

Keyon, David

From: Scott Barry [sj.scottb@gmail.com]

Sent: Wednesday, February 05, 2014 2:12 PM

To: Keyon, David

Subject: Comments on Diridon Station Area Plan and EIR (Regarding bike infrastructure)

Hello David,

I would like to comment on what seems to be a lack of language in the plan and EIR regarding bicycle infrastructure. It is not apparent from the plan that the bicycle infrastructure component has been addressed or thought through adequately. One example from the recent workshop being that creek paths were proposed as primary access routes. Creek paths are illegal to use after dark. If you get off work at 5:30 and arrive at Diridon at say 6:30, your bike access would be limited to late Spring through early Fall.

It appears that San Jose is planning a world class transportation hub, similar to some very successful ones in Europe, with one glaring exception. The key difference being that those hubs contain significant and well thought through bicycle infrastructure. What makes those hubs work is that biking was made the backbone of the system, not an afterthought. In the Diridon workshop it was mentioned that the focus to achieve a reduction to 40% driving mode share in the area would be shuttles (buses) and carpooling. I would like to point out that those options have always been there and have not achieved anything close to this. I would propose that driving can not be significantly reduced in the area without strong and carefully planned bike infrastructure. Studies have shown that 54% of the population would like to bike, but do not because of lack of basic infrastructure. On the other hand, I doubt that few additional people are waiting in the wings to carpool or ride buses. Most people who prefer those options are already using them. It is biking that is the untapped market to reduce driving mode share in the Diridon area, so imperative that there be safe non-intimidating bike access to this large multimodal transport hub.

In terms of value, bike infrastructure is the least expensive compared to other modes of travel, but with the highest potential growth factor. In some cases this is just design consideration, with no actual cost.

From my experience and travels, below is what I recommend be included in the plan for a true multimodal hub.

(1) **Safe "road" access for bikes from north, east, south, and west of Diridon:** Preferably bike lanes, or when not possible, sharrows combined with significant traffic calming techniques in low speed areas. The goal should be a non-intimidating experience. I would also note that the Google maps designation of a 'bicycle friendly' road (dotted lines) should not be the standard. For example, Bird Ave from West Virginia St to north of Park Ave, the most practical southern access point for Diridon is marked friendly but is almost the definition of unfriendly and intimidating. It has three lanes with excessive speed limit (35mph limit means 45mph actual), no bike lane, no shoulder, and uses proven dangerous pork chop island intersections. This section is clearly overlaned and in need of road diet, bike lane, and elimination of the pork chop islands. The Diridon area, including Bird Ave, should follow the 'Complete Streets' design philosophy for all roads in the area.

(2) **Intersection vehicle detection that includes bikes, not just cars:** Cycling is not encouraged by forcing people to hobble over to the pedestrian walk button, then hobble back into the road. This is made even more unsafe by the use of pork chop islands.

(3) **Secure bike parking at Diridon:** The Diridon bike racks are a hot bed for bicycle theft because thieves know its an easy target. The existing system of bike lockers should be replaced by the flexible user friendly on-demand BIKELINK system already implemented in thirteen other location is San Jose. Sufficient area should be set aside to accommodate future expansion of the BIKLINK area according to mode share goals. Any overflow non secure bike parking racks should have surveillance cameras with obvious signs.

(4) **Secure bike parking at new retail business:** Bike parking at planed local retail stores should included at least some bike parking in front of the store, if visible from the inside. When not possible, the maximum distance from bike parking to the furthest point within the store should be 150 feet, and preferably less. This is to take advantage of new bluetooth based bike security systems which are coming on the mark this year. These systems detect bike vibrations and notify the bike owner by cell phone through bluetooth, which must be within 150 feet to work (in an idea case). Practically the parking should be somewhat closer due to signal loss through the building. Note the max distance is not to the front of the store, but should take into account that the customer may be located at the back of the store. At last some bike parking should be designed for cargo bikes or bikes with trailers, especially at grocery stores.

(5) **Secure bike parking at new residence complexes:** New condo residence structure that include secure car parking should also have secure bike parking, with expansion space allocated based on mode share goals. This should include some allocation for cargo bikes. Non secure parking areas should include bike racks that have signed surveillance cameras.

(6) **Parking lots that consider bikes:** Park lots in the area should have dedicated protected and marked paths for bikes to navigate from the road to the bike rack adjacent to the building. This is especially important for larger lots and grocery store lots. Bikes are not designed to be pushed long distances through parking lots, especially loaded cargo bikes.

Finally, I highly recommend seeking the advice and consultation of Dutch transportation experts to review the Diridon area plan. They have been implementing successful multimodal transportation plans for a long time, and have it down to a fine art.

Thanks
 Scott Barry
 San Jose resident, District 9

Keyon, David

From: RICK [imopie@juno.com]

Sent: Wednesday, February 12, 2014 11:30 PM

To: Keyon, David

Subject: Diridon Station Area Plan EIR - Garden Alameda - Aesthetic and history

History to be noted: Garden Alameda connections - The San Jose Roundhouse - Stockton Avenue/Lenzen Avenue/The Alameda

Aesthetic and history of the area being developed This is the part of history that spells out the essence of our own community **Garden Alameda - Stockton Avenue/Lenzen Avenue:**

This bit of history of Stockton Ave. Our Garden Alameda: (earlier named Alameda Gardens): In the 1870s, a horsedrawn streetcar line was built on the Alameda between San Jose and Santa Clara. **For brief time, a competing horsedrawn streetcar ran down Stockton Avenue. The line on the Alameda would be electrified and eventually become part of the San Jose Railroads**, which abandoned all operations in April 1938. research@historysanjose.org:

...During the steam era a large number of employees worked out of the San Jose Roundhouse. In addition to locomotive engineers and firemen reporting for commute trains, switchers and local freights, a large number of boiler makers, machinists, laborers, herders and hostlers all worked under the direction of a roundhouse foreman. **Many of the engine crews and roundhouse workers lived nearby in the area around Stockton Avenue** and the railroad tracks which were within ear shot of the steam whistles and an easy walk to work at the roundhouse. The roundhouse force worked 24-hours a day servicing the large number of steam locomotives assigned to San Jose.

http://www.ctrc.org/index.php?option=com_content&view=article&id=27%3Alenzen-roundhouse&catid=18%3Alenzen-roundhouse&Itemid=40

The most unique characteristic of the San Jose Roundhouse was the "Roundhouse" sign that hung on the western wall of the structure. This may have been the only roundhouse with such a feature. Most roundhouses were located in large rail yards far away from easy public viewing; yet **because the San Jose structure was immediately located adjacent public grade crossing at Lenzen Avenue**, its western wall and **unique sign were favorite photographic subjects among local rail enthusiasts.**

http://www.ctrc.org/index.php?option=com_content&view=article&id=28%3Athe-roundhouse-sign&catid=18%3Alenzen-roundhouse&Itemid=40

Fuel facilities at Lenzen Ave. in San Jose, Ca, 1978

<http://www.flickr.com/photos/sharkzfan/2160239563/sizes/l/in/photostream/>

Southern Pacific's Lenzen Street roundhouse

<http://s412909226.onlinehome.us/KPRMS/BayAreaRR/lenzen.html>

Lenzen Street Roundhouse Service Pit, 1969

http://wx4.org/to/foam/a_rrcontents.html

Southern Pacific's Lenzen Street Roundhouse was the center of SP's San Jose operations.

http://wx4.org/to/foam/a_rrcontents.html

Lenzen Street Roundhouse, San Jose, California 1957-built GP-9 5753 in Roundhouse #2, January

1965.

http://wx4.org/to/foam/a_rcontents.html

The Fredricksburg Brewery, 1876.

The striking Fredericksburg Brewery building at the corner of The Alameda and Cinnabar Street was designed by noted San José architect Theodore Lenzen.

<http://www.historysanjose.org/labellegacy/images/photos/popups/1876p26brewery.html>

Detail of Stockton Rancho from "Map of the So Called 500 Acre Lots of the Pueblo de San Jose" Surveyor A. D. Fuller Surveyor 1985

<http://www.historysanjose.org/labellegacy/images/photos/popups/1865StocktonMap.html>

Detail of map of City of San Jose First Ward, from the Historical Atlas of Santa Clara County
The 1876 map of the area around the Alameda and Stockton Avenue shows

<http://www.historysanjose.org/labellegacy/images/photos/popups/1876p39map.html>

Muirson Label Company, drawing by Ralph Rambo, 1963. (NOTE TRAIN ALONG LEFT SIDE IN DRAWING. RAILROAD FROM BREWERY AND MUIRSON LABEL HEADED EAST ACROSS STOCKTON AVE ALONG SIDE OF LENZEN AVE - SAN JOSE ROUNDHOUSE)

Designed by architect William Binder in 1914

<http://www.historysanjose.org/labellegacy/images/photos/popups/200436126.html>

Sanborn Fire Insurance Map, detail; 1951 - railroad connection to stockton Ave - east

<http://www.historysanjose.org/labellegacy/images/photos/popups/SanbornDetail.html>

Muirson Label Company employees standing in front of the Muirson building located at 435 Stockton Avenue - railroad connection to stockton Ave - east

http://www.historysanjose.org/labellegacy/things/object_details.php?object=100&exhibit=1&ps=0&object_name=Panoramic

Ralph Rambo seated at his desk, c. 1935.

Ralph Rambo worked at Muirson Label Company from 1916 to 1964

<http://www.historysanjose.org/labellegacy/images/photos/popups/20043611.html>

Del Monte Brand Label, California Fruit Cannery Association, c. 1915 Ralph Rambo, History San José Collection

<http://www.historysanjose.org/labellegacy/images/photos/popups/198825239.html>

Smith Manufacturing Company <http://www.sfgenealogy.com/santaclara/history/scchist30.htm>

List of streets in San Jose - Lenzen Avenue - Theodore Lenzen, architect of over 600 buildings in san jose

Commodore Robert F. Stockton - Stockton Ave name

http://www.historysanjose.org/labellegacy/images/photos/popups/temp_stockton.html

This is the history of the North Development in: "Garden Alameda"

- Rick Bernard

February 13, 2014

BOARD MEMBERS

Dan Richard
CHAIR

Thomas Richards
VICE CHAIR

Jim Hartnett
VICE CHAIR

Richard Frank

Patrick W. Henning, Sr.

