

425 South Winchester Boulevard Project

Response to Comments on the Initial Study/Mitigated Negative Declaration

File Nos. GPT23-001, GP23-007, ER23-031, SP23-005

SCH# 2023100474

Prepared by



November 2023

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SECTION 1.0 INTRODUCTION

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and made available for public comment for a 27-day public review period from October 11, 2023 through November 6, 2023, for the proposed 425 South Winchester Boulevard Project (“Project”).

In accordance with the California Environmental Quality Act (CEQA) Guidelines, Chapter 14, Section 15074(b) of the California Code of Regulations, before approving the Project, the City of San José (City), as the lead agency under CEQA, will consider the IS/MND with any comments received during this public review period. Specifically, Section 15074(b) of the CEQA Guidelines (14 CCR 15074[b]) states the following:

Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency’s independent judgment and analysis.

Although CEQA (California Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.) do not explicitly require a lead agency to provide written responses to comments received on a proposed IS/MND, the lead agency may do so voluntarily.

Subsequent to the IS/MND circulating for public review, the applicant amended the project application for a General Plan Amendment as follows¹:

- ~~General Plan Amendment: General Plan Amendment to change the General Plan Land Use/Transportation Diagram Designation for the parcel located at 390 Spar Avenue (APN 303-39-001) from Residential Neighborhood to Mixed Use Neighborhood. Conforming Rezoning from the R-1-8 Single Family Zoning District to the MUN Mixed Use Neighborhood Zoning District for 390 Spar Avenue, a 0.22 gross-acre site.~~
- General Plan Text Amendment to modify the Santana Row/Valley Fair Urban Village (SRVF UV) Plan to amend Figure 5-2, “Building Height Diagram” to change the allowed height on the subject site (425 S Winchester Boulevard) from 65 (5-6 stories typical) to 85 feet (6-7 stories typical), a height increase of 20 feet; and
- Amend Figure 5-3, “New Development Adjacent to Residential Neighborhood Land Use Designation” of the SRVF UV Plan to reduce the side/rear setback when adjacent to Residential Neighborhood land use designation from 40 feet to 20 feet; and
- Amend Figure 5-3, “New Development Adjacent to Residential Neighborhood Land Use Designation” of the SRVF UV Plan to revise the required stepback (daylight) plane from 45-degree to 75-degrees consistent with the approved Citywide Design Guidelines.
- Amend Figure 5-3, “New Development Adjacent to Residential Neighborhood Land Use

¹ Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Designation” of the SRVF UV Plan to no setback and no stepback plane are required for new commercial development adjacent to sites that have a Residential Neighborhood land use designation with an existing legally established commercial use.

The effect of this change on the proposed Project’s CEQA review is the insignificant, and therefore the proposed development evaluated in the IS/MND remains unchanged. As such, the analysis and conclusions in the IS/MND are unchanged. This document does not include specific text changes to the IS/MND in Section 3, IS/MND Text Revisions, to reflect individual instances where editorial corrections related to this change may be appropriate because the analysis and conclusions remain valid.

SECTION 2.0 RESPONSE TO COMMENTS

This document includes written responses to comments received by the City on the IS/MND. Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City are included in their entirety in Appendix A of this document. A list of comments received on the IS/MND is included below.

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COMMENTS FROM GOVERNMENT AGENCIES AND ORGANIZATIONS

A. Valley Water (dated October 30, 2023)

Comment A.1: Morning Cort Hitchens -

The Santa Clara Valley Water District (Valley Water) has received the Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration and Initial Study (MND) for the 425 S. Winchester Blvd Project, located at 425 S. Winchester Blvd and 390 Spar Avenue in San Jose, received by Valley Water on October 11, 2023.

Valley Water has the following comments on this NOI to the MND:

Response A.1: The comment is an introduction to the comment letter. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.2: 1. Pg 62 - Riparian Habitat; Pg 65 - Discussion (d); Pg 120- Existing Setting; Pg 124 - Less than Significant Impact: While the NOI is correct in stating the closest waterway to the Project site is San Tomas Aquino Creek, it is unclear where the length of 2.50 miles was obtained from. From the nearest end of the project site, San Tomas Aquino Creek is about 0.72 miles west from the westernmost tip. The text needs to be revised for accuracy.

Response A.2: Refer to Section 3.0 of this document for revisions to the IS/MND, including the addition of the approximately 0.72 mile distance from the Project site to the undergrounded portion of San Tomas Aquino Creek. The revision to include the approximately 0.72 mile distance from the Project site to the undergrounded portion of San Tomas Aquino Creek is administrative only. As stated on page 65 of IS/MND in Section 4.4, Biological Resources and page 124 of IS/MND in Section 4.10, Hydrology and Water Quality, there are no creeks, rivers, or other water bodies located on or adjacent to the Project site. The discussion in the IS/MND centers on the potential for the Project to impact habitat associated with waterbodies and water quality as result of erosion or siltation within water bodies. As habitat would not occur within the undergrounded portion of the creek and surface runoff from erosion or containing soils from the Project site would not reach the undergrounded portion of San Tomas Aquino Creek, the IS/MND references the last aboveground point of the creek nearest the Project site where these referenced impacts could occur. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.3: 2. Pg 120- Existing Setting; Pg 126 - Discussion (d): The NOI states that the FIRM shows the Project site outside of any flood hazard zone. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06085C0229H, effective May 18, 2009, the entire Project site is located within Zone D, representing areas of undetermined flood hazard. While the Project site is not in a Special Flood Hazard Area (SFHA), technically, every area has a designated flood hazard zone. This should be revised to state that the project site is not located within a SFHA, since flood risks are undetermined, but possible in this area.

Response A.3: Refer to Section 3.0 of this document for revisions to the IS/MND to reflect the

Project site location within Zone D, which is not a Special Flood Hazard Area. Page 126, Section 4.10 Hydrology and Water Quality, of the IS/MND states that the Project site is located outside of any flood hazard zone and gives the location of the nearest flood hazard zone. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.4: Additionally, the footnote at the bottom of Pg 120 needs to be revised to include a reference to FEMA FIRM 06085C0229H, effective May 18, 2009. This footnote needs to be added to Pg 126, too, since the text needs to reference Zone D, per above paragraph.

Response A.4: Refer to Section 3.0 of this document for revisions to the IS/MND. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.5: 3. Pg 126- Discussion (d): The NOI states "Areas in Flood Zone X are subject to inundation by .2 percent annual chance shallow flooding where average depths are less than one foot." While one of the possible characteristics of Zone X is that average depths are less than one foot, this is not characteristic of the Zone X at this project site. The segment of "where average depths are less than one foot" needs to be removed for accuracy.

Response A.5: Refer to Section 3.0 of this document for revisions to the IS/MND, including the revision to the description of Zone X. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.6: 4. Pg 124- Discussion (b): Please revise "Santa Clara Valley Groundwater Basin" to "Santa Clara Subbasin" for accuracy.

Response A.6: Refer to Section 3.0 of this document for revisions to the IS/MND, including the revision to refer to the underlying groundwater feature as the Santa Clara Subbasin. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.7: 5. Please note the project site is located within the James J. Lenihan Dam failure inundation zone.

