6/23/20

Item 6.x

6/23/20

Item 6

City Council Meeting

Item #6.X - 20-380
2200 Lawson Lane
Lawson Lane West Campus Expansion Project

June 23, 2020

City of Santa Clara
The Center of What's Possible

2200 Lawson Lane

Lawson Lane Office Campus

East Campus – *occupied*
- 8.82 acres
- 306,900 sf office
- 8,000 sf amenity space
- 1,023 parking spaces

West Campus - *under construction*
- 7.56 acres
- 244,655 sf office
- 17,961 sf amenity space
- 979 parking spaces

POST MEETING MATERIAL

2200 Lawson Lane

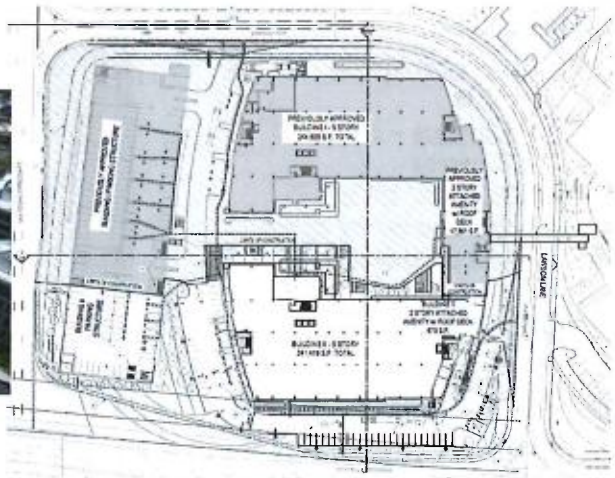
Project Description

Rezone from Planned Development (PD) to Planned Development (PD) to allow intensification of Phase 2 of Lawson Lane Office Campus Project

West Office Campus	Existing (Under Construction)	Proposed	Combined Total
Office	244,655 sf	241,419 sf	486,074 sf
Common Building	17,961 sf	670 sf	18,631 sf
Gross Floor Area	262,616 sf	242,089 sf	504,705 sf
Office FAR	0.74	0.74	1.48
Parking Spaces	979	466	1,445

2200 Lawson Lane

Existing and Proposed Project



Lawson Lane West Campus

City of Santa Clara
The Center of What's Possible

2200 Lawson Lane

Existing and Proposed West Campus Office Buildings

North Elevation

South Elevation

West Elevation

East Elevation

City of Santa Clara
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2200 Lawson Lane

Existing and Proposed Parking Garage

City of Santa Clara
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2200 Lawson Lane

General Plan Conformance

- **Designation:** High Intensity Office Research and Development
- **Consistent General Plan Policies:** General Plan Land Use Policies and Industrial Land Use Policies

City of Santa Clara
The Center of What's Possible

2200 Lawson Lane

Project Build-Out

Lawson Lane Office Campus	Phase 1 East Campus	Phase 2 West Campus	Corporate Campus
Office	306,900 sf	486,074 sf	792,974 sf
Common Building	8,000 sf	18,631 sf	26,631 sf
Gross Floor Area	314,900 sf	505,705 sf	795,605 sf
Office Floor Area Ratio	0.8	1.48	1.11
Parking Spaces	1,023	1,445	2,468
Parking Ratio	3.3:1,000	3.0:1,000	3.1:1,000

2200 Lawson Lane

CEQA Review

- Addendum to the certified 2008 Final Environmental Impact Report and adopted 2013 Mitigated Negative Declaration for the Lawson Lane Office Campus Project
- Analyzed the net increase in development to determine whether the changes in site design and intensification would result in new significant impacts or substantially more severe impacts than previously addressed in the prior documents
- Analysis concluded that the project would not result in new significant environmental impacts; and that no new information has come to light that would indicate the potential for new significant impacts or substantially more severe environmental impacts than were analyzed in the prior documents

2200 Lawson Lane

Considerations

- Located in industrial/office sector along two major transportation corridors in proximity to housing and services
- intensifies project to be closer to intended range for General Plan designation and supports economic growth at site planned for such corporate uses
- Designed to mirror buildings currently under construction on the West Campus and create a visually cohesive and unified corporate campus
- Constructs on- and off-site public and private improvements
- Creates a complete and integrated corporate office campus

2200 Lawson Lane

Recommendation

- Adopt a Resolution adopting the Addendum to the 2008 Final Environmental Impact Report and 2013 Initial Study/Mitigated Negative Declaration for the Lawson Lane West Campus Expansion Project; and
- Adopt a Resolution to approve a rezoning of the project site from PD to PD to construct a 241,419 sf five-story office building, 670 sf addition to a common building and expand the six-level parking garage to provide a total of 1,445 parking spaces on the Lawson Lane West Campus

The SOBRATO Organization

BUILDING 2
2200 LAWSON LANE
SANTA CLARA, CA

2200 LAWSON LANE
SANTA CLARA, CA

AERIAL VIEW LOOKING NORTHEAST

Site Design & Access

- On-site queueing
- Lawson Lane re-striping for middle turn lane
- Delineators on Southeast entrance preventing left turn

2200 LAWSON LANE
SANTA CLARA, CA

Project Data

- Expansion for **ServiceNow** – one of the largest employers in City of Santa Clara
- Entire Lawson West campus built to **LEED Gold Certified**
- 6% of project parking spaces installed with **EV chargers**, with additional 9% pre-wired for future chargers.
- **PV panels** installed on garage rooftop