Katherine Perez-Estolano

Michael Rossi

Lynn Schenk

Thomas J. Umberg

Jeff Morales
CHIEF EXECUTIVE OFFICER

EDMUND G. BROWN JR.
GOVERNOR



David Keyon
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor
San José, CA 95113

Via Email: david.keyon@sanjoseca.gov

RE: Draft Program Environmental Impact Report for the Diridon Station Area Plan and Updated Draft Preferred Diridon Station Area Plan
(File No. PP09-163)

Dear Mr. Keyon:

The California High-Speed Rail Authority (Authority) appreciates the opportunity to review the Draft Program Environmental Impact Report (DEIR) for the Diridon Station Area Plan and the Diridon Station Area Plan Final Draft Report (DSAP). This letter and the attached appendices convey the Authority's comments on the two documents.

The DSAP presents a well-measured framework for creating an efficient, sustainable, livable and attractive urban village with high-quality economic development by leveraging existing transit capacity and future opportunities for multi-scale transit improvements. The DEIR is a well-written and organized document that reports the results of balanced analyses and provides useful information for the public, stakeholders, and decision makers.

Please consider several additional observations regarding content in these documents that is related to the California High-Speed Rail Program.

1. The California High-Speed Rail Program is evolving. The DSAP and DEIR documents cite the 2008 Bay Area to Central Valley High-Speed Train Final Program Environmental Impact Report/Environmental Impact Study (EIR/EIS) for much of the high-speed rail data. This document was superseded by the 2012 Bay Area to Central Valley High-Speed Train Partially Revised Final Program EIR. Also, the 2012 Business Plan describes the vision for bringing high-speed rail service to San Jose in 2027, and starting service north of San Jose in 2029. California High-Speed Rail will operate in a "blended" capacity, sharing Caltrain's electrified tracks north of San José Diridon Station. The 2012 Business Plan describes service levels of up to 6 trains per hour per direction at a maximum speed of 220 miles per hour (mph) south of San José Diridon Station, and up to 4 trains per hour per direction at a maximum speed of 110 mph north of the station. Conceptual planning and engineering for the blended approach are underway, however preliminary and final design details will be developed at later stages of the high-speed rail project. In San José, the Authority has not yet selected a rail alignment, grade elevation, number of tracks, or station configuration alternatives. These decisions will be made by the Authority during and after the environmental review process for the San Francisco to San José Section of the high-speed rail system.

2. In addition to an aerial option for the high-speed rail service at San José Diridon Station, the Authority has informally committed to fully studying an underground option in the San Francisco to San José Section environmental document. Preliminary alternatives analysis in progress shows that the underground station option involves several construction challenges, such as difficult tunneling and mining through silty soils with a high groundwater table, the need for extensive right-of-way acquisition around the tunnel portals, and the need for ventilation shafts throughout the tunnel. The physical constraints of the underground option will lead to several operational difficulties and may substantially complicate design of BART's future underground station facility.
3. The Authority's schedule for implementing the high-speed rail program is influenced by regulatory, financial, and political circumstances. The progress of all high-speed rail sections advance in systematic coordination. However, project-level environmental documentation must be prepared for each section of the project on schedules that are subject to change.
4. The Authority recently released the Draft 2014 Business Plan, which is currently available on our website. Following the review of public comments, the 2014 Business Plan will be submitted to the Legislature by May 1, 2014. The 2014 Business Plan contains updated information about high-speed rail operation and service that are primary data inputs to the DSAP and DEIR.

In addition to these observations, please consider the detailed comments on the DEIR and DSAP presented in the two appendices attached to this letter. The intent of the comments is to ensure consistency between the City's station area planning and impact analysis, and the Authority's current work on the high-speed rail project.

The Authority and City of San José have an active and productive planning partnership for the Diridon Station and surrounding urban area. We look forward to continuing collaboration on specific planning issues, including access between Diridon Station and Mineta San Jose Airport, and changes in station area zoning that will leverage the state's and city's investments in multi-modal transit infrastructure. The ongoing partnership with the City of San José is helping the Authority bring high-speed rail service to the community.

We invite you to visit our website at www.hsr.ca.gov for additional project information. Please contact us if you have any questions.

Sincerely,



Ben Tripousis
Northern California Regional Director
btripousis@hsr.ca.gov
(408) 477-5631



Mark A. McLoughlin
Director of Environmental Services
mark.mcloughlin@hsr.ca.gov
(916) 403-6934

Attachments:

- (1) Appendix A: Detailed Comments on the Draft Program EIR for the Diridon Station Area Plan
- (2) Appendix B: Detailed Comments on the Updated Draft Preferred Diridon Station Area Plan

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

APPENDIX A

Detailed Comments on the Draft Program EIR for the Diridon Station Area Plan

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
1	Section 1	9, 10, 11	Impact TRAN-1 to TRAN-5, and Impact AQ-1 and Impact AQ-2	Station access planning is an important component of the Authority's Station-Area Partnership funding program. Creation of a station area Transportation Demand Management (TDM) plan with implementing policies and a Transit Connectivity Study were part of the scope of work for the San José station-area partnership application, which was approved by the Authority in February 2012. The Authority looks forward to the City's submittal of a City Council Resolution to enable execution of a final funding agreement.
2	Section 1	10	Impact TRAN-5	Consider mentioning the positive impacts to transit operations from the high-speed rail project.
3	Summary - Design Alternative	17	3	The sentence "... includes a freestanding high speed rail building (assuming a below-grade alignment)..." is not consistent with the California High Speed Rail description made on page 32: "...the alignment through San José would run along an elevated structure..." The Authority has committed (informally) to study both aerial and underground station alignments in the San José to Merced Project-level Environmental document. All planning scenarios should incorporate both an aerial and underground high-speed rail alignment/station.
4	Summary - Reduced Scale Alternative	19	1	The sentence "... includes a freestanding high speed rail building (assuming a below-grade alignment)..." is not consistent with the California High Speed Rail description made on page 32: "...the alignment through San José would run along an elevated structure..." The Authority has committed (informally) to study both aerial and underground station alignments in the San José to Merced Project-level Environmental document. All planning scenarios should incorporate both an aerial and underground high-speed rail alignment/station.
5	Section 1	31	Figure 1-4	To the south of Diridon Station the high-speed rail alignment is inaccurate. Alignment should follow the east side of SR-87, between SR-87 and Guadalupe River.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
6	Section 1	32	Footer 8	The High-Speed Rail Authority's website changed in early 2013 from www.cahighspeedrail.ca.gov to www.high-speed rail.ca.gov . Please update the reference site address to: http://www.high-speed rail.ca.gov/docs/programs/statewide_rail/proj_sections/SanFran_SanJose/San_Francisco_to_San_Jose_Phased_Implementation_Fact_Sheet_4_11_11.pdf
7	Section 1	32	Footer 9	The High-Speed Rail Authority's website changed in early 2013 from www.cahighspeedrail.ca.gov to www.high-speed rail.ca.gov . Please update the reference site address to: http://www.high-speed rail.ca.gov/Programs/Environmental_Planning/index.html
8	Section 1	32	Footer 8	Footer 8 should be revised to say, "Along the San Francisco bay area peninsula, the Authority will operate in a "blended" operation with Caltrain, for which Authority will be a tenant on existing Caltrain tracks.
9	Section 1	32	3	The electrification of Caltrain is part of Caltrain's Modernization Program. Caltrain is the lead agency of this effort and should be listed on page 33 under "Caltrain". More information is available at this link: http://www.caltrain.com/projects/plans/CaltrainModernization/Modernization.html
10	Section 1.2.1.2	32	2	Consistent with all other high-speed rail sections, the Project EIR/EIS for the San José to Merced Section will evaluate environmental and community impacts associated with the high-speed rail alignment and San José station, at a preliminary design level of detail. Subsequent final design will include details of building and landscape architecture.
11	Section 1.2.1.2	33	2	While the Federal Transit Administration has completed an EIS for Caltrain electrification, the Peninsula Corridor Joint Powers Board is presently preparing an EIR for the Peninsula Corridor Electrification Project. Caltrain is expected to release a public Draft EIR during the first quarter of 2014.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

Comment	Section #	Page #	Paragraph #	Comment
12	Section 1	38	1.4 PROJECT OBJECTIVES	Please consider these text revisions: " The underlying purpose of this proposed project <u>the Diridon Station Area Plan</u> is to transform the Diridon Station Area into a regional destination <u>with a mix of land uses and sufficient density to support</u> . <u>The Plan will leverage the area's existing and planned transit infrastructure to plan for and encourage the types of mixed-use, livable, walkable, urban employment, entertainment, and living opportunities that Bay Area residents and workers increasingly demand.</u> The City's basic objectives for the proposed project are provided below."
13	Section 2.1.4.2	49	2	For the plan, the objective is the livable, walkable communities. The increased transit ridership is an outcome of creating living, working, and entertainment opportunities in an area with high transit accessibility. Rezoning of the plan area is part of the scope of work for San José's station-area partnership funding program application, which was approved by the Authority in 2012. Please consider adding a short explanation of this partnership with respect to rezoning.
14	Section 2.2.1	55	3	Station interface planning is part of the scope of work for San José's station-area partnership funding program application, which was approved by the Authority in 2012. Please consider adding a short explanation of this partnership with respect to station interface planning.
15	Description of Proposed Project, 2.2.1	55	Additions and Modifications	Please revise the third sentence to read, "The new station would be arranged linearly west of Cahill Street..." (not east)
16	Description of Proposed Project, 2.2.1	56	Figure 2.6	Drawing Number 4 for High Speed Rail Platforms should be revised to show two island platforms with four tracks. With respect to views from the outside the station area, the trains will be visible against the station envelope, rather than the passengers on the platform.
17	Description of Proposed Project, 2.2.1	57	First paragraph	Next to last sentence should read, "Station support areas (i.e., "back-of-house" areas, equipment, etc.) would be provided at the <i>mezzanine</i> , street, and underground levels?"

