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September 13, 2021

VIA E-MAIL (RBUSTOS@SANTACLARACA.GOV)

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

Re: Comments on the Patrick Henry Drive Specific Plan Draft Environmental Impact Report (SCH#2019120515)

Dear Ms. Bustos:

Thank you for the opportunity to comment on the Draft Environmental Impact Report ("DEIR") for the Patrick Henry Drive Specific Plan (the "PHD Specific Plan"). As you know, O2Micro is a property owner of the parcel located at 3118 Patrick Henry Drive, Santa Clara, California ("O2Micro Property") in the southern portion of the PHD Specific Plan area. The City of Santa Clara ("City") included various stakeholders in its planning process, and identified O2Micro as Stakeholder #6 for the Specific Plan review process. Buchalter represents O2Micro as land use counsel for the development of the O2Micro Property.

O2Micro appreciates the City's efforts to undertake an ambitious planning process. We recognize that all interested parties and stakeholders may have different interests and objectives. As you know, O2Micro previously submitted comments on the draft PHD Specific Plan on March 31, 2021 raising its concerns specifically about the PHD Specific Plan proposed new road connection through the O2Micro Property to connect to Mission College Boulevard ("Road Connector"). As of the date of this letter, many of O2Micro's comments on the PHD Specific Plan remain unaddressed. Accordingly, the purpose of this letter is to confirm O2Micro's concerns about the PHD Specific Plan Road Connector through the O2Micro Property as part of the DEIR process.

While we appreciate the City's efforts to create a vision and plan for redevelopment in this area, we believe that the draft PHD Specific Plan DEIR does not adequately evaluate alternative alignments for the *only* roadway that the City has proposed to connect Patrick Henry

Drive to Mission College Boulevard. As you know, this Road Connector lies entirely on O2Micro's Property. Despite my client's respectful requests that the City eliminate this road from O2Micro's Property, and evaluate other equitable alternatives for road connections in the area, the City chose not to do so. My client requests once again that the City study a reasonable range of other *feasible* alternatives to the Road Connector under the California Environmental Quality Act (Pub. Resources Code §§ 21000 *et seq*.; 14 Cal. Code Regs. §§15000 *et seq*.) ("CEQA").

O2Micro is interested in working with the City and appreciates its role as a stakeholder. Nonetheless, my client respectfully requests that the City eliminate the Road Connector from its property and consider a different alternative. In this regard, we have identified for the City's consideration the need for further review of the impacts associated with the Road Connector on O2Micro's Property. We also identified a feasible alternative to the Road Connector that meets the City's basic project objectives, and lessens significant environmental impacts while providing alternative forms of transportation in accordance with adopted City plans and policies to assist the City in reconsidering other options that better address the need for transportation improvements in the Plan Area.

The PHD Specific Plan proposes extensive mixed-use redevelopment of an existing R&D area.

The Patrick Henry Drive Specific Plan proposes the development of 73.59 acres of land, westerly of Great America Parkway (GAP), with the southerly boundary south of the existing Patrick Henry Drive (PHD) or northerly of Mission College Boulevard (MCB), with the westerly boundary the Calabasas Creek and the City of Sunnyvale, and the northerly boundary the San Francisco Public Utility Commission Hetch Hetchy right of way. The DEIR considers two development alternatives: (1) the Maximum Residential with approximately 12,000 residential units with high and very high densities from 65 to 250 dwelling units per acre, plus some retail, flex space, and commercial facilities, or (2) the other alternative, referred to as Maximum Office, with 10,300 dwelling units and 785,000 square feet of office space with the same amount of retail, flex space, and commercial facilities as the first Alternative. The Specific Plan also identified two options regarding the Road Connector to and from Patrick Henry Drive to Mission College Boulevard. Option 1 extends solely through the O2Micro Property and Option 2 is the No Road Connector option.

O2Micro incorporates its comments on the Specific Plan by reference into O2Micro's comments on the DEIR.

