

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
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*Making Conservation  
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January 21, 2020

SCH # 2019120515  
GTS # 04-SCL-2019-00717  
GTS ID: 18111  
SCL/101/42.76

Rebecca Bustos, Associate Planner  
City of Santa Clara, Planning Division  
1500 Warburton Avenue  
Santa Clara, CA 95050

**Patrick Henry Drive Specific Plan – Notice of Preparation (NOP)**

Dear Rebecca Bustos:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Patrick Henry Drive Specific Plan. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the December NOP.

***Project Understanding***

The Patrick Henry Drive Future Focus Area is identified in the City's 2010-2035 General Plan for conversion from industrial to high-density residential uses in Phase III of the City of Santa Clara General Plan. The Patrick Henry Drive Area, along with other future focus areas, provide opportunities for reaching housing goals identified in the City's share of the State-required Regional Housing Needs Allocation (RHNA), and for meeting the demand for housing that addresses job and retail growth in the City and region.

The Specific Plan will evaluate two scenarios. The first would include approximately 12,000 net new residential units and 310,000 net new square feet of non-residential uses, of which 200,000 square feet would include net new retail or public facilities space for uses such as library and or community space. The remaining non-residential uses would include 110,000 square feet for educational facility uses. The second scenario would be the same as the first but would substitute office for high-density residential in the "High Density Flex" zone along the west edge of the Plan Area, amounting to an approximate total of

10,300 net new residential uses, 785,000 net new square feet of office, and 310,000 net new square feet of other non-residential uses.

### **Travel Demand Analysis**

Please submit a travel demand analysis that provides a Vehicle Miles Traveled (VMT) analysis resulting from the proposed project. With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies using efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric. Please ensure that the travel demand analysis includes:

- A vicinity map, regional location map, and site plan clearly showing project access in relation to the State Transportation Network (STN). Ingress and egress for all project components should be clearly identified. Project driveways, local roads and intersections, car/bike parking, and transit facilities should be mapped.
- A VMT analysis pursuant to the City's guidelines. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential safety issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.
- Analysis of the impacts of transportation network companies (TNCs) and ways to mitigate these impacts.

The project shall include the added trips from the proposed specific plan. Impacts due to the project generated trips on state routes I-880, SR-237, SR-82,

SR-85, I-280, and US 101 shall be analyzed. Traffic operations analysis shall include intersections, ramps and freeway segments of state facilities. If there are any impacts on these facilities, the project shall identify mitigation measures of these impacts. The project shall mitigate the project impacts on state facilities or contribute fair share fees for mitigations.

### **Multimodal Planning**

The project's primary and secondary effects on pedestrians, bicyclists, travelers with disabilities, and transit users should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained. These smart growth approaches can be consistent with MTC's Regional Transportation Plan/SCS and would help meet Caltrans Strategic Management Plan targets.

### **Vehicle Trip Reduction**

From Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the project site is identified as **Place Type 1b: Urban Centers** where location efficiency factors, such as community design and regional accessibility, are strong. Given the place, type and size of the project, it should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access. The measures listed below can promote smart mobility and reduce regional VMT.

- Project design to encourage walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information system;
- Transit subsidies on an ongoing basis;
- Ten percent vehicle parking reductions;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;
- Designated parking spaces for a car share program;
- Showers, changing rooms and clothing lockers for employees that commute via active transportation;
- Emergency Ride Home program;
- Employee transportation coordinator;
- Secured bicycle storage facilities;
- Fix-it bicycle repair station(s);
- Bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area; and

- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

TDM programs should be documented with annual monitoring reports by a TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage multimodal and active forms of transportation, reduce regional VMT, and lessen future transportation impacts on State facilities.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

### **Transportation Impact Fees**

The Lead Agency should identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT. The Lead Agency should also consider fair share fees for shuttles that use the public curb space.

The City should also ensure that a capital improvement plan identifying the cost of needed improvements, funding sources, and a scheduled plan for implementation is prepared along with the Specific and General Plan. Caltrans welcomes the opportunity to work with the City and local partners to secure the funding for needed mitigation. Traffic mitigation- or cooperative agreements are examples of such measures.

### **Lead Agency**

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

Rebecca Bustos, Associate Planner  
January 21, 2020  
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Thank you again for including Caltrans in the environmental review process.  
Should you have any questions regarding this letter, please contact Catharine  
Crayne at 510-286-6973 or [catharine.crayne@dot.ca.gov](mailto:catharine.crayne@dot.ca.gov).

Sincerely,



Mark Leong  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse



January 14, 2020

Ms. Rebecca Bustos  
City of Santa Clara  
1500 Warburton Avenue  
Santa Clara, CA 95050

Subject: Notice of Preparation of a Draft Environmental Impact Report for the  
Patrick Henry Drive Specific Plan

Dear Ms. Bustos:

This letter is in response to the notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the Patrick Henry Drive Specific Plan (Project). The Santa Clara Valley Habitat Agency, as a responsible public agency tasked with conserving natural communities and the recovery of state and federal special status species covered by the Santa Clara Valley Habitat Plan (Plan), wishes to bring to the Lead Agency's (City of Santa Clara) attention Project impacts that could detrimentally affect the Santa Clara Valley Habitat Agency's ability to implement certain of the Plan's conservation goals and objectives. The Project proposes a General Plan conversion of the Project area from industrial to high-density residential land use. This conversion may have the potential to result in increased traffic and associated traffic emissions. Cumulative nitrogen deposition on the local serpentine grassland community could be significant. The serpentine grassland community is the focus of Plan preservation and enhancement actions to offset the effects of nitrogen deposition on this community.

Atmospheric nitrogen deposition is a complex process by which reactive chemical species of nitrogen (N)—nitrogen oxides (NOX), ammonia (NH<sub>3</sub>), and their reaction products – are deposited onto surfaces and enter ecosystems as N-fertilizer. N-deposition estimates (from varied studies) for the Santa Clara Valley range from 8–20 kilograms of nitrogen per hectare per year (kg-N/ha/y). In Santa Clara County, N-deposition threatens serpentine grasslands that support numerous covered species, including the threatened Bay checkerspot butterfly (*Euphydryas editha bayensis*). The added N allows nutrient-poor serpentine soils to be invaded by non-native annual grasses that displace the native forbs that provide caterpillar food and adult



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nectar for the butterfly. N-deposition is the largest indirect impact of urban development on the serpentine grassland ecosystem.

The effects of N-deposition on non-serpentine annual grasslands and the grassland understory of oak woodlands are similar to those on serpentine grassland—increased annual grass growth displaces native forbs. Non-serpentine annual grasslands and oak woodlands in the study are extensive (310,875 acres, or 60% of the Plan area), so these adverse effects could be widespread. Although an indirect effect, the impacts from new development like the Patrick Henry Drive Specific Plan on the local serpentine grassland communities may be significant.

Through the CEQA process, the Habitat Agency allows for voluntary contributions to mitigate through our Plan. The Habitat Agency will accept voluntary fee payments received from applicable public and private entity projects, such as the Patrick Henry Drive Specific Plan, to mitigate said project impacts associated with N-deposition. Each voluntary fee payment would be applied to the Plan conservation strategy and tracked by the Habitat Agency. Nitrogen deposition voluntary fee payments will be applied toward land acquisition, management, and monitoring for Bay checkerspot butterfly and serpentine covered plant species. The Voluntary Fee Payment Policy can be accessed at the following link: <https://www.scv-habitatagency.org/273/Policies>

Thank you for this opportunity to comment at this early stage of the environmental review process. If you have any questions, please feel free to contact me at (408) 779-7265 or [edmund.sullivan@scv-habitatagency.org](mailto:edmund.sullivan@scv-habitatagency.org).

Sincerely,

Edmund Sullivan,  
Executive Officer



City of Gilroy | City of Morgan Hill | City of San José | County of Santa Clara | Santa Clara Valley Water District | Santa Clara Valley Transportation Authority





## References

City of San José. 2000. Burrowing Owl Habitat Conservation Strategy and Implementation Plan. Draft Final Report. April. Department of Planning, Building and Code Enforcement. Prepared by Albion Environmental, Inc. San José, CA.

DeSante, D.F. and E.D. Ruhlen. 1995. *A Census of Burrowing Owls in California, 1991–1993*. Point Reyes Station, CA: Institute for Bird Populations.

DeSante, D.F., E.D. Ruhlen, and R. Scalf. 2007. The distribution and relative abundance of burrowing owls in California during 1991–1993: Evidence for a declining population and thoughts on its conservation. Pages 1–41 in Barclay, J.H., K.W. Hunting, J.L. Lincer, J. Linthicum, and T.A. Roberts (Eds.). 2007. *Proceedings of the California Burrowing Owl Symposium, November 2003*. Bird Populations Monographs No. 1. The Institute for Bird Populations and Albion Environmental, Inc. Point Reyes Station, CA, vii + 197 pp.

DeSante, D.F., E.D. Ruhlen, S.L. Adamany, K.M. Burton and S. Amin. 1997. A census of burrowing owls in central California in 1991. Pages 38–48 in Lincer, J.L. and K. Steenhof. (Eds.). 1997. *The Burrowing Owl, its Biology and Management: Including the Proceedings of the First International Symposium*. Raptor Research Report Number 9.

**From:** Greene, Cary  
**To:** [Rebecca Bustos](#)  
**Cc:** [John Davidson](#); [Sheelen, Ryan](#)  
**Subject:** NOP Comments on Patrick Henry Drive Specific Plan (PLN2019-14257)  
**Date:** Wednesday, January 08, 2020 9:35:39 AM

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Hello Rebecca,

The City of San Jose Airport Department has reviewed the EIR Notice of Preparation dated 12/19/19 for the subject project and offers the following comments:

Although the NOP Project Description does not identify proposed maximum building heights for project development, the EIR should reference required compliance with federal airspace safety regulations governing height of structures given the project site's proximity to the San Jose International Airport (SJC).

The following two paragraphs (in *italics*), similar in language used in other CEQA documents for projects in the SJC vicinity, is provided for consideration.

*The project site is located approximately \_\_miles from the Norman Y. Mineta San Jose International Airport. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (commonly referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of proposed structures and minimizing other potential hazards to aircraft such as reflective surfaces, flashing lights, and electronic interference. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground.*

*The FAR Part 77 airspace notification surface ranges over the project site is at an approximate elevation of 150-170 feet above ground (assuming a ground elevation of roughly 20 feet). Notification to the FAA would therefore be required for individual proposed structures that would exceed this airspace surface. FAA review and issuance of determinations that a proposed structure would not be a hazard to air navigation, and project compliance with any conditions set forth in such FAA determinations, would ensure that the structure will not be an air safety hazard.*

Staff or the CEQA consultant team are welcome to contact me or Ryan Sheelen ([rsheelen@sjc.org](mailto:rsheelen@sjc.org), 408-392-1193) in the San Jose Airport's Planning Section for any clarification or questions regarding the above comments. Please include the San Jose

Airport Department in the distribution or Notice of Availability of the Draft EIR document when available for public review.