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

Comment	Section #	Page #	Paragraph #	Comment
18	Section 2.5.1.3	73	footer	Please update schedule for San José to Merced High-Speed Rail Section EIR/EIS to fall 2016. Also note that the San José to Merced EIR/EIS will evaluate conceptual or preliminary station layout/design. Architectural design is not a part of the project scope at this stage, yet will be part of the subsequent project implementation scope. Further analysis of station impacts would be completed by the Authority and Federal Railroad Administration if warranted by new information or impacts identified after completion of the Project EIR/EIS for the San José to Merced Section.
19	Diridon Station Expansion Plan 2.5.1.3	73	Second paragraph, Last sentence	Clarify status of ownership of facilities in the right of way. "The CHIGH-SPEED RAILA, in cooperation with the City of San José, is also the Lead Agency for the construction of streetscape improvements associated with the HIGH-SPEED RAIL project ..., although the City would be responsible for ownership and long-term maintenance of any facilities within its right-of-way."
20	Section 3.0	74	Table 3-1	Analysis should include consistency with the California High-Speed Train Program Plan (2005).
21	Section 4.1.4.1	108	2	Vertical clearance limitations are prudent. High-speed rail would also affect the type and density of landscaping. Design of the community park should consider collaboration with the Authority to ensure <i>de minimus</i> use of parkland.
22	Section 4.1.4.1	108	1	Note that building within the high-speed rail right-of-way would be substantially limited by safety and security constraints, including: - Continuous access for operations and maintenance, surveillance, and emergency response to elevated structures - Minimal fire loading - No hazardous materials - Minimize opportunity or time on target - Maximize visual and informal gathering
23	Section 4.2.2	114	2	Recommend the addition of the Federal Transit Administration and the Federal Railroad Administration, which are the federal funding and oversight partners of BART and the Authority, respectively.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
24	Section 4.3.5.2	178	5	Current planning for blended service with Caltrain, based upon the 2012 California High-Speed Rail Business Plan, limits top operating speed to 110 mph. Although maximum operating speed between San José and San Francisco may increase to 125 mph in later stages of high-speed rail development, the results of the analysis in this EIR represent a conservative, worst-case scenario for presently planned high-speed rail operations. Please consider expanding the discussion or adding a footnote to clarify expectations for maximum high-speed train operating speeds.
25	Section 4.3.5.2	180	2	Is the future noise level of 80 dBA DNL at the planned community park and the Royal/Auzerais conditionally acceptable (rather than expectable)? This appears to be a typographical error.
26	Aesthetics Section 4.13	367	Second paragraph	“...a new station building...three platforms...up to six tracks...” Although this statement is consistent with the fully grade-separated 4 track alignment option described in the 2010 Bay Area to Central Valley High-Speed Train Revised Final Program EIR, the Authority has since entered into an agreement with other regional stakeholders to develop this corridor for blended operations of both high-speed rail and electrified Caltrain. Blended system planning is underway and track and platform requirements for the San José Diridon Station have not yet been determined.
27	Aesthetics Section 4.13	367	Third paragraph, first sentence	Preliminary Engineering documents show the high-speed rail aerial tracks extending from Diridon Station at approximately 60 feet above grade. Please correct the descriptive text for consistency with current high-speed rail design work.
28	Aesthetics Section 4.13	367	footer 329	Please refer to the Draft 2014 California High-Speed Rail Business Plan. The draft version will be available for public review on February 7, 2014 and the Final will be available in May 2014.
29	Aesthetics Section 4.13	367	Third paragraph, third sentence	Preliminary Systems documents have typical OCS cross sections with poles up to 30 feet above top of rail.
30	Aesthetics Section 4.13	367	Third paragraph, fourth sentence	Please delete wooden panels from possible sound wall panel materials for fire safety, maintenance, and design life concerns.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX A

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
31	Aesthetics Table 4.13-3	371	Design Guidance 2011	<u>South of the Station</u> , regarding the second bullet: "Develop column orientation and spacing to support future park site uses at the existing SJFD Training Facility." Use of areas below elevated structures will require approval by the Authority.
32	Section 4.16.3.5	399	1	To minimize use of parkland and interference with the intended program for the future community park on the SJFD Training Facility site, the EIR should describe collaboration between the City and the Authority on eventual design of the community park.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

Appendix B

Detailed Comments on the Updated Draft Preferred Diridon Station Area Plan

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
1	Section 1.5	1-12	First paragraph	Please consider revising the statement that an underground station would have "no impact on the overall build-out and circulation plan". Underground stations require surface facilities, including the ventilation structures for normal and emergency operations, emergency egress stairs and possibly dedicated emergency personnel access stairs and elevators. Dedicated emergency service vehicle corridors may also be required within the circulation plan.
2	Section 2.2	2-22	2	Station interface planning is part of the scope of work for San José's station-area partnership funding program application, which was approved by the Authority in 2012. The Authority looks forward to the City's submittal of a City Council Resolution to enable execution of a final funding agreement.
3	Section 2.2	2-24	6	Please clarify what a "Linear 'airport style' station layout" means for a station.
4	Section 2.2	2-33	3	Development beneath high-speed rail aerial structures requires collaboration between the City, Authority and Homeland Security Administration.
5	Section 2.3	2-36	2	Development beneath high-speed rail aerial structures requires collaboration between the City, Authority and Homeland Security Administration.
6	Section 2.5	2-56	3rd paragraph	The underground alternative is not a "modification" of the elevated alignment, as stated in the text. It is an entirely different alignment with entirely different areas of potential effects. Please revise the wording.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
7	Section 2.5	2-56	General	Current underground/elevated discussion is inconsistent. If both underground and elevated discussions are to be presented, graphic and descriptive material for each should be similar and organized into separate sections.
8	Section 2.5	2-56	Fourth paragraph	An underground connection between the Diridon Station Building and the future underground BART station may be desirable but is not shown on Figure 2.5.3, Station Underground Level Plan, which suggests that such a connection is would be blocked by the VTA tunnel. The connection status should be verified with BART or the discussion should be deleted.
9	Section 2.5	2-57	1	The text should mention the ultimate design of the high-speed rail station will be managed by the Authority as the lead agency, in cooperation with the City of San José.
10	Section 2.5	2-58	Figure 2-5-1:	Update high-speed rail ridership numbers based on latest 2014 California High-Speed Rail business plan. The draft version will be available for public review on February 7, 2014 and the Final will be available in May 2014.
11	Section 2.5	2-60	Space Program Needs	The document should cite source of space needs for high-speed rail. High-speed rail has not completed planning for space needs and will continue to work with the City on these metrics.
12	Section 2.5	2-62, 2-65, 2-66, 2-67, 2-70, 2-72	Second paragraph	As high-speed rail station planning advances, the Authority suggests revisiting the pedestrian connection between the high-speed rail station concourse to the HP Pavilion site.
13	Section 2.5	2-64 to 2-69	General	These station plans are oriented North to the bottom of the page. Suggest flipping to orient North up, to be consistent with the orientation of planning sheets in the document. Also suggest adding North arrows.
14	Section 2.5	2-65 & 2-66	Graphics	The three vertical circulation elements at Santa Clara Street are currently designated for emergency egress and will require future coordination between the City of San José and the Authority.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
15	Section 2.5	2-65 & 2-66	Graphics	The "Bus Plaza" configuration on page 2-65 is preferred over the "Bus Boulevard" configuration, as it gives best bus access to Station. These concepts will require future coordination with the Authority and the City of San José.
16	Section 2.5	2-67	Graphics	The two vertical circulation elements at Santa Clara Street are currently designated for emergency egress and will require future coordination between the City of San José and the Authority.
17	Section 2.5	2-68	Graphics	Please change the high-speed rail platform layout to show two island platforms with four tracks. With respect to views from the outside the station area, the trains will be visible against the station envelope, rather than the passengers on the platform.
18	Section 2.5	2-69	Graphics	If the underground high-speed rail option is to be included, please also show the High-Speed Rail Underground Concourse Level, which is where the underground passage to the existing station would be located. If High-Speed Rail Underground Platform Level is to be included, please show correct platform layout in width and length. The station box may require additional length for track convergence. It may be helpful to add a section showing relative elevations of LRT tunnel, BART station and high-speed rail concourse and platforms.
19	Section 2.5	2-73	Internal Circulation, first bullet	Providing a convenient link from underground BART public concourse to a new station basement concourse should be coordinated with the Authority. A transverse station area section might be helpful.
20	Section 2.5	2-73	Internal Circulation, last paragraph	Regarding the phrase: "This corridor could be designed like a pedestrian bridge and be equipped with moving sidewalks," moving walks and other concourse circulation systems will be determined in future design phases.
21	Section 2.5	2-77	Outstanding Issues	Please consider adding "Coordination of all rail service operations requirements" to the list of Outstanding Issues. Resolution of all of the mentioned issues will involve the Authority as the lead agency for the high-speed rail system, in cooperation with the City of San José.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
22	Section 2.6	2-86	FIGURE 2-6-2	Please update high-speed rail ridership numbers based on latest 2014 HIGH-SPEED RAIL business plan. The draft version will be available for public review on February 7, 2014 and the Final will be available in May 2014.
23	Section 2.7	2-118	NA	<p>Please consider elimination of minimum parking mandates in the Master Plan area as another parking supply management method. Several benefits include:</p> <ul style="list-style-type: none"> • Allowing businesses to make their own decisions over the supply of parking empowers those with the most knowledge of their needs and the greatest stake in the decision • Allowing businesses to make location and time specific assessments at the time of construction improves the flexibility and adaptability of the plan for practical implementation • Deadweight costs can be substantially reduced by avoiding excess parking capacity in business and residential developments, making desired developments more economically viable earlier.
24	Section 2.8	2-136, 2-137	NA	<p>Please clarify that these projections are only used for EIR analysis or for estimating potential parking demand. The text here states that the Plan does not change parking regulations, but the Draft EIR says the Plan will impose minimum parking mandates.</p> <p>A recommended strategy is to first make preliminary projections and then adopt Travel Demand Management and Parking Demand Management measures to reduce projections. The potential environmental impacts of the plan can then be analyzed and documented on the basis of adopted TDM/PDM measures.</p>
25	Section 2.8	2-143	1	The high-speed rail parking demand estimate in the draft plan is outdated and should be updated with more recent numbers. Please refer to the Draft 2014 HIGH-SPEED RAIL Business Plan. The draft version will be available for public review on February 7, 2014 and the Final will be available in May 2014.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
26	Section 2.8	2-143	NA	Station-access planning including Parking demand management for HIGH-SPEED RAIL station access is a part of the scope of work for San José's station-area partnership funding program application, which was approved by the Authority in 2012. The Authority looks forward to the City's submittal of a City Council Resolution to enable execution of a final funding agreement.
27	Section 3.2	3-3	Built Form	Suggest adding reference to document, <i>California High-Speed Train Infrastructure San José Visual Design Guideline January 2012</i> . Section 4.5 summarizes the City's objective of an "iconic" station design.
28	Section 3	3-15	NA	These two guidelines appear contradictory: <ul style="list-style-type: none"> • "All buildings should be built to the street edge to form a continuous, urban block without setbacks from the sidewalk; ..." • The build-to-line for residential buildings is 15 feet from the street-facing property line."
29	Section 3.2	3-18	Built Form	Consider adding a bullet in Central Zone of Diridon Station for station commercial/retail. Where feasible, include retail on station site as part of a system-wide commercial plan for value capture. This topic requires future coordination between the Authority and City of San José.
30	Section 3.3	3-23	Built Form	Please clarify the last bullet by revising to read "...transit center <i>bike</i> parking facilities..."
31	Section 3.3	3-32	Public open Space	Please consider adding another Signage bullet item: Coordinate development of station area signage with all Diridon transit agencies for local, regional, and state-wide compatibility. For example, see http://www.mtc.ca.gov/services/signage/MTC_Regional_Hub_Signage_Standards_2012.pdf
32	Section 3	3-42		Any proposed uses under high-speed rail structures will require safety and security reviews by, and the approval of the Authority.