The SOBRATO Organization

City Council
Santa Clara, CA
June 23, 2020

Project Data

- Building 1 and Amenity currently **under construction**
- Proposed Building 2 **mirrors** Building 1 to fill out campus
- Decorative **3D architectural mesh screen** is continued on garage
- Building 2 and Amenity expansion adds **242,089 S.F.**
- Garage and surface expansion result in **+468 parking spaces**

2200 LAWSON LANE
SANTA CLARA, CA

Additional Traffic Initiatives

- **ServiceNow Traffic Measures**
  - Last-mile shuttle from Santa Clara transit center (Caltrain & Amtrak)
  - San Francisco direct shuttle
  - Scoop carpooling
  - Pre-tax benefits for commuters
  - Currently exploring other initiatives
- **20% VMT Reduction through TDM Plan**
- **Fair-Share Traffic Impact Fees to Identified Intersections:**
  - San Tomas & Walsh
  - San Tomas & El Camino
  - San Tomas & Benton
  - San Tomas & Homestead

2200 LAWSON LANE
SANTA CLARA, CA

AERIAL VIEW LOOKING SOUTHWEST

2200 LAWSON LANE
SANTA CLARA, CA

AERIAL LOOKING NORTHWEST

2200 LAWSON LANE
SANTA CLARA, CA

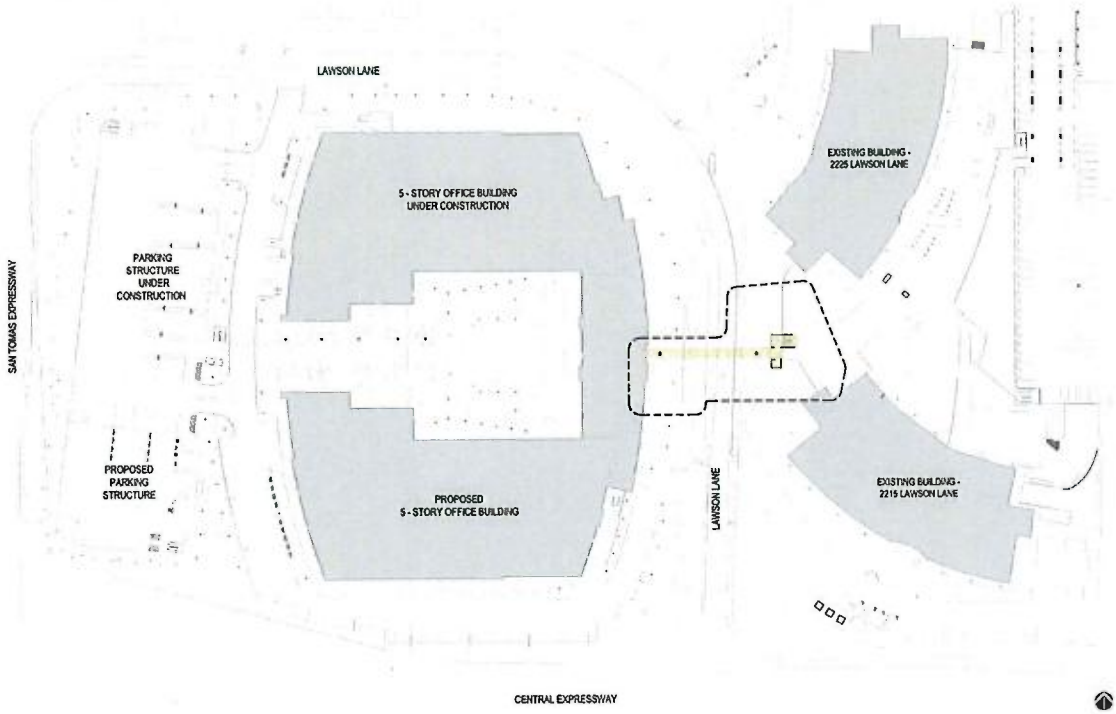
VIEW FROM LAWSON LANE LOOKING EAST

2200 LAWSON LANE
SANTA CLARA, CA

VIEW FROM ENTRY DRIVE LOOKING EAST

QUESTIONS

2200 LAWSON LANE
SANTA CLARA, CA



The SOBRATO Organization

City Council
Santa Clara, CA
June 23, 2020

2200 LAWSON LANE
SANTA CLARA, CA

VIEW LOOKING NORTH FROM CENTRAL EXPRESSWAY

2200 LAWSON LANE
SANTA CLARA, CA

VIEW LOOKING SOUTHEAST

6/23/20

Item 6.X

Simrat Dhadli

From: Nora Pimentel
Sent: Monday, June 22, 2020 2:09 PM
Cc: Andrew Crabtree; Deanna Santana; Simrat Dhadli
Subject: June 23 Council Agenda Consent Item 6.X (2200 Lawson Lane Office Project)
Attachments: Comment Ltr from Sam Liu.pdf; Responses to Comment Ltr_6.19.20.pdf; FW: 2200 Lawson Lane Office Project - Responses to comments

Good afternoon Mayor and Councilmembers

Attached you will find documents related to the June 23 Council Agenda Consent Item 6.X (Rezone of the Property Located at 2200 Lawson Lane)

- Comment Letter from Sam Liu
- Response to Comment Letter
- Email chain for your reference