Response A.7: Refer to Section 3.0 of this document for revisions to the IS/MND to indicate that

the Project site is located within the James J. Lenihan Dam failure inundation zone². The City of San José's *Envision San José 2040 General Plan Draft Program EIR* ("GP EIR") recognizes that much of San José is in a dam failure inundation zone and that it is the responsibility of the California Department of Water Resources (DWR) and local agencies to minimize the risk of dam failure rather than the responsibility of any individual project. The GP EIR determined that new development and redevelopment allowed under the *Envision San José 2040 General Plan* ("General Plan") could result in the placement of new development in dam failure inundation zones but implementation of General Plan policies and existing regulations and adopted plans and policies would reduce flooding and drainage hazards to a less than significant impact. As such, the environmental impact of risk of release of pollutants from Project inundation resulting from failure of the James J. Lenihan Dam is less than significant as currently reflected in the IS/MND. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment A.8: Thank you for the opportunity to review the NOI to the MND. If you have any questions, or need further information, you can reach me at (408) 630-1667, or by e-mail at AQuan@valleywater.org. Please reference Valley Water File No. 34209 on future correspondence regarding this project.

Response A.8: The comment is a conclusion for the comment letter. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

² California Department of Water Resources (DWR), Division of Safety of Dams(DSOD). 20203. California Dam Breach Inundation Maps. Available at: <https://fmds.water.ca.gov/maps/damim/>. Accessed November 2023.

B. Pacific Gas and Electric Company (dated November 2, 2023)

Comment B.1: Thank you for providing PG&E the opportunity to review the proposed plans for 425 S Winchester Blvd dated 10/11/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Response B.1: This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

C. Winchester Orchard Neighborhood Association (dated November 6, 2023)

Comment C.1: FROM PAGE 4:

CEQA Transportation Analysis

Project Vehicle Miles Traveled (VMT) Evaluation

For informational purposes, the City's VMT per worker threshold for general employments land uses is 12.21. For the surrounding land use area, the existing VMT is 12.22. The proposed project is anticipated to generate a VMT per worker of 12.21. The evaluation tool estimates that the project would generate per worker VMT below the City's threshold and would not trigger a VMT impact.

This portion of the CEQA Transportation Analysis is highly suspect, as "the proposed project is 'anticipated to generate a VMT per worker of 12.21'", which appears to be the smallest possible reportable or documentable amount of 1/100th of a mile below the threshold of 12.22 miles. This appears to be a fudge-factor sneak past requirements to barely edge into VMT analysis exemption.

Response C.1: Per the San José Transportation Analysis Handbook, the Project is exempt from VMT analysis based on the screening criteria for equivalent total gross floor area of local serving retail. The VMT per worker was provided for informational purposes only. VMT was calculated using the City of San José's VMT tool with no modifications. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.2: Local Transportation

Analysis Project Trip Generation

Trip generation for the proposed project land uses was calculated using trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. Per the 2020 Transportation Analysis Handbook, trip generation reduction credits were applied to the project including location-based mode-share and removal of existing driveway counts. Baseline vehicle trips for the proposed project (excluding trip adjustments) is anticipated to generate a gross total of 1,406 daily trips, 81 AM peak hour trips, and 104 PM peak hour vehicle trips. Development of the proposed project with all applicable trip reductions is anticipated to generate a net total of 1,062 additional daily trips, 61 AM, and 67 PM peak hour trips to the roadway network.

The two hours of 'Peak Period' are "anticipated to generate" 185 trips during those two hours, leaving 1221 'anticipated' trips for the rest of the day. Considering a 14 hour 'trip' day, that would leave 12 hours as non-peak, averaging 102 trips per hour. Non-peak average trip count of 102 trips per hour is almost exactly the anticipated PM peak of 104 trips per hour. Those numbers would indicate the "anticipated" AM peak hour trip count is less than the average trip per hour count for the rest of the trip day by at least 20%. The math does not add up here.

Response C.2: Trip generation for the Project was calculated for the times coinciding with the peak periods of the adjacent street per the City of San José's Transportation Analysis Handbook. The peak hour trip generation is consistent with the ITE Trip Generation Manual for hourly distribution of hotel trips. Hotels on average have approximately 13% of their trips during the two peak hours of the adjacent street. The other approximately 87% of trips are spread throughout the day. Refer to Section 4.3, Project

Trip Distribution and Assignment, of the Local Transportation Analysis dated July 2023³ prepared for the Project and included as Appendix I to the IS/MND for trip generation distribution and assignment for the Project. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.3: FROM PAGE 5:

Intersection Traffic Operations

Weekday AM and PM peak hour intersection turning movement volumes for the existing study intersections were obtained from new turning movement counts collected at the study intersections on February 15, 2023. Traffic conditions for each study intersection was analyzed during the 7:00 -9:00 AM and 4:00 - 6:00 PM peak hours of traffic which represent the most heavily congested traffic on a typical weekday. The study intersections were assessed under Existing, Background, and Background Plus Project condition scenarios. City of San Jose and Valley Transportation Authority Congestion Management Program intersection level of service standards and significance thresholds were used to determine adverse effects caused by the project.

As traffic conditions in the Santana Row Valley Fair Urban Village are exceptionally high and have particular challenges based on the draw of Valley Fair & Santana Row, both Winchester and Stevens Creek being "Grand Boulevards" location of /-880/HWY 17 & /-280 and how they act as traffic funneling points for boulevard through surface traffic and highway exit & entry traffic, holiday shopping traffic and more, all warrant and should mandate special traffic analysis parameters and requirements.

A mid-week, single day traffic study for a project this size in this U.V. is inadequate to give a true assessment of current real-world conditions in order to determine potential impacts brought by the project.

Consideration should be given to the exceptionally high area traffic volumes during times like the holiday shopping season.

Response C.3: Traffic volume data collection locations and times are in accordance with the City of San Jose's *Transportation Analysis Handbook*. Traffic data collection is intended to capture peak-hour conditions to represent a conservative, or 'worst-case' scenario of the roadway network performance. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.4: FROM PAGE 6:

³ An incorrect version of the Local Transportation Analysis (LTA), dated March 2023, was included with the printed IS/MND available for review at City Hall. The correct version of the LTA, dated July 2023, was available for review during the full public circulation period on the City's website, available for access here: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/425-south-winchester-boulevard-project> Commenters were made aware of the inconsistency and provided a link to the July 2023 LTA for review on November 30, 2023.

Neighborhood Interface

The Santana West development has implemented traffic calming improvements for the Century/Winchester residential neighborhood to reduce cut-through traffic. Based on trip generation and distribution, it is anticipated that the project will not significantly increase cut-through traffic through the residential neighborhood and cause an adverse effect. In addition, the project is not anticipated to adversely affect the existing parking condition in the Century/Winchester neighborhood due to sufficient on-site project parking.

The Santana West traffic calming improvements have generally been improvements for Hanson and Maplewood residents, but not for Spar residents. The Olin & Hanson diverter barrier has increased cut-through traffic on Spar. Generally, Spar traffic has increased by the amount of cars that would have otherwise accessed Olin & Winchester by coming down Hanson or Maplewood. Any vehicles coming to or leaving the project site not by Winchester will do so by driving Spar. Closure of Spar by converting the round-a-bout to a cul-de-sac is fully warranted and being requested by the neighborhood.

Part of how this Spar round-a-bout conversion to cul-de-sac is warranted can be found at:

<https://www.sanjoseca.gov/home/showpublisheddocument/97850/638199153022670000>

Response C.4: Refer to Section 6.9, Neighborhood Interface, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND. Based on traffic data collected within the Century/Winchester Neighborhood after the implementation of the traffic calming improvements, volumes on Hanson Ave and Spar Ave are consistent or lower than 2015 values. The Project will install left-turn only signage at the Olin egress driveway to discourage outbound vehicle trips from turning right and cutting through the neighborhood. An after-study will be conducted once the Project is constructed and in operation. If needed, the Project will contribute a fair-share fee to fund future off-site traffic calming improvements, consistent with after-study analysis results. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.5: MEMORANDUM

TO: PLANNING COMMISSION

FROM: Christopher Burton

SUBJECT: GP23-002 GPT23-002, GPT23-003

DATE: May 24, 2023

COUNCIL DISTRICT: Citywide Type of Permit General Plan Amendment (GP23-002) General Plan Text Amendment {GPT23-002} General Plan Text Amendment (GPT23-003) Project Planner Wilson Tam

Proposed text for Residential Street: Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

If any General Plan Text Amendments are passed as part of this project, this is the one. This memorandum specifically points out how San Jose Planners see the current General Plan text description for Residential

Streets as inadequate and in need of change. That change is needed to help protect the most vulnerable of residential streets, as Spar Avenue is.

Working together, San Jose D.O.T., W.O.N.A. & F.R.I.T. came up with the best traffic calming changes we could without closing off Spar Avenue. Installation of the Hanson / Olin diverter barrier and the Hanson/ Spar round-a-bout have come at a heavy cost to the residents of Spar Avenue, who have endured dramatically higher volumes of cut-through traffic ever since.

Just before installation of the round-a-bout contractors for the city installed new A.D.A. ramps, never before had at the north & south corners of Spar & Hanson. These ramps were apparently already in the works while we all worked together on the traffic calming measures. D.O.T. should have known these were coming and taken that into account at the time. These incoming ramps were never mentioned in the meetings, emails and conversations with D.O.T. The new ramps were installed shortly before the round-a-bout, with placement I configuration of the round-a-bout rendering the new and much needed A.D.A. ramps unfit for use.

Cul-de-sacing Spar Avenue at the round-a-bout, as drawn up by Spar resident Dave Duquette, would solve the A.D.A. compliance problem at Spar & Hanson while at the same time end the unacceptable cut-through traffic the other traffic calming "improvements" has exacerbated.

On page 24, "VMT Evaluation Tool" states, "the project will be coordinating infrastructure improvements such as traffic calming measures and pedestrian facilities with the City"

The City and developer can easily meet the greatest pedestrian facility needs and traffic calming need by round-a-bout conversion to Spar cul-de-sac with an A.D.A. compliant north/ south pedestrian walkway from connecting both Spar & Hanson corners.

Response C.5: See Response C.4. The comment describes roads and traffic calming measures in the vicinity of the project site and provides opinions. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.6: FROM PAGE 18:

2.3 Existing Pedestrian and Bicycle Facilities

Bicyclists either share the lane with traffic or ride on the sidewalk when travelling on Stevens Creek Boulevard.

Full bicycle lanes now exist on Stevens Creek between San Tomas Expressway and /-880.

Response C.6: Bicycle lanes along Stevens Creek Boulevard between San Tomas Expressway and Interstate 880 (I-880) were constructed during the writing of this document. At the time of writing of the IS/MND, bike lanes along Stevens Creek Boulevard were not yet constructed. The San José Better Bike Plan 2025, which includes the bike lanes along Stevens Creek Boulevard, was considered as part of the Local Transportation Analysis in Section 2.3, Existing Pedestrian and Bicycle Facilities on page 20. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.7: FROM PAGE 20:

2.7 Century/Winchester Neighborhood On-street parking in the Century/Winchester neighborhood is restricted to residential permit parking through the City of San Jose Residential Parking Program (RPP) to limit the intrusion of outside vehicles from adversely affecting the neighborhood's own parking demand. Residents who live or own in the designated RPP area can apply for a parking permit through the City's department of transportation. The RPP zone for the Century/Winchester neighborhood includes Maplewood Avenue, Hanson Avenue, and Spar Avenue, and each street is enforced with posted signs for permit parking only.

Failed to be mentioned are the first two residential properties on each side of the north end of Rosewood Avenue.

Response C.7: This comment is noted for the record and will be provided to the decision makers for review and consideration. Under SB 743, CEQA measures the transportation impacts of new projects with vehicle miles traveled (VMT); CEQA does not consider adequacy of parking from a project or the project's effect on parking as a means of assessing environmental impacts. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.8: FROM PAGE 25

3.3 CEQA Cumulative Analysis

Projects must also demonstrate consistency with the Envision San Jose 2040 General Plan to address cumulative impacts. If a project is determined to be consistent with the General Plan, the project will be considered part of the cumulative solution to meet the General Plan's long-range goals and it will result in a less-than-significant cumulative impact. Factors that contribute to a determination of consistency with the General Plan include a project's density, design, and conformance to the goals and policies set forth in the General Plan. Based on the project description and intended use, the proposed 425 Winchester development is consistent with the goals of the General Plan and is anticipated to result in a less-than-significant cumulative impact.

If the Olin Hotel project was consistent with the General Plan, the project would not need to make General Plan amendments. Even if the city planners and the Planning Commission believe that adjustments to the set-back, height and daylight plane requirements for this individual project would as "anticipated", "result in a less-than-significant cumulative impact", the suggested General Plan Text Amendments would certainly result in more than "significant cumulative impact" once the other developments north of the Olin Hotel build out and make the same set-back and daylight plane adjustments. Consider the same for what will happen on the Big 5, Credit Union, and Goodyear sites, all owned by one family LLC, the impact will be massive to the U. V. bordering homeowners on the east/north side of Spar.

Response C.8: The IS/MND identified Project consistency with the General Plan and other applicable plans in Section 4.11, Land Use and Planning. With respect to the commenter's alleged inconsistencies, it should be noted that, under CEQA, a project is consistent with the underlying general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. A given project need not be in perfect conformity with each and every general plan policy (*Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 238). Moreover, a lead agency's determination that a project is consistent with the general plan is entitled to deference (*ibid.*).

CEQA requires that a project consider the potential for cumulative effects for "past, present, and

reasonably foreseeable probable future projects". As the City has not received any applications for amendments to the Santana Row/Valley Fair (SRVF) Urban Village Plan to allow for increased height limits on other sites, it is not reasonably foreseeable that any future projects in the SRVF Urban Village Plan Area would develop with heights above those allowed for in the currently approved SRVF Urban Village Plan. The Project would only allow for an increased height limit on the subject Project parcel (425 South Winchester Boulevard). Any future applications for General Plan Amendments to allow for increased height limits on other parcels would be subject to a separate review and approval process with the City.

The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.9: FROM PAGE 49:

6 LTA SITE ACCESS AND CIRCULATION

6.1 Driveway Site Access

- Driveway 1 at Winchester Boulevard - Right-In and Right-Out only access for delivery truck vehicles
- Driveway 2 Port-de-Cache at Olin Avenue - Full access for passenger vehicles

Driveway 2 should be "left Out Only" to prevent Spar cut-through traffic to Stevens Creek Blvd.

Response C.9: Refer to Section 6.1, Driveway Site Access, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND. The Project will include left-turn only signage at the Olin Avenue egress driveway to discourage outbound vehicle trips from turning right and cutting through the Century/Winchester neighborhood. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.10: FROM PAGE 57:

Project Driveway Sight Distance For vehicles entering Lundy Avenue and Concourse Drive roadways from the proposed project driveways

The mention here of Lundy Avenue and Concourse Drive suggests that at least part of the text for "Project Driveway Sight Distance" was cut/ pasted from another project.

How much was of the rest of the Traffic Analysis was cut I pasted from other projects?

Response C.10: Refer to Section 6.4, Vehicle Sight Distance Analysis, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND.⁴ A discussion

⁴ An incorrect version of the Local Transportation Analysis (LTA), dated March 2023, was included with the printed IS/MND available for review at City Hall. The correct version of the LTA, dated July 2023, was available for review

of Project driveway sight distance begins on page 60 and concludes on page 63. There is no mention of Lundy Avenue or Concourse Drive in the Local Transportation Analysis dated July 2023, nor in the IS/MND. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.11: FROM PAGE 62:

6.6 Vehicle and Bicycle Parking

the project is required to provide a baseline total of 216 off-street vehicle parking spaces for the proposed hotel use. To satisfy the City's off-street parking requirement, the project will have a special use permit to allow for an alternative parking arrangement of valet and additional off-site parking in another area. Final details of the off-site parking agreement will be determined between the project applicant and the City.

Before Planning Commission approval, there should currently be at least some preliminary details of the off-street parking agreement. What information can either developer or city provide at this time regarding preliminary details of an off-site parking agreement?

Response C.11: Refer to Section 6.6, Vehicle and Bicycle Parking, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND. As noted on page 66, "In December 2022, the City Council approved an ordinance amending Title 20 of the San Jose Municipal code (Subject PP22-015). Under the approved ordinance update, mandatory parking requirements are eliminated throughout the City to help achieve the Envision San Jose 2040 climate goals. In addition, TDM plans are required in the development process to complement the removal of parking minimums and identify specific measures to improve multi-modal transportation (transit, walking, biking, etc.)." A TDM plan was prepared for the Project and included in Section 6.7, Transportation Demand Management Plan, of the Local Transportation Analysis dated July 2023. As such, the Project meets all the City's requirements related to parking. Even so, the Project intends to include an off-site parking valet feature to provide a service to future customers. The details of an off-site parking agreement are not known at this time. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.12: FROM PAGE 64:

6.8 Construction Operations

A temporary construction vehicle parking and stage construction area could be provided at the private parking lot located immediately south of the project site. This potential parking area would require the contractor to obtain necessary approval, right of entry, and permits with the City and property owners

during the full public circulation period on the City's website, available for access here: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/425-south-winchester-boulevard-project> Commenters were made aware of the inconsistency and provided a link to the July 2023 LTA for review on November 30, 2023.

prior to construction.

It is presumed this section refers to the surface parking lot at the Santana West site. Has anyone talked with F.R.I. T.? If not at Santana West, where will it be?

Response C.12: Refer to Section 6.8, Construction Operations, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND. Page 68 states that the temporary vehicle parking “could” be provided at the private parking lot south of the project site. At this stage, it would be speculative to estimate where construction workers may park. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.13: FROM PAGE 65:

6.9 Neighborhood Interface

..... most project traffic is expected to utilize the major Winchester Boulevard arterial for travel.

All project traffic should be required to utilize Winchester Boulevard for travel, with no through access to Spar Avenue. The project exit #2 driveway should be posted with "Left Turn Only" signs, directing drivers toward Winchester & Santana Row. Additionally, Spar should be cul-de-saced.

Response C.13: Refer to Section 6.1, Driveway Site Access, of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND and page 169 of the IS/MND. The Project will include left-turn only signage at the Olin Avenue egress driveway to discourage outbound vehicle trips from turning right and cutting through the Century/Winchester neighborhood. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.14: FROM PAGE 66:

.... up to 35% of vehicles surveyed along Spar and Hanson Avenue are exceeding the posted speed limit.

This 35% of Spar Avenue speeders are all cut-through drivers, not of the neighborhood. The survey may have happened on a good day or days, when the percentage of speeding drivers happened to be low.

Response C.14: The survey timing follows the standards and guidelines set forth by the City of San Jose and the Santa Clara Valley Transportation Authority (VTA). The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.15: ... the traffic calming improvements have reduced vehicle traffic by up to 50%.

This may or may not be true for Maplewood, Hanson and Olin west of Spar. Spar residents feel traffic on their street has at least doubled since installation of the diverter and round-a-bout.

The collected speed and volume data indicates that the traffic calming measures implemented from the Santana West development is making a positive effect toward slowing vehicle speeds and reducing cut

through traffic through the neighborhood.

This may be true to some degree for Maplewood and Hanson, but generally not for Spar. I myself as well as Spar residents have witnessed from the round-a-bout, people drive down Hanson expecting to make a left onto Olin, only to be blocked by the diverter and now pissed off, speed back up Hanson right turn and speed down Spar. Spar continues to take heavier cut-through traffic than before traffic calming implementation.

Response C.15: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.16: FROM PAGE 66 end/ PAGE 67 beginning:

At the Olin and Maplewood Avenue intersection, approximately 100-feet of the east leg does not provide sidewalk facilities and curb ramps for continuous pedestrian access.

The document is incorrect in that a curb ramp does exist at the north-east corner on Olin & Maplewood. This ramp and the one across Olin came over a year ago. New sidewalk installation where none has ever existed on Olin at Maplewood should be required of the project as a pedestrian improvement. Replacement of existing damaged or deficient sidewalks should also be required on Spar, Hanson & Maplewood.

Response C.16: The Commenter correctly states that curb ramps were installed at the corner of Olin Avenue and Maplewood Avenue. The existing curbs ramps are recognized on page 70 of the Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND. Also recognized on page 70 of the Local Transportation Analysis dated July 2023, there remains a segment of Olin Avenue along the southern boundary of 390 Maplewood Avenue that does not contain a sidewalk. The Project is required to implement frontage improvements along Olin Avenue and South Winchester Boulevard, including sidewalks. Additionally, the Project would implement a measure to contribute a fair-share to fund future off-site traffic calming improvements consistent with after-study analysis results. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.17: ... it is anticipated that all project vehicles will park in the proposed on-site parking garage or in other offsite locations.

There is no question that all project vehicles will park in the proposed on-site parking or in other off-site locations. The big question is where will that "other off-site" parking happen, and will it be legal on the street or authorized on private property, like Santana West or Santana Row.

Response C.17: This comment is noted and will be provided to the decision makers for consideration. Refer to Response C.11. CEQA does not consider adequacy of parking from a project or the project's effect on parking as a means of assessing environmental impacts. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in

the IS/MND and therefore, no further response is required.

Comment C.18: FROM PAGE 70:

7 CONCLUSIONS AND RECOMMENDATIONS

Project Vehicle Miles Traveled (VMT) Evaluation

.... the City's VMT per worker threshold for general employments land uses is 12.21. For the surrounding land use area, the existing VMT is 12.22. The proposed project is anticipated to generate a VMT per worker of 12.21. The evaluation tool estimates that the project would generate per worker VMT below the City's threshold and would not trigger a VMT impact.

The "existing VMT per worker threshold" numbers versus the "anticipated generated VMT per worker numbers are only 1/100th of a mile difference. This is too close to rely on as an estimate suggesting VMT impact would not be generated. The community is concerned that a numbers shell game is being played here.

Response C.18: See Response C.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.19: Project Trip Generation

.... trip generation reduction credits were applied to the project including location-based mode-share and removal of existing driveway counts. Baseline vehicle trips for the proposed project (excluding trip adjustments) is anticipated to generate a gross total of 1,406 daily trips, 81 AM peak hour trips, and 104 PM peak hour vehicle trips. Development of the proposed project with all applicable trip reductions is anticipated to generate a net total of 1,062 additional daily trips, 61 AM, and 67 PM peak hour trips to the roadway network.

Gross to net reduction credits %'s are "Daily=24.5%", "Peak AM=24.7%", "Peak PM=35.6%"

To suggest that project trips will be reduced by nearly 1/4 because people can use "other than auto" transportation modes, and the repurposing of one driveway to deliveries, is a fallacious argument.

Response C.19: The anticipated Project trip generation has a 13% mode share reduction per the City of San José's Transportation Analysis Handbook 2020. Further vehicle-trip reductions are based existing trips that use the existing gas station. These trips are already on the local roadway network prior to the project and are, therefore, applied as a reduction to the Project trip generation. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.20: Intersection Traffic Operations

Weekday AM and PM peak hour intersection turning movement volumes for the existing study intersections were obtained from new turning movement counts collected at the study intersections on February 15, 2023. Traffic conditions for each study intersection was analyzed during the 7:00 -9:00 AM and 4:00 - 6:00 PM peak hours of traffic which represent the most heavily congested traffic on a typical

weekday. The study intersections were assessed under Existing, Background, and Background Plus Project condition scenarios. City of San Jose and Valley Transportation Authority Congestion Management Program intersection level of service standards and significance thresholds were used to determine adverse effects caused by the project.

Anyone who truly knows and understands traffic conditions in this U.V. knows that traffic conditions here are highly dynamic based upon many variables. Assessing intersection operations on a calendar day having the least amount of traffic only serves the developer in advancing his project entitlement approvals. It does nothing to address the real-world traffic conditions this project would make worse.

Response C.20: See Response C.3. The comment provides opinions on the traffic conditions in the project's vicinity. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.21: Adverse Effects and Improvements

The project is not anticipated to generate an adverse effect to the study intersections and roadways during the Project scenario.

Although the project does not "anticipate" itself to create "an adverse effect" to area roadways and intersections, the local neighborhood fully expects that it will. Part of that "adverse effect" will come directly from the new trips generated by the project, and part will come "per city request to improve multi-modal access.

Response C.21: Under SB 743, CEQA measures the transportation impacts of new projects with VMT; CEQA does not consider level of service (LOS) as a metric for environmental impacts. An informational discussion of transportation issues not required under CEQA, including LOS, is provided on pages 170 through 172 of the IS/MND. As stated on page 170 of the IS/MND, the Project utilizes the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, to estimate the trip generation of the Project. As stated on page 173 of the IS/MND, the net increase of total daily trips generated by the Project is not anticipated to result in LOS degradation beyond the City's acceptable levels. Regardless, the City has requested that the Project implement the following multi-modal improvements, which would further help to achieve the City's goals of reducing VMT by encouraging alternative modes of transportation:

- Install a crosswalk at the Winchester/Olin north intersection leg. A signal modification will be required to implement the installed pedestrian crosswalk. In coordination with City staff, this improvement would consist of new striping, a pedestrian button relocation, and a 6-foot wide half-bulbout curb extension along Olin Avenue at the project frontage.
- Provide a monetary contribution for an in-lieu fee for future Class IV protected bike lane implementation along the Winchester Boulevard project frontage per the CSJ Better Bike Plan 2025 (\$144 per LF)

The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.22: Per City request to improve multi-modal access, the project would need to coordinate

with the City and implement the following improvement:

Install a crosswalk at the Winchester/Olin north intersection leg. In coordination with City staff, this improvement would consist of new striping, a pedestrian button relocation, and a 6-foot wide half-bulb-out curb extension along Olin Avenue at the project frontage.

Nowhere in the Traffic Analysis are there diagrams or modified photos of how this proposed bulb-out will be designed and placed. The need for this bulb-out should be clearly stated, documented in the Traffic Analysis, but it won't be. I'm sure the developer believes that bulb-out is not necessary and would rather not have to take the extra time, effort & money to get it installed.

This completely unnecessary 6' bulb-out projection into the Olin roadway will prove to be a major choke point for Winchester Boulevard traffic, and will likely bring negative impacts to the bicycle lane as well. Currently the curb to double yellow centerline distance is 18.5 feet. Adding this bulb-out projection of 6 feet will reduce the usable roadway entry into Olin and the project by approximately 32%.

We understand that this is intended to shorten the pedestrian crossing distance to make pedestrian crossing safer. We argue that this bulb-out projection will in fact place pedestrians closer to turning vehicles making them less safe, particularly as the turning movements will be made more difficult, making those turning movements more dangerous and in fact less safe for all users. That six foot distance of shortening the pedestrian crossing time can easily be compensated or made up for by simply extending the pedestrian go by two to three seconds before red to green signal change.

The bulb-out will have a high likelihood of creating more southbound gridlocking by those turning left onto Olin from northbound Winchester. Occupation of the Santana West office building and Olin driveway access to the parking structure will exacerbate the problem, adding to a less safe condition for all roadway users.

If this is a municipal requirement, a full accounting from S.J. D.O.T. of exactly why this is a requirement should be made to both the developer and the public. For reasons described above, the neighborhood believes that the bulb-out should be eliminated from the plan and planning process.

Response C.22: The northwest corner improvements were requested by the City of San José to improve the pedestrian connections between this block and the pedestrian attraction of Santana Row. If the Project is approved, the bulb-out will be designed in future street improvement plans and be compliant with City of San José design requirements. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.23: FROM PAGE 71:

Provide a monetary contribution for an in-lieu fee for future Class IV protected bike lane implementation along the Winchester Boulevard project frontage per the CSJ Better Bike Plan 2025 (\$144 per LF)

Addition of the protected bike lane in front of the project will essentially eliminate the ability for southbound drivers to right onto Olin from a red light if the first car in the #3 lane is stopped and waiting to proceed straight through the intersection. This will further add queueing in the southbound right #3 lane and possibly increase sudden lane mergers without signaling from the right #3 lane to the middle #2 southbound lane, adding to less safe roadway conditions.

Addition of protected bike lane that prevent right turns on red with one or more vehicles queued in the right lane will help to deteriorate an already poor LOS on Olin & Winchester. The more the city helps to

deteriorate LOS at this intersection with unnecessary hardscape "improvements" the more it will negatively impact LOS at other nearby intersection and overall boulevard performance. This is in contradiction to the environmental goals stated by the city.

A full "before" evaluation of intersection performance should be made ahead of bulb-out and protected bike lane installation to document intersection performance to establish a baseline for determining the negative impacts these "improvements" will bring.

Response C.23: The Class IV protected bike lane is a separate project by the City of San José. The Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND analyzes the proposed Project. Refer to Section 5, LTA Intersection Operations, of the Local Transportation Analysis for discussion of intersection operations analysis for existing, background, project, and cumulative conditions, intersection vehicle queuing analysis, and required improvements for any adverse effects to intersection level of service caused by the Project. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.24: Pedestrian and Bicycle Site Access and Circulation

Existing sidewalks along the project frontages on Winchester Boulevard and Olin Avenue would be reconstructed to provide direct bicycle and pedestrian access. Winchester Boulevard will be improved with hardscape improvements per the adopted Urban Village Plan to satisfy the Grand Boulevard design as designated per the Envision San Jose 2040 General Plan. The project is anticipated to add pedestrian and bicycle trips across the Winchester Boulevard and Olin Avenue intersection due to proximity to Santana Row. Per City request to improve multi-modal access, the project would need to coordinate with the City and implement the following improvement:

Are these multi-modal access "improvements" a request or requirement by the city??

If this is a request, does the developer and/ or public have a choice in the matter?

If this is a requirement, what is mandating this "requirement"?

How are these "improvements" of bulb-out & project frontage protected bike lane being reviewed for potential negative impact to intersection operation and L.O.S.?

Response C.24: See Responses C.22 and C.23. The multi-modal improvements identified Local Transportation Analysis dated July 2023 prepared for the Project and included as Appendix I to the IS/MND are being included as project Conditions of Approval. Under SB 743, CEQA measures the transportation impacts of new projects with VMT; CEQA does not consider LOS as a metric for environmental impacts. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment C.25: On-Site Vehicle and Bicycle Parking

To satisfy the City's off-street parking requirement, the project will implement TDM measures and have a special use permit to allow for an alternative parking arrangement of valet and additional off-site parking in another area. Final details of the off-site parking agreement will be determined between the project

applicant and the City.

At a bare minimum, preliminary details of the off-site parking agreement should be reviewed by the public and the Planning Commission before Planning Commission approval of the project.

Response C.25: See Response C.11. The comment requests information on an off-site parking agreement that is not available to provide. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

COMMENTS FROM INDIVIDUALS

D. Jennifer Pham (dated November 3, 2023)

Comment D.1: As residents of the neighborhood, I am very concerned about the potential hotel at the 425 Winchester proposed location.

This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response D.1: This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.2: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response D.2: As stated on page 10 of the IS/MND, the Project would amend Figure 5-2, "Building Height Diagram" of the SR/VF Urban Village Plan to change the allowed height of the subject site (i.e., 425 South Winchester Boulevard) from 65 feet (5-6 stories typical) to 85 feet (6-7 stories typical) for a height increase of 20'; and the Project would amend Figure 5-3, "New Development Adjacent to Residential Neighborhood Land Use Designation" of the SRVF UV Plan to revise the required stepback (daylight) plane from 45-degree to 75-degrees consistent with the approved Citywide Design Guidelines. The IS/MND addresses the potential for shade and sunlight obstruction impacts of the proposed Project in Section 4.1, Aesthetics, on pages 26 and 27 of the IS/MND. As explained on page 26 through 27 of the IS/MND, shadow studies were conducted to determine potential effects of shadow cast by the Project. Figure 4-2 and Figure 4-3 of the IS/MND show how shadows would be cast by the Project on surrounding land uses during different seasons of the year. The Project as proposed will result in longer periods of shadowing and more pronounced shadow on adjacent residences in the immediate area along Spar Avenue (e.g. APNs 303-39-019, 303-39-018, 303-38-017, and 303-39-016) during winter sunrises around 9:00 AM. The Project is designed as an "L" shape, such that the portion of the Project adjacent to the residential uses at 382 Spar Avenue has a greater stepback (i.e., daylight plane) to minimize the potential for shadow impacts to the adjacent residential uses. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.3: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly decreasing our quality of life.

Response D.3: As the City has not received any applications for amendments to the SRVF Urban Village Plan to allow for increased height limits on other sites, it is not reasonably foreseeable that any future projects in the SRVF Urban Village Plan Area would develop with heights above those allowed for in the currently approved SRVF Urban Village Plan. The Project would only allow for an increased height limit on the subject Project parcel (425 South Winchester Boulevard). Any future applications for General Plan Amendments to allow for increased height limits on other parcels would be subject to a separate review and approval process with the City. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.4: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response D.4: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.5: I am often stuck in Valley Fair and Santana Row traffic on a weekend for upwards of 10 minutes to go from Winchester to the 280 ramp. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response D.5: The comment provides personal analysis and insight into the roadway operations near the project site. This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.6: The traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Nonlocal cut-through traffic onto Spar Ave will only worsen

if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response D.6: See Responses C.3 and C.4. As recognized on page 173 of the IS/MND, the Project would not result in any operational level of service deficiencies in exceedance of acceptable City standards. As noted on page 169 of the IS/MND, to further reduce potential neighborhood cut-through traffic, the Project would implement the additional measure of installing a left-turn only signage at the Olin egress driveway to discourage outbound vehicle trips from turning right and cutting through the neighborhood. Additionally, the Project would implement a measure to contribute a fair-share to fund future off-site traffic calming improvements consistent with after-study analysis results. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.7: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response D.7: The Project does not propose improvements at the Spar Avenue/Hanson Avenue roundabout. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment D.8: Residential Streets are local routes between and within neighborhoods. When there is excessive traffic during the evening, weekends, holidays and during special events the nearby neighborhoods become a space for speeding cars that are using the neighborhood streets as pass through. The neighborhood has young children, my household being one, that have fears of letting our kids outside to play due to the high volume of speeding cars that come through. Please help us keep our neighborhoods safe.

Response D.8: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

E. Leslie Duquette (dated November 4, 2023)

Comment E.1: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117, to increase the height limit and decrease the setbacks for the project. This goes against city policy and the urban village plan.

Response E.1: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.2: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response E.2: See Response D.1. The comment provides personal insight in regard to the project. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.3: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response E.3: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.4: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly decreasing our quality of life.

Response E.4: See Response D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.5: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by

analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response E.5: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.6: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response E.6: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.7: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response E.7: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.8: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response E.8: See Response D.7. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment E.9: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

Response E.9: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

F. David Duquette (dated November 4, 2023)

Comment F.1: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117 to increase the height of the proposed hotel project 20 feet over the Urban Village agreed-upon maximum height of 65 feet.

Response F.1: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.2: 2) The full closure of Spar Ave at Hanson Ave to traffic by way of a concrete barrier with removable bollards to allow for access by emergency vehicles. Exhibit A is a map with the proposed change.

Response F.2: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.3: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response F.3: See Response D.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.4: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response F.4: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.5: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly

decreasing our quality of life.

Response F.5: See Response D.3. The comment provides personal insight into the proposed project. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.6: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response F.6: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.7: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response F.7: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.8: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the

Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response F.8: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.9: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response F.9: See Response D.7. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment F.10: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

Response F.10: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

G. Alex Duquette (dated November 5, 2023)

Comment G.1: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117, to increase the height limit and decrease the setbacks for the project. This goes against city policy and the urban village plan.

Response G.1: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.2: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response G.2: See Response D.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.3: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response G.3: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.4: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly decreasing our quality of life.

Response G.4: See Response D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.5: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by

analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response G.5: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.6: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response G.6: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.7: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response G.7: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.8: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response G.8: See Response D.7. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment G.9: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

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Response G.9: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

H. Patricia Parden Bradley (dated November 5, 2023)

Comment H.1: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117, to increase the height limit and decrease the setbacks for the project. This goes against city policy and the urban village plan.

Response H.1: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.2: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response H.2: See Response D.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.3: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response H.3: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.4: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly decreasing our quality of life.

Response H.4: See Response D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.5: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by

analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response H.5: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.6: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response H.6: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.7: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response H.7: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.8: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response H.8: See Response D.7. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment H.9: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

Response H.9: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

I. Jane Wulf (dated November 6, 2023)⁵

Comment I.1: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117 to increase the height of the proposed hotel project 20 feet over the Urban Village agreed-upon maximum height of 65 feet.

Response I.1: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.2: 2) The full closure of Spar Ave at Hanson Ave to traffic by way of a concrete barrier with removable bollards to allow for access by emergency vehicles. Exhibit A is a map with the proposed change.

Response I.2: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.3: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response I.3: See Response D.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.4: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response I.4: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

⁵ Note that two, identical comment letters were submitted by the commentor on November 6, 2023. While the text is included only once in this section, both comment letters are available in Appendix A.

Comment I.5: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly decreasing our quality of life.

Response I.5: See Response D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.6: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response I.6: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.7: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response I.7: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.8: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same

number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response I.8: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.9: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response I.9: See Response D.7. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment I.10: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

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Response I.10: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

J. Scott Wulf (dated November 6, 2023)**Comment J.1:** RESPONSE TO:

Appendix H: Acoustical Assessment for the 425 Winchester Boulevard Hotel

Starting on page 29, there is a list of Stationary Noise Sources.

Comment 1:

The residences on Spar Ave already get enough stationary noise originating from the park inside Santana Row. The noise from the Recreational Activities, as listed on page 30, will be more significant than as noted. Please assess with more detail and less estimation and have the developer consider installing a clear sound wall to keep the sound in for the benefit of my neighborhood and keep the chilly gusts out for the hotel guests.

Response J.1: As stated on page 133 of the IS/MND, to determine ambient noise levels in the Project area, three 10-minute noise measurements and one 24-hour long term measurement were taken using a Larson Davis Model 831 Type I integrating sound level meter between 12:48 a.m. and 2:19 p.m. on February 15, 2023 and February 16, 2023. Table 4-14 of the IS/MND presents the noise measurements that were collected to represent the existing ambient noise conditions. The Project's potential noise effects were modeled using these noise measurements as the existing ambient condition. As detailed on page 149 of the IS/MND, the Project would not result in noise conditions in exceedance of the City's standards. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment J.2: Comment 2:

As stated in Comment 1, we already receive a good amount of noise originating from the park and passing through the corridor created by the sheer buildings along Olin. Where is the Acoustical Analysis of the open air restaurant planned for the first floor of this new development? Noise levels in excess of 100 decibels are not uncommon in restaurants today, its windows will open up to both Winchester and Olin, and the sound emanating from them will ride the same corridor into our homes.

Response J.2: See Response J.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

K. Richard and Patricia Knapp (dated November 6, 2023)

Comment K.1:As longtime residents of the Winchester Orchard Neighborhood (over 50 years on Maplewood Ave), we are both alarmed and extremely concerned about the negative impact of the proposed hotel Development on the corner of Winchester Blvd and Olin Ave.

Response K.1: This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment K.2: We understand that development will happen but feel it is vital that any development adhere to the Urban Village plan. It would be detrimental to the existing neighborhood and quality of life and living conditions otherwise.

The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel. This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit.

Response K.2: See Responses C.8, D.2, and D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment K.3: It addition to this, we have major concerns about the projects effect on neighborhood traffic which has already suffered from changing traffic patterns, higher density and increased parking issues. We feel that the traffic study does not accurately reflect the conditions within the neighborhood. Traffic has greatly increased on Spar (drivers using Spar as a way to avoid the Stevens Creek/Winchester intersection). This project would only further negatively impact Spar, Hanson, and Maplewood. Our understanding is that the current mediations in the neighborhood were supposed to be reviewed and possibly be revised six months after the Santana West project was occupied. This has not yet occurred.

Response K.3: See Responses C.3 and C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment K.4: We sincerely hope that the city of San Jose and the planning commission does not approve the increased height limits, decreased setbacks and increased site plane as requested by the owner and developer of the Winchester Blvd project, Mark Tersini.

Response K.4: See Response C.8. This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

L. Elizabeth Evans (dated November 6, 2023)

Comment L.1: I am writing in response to the proposed hotel 425 Winchester Blvd, San Jose, CA 95117 and the request to amend the General Plan by the developer and owner Mark Tersini.

Response L.1: This comment is noted for the record and will be provided to the decision makers for review and consideration. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment L.2: DO NOT amend the urban village plan to allow the increase in building height from 65 to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out sunlight, especially for homes immediately abutting the proposed hotel.

Response L.2: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment L.3: According to the Santana Row/Valley Fair UV Plan section 5.3- „COMPATIBILITY OF BUILDING HEIGHT, PLACEMENT AND SCALE ,”Building massing in any infill development must consider the scale and nature of the adjacent uses.” Single family residences are located adjacent to the property in question and so must be considered.

Goal UD-7 is to create an urban environment where new development steps down toward existing low-intensity residential uses and is built to the human-scale at the ground level.

The plan clearly states that the height of the building should be no more than 65'. There is no reason to amend the plan for this property.

Response L.3: See Responses C.8 and D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment L.4: According to the Northern California Hospitality Market Report by Matthews Real Estate Investment services, “San Jose’s hotel industry’s recovery has been slow making the market one of the hardest hit nationally. Annual hotel room demand and average daily rate are not projected to recover to 2019 levels within the next few years” Hotel occupancy is not expected to recover until 2027. There is not enough demand for hotel rooms to justify a larger hotel. The added jobs is not enough to justify amending the Plan, and it certainly would decrease the quality of life for the residents adjacent to the property in question.

Response L.4: See Response D.2. The comment provides an unverified source’s information and an opinion on the hospitality market in San José. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore,

no further response is required.

Comment L.5: Regarding the traffic analysis, only 2 days of data were taken. This is not an adequate representation of the neighborhood traffic and does not take into account the amount of traffic that will be generated when the Santana West Office building, located across the street from the proposed hotel, is filled with office workers. Nor did it take into account the amount of traffic that will be generated from the residences located on what was the Winchester mobile home park. That will be another 1000 people and their cars. VTA ridership is still only 72% of pre-pandemic numbers and most people will still drive their cars.

Response L.5: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment L.6: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection,

“Residential Street” definition to read as follows :

Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

Response L.6: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

M. Monty Urakami (dated November 8, 2023)

Comment M.1: Frequent visitors of friends on Spar Ave. San Jose, Ca. 95117 this area is already in total congestion and by adding additional residential buildings it will make things a lot worse! I sometimes feel in Los Angeles !

Response M.1: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.2: As residents of the neighborhood, we propose the following:

1) NOT amending the General Plan to allow Mark Tersini, developer and owner of 425 Winchester Blvd, San Jose, CA 95117, to increase the height limit and decrease the setbacks for the project. This goes against city policy and the urban village plan.

Response M.2: See Response C.8. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.3: This is not a case of "Not in my backyard". The process of approving the Urban Village Plan was a painful one for our neighborhood. In the name of progress, we were asked to accept the Urban Village Plan along with the inevitable increase in development. Our neighborhood made sacrifices to allow for larger population densities, higher building height limits, and higher site planes that block out sunlight. Now, developers want this neighborhood to sacrifice more.

Response M.3: See Response D.1. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.4: The proposed hotel project would increase the building height from the allowed 65' to 85' as well as increase the site plane from 45 degrees to 75 degrees blocking out even more sunlight especially for homes immediately abutting the proposed hotel.

Response M.4: See Response D.2. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.5: This is the first project to be developed on the northern end of the Winchester Urban Village and will set a horrible precedent. If changes to the General Plan are approved, we can expect all the other future developments to follow suit. Approved changes to the current Urban Village Plan limits will line the pockets of developers while decreasing our property values and, more importantly, greatly

decreasing our quality of life.

Response M.5: See Response D.3. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.6: After reviewing the traffic analysis performed by Kimley Horn, it is clear Kimley Horn does not understand our neighborhood. You cannot get an accurate assessment of the traffic situation by analyzing data from 2 midweek days. Santana Row and Valley Fair are both shopping and dining destinations. They both have high demands on weekday evenings, weekends, holidays, and special events. The traffic count performed by Kimley Horn was done on Thursday, March 3, 2023 (ONE DAY). The intersection analysis was done from the hours of 7:00-9:00 and 4:00-6:00 on Wednesday, February 15, 2023 (ONE DAY). This is not an adequate representation of the neighborhood traffic and does not demonstrate that the traffic calming measures are successful. In fact, even during slow times of the year, midweek, the data shows twice as much traffic on Spar Ave as Hanson Ave with approximately 200 more cars on Spar Ave (daily on a slow day of the week) than Hanson Ave.

Response M.6: See Response C.3. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.7: When current traffic calming measures were first put in place, little regard was given to the block of Spar Ave. When the intersection at Stevens Creek and Winchester gets busy (especially on weekday evenings, weekends, holidays, and special events), vehicles cut-through on Spar at a high rate of speed to avoid the intersection. Traffic can get so bad that vehicles traveling west on Stevens Creek will either make an illegal u-turn at Hansen or use Spar to turn south onto Winchester. Driving apps will direct drivers heading east on Stevens Creek onto Spar Ave to save time by avoiding the Stevens Creek Blvd and Winchester intersection.

Response M.7: See Response C.4. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.8: The Kimley Horn traffic analysis report failed to analyze the intersection at Stevens Creek and Hanson. Traffic used to be shared by Hansen, Spar and Maplewood; however, since the closing of Olin at Hansen, this traffic all goes through Spar. With little analysis, you can see that Spar Ave has the same number of homes as Hansen and should receive approximately the same amount of traffic. The doubling of traffic on Spar is due to non-local cut-through drivers. Non-local cut-through traffic onto Spar Ave will only worsen if the hotel project on 425 Winchester is allowed to go through without proper remediation. If Spar is already getting cut-through traffic headed to Santana Row and Winchester, it will certainly get cut-through traffic to and from the Hotel. It is important to realize that this is an issue now even with the

Santana West office building currently vacant. What will happen when this building is in full use and hotel built?

Response M.8: See Responses C.3, C.4, and D.6. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.9: The neighborhood residents understand that development is inevitable; however, it is unjust and unfair to sacrifice our neighborhood in the process. Solving the traffic issue is key to the success of the Urban Village Plan. The Spar/Hanson traffic at the new roundabout narrows significantly and is difficult to navigate, especially for pedestrians and bicycles. Most cut-through traffic is not familiar with a turnabout and struggle to determine who has the right of way.

Response M.9: See Response D.7. The comment provides personal analysis and insight into the roadway operations near the project site. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

Comment M.10: The planning commission has recognized the need to codify the definition of a “Residential Street” and recommends the city council approve the proposed text amendment to the General Plan. File No. GPT23-002 amends the Envision San Jose 2040 General Plan, Chapter 5, “Transportation Network Designations” section, “Street Typologies” subsection, “Residential Street” definition to read as follows (emphasis ours):

Residential Streets are local routes between and within neighborhoods. They are intended to provide access to properties and serve slow, low-volume traffic. As these low-volume corridors may be used by non-local traffic as cut-through routes to bypass congested corridors, neighborhood traffic management strategies should be applied as appropriate to slow and reduce through automobile and truck traffic, discourage dangerous driving behaviors, and ensure safe crossings.

Response M.10: See Response C.4. The comment did not raise any new issues with respect to the disposition of significant environmental impacts or issues evaluated in the IS/MND and therefore, no further response is required.

SECTION 3.0 IS/MND TEXT REVISIONS

This section contains revisions to the text of the 425 South Winchester Boulevard Project IS/MND dated October 2023. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

IS/MND Section, Page	Text Revisions
4.4 Biological Resources, p.62	There are no creeks, rivers, or other water bodies are located on or adjacent to the Project site and the closest creek is the San Tomas Aquino Creek, approximately 2 miles west <u>aboveground (approximately 0.72 miles west belowground)</u> from the site.
4.4 Biological Resources, p.65	The closest riparian area to the Project site is San Tomas Aquino Creek, located approximately 2 miles <u>west aboveground (approximately 0.72 miles west belowground)</u> from the Project site.
4.10 Hydrology and Water Quality, p.120	The closest waterway to the Project site is San Tomas Aquino Creek, which is located approximately 2.50 miles west <u>aboveground (approximately 0.72 miles west belowground)</u> of the Project site, and ultimately flows into the San Francisco Bay.
4.10 Hydrology and Water Quality, p.120	The Flood Insurance Rate Map (FIRM) shows the Project site outside of any flood hazard zone <u>is located within Zone D, an area of undetermined flood hazard. Zone D is not a Special Flood Hazard Area (SFHA).</u> ²⁹ ²⁹Federal Emergency Management Agency. FEMA Flood Map Service Center: Search by Address. Accessed at FEMA Flood Map Service Center Search By Address FIRM 06085C0229H, effective May 18, 2009. Accessed on February 24, 2023.
4.10 Hydrology and Water Quality, p.124	The Project site is located within the Santa Clara Valley Groundwater Basin Subbasin which spans from Diablo Mountains in the east, Santa Cruz Mountains in the west, and the San Francisco Bay in the north.
4.10 Hydrology and Water Quality, p.124	The closest waterway to the Project site is San Tomas Aquino Creek, which is located approximately 2.50 <u>0.72</u> miles west of the Project site.
4.10 Hydrology and Water Quality, p.126	The Project site is located outside of any flood hazard zone SFHAs . The nearest flood hazard SFHA , Zone X, is located approximately 0.15-mile north of the Project site. Areas in Flood Zone X are subject to inundation by .2 percent

IS/MND Section, Page	Text Revisions
	annual chance shallow flooding where average depths are less than one foot. <u>The Project site is located within the James J. Lenihan Dam failure inundation zone.</u>