California High-Speed Rail Authority Comments to the City of San José
**Draft Program Environmental Impact Report for the Diridon Station Area Plan and
Updated Draft Preferred Diridon Station Area Plan**
(File No. PP09-163)

APPENDIX B

<i>Comment</i>	<i>Section #</i>	<i>Page #</i>	<i>Paragraph #</i>	<i>Comment</i>
33	Section 3.4	3-55	Streetscape - Pedestrian Crossings	Please consider adding another bullet under Pedestrian Crossings for possible use of Shared Streets principles on parts of Cahill Street and San Fernando Street to expand the apparent area of the Station plaza
34	Section 3.4	3-57	1	Any proposed uses under high-speed rail structures will require safety and security reviews by, and the approval of the Authority.
35	Section 3.4	3-57	Streetscape - High-Speed Rail Viaduct	Please consider adding text or a footnote to the last bullet: "For additional discussion of high-speed rail viaducts, see the CHIGH-SPEED RAILA document <i>Aesthetic Guidelines for Non-Station Structures Technical Memorandum TM 200.06.</i> " "Also see California High-Speed Train Infrastructure, San José Visual Design Guidelines, and January 2012."
36	Section 5.2	5-1	3	Zoning changes to support the Diridon Station Master Plan are a part of the scope of work for San José's station-area partnership funding program application, which was approved by the Authority in 2012. The Authority looks forward to the City's submittal of a City Council Resolution to enable execution of a final funding agreement.



BOARD OF DIRECTORS 2014

TOM NOLAN, CHAIR
JERRY DEAL, VICE CHAIR
JOSÉ CISNEROS
MALIA COHEN
ASH KALRA
ARTHUR L. LLOYD
ADRIENNE TISSIER
PERRY WOODWARD
KEN YEAGER

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

February 13, 2014

Mr. David Kenyon
Department of Planning, Building and Code Enforcement
200. E Santa Clara Street
Tower, 3rd Floor
San Jose, CA 95113

Re: Diridon Station Area Plan Draft Environmental Impact Report – File No. PP09-163

Dear Mr. Kenyon,

The Peninsula Corridor Joint Powers Board (JPB) is pleased to provide the following comments on the Diridon Station Area Plan Draft Environmental Impact Report (DSAP DEIR). As both the owner of the Diridon Station facility and the operator of its major existing rail service, Caltrain supports the City of San Jose's vision for a vibrant station area whose development and uses take full advantage of the unique transit connectivity offered by this site.

Staff understands that the DSAP DEIR is a program level document that establishes a framework for subsequent project level clearances. Given this, we have focused our comments on clarifying factual issues and identifying key areas of interest where the future coordination is required.

Description of Caltrain Services, Facilities and Plans:

In General:

Within the DSAP-DEIR there are several instances where descriptions of Caltrain's services, facilities and future plans are either inaccurate or outdated. In reviewing the source materials used in the preparation of the DEIR, staff notes that JPB authored documents with dates ranging from 2007 – 2012 have been variously cited. Caltrain staff recommends reviewing and updating this information as possible—particularly as it pertains to descriptions of Caltrain systems and plans.

Attachment A to this letter provides a collection of current data and information related to the Caltrain system as well as descriptive language related to Caltrain's future plans including electrification and blended operations with California High Speed Rail (HSR). Additionally, Caltrain is preparing to release the draft of its Peninsula Corridor Electrification EIR. Collectively, these attachments and the forthcoming DEIR provide a comprehensive and up-to-date description of Caltrain's system and projects. Caltrain staff recommends using these documents as a basis for updating the descriptions of Caltrain's current and future services throughout the DEIR. Caltrain staff is available to support this effort.

Conflation of Caltrain and HSR:

There are two points in the DSAP DEIR where Caltrain and HSR projects have been incorrectly conflated. On pp. 32-33, the Electrification of the peninsula corridor and the conversion of Caltrain vehicles from diesel-electric train sets to electric multiple units (EMUs) is mischaracterized as an HSR project. Although the Peninsula Corridor Electrification Project will implement infrastructure that is compatible with future use by HSR it is a JPB project with independent utility and should not be described under the

PENINSULA CORRIDOR JOINT POWERS BOARD

1250 San Carlos Ave.- P.O. Box 3006
San Carlos, CA 94070-1306 650.508.6269

“High Speed Rail” heading. Similarly, the subsequent information under the “Caltrain Electrification” heading is outdated and should be removed entirely (see also the description of Caltrain Electrification on p. 113). In the Noise and Vibration analysis on p. 178, Caltrain service is bundled under High Speed Rail. Although it may be appropriate to group these services for noise analysis purposes, it is important to indicate in the text that they are separate train services with different vehicles, schedules and implementation timeframes.

Future Ridership and Service Levels:

The Transportation section of the EIR describes (p.151) includes 20,200. Analysis of the actual Diridon Station Area Plan reveals that this number is based on older, “Caltrain 2025” ridership projections and service assumptions. These service assumptions and associated ridership projections have since changed based on the adoption of a blended system model for Caltrain/HSR operations. Most notably, Caltrain service levels are now capped at 6 trains per peak hour per direction (the basis for the 2010 projections assumed 10 trains per peak hour per direction). Updated ridership forecasts will be available in the forthcoming Peninsula Corridor Electrification DEIR.

Diridon Station

Expansion Plan:

Caltrain staff has participated on an ongoing basis in the development of the Diridon Station Expansion Plan reflected in the DSAP DEIR. We look forward to continuing close coordination with the City of San Jose, HSR, VTA and other stakeholders as detailed planning and design for this important project continues. Within this process, staff emphasizes the dual role and interests of the JPB as both a rail operator and property owner responsible for preserving the integrity of a historic resource. Similarly, Caltrain staff looks forward to future discussions regarding station management and operations structure as described on p. 368 of the DEIR.

Station Access and Connectivity:

As described in the Caltrain’s System wide Access Policy Statement (2010), and identified in the DSAP DEIR, Caltrain supports a hierarchy of station access that places an emphasis on alternative modes. Staff is pleased to see that the DSAP includes a robust range of pedestrian, transit and bicycle improvements that will enhance station connectivity and access. Similarly, Caltrain is conceptually supportive of exploring the development of existing JPB owned surface parking at the station. However, staff emphasizes that any such development of transit parking should be undertaken in the context of a larger access and parking strategy that includes consideration of transit user parking needs. To that end, staff agrees with the DSAP’s inclusion of a Transportation and Parking Management Plan as a key next step (p.66).

Centralized Equipment Maintenance and Operations Facility:

As noted in the DSAP DEIR, the Caltrain Centralized Equipment Maintenance and Operations Facility (CEMOF) is located just to the north of the project site on Lenzen Avenue. To that end, Caltrain staff notes and agrees with the DEIR’s finding that the proposed business and industrial land uses contemplated for the north of the project site are compatible with the existing CEMOF use (P. 99-101). Staff also acknowledges the DSAP DEIR’s listing of CEMOF as a stationary source of toxic air contaminants (p.197). CEMOF is an essential facility for Caltrain and will continue to be in heavy use for the foreseeable future. As Caltrain strives to maintain both its existing and next generation of infrastructure in a state of good repair, the continued viability and operation of CEMOF as an industrial site is of primary concern to the JPB.

PENINSULA CORRIDOR JOINT POWERS BOARD

1250 San Carlos Ave.- P.O. Box 3006
San Carlos, CA 94070-1306 650.508.6269

Thank you for the opportunity to comment on this important project. Caltrain staff is available to provide further information or clarification as needed.

Sincerely,

A handwritten signature in black ink, appearing to be 'ML', with a long horizontal flourish extending to the right.

Marian Lee, AICP
Executive Officer, Caltrain Modernization Program

Attachment A

The Caltrain Modernization Program

The following attachment presents an overview of the Caltrain Modernization Program as of early 2014. This Peninsula Corridor Joint Powers Board (JPB) led program encompasses the planning and implementation of a number of major capital projects that will occur along the Caltrain corridor between the present and 2030. In general, the program focuses on the planned shift from diesel to electric trains and the preparation for blended operations with California High Speed Rail. It is important to note that many JPB-led capital projects (in particular those related to localized improvements and system wide state of good repair), are not included within the Caltrain Modernization Program.

Additional detail and description of the Caltrain Modernization Program will be available in the forthcoming Peninsula Corridor Electrification Project Draft Environmental Report (anticipated release in late February 2014). Caltrain staff is available to answer questions and provide information and guidance as needed.

Early Investment Program:

The first stage of the Caltrain Modernization Program is the “Early Investment Program” (EIP). This program is currently being planned and implemented and will electrify and upgrade the performance, operating efficiency, capacity, safety and reliability of Caltrain's commuter rail service. All components of the early investment program are scheduled to be operational by 2019.

The early investment program includes three major capital components:

Component	Description	Status & Timeframe
Communications Based Overlay Signal System & Positive Train Control (CBOSS / PTC)	The Caltrain CBOSS / PTC Project is a signal and train control upgrade that will include Positive Train Control requirements as federally mandated by the Railroad Safety Improvement Act of 2008. PTC will prevent train to train collisions and over speed mishaps. Additionally, CBOSS / PTC will have specific benefits to Caltrain performance including, but not limited to, the enabling of more frequent and more dependable passenger service and Improved grade crossing warning functions.	In construction with revenue service planned for 2015.
Peninsula Corridor Electrification	This component of the EIP will electrify the Caltrain Corridor from San Francisco's 4th and King Caltrain Station to approximately the Tamien Caltrain Station, allowing Caltrain to operate Electric Multiple Unit (EMU) trains with increased service of up to six Caltrain trains per peak hour per direction. The project includes the installation of electrified infrastructure including an overhead catenary system and electrical substations. This infrastructure will	Draft Environmental Report clearing electrified infrastructure and service characteristics to be released in early

	also be compatible with future use by High Speed Rail.	2014. Start of electrified revenue service planned for 2019.
Electric Multiple Unit Procurement	As part of the EIP, Caltrain will procure Electric Multiple Unit (EMU) trainsets. These vehicles will utilize the electrified infrastructure and will have improved performance characteristics allowing for a more flexible and reliable service. The EIP funds the replacement of the majority, but not all, of Caltrain's existing diesel fleet with EMUs. In 2019 Caltrain will operate a mixed diesel and electric service.	Draft Environmental Report clearing electrified infrastructure and service characteristics to be released in early 2014. Start of electrified revenue service planned for 2019.