Thank you

Nora Pimentel, MMC | Assistant City Clerk | City Clerk's Office
City of Santa Clara, California
1500 Warburton Ave. | Santa Clara, CA 95050
(O) 1.408.615.2222 | (F) 1.408.241.6771
npimentel@santaclaraca.gov | www.santaclaraca.gov
City of Santa Clara
The Center of What's Possible

POST MEETING MATERIAL

Simrat Dhadli

From: Simrat Dhadli
Sent: Monday, June 22, 2020 12:50 PM
To: Nora Pimentel
Subject: FW: 2200 Lawson Lane Office Project - Responses to comments

From: Debby Fernandez <DFernandez@santaclaraca.gov>
Sent: Monday, June 22, 2020 11:57 AM
To: Simrat Dhadli <SDhadli@SantaClaraCA.gov>
Subject: FW: 2200 Lawson Lane Office Project - Responses to comments

From: Sam Liu <saml@newnex.com>
Sent: Friday, June 19, 2020 12:41 PM
To: Debby Fernandez <DFernandez@santaclaraca.gov>
Cc: Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Teresa O'Neill <TONeill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Hi Debby,

Noted, thanks.

Have a nice weekend.

Best Regards,
Sam Liu
Newnex Technology Corp.
3041 Olcott Street
Santa Clara, CA 95054 USA
T: (408)986-9988
F: (408)986-8024
www.newnex.com
- Connecting with Confidence

From: Debby Fernandez <DFernandez@santaclaraca.gov>
Sent: Friday, June 19, 2020 10:31 AM
To: Sam Liu <saml@newnex.com>
Cc: Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Teresa O'Neill <TONeill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Thank you Sam. Your comments have been received and will be reviewed.
Best regards,
Debby

From: Sam Liu <saml@newnex.com>
Sent: Friday, June 19, 2020 9:09 AM
To: Debby Fernandez <DFernandez@santaclaraca.gov>
Cc: Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Teresa O'Neill <TONeill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Hi Debby,

Thanks again for your prompt replies for our document request.

Attached are our additional comments for this expansion project and related topics.

We respectfully request the City Councilmembers to review and kindly reply.

Thanks, Best Regards,
Sam Liu
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www.newnex.com
- Connecting with Confidence

From: Debby Fernandez <DFernandez@santaclaraca.gov>
Sent: Wednesday, June 17, 2020 3:28 PM
To: Sam Liu <saml@newnex.com>
Cc: Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>; Teresa O'Neill <TONeill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Hello Sam, thank you for your comments. Staff will review and provide a response following review of the submitted material.
Best regards,
Debby

From: Sam Liu <saml@newnex.com>
Sent: Tuesday, June 16, 2020 3:10 PM
To: Debby Fernandez <DFernandez@santaclaraca.gov>
Cc: Raj Chahal <RChahal@SantaClaraCA.gov>; Karen Hardy <KHardy@SantaClaraCA.gov>; Lisa Gillmor <LGillmor@SantaClaraCA.gov>; Kathy Watanabe <KWatanabe@SantaClaraCA.gov>;

Teresa O'Neill <TONeill@SantaClaraCA.gov>; Debi Davis <Ddavis@SantaClaraCA.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Hi Debby,

Thanks again for forwarding the responses to our comments.

Attached are our comments to Response A-2. We are working on comments to A-1 and the general comments. When they are ready, I will send to you.
The Responses David J. Powers & Associates are dated on May 20 but we received them on June 6. I knew the delay might be due to Shelter in place order but we wish we had receiving earlier so that we would have had more time to prepare for comments.

I also noticed the Planning Commission didn't address our comments and any other comments (correct me I miss present this) at the Planning Commission Review meeting on April 8 and it approved the expansion plan as is. I hope the city councilmembers could review and address our comments and any other public comments at the council meeting. That is why I copied councilmembers on this email.

Thanks

Best Regards,
Sam Liu
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- Connecting with Confidence

From: Sam Liu <saml@newnex.com>
Sent: Thursday, June 11, 2020 3:02 PM
To: 'Debby Fernandez' <DFernandez@santaclaraca.gov>
Subject: RE: 2200 Lawson Lane Office Project - Responses to comments

Hi Debby,

Nice hearing from you.

Thank you for forwarding the comments and I will review. I already marked 6/23 on my calendar.

Thanks and stay healthy too.

Best Regards,
Sam Liu
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- Connecting with Confidence

From: Debby Fernandez <DFernandez@santaclaraca.gov>
Sent: Thursday, June 11, 2020 2:57 PM
To: saml@newnex.com
Subject: 2200 Lawson Lane Office Project - Responses to comments

Hello Sam, I hope you are doing well and staying healthy. Attached are the response to the comments you submitted to the City and Planning Commission regarding the Lawson Lane West Office Campus Expansion Project. Sorry for the delay in getting it to you. We had to have it reviewed internally before releasing so it took a bit of time. The project is scheduled for the June 23rd City Council meeting. You will be receiving a notice of the meeting. Please let me know if you have questions.

