the EA, the northbound left-turn and southbound through/right-turn movements have different minimum green times for Background with Project Conditions compared to Background No Project Conditions. This is most likely a coding error. Fehr & Peers did not test if the application of the correct green times in combination with the EA's volumes would result in a significant impact.
  - The arrival type in the CMP Traffix network is different than what was used in the level of service calculation for the EA. The EA's approach is not consistent with City practice. Fehr & Peers did not test if the application of the appropriate arrival type in combination with the EA's volumes would result in a significant impact.
- Intersection #57 Lawrence Expressway / Prospect Road:
  - Under the EA, the northbound through/right-turn movement has a different minimum green time for Background with Project Conditions compared to Background Conditions. This is most likely a coding error. Fehr & Peers did not test if the application of the correct green times in combination with the EA's volumes would result in a significant impact.



## CUMULATIVE CONDITIONS

The differences in number of intersection impacts identified in the EA and in the PTA for Cumulative Conditions are presented below. Due to the differences between the EA and the PTA in trip assignments for other approved development projects, for pending development projects, and in the amount of added Project traffic, there are volume differences at the study intersections between the EA and the PTA. These volume difference contribute to different delay estimates and ultimately different impacts.

### **Intersections with Cumulative Impacts in the EA and not the PTA**

There was one intersection where a potential intersection impact was identified in the EA but not in the PTA.

- Intersection #8 De Anza Boulevard / Homestead Road:
  - The arrival type used in the level of service calculation provided in the CMP Traffix network is different than what was used for the EA. The EA's approach is not consistent with City practice. Fehr & Peers did not test whether the application of the appropriate arrival type, in combination with the EA's volumes, would result change the identified impact.

### **Intersections with Cumulative Impacts Identified in the PTA but not the EA**

There were eleven intersections where a Cumulative impact was identified in the PTA but not in the EA, including the six of the intersections with Project impacts. The explanations for the six intersections with Project impacts hold true for Cumulative Conditions.

- Intersection #37 Miller Avenue / Bollinger Road:
  - The primary reasons for the impact difference are the trip assignments for approved/pending development projects and the amount of added Project traffic.
- Intersection #48 Stevens Creek Boulevard / Lawrence Expressway Ramps (west):
  - The differences in cycle length used in the EA and PTA of 160 and 120 seconds, respectively, result in slight differences in delay. The PTA used 120 second cycle length to match the Apple Campus 2 TIA. Using a cycle length from previous project is considered consistent City practice; however, it is also acceptable to use field observed cycle length. If the 160 seconds shown in the EA was observed in the field, then it would be considered consistent with City practice.
  - The EA assumed a minimum green time of 20 seconds for the southbound approach and 100 seconds for the eastbound and westbound approaches during the AM peak hour. This is most

likely a coding error. Fehr & Peers did not test if the application of the correct green time in combination with the EA's volumes would result in a significant impact.

- Intersection #56 Lawrence Expressway / Doyle Road:
  - The primary reasons for the impact difference are the differences in trip assignments for approved/pending development projects and in the amount of added Project traffic.
- Intersection #58 Lawrence Expressway / Saratoga Avenue:
  - The eastbound left-turn and right-turn, and the westbound right-turn movements have a large difference in trip assignment from approved/pending projects between the EA and PTA. Without a detailed review of the trip assignments, it is difficult to determine whether the EA's analysis results are consistent City practices.
- Intersection #60 SR 85 (North) / Saratoga Avenue:
  - The differences in cycle length used in the EA and PTA of 100 and 120 seconds, respectively, result in slight differences in delay. The PTA used 120 second cycle length to match the Apple Campus 2 TIA. A cycle length from previous project is considered consistent with City practice. However, it is also acceptable to use field observed cycle lengths. If the 100 seconds shown in the EA was observed in the field, then it would be considered consistent with City practice.

## **Vallco Town Center Freeway Impact Comparison**

**TABLE 1: EXISTING WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
SR 17						
Summit Rd	Bear Creek Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Bear Creek Rd	Saratoga	AM PM	N/A	N/A	- / - - / -	- / - - / -
Saratoga	Lark Ave	AM PM	- / - - / -	- / - X / -	- / - - / -	- / - - / -
Lark Ave	SR 85	AM PM	- / - - / -	- / - X / -	- / - - / -	- / - - / -
SR 85	San Tomas Expwy / Camden Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
San Tomas Expwy /Camden Ave	Hamilton Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Hamilton Ave	I-280	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 85						
US 101	Cottle Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Cottle Rd	Blossom Hill Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Blossom Hill Rd	SR 87	AM PM	N/A	N/A	X / X - / -	- / - - / -
SR 87	Almaden Expwy	AM PM	N/A	N/A	X / X - / -	- / - - / -
Almaden Expwy	Camden Ave	AM PM	N/A	N/A	X / X - / -	- / - - / -
Camden Ave	Union Ave	AM PM	N/A	N/A	X / - - / -	- / - - / -
Union Ave	S. Bascom Ave	AM PM	- / - - / -	- / - X / -	X / X - / -	- / - X / -
S. Bascom Ave	SR 17	AM PM	- / - - / -	- / - X / -	X / X - / -	- / - X / -
SR 17	Winchester Blvd	AM PM	X / - - / -	- / - - / -	X / X - / -	- / - - / -
Winchester Blvd	Saratoga Ave	AM PM	X / - - / -	- / - - / -	X / - - / -	- / - - / -
Saratoga Ave	Saratoga-Sunnyvale Rd	AM PM	- / - - / -	- / - X / -	- / - - / -	- / - X / -
Saratoga-Sunnyvale Rd	Stevens Creek Blvd	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - - / -
Stevens Creek Blvd	I-280	AM PM	- / - - / -	- / - - / -	X / - - / -	- / - X / -
I-280	W. Homestead Rd	AM PM	- / - - / -	- / - - / -	X / - - / -	- / - - / -
W. Homestead Rd	W. Fremont Ave	AM PM	- / - - / -	- / - - / -	- / X - / -	- / - - / -
W. Fremont Ave	El Camino Real	AM	N/A	N/A	- / X	- / -

**TABLE 1: EXISTING WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
		PM			- / -	- / -
El Camino Real	SR 237	AM PM	N/A	N/A	- / - - / -	- / - - / X
SR 237	Central Expwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Central Expwy	US 101	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 237						
El Camino Real	SR 85	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 85	Central Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Central Pkwy	Maude Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Maude Ave	US 101	AM PM	N/A	N/A	- / - - / -	- / - - / -
US 101	Mathilda Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Mathilda Ave	N. Fair Oaks Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. Fair Oaks Ave	Lawrence Expwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Lawrence Expwy	Great America Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Great America Pkwy	N. First St	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. First St	Zanker Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Zanker Rd	McCarthy Blvd	AM PM	N/A	N/A	- / - - / -	- / - - / -
McCarthy Blvd	I-880	AM PM	N/A	N/A	- / - - / -	- / - - / -
I-280						
Alpine Rd	Page Mill Rd	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - - / -
Page Mill Rd	La Barranca Rd	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - X / -
La Barranca Rd	El Monte Rd	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - X / -
El Monte Rd	Magdalena Ave	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - X / -
Magdalena Ave	Foothill Expwy	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - - / -
Foothill Expwy	SR 85	AM PM	- / - - / -	X / - - / -	X / - - / -	- / - - / -
SR 85	De Anza Blvd	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -

**TABLE 1: EXISTING WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
De Anza Blvd	Wolfe Rd	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -
Wolfe Rd	Lawrence Expwy	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -
Lawrence Expwy	Saratoga Ave	AM PM	- / - X / -	X / X - / -	X / X - / -	- / - X / -
Saratoga Ave	Winchester Blvd	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -
Winchester Blvd	I-880	AM PM	- / - X / X	X / X X / -	X / X X / -	- / - X / X
I-880	Meridian Ave	AM PM	- / - X / X	X / X - / -	X / X - / -	- / - X / X
Meridian Ave	Bird Ave	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -
Bird Ave	SR 87	AM PM	- / - X / -	X / - - / -	X / - - / -	- / - X / -
SR 87	10 <sup>th</sup> St	AM PM	N/A	N/A	X / - - / -	- / - X / -
10 <sup>th</sup> St	McLaughlin Ave	AM PM	N/A	N/A	X / - - / -	- / - - / -
McLaughlin Ave	US 101	AM PM	N/A	N/A	X / - - / -	- / - - / -
I-880						
I-280	Stevens Creek Blvd	AM PM	- / - - / -	- / - - / -	- / - - / -	- / - - / -
Stevens Creek Blvd	N. Bascom Ave	AM PM	- / - X / -	- / - - / -	- / - - / -	- / - - / -
N. Bascom Ave	The Alameda	AM PM	- / - X / -	- / - - / -	- / - - / -	- / - - / -
The Alameda	Coleman Ave	AM PM	- / - X / -	- / - - / -	- / - - / -	- / - - / -
Coleman Ave	SR 87	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 87	N. 1 <sup>st</sup> St	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. 1 <sup>st</sup> St	US 101	AM PM	N/A	N/A	- / - - / -	- / - - / -
US 101	E. Brokaw Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
E. Brokaw Rd	Montague Expwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Montague Expwy	Great Mall Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Great Mall Pkwy	SR 237	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 237	Dixon Landing Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -

Notes:

"X" = Project contributes greater than one percent of the segment capacity on a segment already operating at LOS F.

"-" = No Project impact

"N/A" = freeway segment was not evaluated

1. "- / -" = Mixed-flow Lane Impact / HOV Lane Impact

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.

**TABLE 2: CUMULATIVE WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
SR 17						
Summit Rd	Bear Creek Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Bear Creek Rd	Saratoga	AM PM	N/A	N/A	- / - - / -	- / - - / -
Saratoga	Lark Ave	AM PM	X / - - / -	X / - X / -	X / - - / -	- / - - / -
Lark Ave	SR 85	AM PM	X / - - / -	- / - - / -	X / - - / -	- / - - / -
SR 85	San Tomas Expwy / Camden Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
San Tomas Expwy /Camden Ave	Hamilton Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Hamilton Ave	I-280	AM PM	N/A	N/A	X / - - / -	- / - - / -
SR 85						
US 101	Cottle Rd	AM PM	N/A	N/A	- / - - / -	- / - X / -
Cottle Rd	Blossom Hill Rd	AM PM	N/A	N/A	- / - - / -	- / - X / -
Blossom Hill Rd	SR 87	AM PM	N/A	N/A	X / - - / -	- / - X / X
SR 87	Almaden Expwy	AM PM	N/A	N/A	X / - - / -	- / - X / -
Almaden Expwy	Camden Ave	AM PM	N/A	N/A	X / X X / -	- / - X / X
Camden Ave	Union Ave	AM PM	N/A	N/A	X / X X / -	X / - X / X
Union Ave	S. Bascom Ave	AM PM	X / X X / -	X / - X / -	X / X X / -	X / - X / X
S. Bascom Ave	SR 17	AM PM	X / X - / -	- / - X / -	X / - X / -	- / - X / -
SR 17	Winchester Blvd	AM PM	X / X - / -	X / - X / -	X / - X / -	X / - X / X
Winchester Blvd	Saratoga Ave	AM PM	X / - X / -	X / - X / -	X / X X / -	X / - X / X
Saratoga Ave	Saratoga-Sunnyvale Rd	AM PM	X / - X / -	X / - X / -	X / X X / -	X / - X / X
Saratoga-Sunnyvale Rd	Stevens Creek Blvd	AM PM	X / - X / -	X / - X / -	- / - - / -	- / - - / -
Stevens Creek Blvd	I-280	AM PM	X / - X / -	X / - X / -	X / - - / -	X / - X / -
I-280	W. Homestead Rd	AM PM	X / X - / -	X / - X / -	X / - - / -	- / - - / -
W. Homestead Rd	W. Fremont Ave	AM PM	X / X X / -	X / - X / -	X / - X / -	X / - X / X
W. Fremont Ave	El Camino Real	AM	N/A	N/A	X / -	X / -