The total cost of the EIP is \$1.5 billion, funded through a nine-party agreement that leverages local, regional and federal funding to match \$705 million in voter-approved high-speed rail bond revenues. California High Speed Rail is providing funding for the EIP because its implementation will help prepare the corridor to eventually accommodate California's statewide high-speed rail service, which is planned to arrive in 2026 -2029. It is important to emphasize, however, that all components of the Early Investment Program have independent utility to Caltrain and are JPB projects.

Blended System:

The same 9 party Memorandum of Understanding that established funding for the EIP also established a regional commitment to the shared operation of Caltrain and HSR on the Peninsula Corridor as a blended system.

The original plans for high-speed rail on the Peninsula called for a fully grade separated multi-track system between San Francisco and San Jose. After hearing concerns from policymakers and communities on the Peninsula, high-speed rail is being planned as part of a blended system allowing Caltrain and high-speed rail trains to primarily share Caltrain's existing tracks on a system that remains substantially within the existing Caltrain corridor.

In 2012, the Metropolitan Transportation Commission, the California High Speed Rail Authority, Caltrain and six other San Francisco Bay Area funding partners established an agreement to support the blended system. This early investment will fund the delivery of modernized, electrified Caltrain service by 2019. Additional system upgrades will be required to support a blended system that is shared by Caltrain and high-speed rail by 2029. These system upgrades include high-speed rail stations and the rail extension from the Caltrain 4th and King station to the new Transbay Transit Center in downtown San Francisco. They may also include limited passing tracks that allow high-speed rail trains to bypass the Caltrain trains; grade crossing upgrades, including potential grade separations; a storage and maintenance facility and other system upgrades.

Caltrain is currently facilitating a planning process to define the blended system. Current technical analyses indicate that a blended system, with assumed infrastructure upgrades, can support a maximum of up to 10 trains per peak hour per direction (6 Caltrain trains and 4 High Speed Rail trains). This maximum corridor capacity is now reflected in other Caltrain planning and operations documents including the forthcoming Peninsula Corridor Electrification Project Draft Environmental Report.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
OAKLAND, CA 94612
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 771



*Flex your power!
Be energy efficient!*

January 29, 2014

SCLVAR016
SCL/VAR/VAR
SCH# 2011092022

Mr. David Keyon
Planning Division
City of San Jose
200 E. Santa Clara Street
Tower, 3rd Floor
San Jose, CA 95113

Dear Mr. Keyon:

Diridon Station Area Plan – Draft Program Environmental Impact Report (DPEIR)

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the DPEIR and have the following comments to offer.

Traffic Impacts

One of Caltrans' ongoing responsibilities is to collaborate with local agencies to avoid, eliminate, or reduce to insignificance potential adverse impacts by local development on State highways.

1. Ramp Metering: during metering hours, the metered on-ramp queues will likely be lengthened with the additional traffic demand by this project, thereby potentially impeding on the local streets and affecting their operations. Please consider providing additional storage on the on-ramps/local streets for the freeway on-ramp traffic to avoid such impacts. In addition, please consider providing HOV Preferential Lanes on the freeway on-ramps as part of the mitigation.

The proposed project is likely to have impacts on ramp metering operations on the following metered freeway corridors:

Northbound State Route (SR) 87 PM Peak (3:00 PM-7:00 PM)
Southbound SR 87 AM Peak (6:00 AM-10:00 AM)
Northbound Interstate (I-) 280 AM Peak (6:00-10:00 AM)
Southbound I-280 PM Peak (3:00-7:00 PM)
Northbound I-880 AM Peak (6:00-9:00 AM)
Southbound I-880 PM Peak (3:00-7:00 PM)

Mr. David Keyon/City of San Jose
January 29, 2014
Page 2

2. Traffic Operations Systems (TOS): the SR 87, I-280, and I-880 corridors have some existing (TOS) elements, which are targeted for build-out for future TOS elements. Please consider with Caltrans to identify future TOS elements as possible mitigation for freeway impacts.
3. Appendix C Transportation Impact Analysis (TIA): Table 6 Trip Generation Summary (TIA, page 39) indicates trips within the Diridon Station Area Plan (DSAP) area will increase by 64 and 65 percent during the AM and PM peak hours. In other words, generated trips will increase by 2,972 (i.e., $7,587 - 4,615 = 2,972$) and 4,336 (i.e., $11,053 - 6,717 = 4,336$) vehicles per hour (vph) during AM and PM peak hour, respectively, from Strategy 2000 to DSAP Buildout Conditions. Caltrans requests that such significant AM and PM generated turning traffic as 2,972 and 4,336 vph be assigned to project driveways within the DSAP Area for further review.
4. Southbound I-880/Coleman Avenue (Intersection #88), Background Plus DSAP 10-Yr AM Peak Hour: In general, Caltrans supports the idea of designating an intersection as Protected in order to facilitate concentrated infill development in Downtown San Jose. However, the westbound right-turn lane would operate at LOS F and have a queue of 45 vehicles (1125 feet). This would most likely queue back onto southbound I-880, as the one right-turn lane would not be able to handle this volume, and is a safety concern for Caltrans. This intersection should be mitigated to provide for a second right-turn lane.
5. I-880 North and Southbound Ramps/Stevens Creek Boulevard (Intersection #46): This Intersection should be re-analyzed with the proposed interchange configuration of northbound I-880 partial cloverleaf and southbound I-880 tight diamond interchange at Stevens Creek Boulevard. This interchange modification is currently in construction. Once these intersections are re-analyzed, please submit the analysis to Caltrans again for further review.
6. Santa Clara Valley Transportation Authority (VTA) is proposing Express Lanes on SR 85, U.S. Highway 101, and SR 87 along with Bus Rapid Transit on Stevens Creek Boulevard. Fair share funds should be contributed to these projects to offset the freeway impacts caused by this development; see our comment below on VTA's voluntary contribution program as a possible mechanism for such contributions.

Lead Agency

As the lead agency, the City of San Jose (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the State ROW, and Caltrans will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and Caltrans to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of an encroachment

Mr. David Keyon/City of San Jose
January 29, 2014
Page 3

permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Transportation Management Plan (TMP)

If it is determined that traffic restrictions and detours are needed on or affecting State highways, a TMP or construction TIS may be required of the developer for approval by Caltrans prior to construction. Traffic Management Plans must be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address: <http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd2012/Part6.pdf>.

Please ensure that such plans are also prepared in accordance with the transportation management plan requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Office of Traffic Management Plans at (510) 286-4647.

Cultural Resources

Caltrans requires that a project's environmental document include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within State ROW. Current record searches must be no more than five years old. Caltrans requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, and evidence of Native American consultation to ensure compliance with California Environmental Quality Act (CEQA), Section 5024.5 and 5097 of the California Public Resources Code, and Volume 2 of Caltrans' Standard Environmental Reference (<http://www.dot.ca.gov/scr/vol2/vol2.htm>).

These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in State ROW; these requirements also apply to National Environmental Policy Act (NEPA) documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to State ROW.

Environmental Justice

Caltrans recommends a more detailed discussion regarding the socioeconomic impacts of this project than is briefly mentioned in Section 4.2.3.2 Vehicle Traffic Generation Impacts (page 130) and the TIA (page 5). The socioeconomic discussion should include, but not be limited to, the socioeconomic status of nearby residents who could potentially be impacted by the project and the aspects of the project that will address any potential for socioeconomically disproportionate impacts.

Biology

This project may require issuance of a 1602 permit from the California Department of Fish and Wildlife, if there are any impacts to or work proposed in Los Gatos Creek. If the construction involves placing fill in Los Gatos Creek, issuance of a U.S. Army Corps of Engineers (US ACE) 404 permit may be required. Furthermore, the US ACE may determine that an Endangered Species Act consultation is required where the US ACE would be the federal Lead Agency.

Mr. David Keyon/City of San Jose
January 29, 2014
Page 4

If this project involves tree trimming or removal or shrub removal, the project must comply with the Migratory Bird Treaty Act. For projects in Santa Clara County, birds are anticipated to nest between February 1st and August 31st and cannot be disturbed by construction activities, including tree trimming or removal or shrub removal.

Hydraulics

Section 4.9.1.1 Stormwater Drainage (page 286, the first sentence of the second paragraph): please consider revising, "...and are designed to accommodate a storm event that would statistically occur every two or three years" to "...and were designed to accommodate a two or three years design storm event." Also, please state what is the current requirement.

Section 4.9.2.6 Storm Drain Standards Improvement Process (page 292, second sentence of the fourth paragraph): please consider revising "...to convey a storm event that has a 10 percent chance of occurring each year...." to "...to convey a storm event that has a 10 percent chance of occurring in any given year...."

Geotechnical

Section 4.8.1.2 Seismic Hazard (page 277): please correct the statement, "The closest active fault to the Plan area is the Hayward fault zone, located approximately five miles to the east." The closest active fault to the Plan area is the Silver Creek fault, not the Hayward fault, 1.3 miles east (Wentworth, USGS, OFR 210-1010). According to the Association of Bay Area Governments (ABAG, 2013), the project area is classified as having very strong level of ground shaking.

Section 4.8.4 Cumulative Impact & 4.8.5 Conclusion (page 285): please correct the determination for cumulative effects of construction on geologic conditions to "Less than Significant with Mitigation", instead of "Less than Significant", because hazards such as earthquakes require a special design to mitigate the hazard's effects to the public.

Traffic Impact Fees

Please identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on State ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

Voluntary Contribution Program

SR 87, I-280, and I-880 and other State facilities near the site are critical to regional and interregional traffic in the San Francisco Bay region. They are vital to commuting, freight, and recreational traffic and are among the most congested regional freeway facilities. Given the scale and location of the proposed project, the traffic generated by this proposed project together with other projects in the vicinity (e.g., St. James Towers Residential Project, Park Avenue Senior and Multi-Family Housing Project, etc.), will have a cumulative significant regional impact to the already congested State Highway System.

Mr. David Keyon/City of San Jose

January 29, 2014

Page 5

Caltrans encourages the City to participate in Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program and plan for the impact of future growth on the regional transportation system. Contributions would be used to help fund regional transportation programs that improve the transportation system to lessen future traffic congestion, improve mobility by reducing time delays, and maintain reliability on major roadways throughout the San Francisco Bay Area. Reducing delays on State facilities will not only benefit the region, but also reduce any queuing on local roadways caused by highway congestion.

Transportation Permit

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. See the following website for more information: <http://www.dot.ca.gov/hq/traffops/permits>.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See this website for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits>.