Page 1-1. The DEIR states in the last paragraph of the Introduction on page 1-1, that the DEIR incorporates by reference the Patrick Henry Drive Specific Plan "to avoid repetition and provide a manageable environmental document." O2Micro submitted comments on March 31,

2021 on the Draft PHD Specific Plan when the City released it for public review and comment *without* the DEIR. We note that the DEIR suffers from many of the same issues as the Specific Plan does. Because the City requested comments first on the draft Specific Plan without making the DEIR available at the same time, and because the DEIR did not address the concerns we raised about the Specific Plan proposal, we are raising our concerns again here to the extent that the DEIR analysis does not address O2Micro's comments about the impacts of the Specific Plan and specifically, the Road Connector on the O2Micro Property.

O2Micro asks the City to clarify that the PHD Specific Plan Urban Center designation allows for a building height on the O2Micro Property of 5-12+ stories.

Page 1-9 – The Draft EIR states that:

"The Specific Plan would facilitate development in the Plan Area with a range of residential development, a mix of non-residential development, and the possibility of office development. Based on community and property owner feedback, two development "scenarios" have been designed to reflect these two development assumptions (i.e., a maximum residential development assumption and a maximum office development assumption) and to allow evaluation of potential impacts from either one."

Pages 1-9 and 2-3 state that the EIR evaluated two scenarios representing the maximum development potential for each scenario. The EIR evaluated: (1) Scenario A ("maximum residential development"), allowing up to approximately 12,000 net new residential units and 310,000 net new square feet (SF) of non-residential uses (150,000 SF retail, 90,000 SF flex, and 70,000 SF community facilities) by 2040; and (2) Scenario B ("maximum office development"), with up to approximately 10,300 net new residential units, 785,000 net new square feet of office uses, and 310,000 net new square feet of other non-residential uses (150,000 SF retail, 90,000 SF flex, and 70,000 SF community facilities) by 2040. O2Micro requests that the City clarify that under both development scenarios the number of dwelling units identified for the O2Micro Property would apply at an allowable building height of 5-12+ stories as further discussed below.

The DEIR fails to indicate that approval of a road through Mission College would be subject to the Mission College Board of Trustee's approval.

Pages 2-4 and 2-5; Page 3-46 list other government agency approvals that will be needed in order to develop the Patrick Henry Specific Plan. **Page 3-25** of the DEIR indicates that the Specific Plan includes the Road Connector option through O2Micro's Property to connect to Mission College Boulevard and a No Road Connector option in which there is no connection to MCB or through the Mission College Campus. Figure 3.6 Land Use Plan on **page 3-11** and Figure 3.7 Urban Design Framework on **page 3-12** show the Road Connector option and indicate as a note – "proposed roadway is based on pending approval from the College."

Surprisingly, the DEIR does not indicate the Specific Plan (with the road connector) would be subject to the Mission College Board of Trustees as an "other government agency" approval in Chapter 2 or on Page 3-46. We request that the City revise the DEIR to explain that the Mission College Board of Trustees is another agency approval needed for the Road Connector option.

The Summary should be revised to be consistent with corresponding revisions to the DEIR chapters.

Pages 2-1 through Page 2-49: The comments set forth below regarding the text of the DEIR should be revised to appropriately reflect impacts associated with the Road Connector option versus the No Road Connector option also apply to the Summary.

The DEIR Project Description did not adequately describe the Road Connector Option and the No Road Connector Option in the PHD Specific Plan.

Page 3 - 10: The DEIR's Project Description did not thoroughly describe the potential alignments for the roadway connecting Patrick Henry Drive to Mission College Blvd. and into the Mission College Campus. CEQA requires that an EIR's project description provide enough details necessary for the evaluation and review of the project's environmental impacts. (14 Cal. Code Regs. (the "CEQA Guidelines"), §15124.) This includes "[a] general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals . . . ." (*Id.*, §15124(c).) A stable and accurate project description is necessary so that the lead agency and the public have enough information to "ascertain the project's environmentally significant effects, assess ways of mitigating them, and consider project alternatives." (*Sierra Club v City of Orange* (2008) 163 Cal.App.4th 523, 533.) An accurate project description "is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." (*San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713,730.)