**TABLE 2: CUMULATIVE WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
		PM			X / -	X / X
El Camino Real	SR 237	AM PM	N/A	N/A	- / - - / -	X / - - / -
SR 237	Central Expwy	AM PM	N/A	N/A	- / - - / -	X / - - / X
Central Expwy	US 101	AM PM	N/A	N/A	- / - - / -	X / - - / -
SR 237						
El Camino Real	SR 85	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 85	Central Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Central Pkwy	Maude Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Maude Ave	US 101	AM PM	N/A	N/A	- / - - / -	- / - - / -
US 101	Mathilda Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
Mathilda Ave	N. Fair Oaks Ave	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. Fair Oaks Ave	Lawrence Expwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Lawrence Expwy	Great America Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Great America Pkwy	N. First St	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. First St	Zanker Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
Zanker Rd	McCarthy Blvd	AM PM	N/A	N/A	- / - - / -	- / - - / -
McCarthy Blvd	I-880	AM PM	N/A	N/A	- / - - / -	- / - - / -
I-280						
Alpine Rd	Page Mill Rd	AM PM	- / - X / -	- / - - / -	X / - X / -	X / - - / -
Page Mill Rd	La Barranca Rd	AM PM	X / - - / -	X / - X / -	X / - - / -	X / - - / -
La Barranca Rd	El Monte Rd	AM PM	X / - - / -	X / - X / -	X / - - / -	X / - - / -
El Monte Rd	Magdalena Ave	AM PM	X / - X / -	X / - X / -	- / X - / -	- / - - / -
Magdalena Ave	Foothill Expwy	AM PM	X / - X / -	X / - X / -	X / X X / -	X / - X / -
Foothill Expwy	SR 85	AM PM	X / X X / -	X / - X / -	X / X X / -	X / - X / -
SR 85	De Anza Blvd	AM PM	X / X X / -	X / - X / -	X / X X / -	X / - X / X

**TABLE 2: CUMULATIVE WITH PROJECT FREEWAY IMPACTS**

Beginning Segment	End Segment	Peak Hour	Preliminary Traffic Assessment (PTA)		Environmental Assessment (EA)	
			NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>	NB/EB Direction <sup>1</sup>	SB/WB Direction <sup>1</sup>
De Anza Blvd	Wolfe Rd	AM PM	X / X X / -	X / - X / -	X / - X / -	X / - X / -
Wolfe Rd	Lawrence Expwy	AM PM	X / - X / -	X / - X / -	X / - - / -	X / - X / -
Lawrence Expwy	Saratoga Ave	AM PM	X / - X / -	X / - X / -	X / X - / -	X / - X / X
Saratoga Ave	Winchester Blvd	AM PM	X / - X / -	X / - X / -	X / X X / -	X / - X / X
Winchester Blvd	I-880	AM PM	X / - X / -	X / - X / -	X / X X / -	X / - X / X
I-880	Meridian Ave	AM PM	X / X - / -	- / - X / -	X / X X / -	X / - X / X
Meridian Ave	Bird Ave	AM PM	X / - - / -	- / - X / -	X / X X / -	X / - X / X
Bird Ave	SR 87	AM PM	X / - - / -	- / - X / -	X / - - / -	- / - X / -
SR 87	10 <sup>th</sup> St	AM PM	N/A	N/A	X / X - / -	X / - X / X
10 <sup>th</sup> St	McLaughlin Ave	AM PM	N/A	N/A	X / - - / -	X / - X / X
McLaughlin Ave	US 101	AM PM	N/A	N/A	X / - - / -	- / - X / X
I-880						
I-280	Stevens Creek Blvd	AM PM	X / - - / -	- / - - / -	- / - - / -	- / - - / -
Stevens Creek Blvd	N. Bascom Ave	AM PM	X / - - / -	X / - X / -	- / - - / -	- / - - / -
N. Bascom Ave	The Alameda	AM PM	X / - X / -	X / - X / -	- / - - / -	- / - - / -
The Alameda	Coleman Ave	AM PM	X / - X / -	X / - X / -	- / - - / -	- / - - / -
Coleman Ave	SR 87	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 87	N. 1 <sup>st</sup> St	AM PM	N/A	N/A	- / - - / -	- / - - / -
N. 1 <sup>st</sup> St	US 101	AM PM	N/A	N/A	- / - - / -	- / - - / -
US 101	E. Brokaw Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -
E. Brokaw Rd	Montague Expwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Montague Expwy	Great Mall Pkwy	AM PM	N/A	N/A	- / - - / -	- / - - / -
Great Mall Pkwy	SR 237	AM PM	N/A	N/A	- / - - / -	- / - - / -
SR 237	Dixon Landing Rd	AM PM	N/A	N/A	- / - - / -	- / - - / -

Notes:

"X" = Project contributes greater than one percent of the segment capacity on a segment already operating at LOS F.

"-" = No Project impact

"N/A" = freeway segment was not evaluated

1. "- / -" = Mixed-flow Lane Impact / HOV Lane Impact

Source: *Vallco Town Center Specific Plan Environmental Assessment*, Kimley-Horn, 2016; Fehr & Peers, 2016.