Should you have any questions regarding this letter, please contact Brian Brandert of my staff at (510) 286-5505 or brian.brandert@dot.ca.gov.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

- c: Scott Morgan, State Clearinghouse
Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy
Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy

David Dearborn
ddaytond@att.net
Diridon Station Area Draft EIR
January 27, 2014

Dear Mr. Keyon, CSJ DPBCE
david.keyon@sanjsoeca.gov

Ref: No. PP09-163

Thank you for the opportunity to comment on the City of San Jose's Draft DSAP EIR. Though the plan covers a large area and a mired of land use classifications, at its core is planned regional transportation hub. How that hub is configured will have a significant impact on its attractiveness, efficiency and long term value to downtown San Jose. This comment letter speaks to that issue.

PURPOSE

With respect to the adequacy, completeness, and a good-faith effort at full disclosure, it is suggested that greater consideration be given to the impact of an underground High Speed Rail (HSR) or form of such into and through the Diridon Station area.

BACKGROUND

Discussion, illustrations, photo-simulations and tables contained in the DEIR relating to HSR inform in the context of an aerial path and elevated station above the current Diridon Station tracks.

In 2010, a coalition of area neighborhoods and the San Jose Downtown Business Association (Coalition) filed a letter to the Mayor and Council expressing their desire for an underground HSR option in the CHSRA HSR EIR. In 2012 Coalition technical representatives in conjunction with CSJ Senior DOT staff and RDA Principal Architect developed a viable underground option with support information. The product of that collaboration was sent by the City of San Jose to the CA HSRA requesting an underground option be included in the in the HSR EIR.

On two separate occasions the San Jose City Council voted unanimously requesting an underground option to be included in the Project-level HSR EIR through San Jose.

Repeatedly, community leaders and volunteers that formed the HSR Visual Design Guidelines Advisory Group expressed their preference for an underground option. Visual, economic, environmental and operational benefits were raised in support of an underground alternative.

Throughout 2010, 2011 and 2012 the community, stakeholders, Senior City Staff, the Mayor and Council were aligned in support of developing a viable underground high speed rail design into and through the Diridon Station area.

COMMENT

Given the various environmental impacts of an elevated viaduct through the DSA and the issues raised by the community and stakeholders, it is suggested that:

- 1) equal discussion, illustrations, photo-simulations and comparative table(s) be included in the final DSA EIR to fully inform community and elected officials of the both possible designs;

- 2) that a comparative table be included to inform readers, stakeholders and decision makers of the comparative environmental impacts of both the elevated and underground alternatives; during construction and ongoing operation as in the example shown below. (see Fig. 1 below)
- 3) and that it be of such clarity to represent the collective view and efforts of community, downtown business, and the San Jose City Council's votes of record.

Not to do so in a document of this importance may be viewed as a lack of serious interest in developing a viable and beneficial underground high speed rail transit hub as expressed by neighborhoods and stakeholders and Council.

Figure 1.

Aerial vs. Underground Alignment-Station Option
Comparative Considerations

CRITERIA		Aerial	Underground
	Mobility: Auto, Bicycle, Pedestrian Circulation	medium	none
	Mitigation required for existing rail	high	none
Construction Impacts	Biological - Los Gatos Creek	medium	none
	Cumulative Noise and Vibration – Viaduct	medium	none
	Cumulative Noise and Vibration – Station	medium	low
	Parks, Recreation and Open Space	medium	none
Operational Impacts	Socio Economic - Neighborhoods	low	none
	Socio Economic - Environmental Justice	low	none
	Mobility & Transportation Circulation	low	none
	Biological - Los Gatos Creek	medium	none
	Noise	low	none
	Light pollution	low	none
	Vibration	none	none
	Cumulative Light, Noise and Vibration	medium	none
	Parks, Recreation and Open Space	medium	none
	Security & Public Safety	low	low
	Blight, Land Remnants & Miss-use	low	none
	Aesthetics and Visual Quality	medium	none

Thank you for the opportunity to comment on this exciting step in our city's forward planning process.

Regards,

David Dearborn
1408 Hotspur Ct.
San Jose, CA 95125

Feb 13, 2014

Mr. David Kenyon
Planning Department
City of San Jose

RE: Diridon EIR

Dear Mr. Kenyon:

Here are some comments:

1. For what reason did staff choose to discuss only the elevated alignment of high speed rail when Council Policy is to discuss both elevated and underground?
2. For what reason did staff choose to limit parkland to the same amount of parks as was planned in the old Midtown plan, which had substantially fewer residential units? The current park ratio is 3.5 acres per 1000, unless there is a school nearby which can give credit to up to 2.0 acres per thousand. There's no school nearby. So where will the additional parkland be located that will account for the additional units over and above the original? Although the park fees could be used to develop the land, the General Plan calls for 3.5 acres of neighborhood serving parkland. Where will it be??
3. How do the "green fingers" figure into the calculation of parkland, if at all? How will the "green fingers" meet the needs for recreation? To what extent are privately owned publicly accessible spaces considered within park goal numbers? What research supports that concrete plazas provide the same health and recreation benefits as green space?
4. For what reason were alternatives to Baseball not discussed substantially? Since baseball appears to be dead, what will go into all that space? Residential? Commercial? How does that change the analysis in the EIR?
5. In order to meet Envision 2040 emission reduction goals, increased pedestrian, bicycle, and BRT on West San Carlos viaduct will be needed. The current bridge is incompatible with these uses. Where is the analysis that shows the impact of delaying the replacement of this bridge? Preliminary sketches of the replacement include blocking access to multiple properties and streets. How is this design's impact analyzed in this report? How does the bridge's current substandard design impede development in Midtown and make financing more difficult? How will changes in access from a new bridge make some lands undevelopable? How will that lower the residential/commercial numbers?
6. Caltrain plans to replace their bridge over Los Gatos Creek. City of San Jose Parks staff has written a letter opposing the new alignment because they believe it will ruin the opportunity to connect the Los Gatos Creek trail with the Diridon Station Area. Where in this EIR is there an analysis of the impact of terminating the trail on the west side of the Los Gatos Creek?
7. Caltrain plans to build a new third track that crosses Auzerais Avenue. It will be used to switch trains around at Diridon Station. Crossing arms will go down more times per day and for longer dwell times. How will this impact traffic operations in the area?

Sincerely,

Jean Dresden



February 13, 2014

David Keyon
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor
San Jose, CA 95113
File No. PP09-163

Dear Mr Keyon,

Friends of Caltrain is a nonprofit grassroots organization with over 3000 participants on the Peninsula Corridor corridor from San Francisco to San Jose, including about 400 in San Jose. The group is dedicated to a financially stable, electrified rail system, with frequent all-day service, easy access via transit, walking and biking, and well integrated into transit-supportive land uses.

Friends of Caltrain strongly supports the Diridon Station Area Plan which will take advantage of a major confluence of current and future transit services to enable the creation of a walkable, urban employment and entertainment center and residential neighborhood. We also strongly support the City's General Plan goal to reduce vehicle trips to 40% of all trips, mitigating carbon and congestion impacts.

In the interest of supporting and furthering the success of the plan, we would like to offer comments regarding the mitigation of environmental impacts as disclosed in the Environmental Impact Report, as well as to offer comments on the implementation of the Plan which will be

critical to the ability to reach the City's economic and environmental goals.

Transit services and multi-modal connections

FIGURE 2-5-1: EXISTING AND FUTURE RIDERSHIP

	2009 Weekday			Future (2030-2035) Weekday		
	Daily			Daily		
	Trains	Passengers		Trains	Daily Passengers	
		Boarding	Alighting		Boarding	Alighting
ACE	6	300	300	12	1,800	1,800
Amtrak Capitol Corridor	14	225	225	32	460	460
Amtrak Coast Starlight	2	n/a	n/a	N/A	100	100
BART	<i>No existing service</i>			N/A	10,510	10,510
Caltrain	96	3,000	3,000	172	10,125	10,125
High Speed Rail	<i>No existing service</i>			228	12,300	12,300
VTA Light Rail	n/a	485	485	N/A	1,150	1,150
Total		4,010	4,010		36,445	36,445

The planning assumptions regarding the transit services achieving the mitigation goals of the Diridon Station Area Plan should include the ridership of the planned Bus Rapid Transit lines on El Camino and Stevens Creek lines which will be serving the area (not included in the table above). To improve connections, the BRT route could turn left onto Autumn Street Eastbound and left onto Montgomery Westbound with a BRT station at Autumn/Montgomery.

Diridon will bring together Caltrain, BART, High Speed Rail, Amtrak, VTA light rail, two bus rapid transit lines, as well as local bus and shuttle service. The effectiveness of Diridon as a multi-modal transit hub is only as strong as the transit connections. Transit riders are highly sensitive to transfer times. Minimizing transfer times will increase ridership and therefore

improve mitigation of congestion and carbon impacts. Transfer time includes the amount of time to walk from service to service, including vertical travel time on stairs and elevators, plus the amount of waiting time for the connection. It also includes wayfinding time - assessing where to go in the station area to make one's connection. Therefore the City should set a policy to minimize transfer times among services.

The transfer time reduction policy can be used to set goals for the implementation phase detailed design of BART, High Speed Rail, Bus Rapid Transit and station area configuration in order to minimize pedestrian connections; for collaboration with the various transit agencies to design schedules that minimize transfer time; and for clear, ubiquitous signage with real time information about where to make one's connection.

Transit, bicycle and pedestrian connections should be strengthened to key local destinations, particularly to the North and West. Destinations including the Market Center on Coleman (5 minute drive, 30 minutes by transit), North San Jose employment centers (10 minute drive, 40 minutes by transit), Valley Fair (10 minute drive, 30 minutes by transit), and the airport (10 minute drive, 40-50 minutes by transit) are not convenient to reach by public transit if one is leaving from Diridon Station.

There are also gaps in the proposed bicycle and pedestrian network that should be filled to mitigate congestion and carbon impacts. The Autumn parkway that is being built is not planned to include bike lanes. The city proposes the Guadalupe River Trail as the recommended route for walking and bicycling, but the Trail is closed at night, creating a gap. By contrast, in Mountain View, where the City has set an ambitious goal of 45% nondrivealone mode share in the North Bayshore area, the Specific Plan proposal states that to achieve the goal, all streets need to provide strong support for bicycle and pedestrian use. Streets with high vehicle traffic and higher speeds should include protected bicycle lanes.

Transportation Demand Management Plan Reporting

A crucial component of the plan to mitigate congestion, pollution and carbon impacts is the

Transportation Demand Management and Parking plans and programs which will shape the programs and incentives to encourage employees and residents to reduce vehicle trips. The programs and policies themselves will be designed in the implementation phase. However there is one critical element that the Plan can include up front, without yet working out all of the implementation details.

The City should require reporting on vehicle trips and transportation mode share. The reporting should be public information, and should be presented to City Council on an annual ongoing basis, without any sunset. Since the risks of congestion and pollution increase as the plan area fills out, if trip goals are not met, the use of a “sunset clause” in a reporting requirement is antithetical to the purpose of mitigating the environmental impact of vehicle trips.

The City of San Mateo currently implements such a reporting policy in its Rail Corridor Specific Plan Area, for the area extending between the Hillsdale and Hayward Park Caltrain stations. Study of effective TDM programs around the US shows that regular, public reporting is a critical factor in success. A requirement for ongoing, public reporting of progress toward the vehicle trip and mode share goals can be set up front, and creates a much higher level of confidence in the achievement of the proposed vehicle trip reduction mitigations described in the Environmental Impact Report.

Greenhouse Gas Emissions

The EIR reports overall Greenhouse Gas Emissions impacts as “significant and unavoidable” because of the increased density in the area. However, concentration of development in transit-rich areas is expected to reduce Greenhouse Gas Emissions per Capita compared to low-density, car-centric locations. The EIR should assess the expected GHG emissions per capita, compared to low-density alternatives in the San Jose area.

Housing

Currently, the Diridon Station Area Plan calls for about 23,000 jobs and about 2700 homes. Additional affordable housing would help reduce vehicle trips, since lower income households generate on average fewer vehicle trips. In collaboration with partners that provide expertise on

housing issues, we recommend tools such as smaller homes, density bonuses, inclusionary housing and in-lieu fees, a housing impact fee, and value capture mechanisms to exceed existing affordable housing goals in the implementation of the Plan.

Vehicle trips would also be mitigated with the inclusion of additional market rate housing, which would generate fewer internal trips, and enable residents to use the plentiful transit, bike and pedestrian resources. While San Jose does have plentiful housing overall, it has a significant undersupply of the types of housing in walkable, transit-accessible urban neighborhoods which are in high demand among the skilled workers needed by San Jose corporations. This is evidenced by the rapidly rising housing prices in neighborhoods in and near downtown. More housing supply in walkable neighborhoods will help San Jose employers be competitive in the market for talent.

The growth in demand for attached and multi-family housing in walkable neighborhoods is driven by underlying demographic and cultural trends. Younger people prefer to drive substantially less than older cohorts. In addition, some empty-nester baby boomers are preferring to downsize to walkable neighborhoods requiring less home maintenance and less driving, for reasons including the ability to do without a car as they age. Adding more housing in walkable, transit-rich areas, both dedicated affordable housing and market rate housing will help mitigate congestion and pollution impacts, and address the demographic trends.

The plan assumes that a baseball stadium will be built in the Diridon Area. However, there are significant uncertainties in the efforts to bring Major League Baseball to Diridon. The EIR should include a scenario for the Diridon Station Area if the stadium is not built.

The SAP Center is a key component of the vitality of the area, and continued access to the SAP center is essential. As the Diridon Area matures, with more transit resources and more adjacent uses, there is an opportunity to phase out the SAP arena surface parking lot, while implementing greater multi-modal access to the arena. Building on land currently used for parking will create greater walkability. Density of uses, and programs to reduce trips to the arena, can provide additional vehicle trip reduction and environmental impact mitigation.

Regional experience shows that it is possible to manage and reduce vehicle trips for regional sports destinations. In the planning for AT&T Park in San Francisco, the city conducted professional analysis to ascertain an achievable mode share goal. Based on this analysis, the city set a 50% mode share goal for AT&T Park, and the City and Ballpark collaborated extensively to design and implement programs to achieve the goal, and to refine the programs over time as the area evolves.

Implementation Comments

Friends of Caltrain and other transit, active transportation, and land use groups reviewing and supporting the plan are concerned that the biggest risks to the plan are in the implementation phases. The plan has an extremely ambitious goal of reducing solo car commuting to 40% by 2040. This is even more aggressive than San Francisco's 50% goal for the city, and more aggressive than Mountain View's 45% goal for North Bayshore where Google is headquartered.

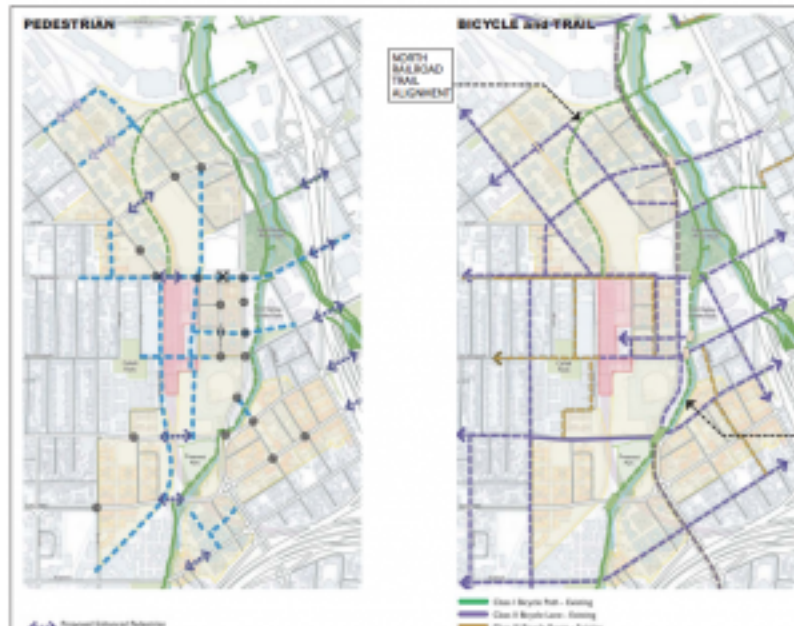
The assumptions in the plan regarding road capacity, as well as for development density and parking, depend on the ambitious 40% goal being reached. There is no budget to expand the roads to accommodate higher levels of driving. And the economic goals will not be achieved if a greater amount of real estate needs to be used for vehicle parking, especially considering the height limits imposed by proximity to San Jose International Airport.

San Jose will need strong policies to fund and implement transit, biking and walking improvements, as well as transportation demand management programs as incentives, in order to achieve the economic and environmental goals of the plan.

Funding pedestrian and bicycle infrastructure

The plan proposes a greatly increased network of pedestrian and bike trails, crossings of train tracks and creeks, and other pedestrian and bike infrastructure. Funding this infrastructure will be a challenge. In recent years San Jose has been reduced developer impact fees for transportation infrastructure, reducing the ability to pay for the pedestrian and bicycle infrastructure needed to reduce vehicle trips and create an environment that will be attractive for

employers, visitors and residents.



Pedestrian and bicycle navigation

The plan calls for robust wayfinding signage enabling pedestrians and bicyclists to make their way among destinations in the Plan area and other accessible places in San Jose. The Plan calls for detailed attention to “placemaking”, creating attractive and welcoming places and trails for people to experience. And the “Plan” considers viewsheds, particularly views from freeway approaches.

As a complement to these features, the Plan should consider and include in design guidelines the creation and extension of “viewsheds”, utilizing landmark buildings, public art features, open space areas, and other natural features to help pedestrians and bicyclists to navigate the area. Creating and preserving pedestrian viewsheds can enhance a sense of place and improve navigation.

Strong TDM policies, including a Transportation Management Association

To achieve the 40% drive-alone goal, San Jose proposes to create a Transportation Management Association to help fund, plan and implement an aggressive Transportation Demand

Management Plan, to fund and implement programs and benefits like shuttles, carpool programs, and transit pass discounts for the area. Successful implementation is critical to the environmental and economic success of the plan.

In addition to required, public, ongoing reporting, there are a number of policies at the implementation level that can help achieve the goals.

- * New developments required to participate in the TMA, including funding and trip goal commitments as a condition of approval of the development
- * Regular surveys to determine trip origins, destinations, and the reasons for driving. This data enables the TMA to create and continuously improve targeted measures to reduce vehicle trips.
- * Create defined geographical operating areas for the TMA. While a larger umbrella TMA organizational structure can be helpful, it is important to have focused operating areas, in order to gather relevant data and create targeted services to more effectively reduce trips.
- * Implement unbundled parking for both residential and commercial developments.
- * Unbundled parking for residential developments incents residents not to own more vehicles per household than they need.
- * Unbundled parking for commercial developments allows the implementation of “parking cashout” - one of the most successful incentives at reducing driving. With “parking cashout”, an employee who chooses not to use a parking space receives a cash benefit up to the value of the parking space. This is practical to implement when commercial buildings have unbundled parking, setting a price for the space
- * Charging for parking. Paid parking is a powerful incentive not to drive, and is one of the key factors in Stanford’s ability to reach a 42% drivealone mode share among employees (not including undergrads and grad students)
- * Shared parking, enabling uses with differing hours of operation to make efficient use of parking space, maximizing the space available for development, and improving the walkability of the area
- * Benefits for residents in addition to employees. While TDM programs are most familiar for workplaces, they are also of benefit to residents. Discount transit passes, shuttle connections, carshare, bikeshare, and other programs and benefits can help plan area residents generate fewer trips and own fewer cars.
- * The creation of a “hierarchy” of programs and measures. If goals are not achieved with “easy”

measures, require implementation of more difficult measures

Support funding for BART to Diridon and the completion of Caltrain modernization.

San Jose leadership has shown strong support to extend BART to Diridon. The Environmental Impact Report shows that the the top two transit services for Diridon Station will be Caltrain and BART, carrying about 10,000 riders each.

To achieve the Caltrain ridership that is required to achieve the plan's goals, support will be needed for:

- * Completion of Caltrain electrification. The current electrification plan calls for the replacement of only 75% of the Diesel trains. Replacing 100% of the diesel trains will enable Caltrain to run faster, more frequent service with lower operating costs.
- * Level boarding. As part of the electrification program, Caltrain intends to implement level boarding. This will generate an additional 50% speed increase over and above electrification, by reducing "dwell time" at at the station. Level boarding will also allow much better schedule coordination with BART and other services. Caltrain currently cannot provide on-time performance closer than a 5 minute window, because it takes at least 4 minutes to serve a single passenger with a wheelchair or mobility impairment. Level boarding will require platform modifications.
- * Platform extensions for longer trains. Currently the frequency of Caltrain service will be capped at 6 trains per direction per hour, because of the "blended system" agreement with High Speed Rail. To carry more passengers, Caltrain can run longer trains, but will need funding to extend platforms.
- * The current plan has 50% funding via the High Speed Rail project. If there are risks to that funding, support for other sources will be needed.
- * The Downtown Extension to Transbay Terminal will give Caltrain riders access to 3x as many jobs in downtown SF than the rest of the corridor combined. DTX will also provide excellent transit connections in San Francisco and the East Bay. Political support for the funding of the DTX project will add value to Caltrain for Diridon.

Collaboration with Transit Agencies

A major strength of the Diridon Station Area is the presence of a rich set of transit services. In order for plan implementation to be successful, the city will need to collaborate closely with transit agencies, and transit agencies will need to take a seat at the table to provide the well-coordinated, frequent service required in order to meet the city's trip goals.

Thank you very much for the your consideration of these comments, and for the good work that has gone into creating the Diridon Station Area Plan. We look forward to supporting the City's efforts to implement the plan going forward.

Sincerely,

Adina Levin
Executive Director, Friends of Caltrain

<http://greencaltrain.com>

<http://peninsulatransportation.org>

650-646-4344

-

San Jose Office
111 W. St. John St., Suite 420
San Jose, CA 95113
(408) 983-0856

February 13, 2014

Mr. David Keyon, Planner II
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

RE: Diridon Station Area Plan Draft Environmental Impact Report (DPEIR), File No. PP09-163

Dear Mr. Keyon,

Thank you for allowing Greenbelt Alliance the opportunity to provide comments on the Diridon Station Area Plan Draft Environmental Impact Report (DPEIR). This letter is in addition to our comments on the Draft Station Area Plan (DSAP). We appreciate the 60-day comment period. Our comments are intended to make the Plan even stronger, so that it provides clear direction to stakeholders that the City is planning for a dense, walkable, equitable community.

Greenbelt Alliance has been engaged in the Diridon Station Area planning effort for several years, having served on the Diridon Good Neighbor Committee and the Envision San Jose 2040 General Plan Task Force. We are the Diridon Station Area site lead for the Great Communities Collaborative, working closely with our local partners, Silicon Valley Bicycle Coalition and Working Partnerships USA. Through the Great Communities Collaborative, we were able to hire Public Advocates to comment specifically on the need for strong policies supporting affordable housing. It has long been known that San Jose is a leader in the production of homes, especially affordable homes, and that the City's ability to provide more affordable homes has been severely hampered by forces out of your control. Our comments are intended to prod the City to identify new tools and craft strong language so that it is unmistakable that the preservation and creation of affordable homes is an integral part of this Plan.

All of the recommendations in our letter on the Diridon Station Area Plan are mitigations to reduce air quality and transportation impacts further. In this letter, we also address traffic modeling, complete streets and parking. We support strong measures to protect riparian corridors and echo comments made by the Sierra Club, Loma Prieta Chapter on this important issue.

Transportation and Air Quality Impacts

It is clear that infill development near a transportation station is preferable to sprawl on a greenfield near freeways. The associated environmental impacts that result from sprawl are well-documented, such as the air quality impacts from a forced dependence on one travel mode, cars. The DPEIR documents that there are significant unavoidable impacts to air quality and transportation as a result of new development. Greenbelt Alliance would like to raise the following concerns and suggested mitigations.

“Transportation planning is undergoing a paradigm shift which is changing the way we define transport problems and evaluate solutions.”¹ While the DSAP is exempted from the City’s level of service policies, the DPEIR seems to address transportation impacts from an automobile level of service perspective. The State of California is in the process of developing new transportation impact evaluation methods, making it difficult for San Jose to know what is acceptable under state law now. San Jose planners can, however, become leaders on transportation modeling. Currently, the transportation modeling software used in the DPEIR called CUBE does not account for impacts on bicycle facilities from their increased use as the DSAP builds out. San Jose must consider alternative methods to analyzing traffic generation impacts and make a commitment to re-evaluating automobile impacts with [improved modeling software](#) that accounts for impacts to all transportation modes.

- As part of the implementation plan, San Jose must utilize new modeling software once the State has established alternatives to roadway level-of-service (LOS) for evaluating developments in transit-oriented areas. For example, “the most comprehensive and multi-modal is multi-modal accessibility modeling which measures the time and other costs to reach services and activities by various modes.”²

In the analysis of impacts to pedestrian, bicycle and transit facilities, the emissions modeling through CalEEMod shows no difference between mitigated and unmitigated scenarios of the DPEIR (p.3 of 22 Appendix E. Air Quality Assessment, 4.1 Mitigation Measure Mobile). It is unclear how mitigation measures are impacting air quality. Further clarification on mitigation measures taken to reduce emissions is necessary to provide transparency in analysis and confirmation of effective mitigation measures.

Greenbelt Alliance recommends the following mitigations to reduce impacts to pedestrian, bicycle and transit facilities:

- Improve transit ridership forecasts in CUBE traffic analysis by connecting bus rapid transit transfers along The Alameda and West San Carlos Street to the primary Diridon Station platform to minimize connection time. The DPEIR does not include Bus Rapid Transit in the set of transit services that are expected to reduce vehicle trips to the station area.
- Station layout creates long horizontal and vertical trips to connect between different transportation agencies and modes (Caltrain, BART, HSR, Amtrak, BRT, Light Rail, Bus). Transit ridership can be reduced by long and inconvenient transfers. Timed pedestrian connections must be analyzed and additional station design for all transit modes to reduce connection time must be incorporated. Implementation needs cooperation with transit agencies to ensure timed transfers.
- Require that all bicycle facilities entering the DSA and continuing through the primary Diridon platform should be Class II Bike Lanes or Class I Bicycle Paths. Allowing Class III sharrows along

¹ Litman, Todd. [“How Should we Manage Traffic Congestion?”](#) Planetizen. 30, January 2014

² Litman, Todd [“Change Management: Do Planners Lead or Follow?”](#) Planetizen. 11 February, 2014

major access roads to the station will cause an increase in likely bicycle collisions from inadequate protection measures for bicyclists.

- There must be mandatory Class II Bike Lanes for station access roads along intersections with Level of Service F, such as the south side of The Alameda (Figure 2-10 Bicycle and Trail map, p. 63 EIR).
- There are no transit options traversing the DSA through the north and south of Santa Clara Street, so people living south of the station are forced to drive. We recommend evaluating transit rider trips captured by improving and/or expanding DASH shuttles to areas north, such as Coleman Marketplace and San Jose International Airport.
- Design Autumn Parkway to be multimodal, especially for cyclists. The Guadalupe River Trail is not a complete connection for pedestrians and cyclists, as it is closed at night. San Jose will also need to consider lighting impacts to the riparian corridor if the trail were lit at night.
- Connect Pedestrian Corridor gaps such as 1) from the central station area running east-west along West San Fernando Street at Delmas Ave and under the freeway overpass into downtown and 2) along N. Montgomery Street between N.W. DSA and the SAP Center (Fig. 2.10).

Greenbelt Alliance recommends the following mitigations to address air quality impacts:

- Develop list of mitigation measures corresponding to mobility that can be evaluated against the CalEEMod emission outcomes between implementing mitigated and unmitigated scenarios.
- Measures included in project to reduce/avoid impacts to regional air quality must include additional commitments by the city:
 - Offer parking cash-out for DSA residents
 - Set parking maximums for automobiles; remove parking minimums
 - Establish market-based parking pricing to encourage use of off-street facilities
 - Set bicycle parking minimums for residential developments
- Ensure more affordable housing is part of the plan, easily accessible to Diridon Station (*see Public Advocates letter*).

Fund and Implement a strong Transportation Demand Management Program

The key to much of the success of the DSAP is how Plan goals and policies are implemented. A Transportation Demand Management (TDM) Program and Transportation and Parking Management Plan (TPMP) are listed as mitigation measures for Air Quality Impacts 1 and 2. To achieve a 40% reduction in vehicle miles traveled (VMT) by 2040, San Jose must commit to funding a Transportation Management Agency (TMA) to implement benefits like shuttles, carpool programs, guaranteed ride home programs and transit pass discounts for employees and residents in the area.

Mitigation measures must be binding. San Jose recently approved the North San Jose Traffic Impact Fee Incentive Program, which essentially reduced fees to developers, which are a critical funding source for

traffic mitigation and improvement projects. North San Jose TIF fees were mitigation for development and the backbone of the North San Jose Plan. When fees are being waived or reduced in other parts of San Jose, it calls into question the credibility of the above referenced mitigation measures.

San Jose has waived fees to attract office development. Greenbelt Alliance argues that using TIF fees to design more complete streets for pedestrians and cyclists can actually attract the type of jobs San Jose desires.

Parking

Cited often in the DSAP is the 900-space parking structure just north of SAP Center, marked as A6 on the DSAP land use maps. In fact, "the test-fit preferred plan shows a 3 to 4 level structure in this general location" (DSAP, 4-23). The City and SAP Center have entered into an agreement that allows for making this structure plus the 1200+ existing surface spaces "available to the public when not in use for...events, which usually occur outside of regular commute hours." The DPEIR studies the maximum build out for Diridon Station. Figure 4-1-2 in the DSAP states that the 900-space parking structure is not included in the total for maximum build out. At the same time, the DPEIR on page 65 states that the "total recommended parking supply would be approximately 11,950 spaces. The parking supply does not include on-street parking, off-street parking to be provided at the Whole Foods Market or Park Avenue Townhomes sites, or the existing surface lot associated with the Arena." The DPEIR fails to analyze all of the parking supply provided in the Plan Area and therefore fails to address the environmental impacts associated with excess parking.

Restricted valuable surface parking at SAP Center is off limits to development and incorrectly described as "under built-out conditions". More accurate and up-to-date parking analysis should determine the highest and best use of limited land in DSAP and should not be wasted as a surface lot. We recommend the following mitigation measures:

- Better coordinate transit times with SAP Center events and offer free or discounted transit passes to event attendees and employees, perhaps bundled into the cost of a ticket.
- Consider phasing out the SAP Center surface parking lot in combination with a strong suite of TDM measures and an effective TMA that includes SAP Center, City of San Jose and other area stakeholders in its management.

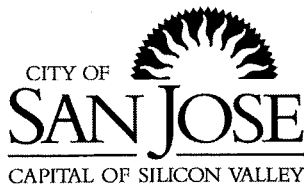
Conclusion

Greenbelt Alliance appreciates the opportunity to comment on the DSAP DPEIR. Please keep us informed of all planning and implementation efforts as this process moves forward.

Sincerely,



Michele Beasley
Regional Director



Memorandum

TO: HONORABLE MAYOR, CITY
COUNCIL AND REDEVELOPMENT
AGENCY BOARD

FROM: Debra Figone
Harry S. Mavrogenes

**SUBJECT: GOOD NEIGHBOR COMMITTEE
RECOMMENDATIONS**

DATE: January 10, 2011

COUNCIL DISTRICT: 3/6
SNI AREAS: Burbank/Del Monte,
Delmas Park, