

August 20, 2018

VIA MAIL AND E-MAIL

City of Cupertino, Community Development Department
Attention: Piu Ghosh, Principal Planner
10300 Torre Avenue
Cupertino, CA 95014
piug@cupertino.org

RE: City of San Jose's Comment Letter on the Vallco Special Area Specific Plan Amendment
DEIR

Dear Ms. Ghosh,

Thank you for the opportunity to review and comment on the Amendment to the Vallco Special Area Specific Plan Draft Environmental Impact Report (DEIR). The Departments of Public Works and Transportation hereby submit the following comments.

PROJECT UNDERSTANDING

The City understands that the Vallco Specific Plan DEIR was circulated earlier from May 24, 2018 to July 9, 2018. The DEIR evaluated the proposed Vallco Special Area Specific Plan for future redevelopment of the Vallco site, which would facilitate the development of up to 600,000 square feet of commercial uses, 2.0 million square feet of office uses, 339 hotel rooms, and 800 residential units, all consistent with the City of Cupertino's adopted General Plan.

However, the Draft EIR was amended to evaluate the Housing-Rich Alternative under the California Environmental Quality Act (CEQA). The Housing-Rich Alternative proposes up to 3,250 residential units, 1.5 million square feet of office uses, and 600,000 square feet of commercial uses, 65,000 square feet of civic uses with a 50,000 square-foot City Hall and 15,000 square feet of adult education space and a 30-acre green roof, supported by 13,880 parking spaces.

CITY'S COMMENTS

In February 2013, Governor Brown signed Senate Bill (SB) 743 (Steinberg, 2013), which creates a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires OPR to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the development of

multimodal transportation networks, and a diversity of land uses.” (Public Resources Code Section 21099(b)(1).)

SB 743 requires the CEQA Guidelines to develop a metric that promotes the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. OPR selected vehicle miles traveled as a replacement measure not only because it satisfies the explicit goals of SB 743, but also because agencies are already familiar with this metric. Vehicle miles traveled is already used in CEQA to study other potential impacts such as greenhouse gas, air quality, and energy impacts and is used in planning for regional sustainable communities’ strategies.

Replacing LOS with VMT will streamline development of vibrant, walkable communities. Removing barriers to housing production in areas that have access to services and increasing transportation options will help to reduce both housing and transportation costs—the largest two components of Californians’ cost of living. With VMT mitigation, new development will add less vehicle travel onto highways, leading to better outcomes for regional congestion.

TRAFFIC AND CIRCULATION

As explained in the City’s letter to the NOP, we are encouraging the City of Cupertino to adopt the Housing-Rich Alternative. Although the project did not explicitly measure VMT for CEQA purposes, many of the project and cumulative intersection LOS impacts would not be considered CEQA impacts requiring mitigations and considerations of override upon completion of the Natural Resources Agency’s rulemaking process. Alternatively, the project, particularly the Housing-Rich Alternative, could invest in new transit opportunities, multimodal connections to transit, walking and biking, creating far more travel capacity than the focused LOS improvements. In addition, the Housing Rich Alternative proposes a balanced land use that encourages walking, biking and transit and would, in fact, reduce VMT.

The Transportation Analysis identified multiple LOS impacts at 18 intersections in Cupertino, Santa Clara, Sunnyvale, San Jose, and County Expressways and Caltrans’s facilities. Various mitigation measures were identified including Signal Coordination and ITS upgrades, intersection improvements such as addition of left-turn pockets and roadway widenings. VMT impacts, conversely, would require the project to reduce Vehicle Miles Traveled through better land uses, complete communities, along transit corridors, with good multimodal facilities. The proposed Housing-Rich Alternative has the potential to meet all those objectives.

With a strong commitment to both Transportation Demand Management (TDM) and careful parking policy, the Housing Rich Alternative has the potential to be an exemplary model for future smart development and Transit Oriented Development (TOD). We recommend that the Housing Rich Alternative shifts the focus of mitigation measures from roadway capacity-increasing improvements to its strong TDM program as well as transit, bicycle, and pedestrian improvements that further reduce automobile trip generation beyond the levels projected in the transportation study. Potential avenues of investment would be the outcome of the on-going

VTA's High-Capacity Transit Study and the Stevens Creek High Capacity Transit Line that is currently in discussions.

In addition, 38 regional freeway segments were impacted by various project scenarios. As with most freeway impacts, mitigation for the freeway impacts is payment towards VTA's Voluntary Contributions Program. The improvements in the VTP 2040 include installation of express lanes and existing freeway ramps improvements designed to improve traffic operations of the impacted freeway segments. Alternatively, reducing freeway traffic and greenhouse gases through VMT reductions would be environmentally superior to the proposed roadway expansions.

The VMT analysis included in the report does indicate the VMT per service population to be below the General Plan Buildout with Residential Allocation. If the project analysis was focused on VMT as the CEQA metric, the transportation improvements would be integrated into the land use plan rather than along affected roadway corridors and freeway segments and would result in a more complete, environmentally forward project.

As the City of Cupertino implements this plan, reducing VMT is still possible. As the plan is implemented over the next 10 years, it is important that development projects in our region take every opportunity to reduce VMT.

CONCLUSION

Thank you for the opportunity to comment on the Vallco Special Area Specific Plan Amendment to the Draft EIR. We are anxious to see the outcome of this exciting land use plan. The City of San Jose looks forward to continued collaboration, communication, and implementation of the project. If you have questions, please contact Karen Mack at karen.mack@sanjoseca.gov or (408) 535-6816, or Ramses Madou at ramses.madou@sanjoseca.gov or (408) 975-3283.

Sincerely,



John Ristow, Acting Director
Department of Transportation

cc: Department of Public Works,
Department of Planning Building and Code Enforcement