Thanks,

Cary Greene

Airport Planner, City of San Jose Airport Department

408-392-3623

[cgreene@sjc.org](mailto:cgreene@sjc.org)

**From:** Aghegnehu, Ben  
**To:** [Rebecca Bustos](#)  
**Cc:** [Talbo, Ellen](#)  
**Subject:** NOP-EIR-Patrick Henry Drive Specific Plan  
**Date:** Tuesday, January 21, 2020 9:09:59 AM

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January 21, 2020

**Rebecca Bustos**

City of Santa Clara, Planning Division  
1500 Warburton Avenue Santa Clara, CA 95050

**SUBJECT: NOP-EIR-Patrick Henry Drive Specific Plan**

Dear Ms. Rebecca:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the NOP-EIR-Patrick Henry Drive Specific Plan and is submitting the following comments:

- We agree, as stated on the NOP that the EIR transportation analysis should satisfy the requirements of the City, including Level of Service (LOS) and the project's relationship to regional vehicle miles traveled (VMT). We recommend Project Traffic Impact Analysis should be conducted on Lawrence, Central, San Tomas, and Montague Expressways, and identify specific mitigation measures for all County facilities. At the minimum the following locations:
  - Lawrence & Sandia
  - Lawrence & 101 NB & SB Off-ramps
  - San Tomas & Scott
  - Lawrence Expwy & Tasman Drive
  - Central Expwy & Bowers Ave
  - Montague Expwy & Mission College Blvd
- Please provide a Traffic Impact Analysis (TIA) for each individual proposed project when proposing projects.
- Is the Plan specifying that will be constructing over the existing parking lot used for Levi's Stadium? If so, how will the Plan accommodate for the loss of parking space during events at Levi's Stadium? If not, how will the Plan manage incoming traffic into the Plan area during events?
- Please explain how the new developments will affect residents on the other side of Calabazas Creek on the west side of the Plan area?

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

Thank you,

**Ben Aghegnehu**

Associate Transportation Planner  
County of Santa Clara | Roads & Airports  
101 Skyport Rd | San Jose, CA, 95110  
408-573-2462 (o)

**From:** Kevin Thai  
**To:** [Rebecca Bustos](#)  
**Cc:** [Usha Chatwani](#)  
**Subject:** Notice of Preparation of an Environmental Impact Report and Public Scope Meeting Notice for Patrick Henry Drive Specific Plan  
**Date:** Tuesday, January 21, 2020 11:30:50 AM  
**Attachments:** [image003.png](#)

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Hi Rebecca,

Valley Water has received this notice and would like to review and comment on ALL the documents related to this project as they become available. Please send those documents to [CPRU@valleywater.org](mailto:CPRU@valleywater.org).

Thanks,  
Kevin

**KEVIN THAI, CFM**

ASSISTANT ENGINEER II  
Community Projects Review Unit  
Tel. (408) 630-3157 / CPRU Hotline: (408) 630-2650

Santa Clara Valley Water District is now known as:



Clean Water • Healthy Environment • Flood Protection

5750 Almaden Expressway, San Jose CA 95118  
[www.valleywater.org](http://www.valleywater.org)

**From:** [Sudhanshu Jain](#)  
**To:** [Rebecca Bustos](#); [Reena Brilliot](#); [John Davidson](#); [Gloria Sciara](#)  
**Subject:** Re: Additional Public Comments for Patrick Henry Scoping Plan  
**Date:** Monday, January 20, 2020 11:35:19 AM

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One more:

Provisions for exterior outlets should be made to allow gardeners and landscapers to use electric leaf blowers and other electric gardening tools such as edge trimmers and lawnmowers.

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**From:** Sudhanshu Jain <SJain@SantaClaraCA.gov>  
**Sent:** Monday, January 20, 2020 11:29 AM  
**To:** Rebecca Bustos <RBustos@SantaClaraCA.gov>; Reena Brilliot <RBrilliot@SantaClaraCA.gov>; John Davidson <JDavidson@SantaClaraCA.gov>; Gloria Sciara <GSciara@santaclaraca.gov>; Alexander Abbe <aabbe@SantaClaraCA.gov>  
**Subject:** Additional Public Comments for Patrick Henry Scoping Plan

I have three more comments:

1. I just discovered the following which is a great idea:

The city of Austin, Texas, amended its zoning code to reduce minimum off-street parking requirements by "twenty (20) spaces for every car-sharing vehicle provided in a program that complies with its requirements," under which it approves binding contracts between developers and car-sharing companies to gain reductions of up to 40 percent of required off-street spaces.

2. We put this requirement into conditions for the Hunter Storm Gateway project:

C15. Construction activity further than 300 feet from any occupied residence, with the exception of pile driving, may take place at any time on any day, subject to the restrictions of SCCC Chapter 9.10 ("Regulation of Noise and Vibration"); pile driving may take place only between 7:00 a.m. to 6:00 p.m. weekdays and is not permitted on Saturdays, Sundays and State and federal holidays. Upon occupancy of residential units on the project site, construction activity not confined within a building within 300 feet of an occupied residential unit shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and limited to the hours of 9:00 a.m. to 6:00 p.m. on Saturdays and prohibited on Sundays and State and federal holidays. Construction activity confined within a building within 300 feet of an occupied residential unit shall be permitted during the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. on Saturdays.

C 16. Upon occupancy of residential units on the project site construction activity not confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and not permitted on Saturdays, Sundays and State and federal holidays for projects within 500 feet of a

residential use. Construction activity confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 500 feet of a residential use, and prohibited on Sundays and State and federal holidays.

I would prefer that C16 be relaxed to indicate that construction activity within a building that is less than 500 feet from any occupied residence may take place at any time on any day as long as noise levels at the perimeter of the construction site do not exceed 60 decibels averaged over any 5 minute interval. A 24 hour phone number shall be posted to handle any nuisance complaints.

3. Since this project borders Calabazas Creek, design elements should be included to minimize bird collisions with windows.

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**From:** Sudhanshu Jain

**Sent:** Sunday, January 19, 2020 10:58 PM

**To:** Rebecca Bustos <RBustos@SantaClaraCA.gov>; Reena Brilliot <RBrilliot@SantaClaraCA.gov>; John Davidson <JDavidson@SantaClaraCA.gov>; Gloria Sciara <GSciara@santaclaraca.gov>

**Subject:** Public Comments for Patrick Henry Scoping Plan

Here are my public comments for the Patrick Henry Scoping Plan:

1. I see two scenarios outlined  
Scenario A 12000 residential units + 310,000 SF non-residential  
Scenario B 10,300 residential, 785,000 SF office + 310,000 SF non-res

My preference is Scenario B since having the office near residential helps to reduce traffic.

2. Using a number of 2.69 residents/unit number, I get 32,280 residents for scenario A and 27,707 residents for scenario B.

It seems to me that you need 15,000 to 20,000 residents to support a full service grocery store. Both scenarios provide much more than 20,000 residents.

I hear that Council and Planning commission insisted on a grocery store for Rivermark Plaza years ago. I would expect that we could do the same here. This would help with the traffic caused by this many residents. I would also expect that this population could support a drugstore like Walgreens or CVS. Rivermark has proved to be a very successful shopping center and I would like to see a very similar shopping center as part of the Patrick Henry Area Plan, with restaurants and coffee shops.

At the very bare minimum there should be a grocery store like Sprouts or Trader Joes.

Having some zoning for light medical like dentist and chiropractor services would also help with traffic. Also would be nice to have a couple of gyms and yoga studios. Some type of



daycare facility would also be nice.

Given that the senior center on Fremont street is so busy, it would be very nice to build a second senior center within the Patrick Henry project, hopefully with some senior housing very close by.

3. Scenario A has 32,280 residents so using the Mitigation Fee Act number of 2.53 acres of parkland per 1000 residents, there should be 81.668 acres of parkland dedicated for this project. Given that the entire land area is only 76 acres I don't understand how the City is going to find so much parkland. At the very least 20 acres should be reserved for open space/parkland

A similar analysis applies to Scenario B.

4. There should be a community garden within the plan. I would also like to see almost all the buildings have rooftop gardens so that people can enjoy home grown fresh vegetables, especially tomatoes.
5. Affordable housing should include all income levels, not just 100% of AMI. There should be at least 15% inclusionary housing. If a developer needs to pay an in-lieu fee it should be the same cost as providing the onsite housing. The current affordable housing nexus study makes the in-lieu fee cheaper than the cost of providing onsite housing.
6. At least 40% of the units should be for-sale condos since having more home ownership leads to more civic engagement
7. The buildings should all be the equivalent of LEED Gold or better
8. All projects should have a TDM plan in which active measures reduce trips (VMT) by more than 25% (not including any implied reduction from proximity to public transit).
9. There should be one secured bike parking spot per unit in a bike room with outlets to charge electric bicycles. And there should also be outdoor unsecured guest bike parking spots per the VTA standard.
10. Since the City has yet to adopt a reach code for minimizing greenhouse gas emissions, I would like to see 15% of the parking spots have level 2 electric vehicle charging (EVSE) installed with prewiring for another 15%. For buildings with more than 200 units, there should be at least one DC fast charger available in a public area.
11. Parking ratios should be reduced to 1.2 parking spots per single bedroom unit and 1.8 parking spots per two bedroom unit and 2.2 parking spots per 3 bedroom unit.
12. Efforts should be made to share parking between residential and non-residential developments
13. I recommend that parking be unbundled and that the entire project have permit parking.
14. Per Transform's GreenTrips proposal, multifamily complexes should provide 2 free memberships for a carsharing service (ZipCar) per unit for 40 years.
15. Provisions should be made for rideshare service pickups and drop-offs
16. Provisions should be made for corrals (designated parking areas) for shared scooters and bicycles.
17. Buildings should all electric, forgoing natural gas connections
18. Sidewalks should be at least 6 feet wide to encourage walking.

19. Major streets should have Class 1 or Class 4 bicycle paths.
20. Canopy sized street trees should line all streets.
21. Traffic calming measures like bulbouts, rotaries and speed bumps should be considered to reduce traffic speeds so as to move towards Vision Zero.
22. Affordable housing buildings should provide community meeting rooms that can be used occasionally by non-residents.
23. Buildings of greater than 25,000 sq feet should be reviewed by an independent architect for aesthetics.
24. A public arts fee of 0.5% should be imposed on all developments
25. Recycled water should be used wherever possible



January 28, 2020

City of Santa Clara  
Department of Planning  
1500 Warburton Avenue  
Santa Clara, CA 95050

Attention: Rebecca Bustos

Subject: City File No. PLN2019-14257  
Notice of Preparation of a Draft Environmental Impact Report for the Patrick Henry Drive Specific Plan

Dear Ms. Bustos:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Patrick Henry Drive Specific Plan (“Specific Plan”). VTA has the following comments.

#### Land Use & Locational Significance

- VTA supports the proposed high-density residential, office, and other non-residential uses within the Specific Plan area. VTA commends the Plan’s 135 to 157 dwelling units per acre range, which represents transit-supportive densities. This area is served by the Frequent 57 bus at Great America Parkway, VTA Old Ironsides Light Rail station (within a 10-minute walk), and ACE Green shuttle connections to regional rail service at the Santa Clara Great America Station served by ACE and Capitol Corridor (also within a 10-minute bicycle ride).
- VTA supports the broader City North/North Santa Clara area’s development as a high-intensity, transit-supportive, and mixed-use district that creates opportunities for residents, employees, and visitors to reduce vehicle trips and greenhouse gas emissions.
- VTA recommends that the City designate the North Santa Clara area as a Priority Development Area (PDA) to leverage grant funding opportunities for sustainable transportation solutions through the regional agencies, the Association of Bay Area Governments (ABAG), and Metropolitan Transportation Commission (MTC).

#### Transportation Impact Analysis (TIA) Report

- VTA’s Congestion Management Program requires a Transportation Impact Analysis (TIA) for any project expected to generate 100 or more net new peak-hour trips. For any questions about the *VTA Transportation Impact Analysis Guidelines (TIA Guidelines)*, please contact Brent Pearse of the VTA Planning and Programming Division at 408-546-7985 or [Brent.Pearse@vta.org](mailto:Brent.Pearse@vta.org).
- VTA notes that the DEIR will include an analysis of Vehicle Miles Traveled (VMT) and encourages the City to identify measures in the DEIR to reduce VMT generated by future residents, employees, and visitors.

### Congestion Impacts on Transit Travel Times/Transit Compatibility

- VTA supports increasing development densities within North Santa Clara in a manner which meets the shared goals for improving transit options to encourage the public to use transit and improving travel time reliability. The Specific Plan should complement nearby transit services and not diminish their speed and efficiency. Per the *TIA Guidelines* (Section 9.2 – Transit), the DEIR/TIA should address the Project’s potential congestion impacts to transit travel times and operations for light rail and buses.
- If increased transit delay is found, appropriate offsetting measures should be identified. Once the transit delay analysis results are available, VTA requests that the City consult with VTA regarding alternatives or potential appropriate offsetting measures to avoid these impacts.

### Transportation Analysis

- VTA recommends a multimodal approach to the DEIR/TIA, including meaningful analyses of impacts and mitigation measures for pedestrian, bicycle, and transit modes, such as a transit delay analysis, in addition to automobiles. VTA also recommends the use of other multimodal performance indicators such as non-auto mode shares, transit boardings, and pedestrian and bicycle quality-of-service measures.

### Site Design

- VTA reviewed a draft land use and connectivity concept plan (“Draft Preferred Alternative”) for the Specific Plan provided to VTA by City of Santa Clara staff on January 17, 2020. This concept plan displays an internal street/greenway network with some off-set streets, and some new connections to surrounding streets. VTA recommends a future internal street network with continuous streets that provide clear lines of sight. This creates a definition of space that provides a convenient environment for walking, biking, and taking transit and promotes interconnectedness with neighboring areas (e.g. Kylli development to the north and Mission College to the south). This approach may require the use of easements to ensure the linkage of streets.
- VTA recommends providing connections to the Calabazas Creek Trail, Mission College Boulevard, and the planned ‘Neighborhood Street F’ (Kylli conceptual plan).
- VTA recommends that the land uses and building orientation along the northern boundary of the Specific Plan (SFPUC/future Hetch Hetchy Trail) relate to the planned development area immediately to the north (Kylli site) so as not create a hard edge between two adjacent communities. In other words, the Specific Plan buildings should be oriented toward the future Hetch Hetchy Trail/planned Kylli street, and prohibited from orphaning the trail/street with the backs of buildings. Likewise, the land uses and building orientation along the southern boundary of the Specific Plan should be oriented toward the Mission College Boulevard. Such design encourages “eyes on the street” or natural surveillance that support walking, biking and transit use.

### Pedestrian and Bicycle Accommodations

- VTA requests that the DEIR/TIA analysis of Pedestrian and Bicycle Accommodations consider the completeness of the pedestrian and bicycle network on roadways and intersections adjacent to and nearby the Project site. The analysis should address internal

pedestrian circulation within the site as well as pedestrian conditions on streets adjacent to the Project site.

- The Project should include exceptional pedestrian and bicycle accommodations, internally and along arterial roadways, to support the volumes of trips expected to, from, and within the area. This includes the study of opportunities to provide safe and convenient connections from the Specific Plan area to the Calabazas Creek Trails, John W. Christian Greenbelt, and the proposed Hetch Hetchy Trail. These trails are designated as Priority Bicycle and Pedestrian Corridors in the VTA Countywide Bike Plan, which can be accessed here: <https://gis.vta.org/bikeplan/>.
- VTA supports bicycling as an important transportation mode that provides local and regional connectivity. VTA provides a wide range of guidance on bicycle facilities that may be downloaded from [www.vta.org/bikeprogram](http://www.vta.org/bikeprogram).

#### CMP Facilities

- The DEIR/TIA should include analysis of all freeway segments that may be impacted. For CMP guidance on the analysis of freeway segments, see Section 2.2.2 of the TIA Guidelines. If the freeway analysis indicates that there will be significant impacts according to CMP criteria, VTA suggests early coordination with the appropriate agencies to identify potential mitigation measures and voluntary contribution opportunities based on the latest Valley Transportation Plan (VTP) projects in the Project area.

#### Trip Generation Assumptions

- All auto trip reductions must be clearly explained, documented, and justified in the Project's TIA Report. Lead Agencies must state which of the above approaches is being used to develop auto trip reductions, if any reductions are claimed. Trip reductions shall be summarized in an Auto Trip Reduction Statement in the Executive Summary of the TIA Report, using the form provided in Appendix C.

#### Transportation Demand Management/Trip Reduction

- VTA recommends a TDM plan that establishes trip reduction target and third-party monitoring and enforcement. VTA recommends that the City consider the following TDM/Trip Reduction strategies:
  - Project design to encourage walking, bicycling, and convenient access to transit
  - Public-private partnerships or employer contributions to provide improved transit or shuttle service in the Project area
  - Parking pricing and parking cash-out programs
  - Transit fare incentives such as free or discounted transit passes on a continuing basis or pre-tax commuter benefits
  - Dockless scooters, bicycles, and other micro-transit solutions
  - Bicycle lockers and bicycle racks
  - Bicycle storage integrated into the residential units
  - Showers and clothes lockers for bicycle commuters
  - On-site or walk-accessible services (e.g. day care, dry cleaning, fitness, banking, convenience store)

City of Santa Clara

January 28, 2020

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- Preferentially located carpool parking
- Employee carpool matching services
- Parking for car-sharing vehicles
- First/last mile ride sharing services voucher

VTA looks forward to continuing and improving our coordinated planning efforts with the City of Santa Clara to contribute toward the sustainable future of the Patrick Henry Drive Specific Plan and City North District. Thank you for the opportunity to review this Project. If you have any questions, please contact me at (408) 321-7572.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melissa R. Cerezo", followed by a horizontal line extending to the right.

Melissa R. Cerezo, AICP  
Senior Transportation Planner

SC1707

# County of Santa Clara

## Parks and Recreation Department

298 Garden Hill Drive  
Los Gatos, California 95032-7669  
(408) 355-2200 FAX 355-2290  
Reservations (408) 355-2201

[www.parkhere.org](http://www.parkhere.org)



January 15, 2020

Ms. Rebecca Bustos  
City of Santa Clara, Planning Division  
1500 Warburton Avenue  
Santa Clara, CA 95050

Submitted Via Email to [rbustos@santaclaraca.gov](mailto:rbustos@santaclaraca.gov)

SUBJECT: City of Santa Clara Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Patrick Henry Drive Specific Plan (PLN2019-14257)

Dear Ms. Bustos,

Thank you for including the County of Santa Clara Parks and Recreation Department (Department) in the environmental review process for the Patrick Henry Drive Specific Plan (Proposed Project). The Department is charged with providing, protecting, and preserving regional parklands for the enjoyment, education and inspiration of this and future generations. The Department is also charged with the planning and implementation of *The Santa Clara County Countywide Trails Master Plan Update (Countywide Trails Plan)*, an element of the Parks and Recreation Section of the County General Plan adopted by the County of Santa Clara Board of Supervisors on November 14, 1995.

### ***Project Understanding***

The Proposed Project would redevelop an existing 76-acre site into 10,000 – 12,000 new residential units and 310,000 – 1.1 million square feet of new non-residential uses, including retail and educational facilities. The Proposed Project also includes the conversion of industrial uses to high-density residential uses as identified in Phase III of the City of Santa Clara General Plan 2010-2035. The Proposed Project is bordered by Calabazas Creek to the west, Tasman Drive to the north, Great America Parkway to the east, and Mission Community College to the south.

### ***Connection to Regional Trails within Santa Clara County***

An existing segment of the Calabazas Creek Connector Trail borders the Proposed Project to the west while a planned segment of the Hetch-Hetchy Connector Trail borders the Proposed Project to the north. Once complete, both the Calabazas Creek Connector Trail and the Hetch-Hetchy Connector Trail will be paved trails providing hikers and cyclists with connections to the San Francisco Bay Trail and the Coyote Creek Trail within the City of San Jose. The trails may be used for both recreation and transportation between the Cities of San Jose, Santa Clara, Sunnyvale, and more.

**Board of Supervisors:** Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian

**County Executive:** Jeffrey V. Smith



The Department recommends the Proposed Project be conditioned to contribute proportionate fees to the City of Santa Clara towards the closure of the Hetch-Hetchy Connector Trail gap between Calabazas Creek and Great America Parkway. Completion of this gap in the Hetch-Hetchy Connector Trail would provide an east to west connection from Great America Parkway to the Plaza del Rey Neighborhood, Mission Community College, Levi's Stadium, and other commercial areas within the City of Santa Clara. Also, the Department respectfully suggests that the development of the trail gap be included as component of pedestrian- and bicycle-oriented amenities and facilities within the Proposed Project Site with such features as street trees and landscaping, benches, low-level lighting, signage, textured crosswalks, and bike lanes.

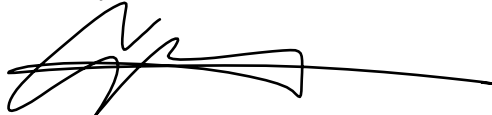
The Department also recommends the DEIR provide a complete analysis of biological, recreational and traffic impacts and include:

- Analyze potential impacts of increased use on the existing segment of the Calabazas Creek Connector Trail. A biological study to analyze the potential impacts of increased use of the existing segment of the Calabazas Creek Connector Trail on biological resources within the Proposed Project Site.
- Analyze impacts on public services and facilities, such as trails, bike paths, parks, and other recreational facilities. A traffic study to analyze the potential impacts on planned City of Santa Clara trails, bike paths, schools, parks, and residents within the vicinity of the Proposed Project Site.
- A plan to temporarily reroute trail users during construction activities to avoid impacts to recreational trail use.
- All Draft EIR maps (circulation, aerial, recreation, etc.) depict the existing and planned trail alignments: Calabazas Creek Connector Trail and the Hetch-Hetchy Connector Trail.

The DEIR shall be consistent with the *Countywide Trails Plan* and the Calabazas Creek Trail Master Plan. A copy of these documents is available for review at the Department's website, [www.parkhere.org](http://www.parkhere.org).

Thank you again for including the County of Santa Clara Parks and Recreation Department in the environmental review process. Please provide notice to the Department for any future information regarding this project. If you have any questions related to these comments, please call me at (408) 355-2228 or e-mail me at [cherise.orange@prk.sccgov.org](mailto:cherise.orange@prk.sccgov.org).

Sincerely,



Cherise Orange  
Associate Planner







Sunnyvale

January 21, 2020

City Hall  
456 West Olive Avenue  
Sunnyvale, CA 94088-3707  
TDD/TYY 408-730-7501  
sunnyvale.ca.gov

Rebecca Bustos, Associate Planner  
City of Santa Clara  
Planning Division  
1500 Warburton Avenue  
Santa Clara, CA 95050  
Sent via e-mail: rbustos@santaclaraca.gov

Re: Comments on the Notice of Preparation of an Environmental Impact Report for the Patrick Henry Drive Specific Plan

Dear Ms. Bustos:

Thank you for the opportunity to review the Notice of Preparation (NOP) for the proposed Patrick Henry Specific Plan in Santa Clara. This letter includes comprehensive comments from multiple City of Sunnyvale departments.

### **General Specific Plan Comments**

The following are general comments on the specific plan the City of Sunnyvale would like to submit for the City of Santa Clara's review. We hope that we can schedule a meeting to discuss some of these comments in person and participate in the specific plan's development.

1. We support the development of a specific plan for the Patrick Henry Drive area. The draft land use diagram shows an urban village concept with good internal connections and housing opportunities within close proximity to employment centers. We understand that the following land use scenarios and densities/heights are being considered at this time:
  - Scenario A – 12,000 units, 310,000 sq. ft. of retail and public facilities
  - Scenario B – 10,300 units, 785,000 sq. ft. of office, and 310,000 sq. ft. of retail and public facilities
  - Densities ranging from 65 to 250 du/ac and heights ranging from 5-12 stories.

As the City of Sunnyvale borders the specific plan area to the west across Calabazas Creek, we are interested in the transition in building scale and density from the existing low density, one-two story buildings in the Sunnyvale single-family neighborhoods. The draft land use diagram shows a sharp transition to very high



density residential (65-100 du/ac) along the edge of Calabazas Creek. We request that building heights and densities are lowered along Calabazas Creek to allow buildings to step down to and provide an appropriate transition to the Sunnyvale neighborhoods.

2. We are concerned with the effects of potential building heights ranging from 5-12 stories on solar access for property owners in the Sunnyvale single family neighborhoods west of Calabazas Creek. We would like to better understand the shading impacts of potential building heights in these neighborhoods, with computer modeling or other visual aids. For the analysis, please consider the guidance in Section 19.56.020 of the Sunnyvale Municipal Code:

“No building permit shall be issued for any construction, the effect of which when completed would be to interfere with solar access to the rooftops of the sum of all permitted structures on an adjacent property or to any preexisting active solar collector on an adjacent property. Solar access means the absence of shadows blocking or reducing exposure to the sun to an extent greater than ten percent daily during the hours between nine a.m. to three p.m., Pacific Time, throughout any solar cycle.”

3. Consider adding in more parks and open space in the specific plan. The eight acres plus the greenbelt shown in the draft land use diagram does not appear to be adequate for up to 12,000 net new dwelling units in the area. We suggest a minimum of five acres of park space per 1,000 persons.
4. We support the proposed greenbelt on the Hetch Hetchy right of way on the northern edge of the plan area. The John W. Christian Greenbelt to the west of Calabazas Creek is a beautiful and natural source of east-west connectivity and it would be good to continue into Santa Clara. We would like to understand whether there would be physical connections across Calabazas Creek to the new greenbelt. It would be beneficial for Sunnyvale residents to walk and bike across to the new greenbelt and enjoy additional open space opportunities. However, there is also a concern about the potential for people to park in Sunnyvale neighborhoods and walk across new bridges and the greenbelt for Levi's Stadium events. This is a topic that requires further discussion with City staff and the community.
5. If physical connections across Calabazas Creek are proposed, we would encourage the City of Santa Clara to include as part of the specific plan a bicycle/pedestrian connection to and construction of the Calabazas Creek Trail from US-101 to the Bay Trail. This would provide an excellent facility for commuting and recreational purposes to help reduce VMT and LOS impacts.



6. We would like to understand the City of Santa Clara's vision for the stretch of Patrick Henry Drive where the symbols of retail, community/civic, and residential uses are shown to be intertwined. We are interested in the acreage assigned to each of these uses and conceptual lot depth layouts, as these parcels are not very deep.
7. As part of the specific plan, we would like the City of Santa Clara to implement improvements as described in the Tasman Corridor Complete Streets study as prepared by VTA, the cities of Sunnyvale, Santa Clara, San Jose and Milpitas.
8. Due to the high densities and building heights proposed in the specific plan, we would like to request that a 2,000-foot radius is used and that tenants are noticed in addition to property owners. This would mirror the City of Sunnyvale's noticing radius requirements for a project that is over 50 feet in height. At 2,000 feet, a large portion of the existing single-family neighborhoods east of Lawrence Expressway would be notified. In addition, we highly recommend that future outreach meetings be held within the specific plan area, or within close proximity, for the benefit of the affected residents who may not be able to attend community outreach meetings that are held in central Santa Clara.

### **Environmental/NOP Comments**

The following comments cover issues the City of Sunnyvale would like to be discussed in the specific plan's Environmental Impact Report (EIR):

1. Connectivity is very important to the City of Sunnyvale. The EIR should analyze the following connections:
  - Connections to major destinations in Sunnyvale, including shopping at Tasman/Fair Oaks.
  - Pedestrian and bicycle connectivity on public streets (including closing gaps along Tasman Drive).
  - Any proposed pedestrian and bicycle connections across Calabazas Creek.
2. Currently the parking on the east side of Old Ironsides Drive is used by the stadium for events. Please provide a discussion of where replacement parking will be located, and how the proposed specific plan will coexist with the traffic circulation plan for stadium events, especially during construction of future projects. We are concerned that a potential lack of parking options within Santa Clara may push stadium goers into Sunnyvale's streets looking for parking.

Moreover, please provide an update to the current Levi's Stadium parking plan (as part of the Transportation Management and Operations Plan -- TMOP) to show how the Levi's Stadium project will still meet its commitments outlined in that project EIR without the parking the sites on the east side of Old Ironsides Drive provides.



3. Provide contextual aesthetic and visual information on the relationship of proposed building massing with the existing surrounding neighborhoods, including visibility in Sunnyvale.
4. It assumed that future projects within the specific plan may produce significant construction noise. We request that construction be restricted to weekdays between 7 a.m. and 6 p.m., Saturdays between 8 a.m. and 5 p.m., and that no construction activity occur on Sunday or federal holidays when City offices are closed out of respect for the nearby residential neighborhoods. These are the construction time regulations of the City of Sunnyvale.

Please also consider assigning a community liaison for construction projects.

5. The City of Sunnyvale expects to see considerable information on how trips will be reduced when projects in the specific plan are developed. There are not robust transportation options in this area (i.e. Caltrain) and development projects may have lasting impacts on the surrounding neighborhoods (including Sunnyvale) if a very structured transportation demand management program is not implemented. Please identify specific measures to show how traffic would be reduced.
6. Please include information in the specific plan and EIR on how this project relates to the north-adjacent Kylli Mixed-Use Development Project in the City of Santa Clara.
7. Impacts to County of Santa Clara facilities should be mitigated based on projects listed in the County Expressway Planning Study.
8. Utilities will need to be studied in detail.
  - a. Provide information on how the specific plan area will be serviced for sanitary sewers. As no capacity exists for this plan area within the Sunnyvale system, all sewage must flow into the Santa Clara borders and to the San Jose Treatment Plant.
  - b. Provide information on how the specific plan will meet its domestic water needs. The City of Sunnyvale will be interested in water source information, provided in the specific plan's WSA, and the plan's impacts on water available to the City of Sunnyvale. The City of Sunnyvale has six emergency water interties within Santa Clara; however, it is important to note that there is currently no intertie that exists along Tasman Drive.



Sunnyvale

The City of Sunnyvale appreciates your consideration of the requested study scope elements described above. Please contact George Schroeder, Senior Planner, if you have any questions or concerns about items discussed in this letter at (408) 730-7443 or [gschroeder@sunnyvale.ca.gov](mailto:gschroeder@sunnyvale.ca.gov).

Sincerely,

Andrew Miner  
Assistant Director, Community Development Department

cc: Kent Steffens, City Manager  
Trudi Ryan, Director, Community Development Department  
Chip Taylor, Director, Department of Public Works  
Ramana Chinnakotla, Director, Environmental Services Department  
Jennifer Ng, Assistant Director/City Engineer, Department of Public Works  
Dennis Ng, Transportation/Traffic Manager, Department of Public Works