Best regards,
Debby

Newnex

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Santa Clara, CA 95054

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www.newnex.com

June 19, 2020

Newnex additional Comments for 2200 Lawson Expansion Project

Comments on standards, methodologies related to the TIA reports (2102 report and 2020 report)

Study Intersections:

By analogy, selecting Study Intersections in a traffic impact analysis study is similar to choosing testing samples in an engineering experiment. To collect data from different test conducting times for a same test setup, variations to test samples should be minimized for yielding correlated results. For 2200 Lawson expansion project, there were eighteen (18) Study Intersections in 2012 TIA report. However, the number of study intersection was changed to eleven (11) in 2020 report by the same consulting firm, Hexagon, without providing change notes or explanations. In our opinion, such changes could result in reduced correlations and increased inconsistency between 2012 and 2020 TIA reports since they were conducted for the same project location.

Study Freeway Ramps:

For TIS report by Hexagon (3/25/2020), US 101 northbound loop off-ramp, southbound diagonal off-ramp to southbound San Tomas and Expressway, and the US 101 northbound loop on-ramp from Northbound San Tomas Expressway were not included in the analysis because they either are not controlled by traffic signals or not metered during the AM or PM commute periods. We feel there are methods or ways to gauge the traffic flow for those freeway ramps. Simply excluding those freeway ramps from the analysis would make the study incomplete since they are important for analyzing the nearby traffic flow.

Trip Generation:

Trip generation plays an essential role for this traffic analysis. In Table 5 of the TIS report by Hexagon (3/25/2020), the trip generation for proposed project (Phase 2) showed the estimation was using the trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition (2017). With a trip rate of 1.16/1000 sqft, Hexagon had 199 AM generated trips based on 180, 647 sqft of the proposed project office footage. However, if using an alternative ITE trip rates for the same "General Office" (Land Use 710) settings but with a different number of studies as listed on Figure 6.4 of Trip Generation Manual, 10th Edition (2017), 1.44 /1000 sqft, one would get approximately a 32% increase on generated AM trips (263 trips). The discrepancies are substantial. Since Hexagon didn't provide explanations for why they selected the trip rate at 1.16, the trips generated for this analysis appear being with a certain degree of arbitrariness.

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Trip Distribution:

The trip distribution pattern is a key assumption for the traffic analysis. Hexagon presented the following trip distribution without giving which standard or industry guides it is referenced from. See Figure 7 of 2020 report as shown below (Courtesy Hexagon Transportation Consultants, Inc.). However, there were no standard and methodology references given for how to obtain this trips distribution pattern.

We feel the selection of the trip distribution pattern appears adding another degree of arbitrariness for this traffic analysis. For instance, as shown in Fire 7, there are no trips distributed in a neighboring "core" area within a radius of 0.5 miles to 2200 Lawson, the proposed project site. Instead, there was a 3% trip distributed at Bowers and El Camino Real intersection which is 2 miles away.

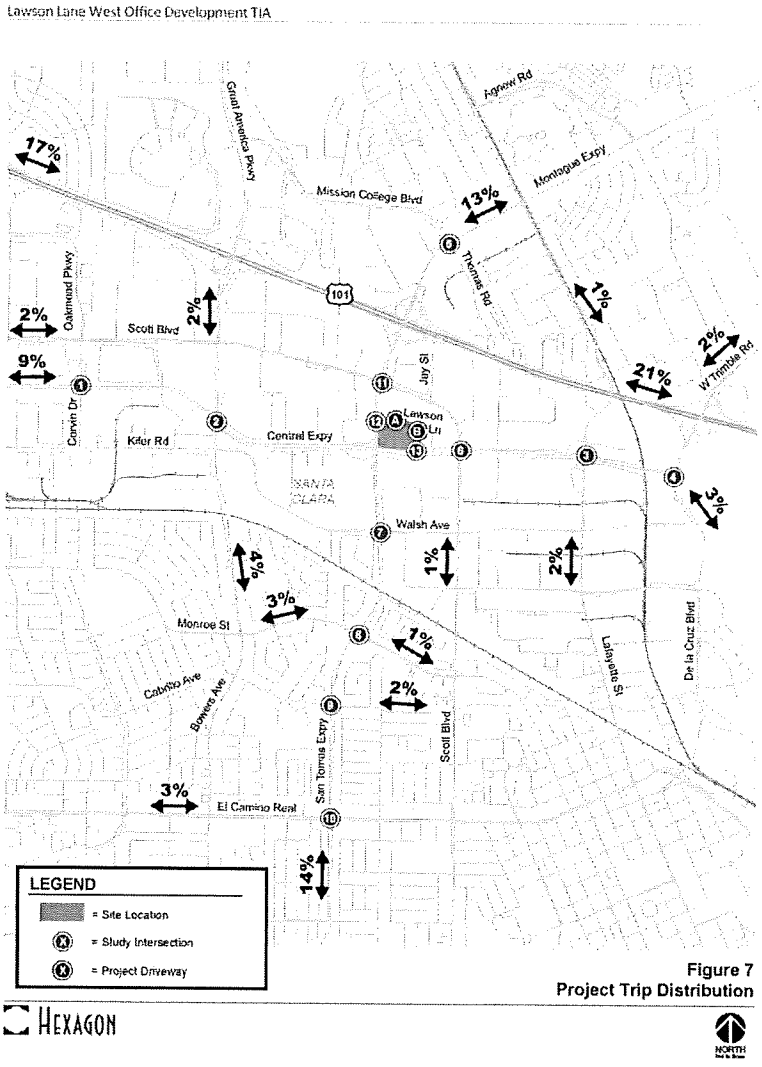

Figure 7
Project Trip Distribution

Newnex

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Fax: 408-986-8024
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We took a look at CSLB (***Contractors*** State ***License*** Board) for contractor's licensing status and were not able to find California contractor license number for both Hexagon Transportation Consultants, Inc. and David J. Powers & Associates. In addition, based on publically available information, we didn't see either Hexagon or David J. Powers is certified by professional associations or government agencies either (Note: our search results might be inaccurate due to limitation of information available to us and we welcome corrections or clarifications to our findings). In our view, without those professional credentials or certifications, in general, the analysis reports from those consulting firms can only be used as references. Those reports should be reviewed by an independent third party in the same consulting industry.

General comments on CEQA review for the city community development

Recently, we noticed Mayor Lisa Gillmor and the city's Police Chief Pat Nikolai were jointly announcing reform commitments on police policies for Santa Clara city. We support this initiative. At same time we would also suggest the city could reform CEQA review policies for the community development.

For development Environmental Review under CEQA, we would take this opportunity to propose the following changes to City Staff, Planning Commissioners and Councilmembers.

1. All the CEQA consulting firms should meet the minimum qualification requirements such as being licensed by government agencies and/or certified by professional associations and/or members of industry standard consortiums.

2. All consultants for CEQA review for city development projects should be compensated by the city, instead of being paid by developers, to ensure the independent consultant position for providing objective, quality and professional services.

3. The analysis reports resulting from such CEQA consulting services should be reviewed by another third party independent consulting firm in the same industry for purpose of cross check.

4. City should be extremely careful to accept the controversial CEQA recommendations, such as "Less Significant with mitigations", particularly for activities which will likely become public nuisance, such as using pile driving for construction foundation. Using the currently under constructing 3200 Scott project as an example, the noise vibration consulting firm for that project, Illinworth &Rodkin., suggested the developer not to use the pile driving since it will cause structural damages to the nearest neighbor (Newnex Technology Corp, that is our company) and specifically stated that If pile driving is not used as a construction method, the impact would be less-than-significant. However, the developer completely rejected this recommendation and the city failed to do its dual diligence to examine the CEQA impacts and went ahead to approve this project with utilizing pile driving.

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www.newnex.com

5. All the mitigations as approval conditions to make the significant CEQA impacts reduced to less than significant category must be enforced faithfully with verifiable mechanisms. Again, using 3200 Scott project as the example, on March 6, 2018, people at Newnex building and other neighboring buildings experienced unbearably strong and earthquake like ground vibrations accompanying with extremely loud noises generated by the pile driving conducted at 3200 Scott construction site. Newnex measured the vibration level reaching PPV 0.843 in/s which are nearly three (3) times of the allowed vibration limit PPV 0.3 in/s required 0.3 required on MND. Actually, Mitigation Measure NOI-3 further requires "If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure affected structures." We were making calls, sending letters ,and video clips Newnex employees taped for request help from City. I and neighbors from the construction site went to the city council meeting twice to ask for help to stop the terrible pile driving activities carried by the developer. Unfortunately, all our petitions for relief were ignored by the city. We had to take legal actions against the developer and got relief through litigations. As one of the victims impacted by the senseless pile driving practice, we strong request the city prohibit pile driving for construction projects from now on. And similarly important reform would be enforcing the Mitigation measure by the city faithfully.

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

June 19, 2020

To: Debby Fernandez

From: David J. Powers & Associates and Hexagon Transportation Consultants

2200 Lawson Lane West Expansion Project
PLN2018-13593 (Rezone)
CEQ2018- 01064 (Addendum)

This memorandum addresses the environmental issues raised in public comments received by the City of Santa Clara on the Addendum for the Lawson Lane West Campus Expansion Project.

Responses to Environmental Issues Raised in Public Comments

The Response to Comment A-2 was responded to prior to the April 8th Planning Commission Hearing. The A-2 comment and response are included in this memo for background information.

The Response to Comment A-3 (received on June 16th, 2020) was responded to on June 17, 2020 and attached for background information.

Comment A-2: The analysis for the traffic impact due to this project is not adequate. This Lawson West Campus, Phase 1 plus Phase 2, is a very high density building by adding 1,445 parking spaces with a relative smaller land lot. Considering the adjacent high density office buildings such as Service Now's buildings plus the 3200 Scott Blvd building (6-story office plus 800+ parking spaces on the even smaller land lot), the proposed 2200 Lawson expansion project will have significant impacts on the local traffic, which is already very congested. Also, please note that Olcott Street, Lawson Lane, and other nearby streets impacted are all single lane roads. We didn't see the Addendum document has addressed the potential traffic jamming issues due to the very high density of parking spaces added to the neighborhood.

Response A-2: The Traffic Impact Analysis, completed by Hexagon in December 2019, analyzed traffic impacts associated with the proposed increase in office space on the project site. The results of the intersection level of service (LOS) analysis showed that none of the study intersections would be significantly impacted by the project. Five of the study intersections currently operate at an unacceptable LOS F and would continue to operate at this level with the project in place. The project traffic would increase the delay at these intersections, but the increase would be lower than the thresholds of significance adopted by the City and CMP (an increase in critical-movement delay of four or more seconds).

Additionally, as mentioned under Response A-1, the proposed project would comply with mitigation measures required by the 2013 Initial Study, which are listed below.

- As a condition of approval, the project will pay a fair share contribution toward improvement programs currently approved Tier 1 by the County of Santa Clara. Identified improvements for intersections and/or roadway segments which are listed as proposed mitigation and are not controlled by the City of Santa Clara, and are subject to financial contributions from Santa Clara, must complete the necessary environmental review and be certified by the Lead Agency with jurisdiction over the intersection/roadway in conformance with CEQA prior to the payment of fees toward those improvements.
    - San Tomas Expressway and Walsh Avenue: The significant impact at this intersection would be mitigated by adding a second left turn lane to both the east and west approaches. This improvement would reduce the average delay for vehicular traffic to acceptable levels (LOS E for expressway intersections) during the PM peak hour. The project applicant will pay a fair share contribution to the City towards their construction of the additional turn lane.

    - San Tomas Expressway and El Camino Real: The significant impact at this intersection would be satisfactorily mitigated by the addition of a second eastbound left-turn lane on El Camino Real. This improvement was identified by the City as part of their Capital Improvement Program (June 08). The project applicant will pay a fair share contribution to the City towards their construction of the additional turn lane. This improvement would reduce the average delay for vehicular traffic to an acceptable level (LOS E) during both the AM and PM peak hours.

    - San Tomas Expressway and Benton Street: This intersection's LOS would be improved by adding a fourth through lane to both the north and south approaches. The Comprehensive County Expressway Planning Study identifies the widening of San Tomas Expressway to eight lanes as a Tier 1A priority. This improvement would reduce the average delay for vehicular traffic to an acceptable level (LOS D) during the AM peak hour. The project applicant will pay a fair share contribution to the City towards the County's construction of the additional lanes.

    - San Tomas Expressway and Homestead Road: The significant impact at this intersection would be satisfactorily mitigated by adding a fourth through lane to both the north and south approaches. This improvement was identified as a Tier 1A priority in the Comprehensive County Expressway Planning Study. With the improvement, the intersection would operate at an acceptable level (LOS D) during the AM peak hour. The project applicant will pay a fair share contribution to the City towards the County's construction of the additional lanes.

Comment A-3: Response A-2 does not address the concerns as stated in Comment A-2. Comment A-2 states "We didn't see the Addendum document has addressed the potential traffic jamming issues due to the very high density of parking spaces added to the neighborhood." And the word "neighborhood" used here is referred to the adjacent area within 2000 feet from the project site (2200 Lawson Lane):

2200 Lawson to Owen Exit/Entrance on San Tomas: 0.11 miles (594.22 feet)

2200 Lawson to Owen and Olcott: 0.16 miles (851.59 feet)

2200 Lawson to Owen Exit/Entrance on Central Expressway: 0.20 miles (1072.09 feet)

2200 Lawson to Olcott and Scott: 0.30 miles (1564.11 feet)

As stated in Comment A-2, 1,445 parking spaces will be created from 2200 Lawson expansion projects (Phase 1 and Phase 2) and 800 more parking spaces will made from the undergoing 3200 Scott construction, plus thousands of more parking spaces from Service Now building (either built or under construction) on both side of Lawson lane and the Santa Clara Square apartments nearby. Accumulatively, all the constructions (built, under construction and proposed expansions) will have significant impacts on the traffic in the immediate neighborhood and will make the congestions worse. For instances, the vehicles existing or entering Olcott street will have longer waiting time Since both Olcott Street and are single-lane roads, vehicles existing from or entering to building on both roads will experience much longer delay; because of no traffic lights or stop signs at the "T" junction at Owen and Olcott. Also, the incoming traffic from both directions into Owen will take vehicles much longer time to turn either into west or east into Owen street, which is the essential route for those vehicles to travel either onto Central Expressway west bound or San Tomas Expressway south bound. As one of the impacted neighbors in this region, Newnex wanted to see traffic analysis and mitigation measures for the intersections and highway exits/entrances as described above. That is why we made Comment A-2.

Unfortunately, Response A-2 fails to address the concerns as stated in Comment A-2 since it pretty much just repeats what had been already stated in the Addendum document without containing new contents to answer questions raised in Comment A-2. For example, the four study intersections quoted in Response A-2 was old information from 2012 TIA report for approval of Phase 1 expansion of the project:

- San Tomas Expressway and Walsh Avenue
- San Tomas Expressway and Benton Street
- San Tomas Expressway and El Camino Real
- San Tomas Expressway and Homestead Road

Even for perspective of an old analysis, selecting those four intersections for study is not adequate due to the following reasons:

1. They are less relevant for study since they are not near the project site. The closest intersection (San Tomas and Walsh) is 0.5 miles away and the furthest intersection (San Tomas and Homestead) is 2.6 miles away. Two out of those four intersections (San Tomas and Benton, San Tomas and Homestead) were not event included in the newer 2020 TIA report.
2. Two out of the four intersections (San Tomas and Walsh, San Tomas and Benton) are not CMP intersection.

Based on what we stated above, we hereby request the project or developer to provide traffic analysis and mitigation measures for the intersections and highway exits/entrances in the impacted immediate neighborhood near the propose project site before city council adopts this expansion plan.

Response A-3: The study intersections selected in the 2008 EIR, 2013 IS/MND and 2020 Addendum were identified according to the VTA's Transportation Impact Analysis Guidelines, which direct lead agencies to select intersections based upon the number of project trips estimated to travel through the intersections. Although the City selected a broad study area, not

every street or intersection met the minimum number of trips required to trigger an analysis. The study area was also reviewed by the City and the County.

The following describes the roadways and intersections identified by the Commenter:

Olcott and Scott: The project is not expected to add any trips to Olcott Street, and the added project trips on Scott Boulevard would be small in number (10 peak hour trips or fewer). Therefore, according the VTA guidelines, the signalized intersection of Olcott Street and Scott Boulevard was not studied. Based on the estimated project trips at the intersection, the project is not expected to substantially affect the operations of the intersection.

Owen and San Tomas; Owen and Central: Owen Street is a connector ramp to access southbound San Tomas Expressway and westbound Central Expressway. It is not signal- or stop-controlled at either end. There is an exclusive lane to access Owen Street from westbound Central Expressway and a merging lane to access southbound San Tomas Expressway from Owen Street. The existing peak-hour traffic volumes on eastbound Owen Street at San Tomas Expressway were 158 and 358 vehicles in the AM and PM peak hours, respectively. A two-way local street typically has a capacity of 900 vehicles per lane. Therefore, even with the added gross project traffic of 26 and 152 vehicles in the AM and PM peak hours, respectively, Owen Street would still operate adequately.

Owen and Olcott: At the Owen Street/Olcott Street intersection, the two-way traffic volumes on Owen Street under existing conditions were 393 and 595 vehicles in the AM and PM peak hours, and there is a two-way left-turn lane on Owen Street for traffic to turn to and from Olcott Street. The small amount of traffic with the added project trips (26 and 152 vehicles in the AM and PM peak hours, respectively) would not substantially degrade the intersection operations or substantially increase the delay on Olcott Street.

Comment A-4:
Study Intersections:
By analogy, selecting Study Intersections in a traffic impact analysis study is similar to choosing testing samples in an engineering experiment. To collect data from different test conducting times for a same test setup, variations to test samples should be minimized for yielding correlated results. For 2200 Lawson expansion project, there were eighteen (18) Study Intersections in 2012 TIA report. However, the number of study intersection was changed to eleven (11) in 2020 report by the same consulting firm, Hexagon, without providing change notes or explanations. In our opinion, such changes could result in reduced correlations and increased inconsistency between 2012 and 2020 TIA reports since they were conducted for the same project location.

Study Freeway Ramps:
For TIS report by Hexagon (3/25/2020), US 101 northbound loop off-ramp, southbound diagonal off-ramp to southbound San Tomas and Expressway, and the US 101 northbound loop on-ramp from Northbound San Tomas Expressway were not included in the analysis because they either are not controlled by traffic signals or not metered during the AM or PM commute periods. We feel there are methods or ways to gauge the traffic flow for those freeway ramps. Simply excluding those freeway ramps from the analysis would make the study incomplete since they are important for analyzing the nearby traffic flow.

Trip Generation:
Trip generation plays an essential role for this traffic analysis. In Table 5 of the TIS report by Hexagon (3/25/2020), the trip generation for proposed project (Phase 2) showed the estimation was using the trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 10th Edition (2017). With a trip rate of 1.16/1000 sqft, Hexagon had 199 AM generated trips based on 180, 647 sqft of the proposed project office footage. However, if using an alternative ITE trip rates for the same "General Office" (Land Use 710) settings but with a different number of studies as listed on Figure 6.4 of Trip Generation Manual, 10th Edition (2017), 1.44 /1000 sqft, one would get approximately a 32% increase on generated AM trips (263 trips). The discrepancies are substantial. Since Hexagon didn't provide explanations for why they selected the trip rate at 1.16, the trips generated for this analysis appear being with a certain degree of arbitrariness.

Trip Distribution:
The trip distribution pattern is a key assumption for the traffic analysis. Hexagon presented the following trip distribution without giving which standard or industry guides it is referenced from. See Figure 7 of 2020 report as shown below (Courtesy Hexagon Transportation Consultants, Inc.). However, there were no standard and methodology references given for how to obtain this trips distribution pattern.

We feel the selection of the trip distribution pattern appears adding another degree of arbitrariness for this traffic analysis. For instance, as shown in Fire 7, there are no trips distributed in a neighboring "core" area within a radius of 0.5 miles to 2200 Lawson, the proposed project site. Instead, there was a 3% trip distributed at Bowers and El Camino Real intersection which is 2 miles away.

We took a look at CSLB (Contractors State License Board) for contractor's licensing status and were not able to find California contractor license number for both Hexagon Transportation Consultants, Inc. and David J. Powers & Associates. In addition, based on publically available information, we didn't see either Hexagon or David J. Powers is certified by professional associations or government agencies either (Note: our search results might be inaccurate due to limitation of information available to us and we welcome corrections or clarifications to our findings). In our view, without those professional credentials or certifications, in general, the analysis reports from those consulting firms can only be used as references. Those reports should be reviewed by an independent third party in the same consulting industry.

Response A-4:
Study Intersections:

As described in the 2020 TIA, the study intersections were selected in accordance with VTA's Transportation Impact Analysis Guidelines (October 2014) and in consultation with Santa Clara staff. The study includes those intersections that provide primary access to the project site and intersections that would experience a traffic increase of 10 or more peak-hour trips per lane.