The DEIR does not provide a clear description of the options for roadway alignments that may connect Patrick Henry Drive to Mission College Blvd. and into the campus. Instead, the DEIR discusses *only* the O2Micro Road Connector and the No Road Connector, and illustrates the Road Connector Option with an asterisk at Mission College Boulevard. Unlike the DEIR's limited description of the road, however, the PHD Specific Plan EIR Notice of Preparation dated December 19, 2020 ("NOP") stated that a range of connection options between PHD and Mission College Blvd. would be considered. That did not happen.[1]

[1] The EIR Project Description, however, fails to recognize that O2Micro has not consented to any roadway alignment through its Property, and that any such configuration will depend on the approval of *both* the West Valley-Mission Community College District (i.e. Mission College) *and* O2Micro.

The DEIR Project Description does not discuss the Road Connector options that were evaluated by the traffic consultant in the Traffic Impact Analysis (TIA). Instead, the DEIR explains that *only* one "road connection" is proposed, and that it would be located "in the southern part of the Plan area (***on O2Micro's Property***)" (emphasis added). (DEIR, p. 3-10.) This description is repeated almost verbatim in the Project Description's discussion of the PHD Specific Plan's vehicular network. (DEIR, p. 3-25.)

Rather than informing the public of the environmental impacts of the road connection alternatives that may be considered in the Specific Plan, the DEIR Project Description forecloses upon those alternative alignments by concluding that the *only* roadway connection is through the O2Micro Property. Chapter 17 of the DEIR explains that two roadway alignments were studied in the TIA, but that the TIA "selected as the preferable choice"[2] the O2Micro Road Connector. Chapter 3 should have discussed the alternative alignments that were considered as part of the preparation of the Specific Plan, and Chapter 17 should have analyzed those alignments. Accordingly, the Project Description should be updated to reflect other possible alignments that the TIA supposedly identified for connecting Patrick Henry Drive and Mission College Blvd. and another alternative to locating alternative forms of transportation in lieu of a road.

The Draft EIR inconsistently evaluates building heights for development on the O2Micro Property.

Page 3-19: Urban Center on Page 3-19 defines that the building height for Urban Center shall be 5-12+ stories. However, Figures 3.8 on Page 3-15 and 3.8(ALT) on Page 3-16 mistakenly depict building heights of 12+ stories for the O2Micro Property under the Specific Plan. O2Micro requests that Figure 3.8 on Page 3-15 and Figure 3.8-ALT on Page 3-16 of the DEIR, as well as section 4.3.2.3 on page 57, Figure 4.4 on Page 62 and Figure 4.4A-ALT on Page 64 of the PHD Specific Plan, be revised to state 5-12+ stories instead of 12+ stories for Urban Center.

Page 3-25: As noted above, the DEIR states that the Draft Specific Plan includes a new Road Connector option between Patrick Henry Drive and Mission College Boulevard (on the O2Micro Property). The DEIR project description notes that the Specific Plan also includes a No Road Connector option in which no road would be constructed on O2Micro's property or between Patrick Henry Drive and the Mission College Campus. No further information is provided in the DEIR about the alignment and width of that road on the O2Micro Property or to the south of Mission College Boulevard.

Page 3-39: The DEIR states that the City could approve an area development impact fee that will be paid by new development to cover the cost of public infrastructure and other

[2] Comments on the TIA are discussed further below.

amenities (which cannot be used for public services or maintenance). The PHD Specific Plan would involve adoption of an Area Impact Fee to supplement the existing City-wide development impact fees for funding infrastructure improvements that serve the PHD Specific Plan. The DEIR states that proceeds may be used to reimburse property owners who pay upfront costs for facilities or infrastructure needed to facilitate development on their property, but there are no assurances (as the DEIR) notes that the developer who upfront funds the cost of public improvements will ever be reimbursed for the improvements. Even though an area impact fee may fund a "pay as you go" approach through a system of credits and reimbursements, no information has been provided in the Specific Plan or the DEIR to explain how the proportionate share of improvements would be funded and system of reimbursement or fee credits. In this regard, the City expects O2Micro to 100% fund the cost of a *private* Road Connector that would be installed 100% on the O2Micro Property for *public* use without any explanation of how the City would compensate O2Micro for the public improvements benefiting others in the Plan Area. O2Micro is also concerned about that O2Micro could be expected to fund ongoing maintenance expenses for road repair, pedestrian/bike and vehicle safety, and the liability associated with public use of a private road involving substantial traffic volumes.

The Air Quality and Climate Change Chapters are unclear as to the air quality and GHG impacts of the Specific Plan Road Connector option through the O2Micro Property as compared to the No Road Connector option.

There is no discussion of how the No Road Connector option actually better conforms to the General Plan Air Quality and Climate Change policies that encourage alternative forms of transportation such as bike and pedestrian travel compared to the Specific Plan's proposed road connection and related improvements. The Road Connector would result in a greater amount of traffic through the Plan Area and corresponding air pollutant emissions that could be avoided by eliminating the Road Connector.

Page 5-41 of the DEIR states the air quality and climate change impacts evaluated in Chapter 5 assumes that Scenario A (the "maximum residential development" option) is estimated to have a 24.9 percent reduction in trip generation due to internal capture and proximity to transit, and Scenario B (the "maximum office development" option) is estimated to have an approximately 25 percent reduction in trip generation. Mitigation Measure 5-2D requires future projects in the Plan Area prepare and implement a TDM plan that demonstrates a minimum vehicle miles traveled ("VMT") reduction of 20%, with at least 10% of that reduction coming from project-specific measures (e.g., not inherent reductions due to internal capture, proximity to transit, etc.). Footnote 1 on page 5-44 states that the emissions in Table 5-15 and Table 5-16 reflect an embedded VMT reduction of approximately 25 percent under buildout associated with Scenario A and an approximately 29 percent reduction associated with Scenario B. Please clarify how Mitigation Measure 5-2D's 20% reduction in trips due to TDM would achieve the DEIR's trip reduction assumptions of 25-29%.

Chapter 10, Hazards and Hazardous Materials, should clarify the height of the proposed buildings on the O2Micro Property.

The City should revise the EIR to note that buildings will range from 5-12+ stories and not 12+ stories or greater so as to avoid potential future impacts due to increased density and building heights under the Airport Land Use Plan.

Chapter 13, Noise, identifies significant noise impacts for future residents along the new Road Connector on the O2Micro Property.

Page 13- 9: The DEIR states "[t]here were no stadium events or activities taking place at the time the ambient noise monitoring was conducted for this EIR". We are concerned that the DEIR did not acknowledge potential impacts of cut-through stadium traffic in Chapter 13 and Chapter 17, Transportation (see discussion below) or the potential associated indirect land use impacts and request that the DEIR be revised to clarify the potential impacts on future residents along the Road Connector under the Road Connector and No Road Connector options.

Page 13- 41, 42: The DEIR states that the projected noise levels would be unacceptable for new residential land uses along the new Road Connector. This would be a significant impact for residents along both sides of the Road Connector, on the north side of Patrick Henry Drive across the Road Connector, and potential future residents of Mission College on-campus housing. Because the DEIR appears to under-report potential noise impacts by overestimating the effectiveness of trip reduction, the noise impacts to future residents along the Road Connector may be greater than the impacts reported in the DEIR.

Page 13-42 also states that average daily traffic ("ADT") on the Road Connector could range between 19,340 to 29,840 vehicle trips. Since the TIA may not have fully reported the ADT for the connector road, it appears that the ADT estimates used for the noise analysis in Chapter 13 may represent the ADT estimates that should have been specified and used in the TIA and Chapter 17 Transportation, but even these estimates may be too low if the trip reduction measures are not effective. In any event, the estimated ADT of 19,340 to 29,840 vehicle trips represents a substantial increase in traffic, but is quite conservative as it does not take cut-through traffic (e.g., Levi's Stadium etc.) into account. Stadium cut-through traffic represents a significant percentage of the estimated 50,500 to 51,700 vehicle trips in the PHD Plan Area (if it is even considered). Traffic volumes of this magnitude convert the new Road Connector on the O2Micro Property into a major arterial street instead of a residential street. This, in turn would generate elevated noise levels impacting future residents on the O2Micro Property and at the Mission College Campus. The substantial increase in ADT will impact roadway capacity and generate elevated noise levels along Mission College Boulevard and residential streets in the

Sunnyvale Lakehaven neighborhood on the other side of Calabasas Creek. The DEIR should disclose these impacts.

Chapter 17 (Transportation) of the DEIR did not explain why the Road Connector was the preferred road connection option.

Page 17- 2: The Specific Plan proposes a 4-lane private road through O2Micro's property for public use. Page 129 of the Specific Plan indicates the road includes 2 Shared Travel Lanes for vehicles and bikes, 2 Parking Lanes, plus 2 Sidewalks within 60 feet or so. This Road Connector takes up a considerable portion of the O2Micro Property. Chapter 17 briefly states that the TIA "considered two different alignments," but that the alignment "located on the O2Micro parcel" is "the preferable choice between the two." (DEIR, p. 17-2.) This summary concludes that any alternate alignment would conflict vehicle movements. The "Scope of Traffic Analysis" section further explains that the analysis focused on the circulation system only with the O2Micro Road Connector and the No Road Connector Option (DEIR, p. 17-2.)

An EIR is intended to be an "informational document which will inform public agency decisionmakers and the public generally." (CEQA Guidelines, § 15121(a).) The analysis contained in an EIR "must be specific enough to permit informed decision making and public participation." (*Laurel Heights Improvement Assn. v. Regents of Univ. of Calif.* (1988) 47 Cal.3d 376, 406.) "What is required is the production of information sufficient to permit a reasonable choice of alternatives. . . ." (*Id.*) Conclusions under CEQA are adjudged based on whether "substantial evidence" exists to support the lead agency's conclusions. (*City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 898.) "Substantial evidence" is defined as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (Pub. Res. Code, § 21168.5; *City of Long Beach*, *supra*, 176 Cal.App.4th at p. 899.) An EIR's findings are not considered to be supported by substantial evidence and, therefore, are legally inadequate, if there is no evidence or information showing the issue was studied. (*City of Maywood v. Los Angeles Unified School Dist.* (2012) 208 Cal.App.4th 362, 395.)

The DEIR does not provide information to allow City officials to compare the impacts of the Road Connector with other possible alternative alignments. The TIA explains that "two potential alignments were considered," including the Road Connector through the O2Micro Property and an "eastern alignment." (TIA, p. 1.) However, the subsequent "Background Plus Project Conditions" analysis focused *solely* on the Specific Plan with the O2Micro Alignment or without any connection at all.[3] (*See generally* TIA, ch. 4.). The TIA does not appear to discuss an alternative alignment to connect to Mission College Blvd.

[3] The analysis evaluated two different "options" with respect to the roadway, but these options differed between the two options relating to different densities proposed within the Specific Plan—not two roadway alignment options.

The TIA and Draft EIR Transportation Impact Analysis did not discuss traffic impacts due to the road connector option included in the PHD Specific Plan.

Chapter 17 of the DEIR and the accompanying TIA contained in Appendix 25.6 of the Draft EIR did not provide adequate analysis in the following areas:

1. **Significant Transportation Impacts Identified in the TIA are Not Included in Chapter 17 of the DEIR.** Chapter 17 of the DEIR does not discuss the significant and adverse transportation impacts that were identified in the TIA (see Appendix 25.6).

2. **VMT Data is Unavailable.** The Vehicle Miles Traveled (VMT) analysis may be missing from the DEIR and TIA. The TIA and Chapter 17 refer to the City of Santa Clara ("CSC") Travel Model. If the VMT information is contained therein, that information should be highlighted with a comparison of the No Project condition versus the Background + Project condition, and versus the Cumulative condition.

3. **TIA Fails to Substantiate Trip Generation Estimates.** Chapter 17 omits the total estimated project trip generation of daily, AM and PM peak hour trips and the 27.5% assumed reduction in project trips as analyzed in the TIA. The estimated trips from Tables 7 and 8 of the TIA indicates 69,701 to 71,303 daily trips, 4,359 to 4,657 AM, and 6,020 to 6,174 PM peak hour trips for the two land use alternatives. The gross volumes are reduced by roughly 27.5% with more than 15% of that reduction due to transit usage. While that percentage has not been documented, the 27.5% trip reduction would result in a net range of 50,500 to 51,700 daily trips, 3,318 to 3,540 AM, and 4,764 to 4,810 PM peak hour trips. These numbers do not include cut-through traffic from Levi's Stadium etc. Moreover the TDM program is designed only to reduce trip generation by 20% so the traffic volumes may be greater with mitigation than the DEIR reports.

4. **Detailed Operational Analyses of the Road Connector and No Road Connector Options were not included in the TIA or the DEIR**. The DEIR did not include the operational analyses for the access and circulation along Patrick Henry Drive and the two options for the Road Connector. The Specific Plan includes several offset streets along PHD. Without addressing operational benefits and impacts as well as estimated ADT and AM and PM peak hour trips to the Road Connector and the future two intersections at PHD and at Mission College Boulevard for the condition with and without the Road Connector, the TIA concludes with limited quantitative and mostly qualitative comments that the O2Micro property is the best option for an additional "T" intersection along PHD.

5. **Specific comments on the TIA**. The TIA is prepared closer to the traditional format with trip generation, trip distribution and assignments, LOS analyses at critical intersections, freeway analysis, traffic signal warrant analyses, and some apparent operational analyses.

A. Trip Generation estimates in Tables 7 and 8 in the TIA include a 27.5% trip reduction from the estimated daily, AM and PM peak hour trips. The totals should be reported in the DEIR.

B. The TIA does not explain the basis for the trip reduction assumption of 27.5%.

C. The NO connector road option should be analyzed more thoroughly.

D. The DEIR does not include any Mitigation Measures for the operational issues which are considered "adverse" and formerly would be considered "significant" under CEQA, remain as issues to be mitigated to satisfy the CSC and the VTA Guidelines.

E. There are "Other" issues such as the potential of a TIRE analysis. That analysis together with a more complete operational analysis should be completed in the TIA and DEIR.

The Draft EIR does not discuss how the PHD Specific Plan is consistent with the adopted Santa Clara Bicycle Master Plan Update (2018).

Page 17-11, 17-16, 17-20: The DEIR states that the Bicycle Plan Update describes a comprehensive bicycle network in the Plan Area. Santa Clara approved the Bicycle Plan Update and Pedestrian Master Plan in 2019 and 2020, respectively. The final City of Santa Clara Bicycle Plan Update 2018 (636973309258870000 (santaclaraca.gov)) (Bicycle Plan Update) serves as the master plan for bike paths of the City. The Bicycle Plan Update indicates that the Class-1 bike path along Calabasas Creek offers the best safety (Figure 11, Page 20 of the Master Plan Update) and best bicycling level of traffic for a range of patrons (Figure 13 on Page 26 of the Bicycle Plan Update). The City approved the extension of the Calabasas Creek bike trail from Old Mountain View-Alviso Road to Baylands Park Trail in the north, and from Mission College to Benton Street in the south. The City also approved a bicycle path along Hetch-Hetchy trail to connect Calabasas Creek and Lick Mill Boulevard (Figure 14 of the Bicycle Plan Update).

Specific Plan Policies discussed on page 17-16 of the DEIR encourage the reduction of automobile travel and encourage bicycle paths as an alternative (see e.g., Policy 5.8.1.2). A greenway along Calabasas Creek from Mountain View-Alviso to Mission College exists for multi-use purposes (Class-1 paved bike lane and pedestrian lane). Bike lane facilities along Calabasas Creek are illustrated in Figure 3.7, Figure 3.7 ALT, Figure 17.1 of the DEIR, and Existing Bicycle Facilities, and on pages 19-20 of the Traffic Impact Analysis in Appendix 25.6. A bridge across Calabasas Creek connects the Specific Plan area with John W. Christian Greenbelt and Blazingwood Drive neighborhood in Sunnyvale.

The DEIR, however does not discuss the potential vehicular/pedestrian and vehicular/ bike conflicts between the proposed Specific Plan Roadway Connector to Mission College. **Impact 17-3**, Impacts on Bicycle Facilities simply concludes that because the PHD Specific Plan includes bicycle lanes and paths, there are no significant impacts, but there is no analysis of the substantial traffic volumes on such a short segment of the Road Connector (and the additional cut-through traffic from Levi's Stadium on this road) that may conflict with bike riders on the two Shared Travel Lanes trying to access Mission College Boulevard, and the campus. The north circle of Mission College Blvd today has only vehicular lanes without any bike facilities

The use of the approved bike path along Calabasas Creek would serve as an appropriate location for alternative modes of travel which is consistent with the Specific Plan circulation policies as it would discourage vehicular travel through the Plan Area. The bike path along Calabasas Creek should have been considered as an alternative to the Road Connector. Although the DEIR briefly mentions the City of Santa Clara Bicycle Plan Update 2018 on page 17-11, it does not discuss how the Patrick Henry Specific Plan would be consistent with the Bicycle Plan Update, and how it may result in significant impacts to bicycle circulation in the PHD plan area.

The DEIR does not evaluate the Specific Plan's inconsistency with the pedestrian path along Calabasas Creek based on the adopted Pedestrian Master Plan 2019.

Page 17-12, 17-21: The DEIR indicates the Pedestrian Master Plan 2019 describes a comprehensive pedestrian network in the Plan Area. Calabasas Creek currently offers pedestrian facilities as illustrated in Figure 3 on Page 21 of the TIA. Under existing conditions, pedestrians from the PHD Plan Area can easily walk along Calabasas Creek as it carries light traffic. According to the City of Santa Clara Pedestrian Master Plan 2019 approved on February, 2020 (637184802740430000 (santaclaraca.gov)) (Pedestrian Master Plan), a pedestrian sidewalk along Calabasas Creek between Gianera Street and Highway 101 (Map 2 on Page 8 of the Pedestrian Master Plan) offers safe pedestrian access (Map 8 on Page 37 of the Pedestrian Master Plan), as well as excellent pedestrian safety (Map 9 on Page 39 of the Pedestrian Master Plan). This safe access should be contrasted against the two noisy and unsafe Sidewalk Lanes for the Road Connector to Mission College, as the north circle of Mission College Blvd today has only vehicular lanes without any pedestrian facilities.

The DEIR does not discuss the potential vehicular/pedestrian conflicts between the proposed Specific Plan Roadway Connector to Mission College. **Impact 17-4**, Impacts on Pedestrian Facilities simply concludes that because the PHD Specific Plan includes pedestrian paths and sidewalks, there are no significant impacts, but there is no analysis of the substantial traffic volumes on such a short segment of the Road Connector (and the additional cut-through traffic from Levi's Stadium on this road) and how it will conflict with pedestrians trying to access Mission College Boulevard and the campus. The DEIR very briefly mentions the final

City of Santa Clara Pedestrian Master Plan 2019 on P17-11, but omits the pedestrian path along Calabasas Creek when discussing pedestrian facilities for the PHD plan area (Page 17-21).

The DEIR does not consider the impacts of the Road Connector on Mission College and Calabasas Creek.

Pages 17-22 and 17-23: The DEIR discusses potential hazards due to design features or incompatible uses in Impact 17-5. The DEIR states there is no significant impact, however. But the DEIR does not discuss potential impacts with the Road Connector and Mission College Boulevard. Mission College Boulevard encircles the Mission College Campus. The width of the northern part of Mission College Boulevard changes near the O2Micro Property. If one extends the west property line of O2Micro and allows it to intersect Mission College Boulevard, east of this intersection there are 4 vehicular lanes on Mission College Boulevard, and west of this intersection 2 vehicular lanes on Mission College Boulevard. The road curls to hug along Calabasas Creek & Mission College Sports Fields towards the HWY 101 frontage road. In other words, MCB vehicular lanes are reduced by half adjacent to the south side of O2Micro property.

The O2Micro Property size is 416 feet x 263 feet. With the Road Connector of 263 feet in length carrying an ADT of 19,340 to 29,840 vehicle trips and dumping traffic on the Mission College Campus, a significant amount of vehicles may result in traffic congestion for the length of about 400 feet westward where the Mission College Boulevard width is reduced by half. This could further impair pedestrian and bicycle safety due to the greater vehicle/pedestrian/bike conflicts. We request that the City revise the EIR to address these impacts and to evaluate an alternative to the Road Connector as explained below.

The DEIR should evaluate an alternative pedestrian/bicycle path along Calabasas Creek in lieu of a new Road Connector per the Bicycle Plan Update.

O2Micro requests that the City replace the Road Connector with a new pedestrian/bike trail along Calabasas Creek consistent with the Bicycle Plan Update. This pedestrian/bicycle trail would provide a bicycle and pedestrian connection from the northern boundary of the PHD Specific Plan along Calabasas Creek into the Mission College Campus. Development of either development scenario considered under the PHD Specific Plan with a pedestrian/bicycle connection would meet most of the basic project objectives of the PHD Specific Plan described in Section 3.3 of the Draft EIR. Replacing travel lanes through O2Micro with a pedestrian/ bicycle path along Calabasas Creek would address the following concerns:

- Replacing the Road Connector with a pedestrian/bicycle trail along Calabasas Creek would meet the No Road Connector option and would provide alternative transportation under the Bicycle Plan Update and Pedestrian Master Plan.

- Replacing the Road Connector with a pedestrian/bicycle trail along Calabasas Creek would accommodate safe pedestrian and bicycle travel through the Plan Area while minimizing pedestrian/bicycle vehicular conflicts due to the large traffic volumes through the southern portion of the Plan Area.

- Replacing the Road Connector with a pedestrian/bicycle trail along Calabasas Creek would avoid additional cut-through traffic from Levi's Stadium through the southern portion of the PHD plan area (which the EIR did not evaluate) and into the Mission College Campus and Sunnyvale neighborhood.

- Replacing the Road Connector with a pedestrian/bicycle trail along Calabasas Creek would avoid significant noise and air quality impacts that will affect the Mission College Campus and future residents on the O2Micro Property.

Conclusion

The DEIR did not thoroughly discuss the PHD Specific Plan's impacts based on the Road Connector option, nor did it consider another feasible alternative to a new road connection. We respectfully request that the City revise the EIR and Specific Plan to replace the Road Connector with an alternative pedestrian/bicycle path along Calabasas Creek. My client has raised its concerns on numerous occasions. We hope to work with the City on a mutually acceptable plan that meets the community's interests without imposing greater impacts to O2Micro.

Sincerely,

BUCHALTER
A Professional Corporation

By 

Alicia Guerra
Shareholder

cc: Yimin Zimmerer
Lynn Lin
Jane Zhang