The intersections of Benton Street, Homestead Road, Saratoga Avenue, and Stevens Creek Boulevard on San Tomas Expressway were not studied because the project would add trips fewer than 10 trips per lane on San Tomas Expressway at these intersections; and therefore, the project impact is expected to be minimal at these intersections and were excluded from the study. It should be noted that 2012 TIA identified cumulative impacts at the San Tomas Expressway/Benton Street and San Tomas Expressway/Homestead Street intersections based on

the comparison of cumulative plus project conditions to background no-project conditions. However, the City has since established impact criteria based on the comparison of project conditions to no-project conditions. Therefore, cumulative plus project conditions were compared to cumulative no-project conditions for the current TIA.

The west side of the Lawson Lane development is not expected to access the site via the Scott Boulevard/Jay Street intersection. Therefore, it was not studied.

The Lawson Lane access points at San Tomas Expressway and Central Expressway were evaluated in the 2020 TIA for operations of right-turn movements from Lawson Lane at both expressways. Traffic operations were evaluated relative to vehicle queuing.

Study Freeway Ramps:

Based on VTA's *Transportation Impact Analysis Guidelines*, a TIA should include a queuing analysis for freeway on-ramps with existing or planned ramp meters and off-ramps controlled by signals at junctions with local streets because on-ramps without metering are not expected to result in vehicle queuing on local streets, and off-ramps without signals are not expected to cause vehicle queueing from the ramps on to the freeway mainline. However, there are no adopted methodologies or impact criteria for the queuing analysis of freeway ramps. Therefore, the freeway ramp analysis was performed for informational purposes. Based on the VTA's guidelines, the study only included an evaluation of the US 101 southbound diagonal on-ramp from northbound San Tomas Expressway. Also, field observations confirmed that there were no operational/queuing issues at the ramps mentioned in this comment.

Trip Generation:

According to the VTA's guidelines, trip generation rates from the most recent version of the Institute of Transportation Engineers' (ITE's) Trip Generation Manual were used for the 2020 TIA. New trip count data collected for the 10th Edition (2017) of Trip Generation Manual shows that office developments generate fewer trips in the peak hours than the 8th Edition (2008) of the Trip Generation Manual.

Trip Distribution:

The project is an office development and is expected to generate trips from residential developments in a greater area. There is no residential development within 0.5 miles of the project site.

Comment A-5: General comments on CEQA review for the city community development
Recently, we noticed Mayor Lisa Gillmor and the city's Police Chief Pat Nikolai were jointly announcing reform commitments on police policies for Santa Clara city. We support this initiative. At same time we would also suggest the city could reform CEQA review policies for the community development.

For development Environmental Review under CEQA, we would take this opportunity to propose the following changes to City Staff, Planning Commissioners and Councilmembers.

1. All the CEQA consulting firms should meet the minimum qualification requirements such as being licensed by government agencies and/or certified by professional associations and/or members of industry standard consortiums.

2. All consultants for CEQA review for city development projects should be compensated by the city, instead of being paid by developers, to ensure the independent consultant position for providing objective, quality and professional services.

3. The analysis reports resulting from such CEQA consulting services should be reviewed by another third party independent consulting firm in the same industry for purpose of cross check.

4. City should be extremely careful to accept the controversial CEQA recommendations, such as "Less Significant with mitigations", particularly for activities which will likely become public nuisance, such as using pile driving for construction foundation. Using the currently under constructing 3200 Scott project as an example, the noise vibration consulting firm for that project, Illinworth &Rodkin., suggested the developer not to use the pile driving since it will cause structural damages to the nearest neighbor (Newnex Technology Corp, that is our company) and specifically stated that If pile driving is not used as a construction method, the impact would be less-than-significant. However, the developer completely rejected this recommendation and the city failed to do its dual diligence to examine the CEQA impacts and went ahead to approve this project with utilizing pile driving.

5. All the mitigations as approval conditions to make the significant CEQA impacts reduced to less than significant category must be enforced faithfully with verifiable mechanisms. Again, using 3200 Scott project as the example, on March 6, 2018, people at Newnex building and other neighboring buildings experienced unbearably strong and earthquake like ground vibrations accompanying with extremely loud noises generated by the pile driving conducted at 3200 Scott construction site. Newnex measured the vibration level reaching PPV 0.843 in/s which are nearly three (3) times of the allowed vibration limit PPV 0.3 in/s required 0.3 required on MND. Actually, Mitigation Measure NOI-3 further requires "If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure affected structures." We were making calls, sending letters, and video clips Newnex employees taped for request help from City. I and neighbors from the construction site went to the city council meeting twice to ask for help to stop the terrible pile driving activities carried by the developer. Unfortunately, all our petitions for relief were ignored by the city. We had to take legal actions against the developer and got relief through litigations. As one of the victims impacted by the senseless pile driving practice, we strong request the city prohibit pile driving for construction projects from now on. And similarly important
reform would be enforcing the Mitigation measure by the city faithfully.

Response A-5: David J. Powers & Associates and Hexagon Transportation Consultants are not licensed contractors, per CEQA Guidelines Section 15149, Technical Detail, which clarifies an EIR (or Addendum) is not a technical document that can be prepared only be a registered professional. There is not a certification board or other body that licenses professionals who prepare CEQA documents, and that is because CEQA documents are prepared by the Lead Agency, with support by consultants, they are not independent third-party reports.

The remaining comments are recommendations being made to the City on how it should/could reform its processes and do not raise any new environmental concerns.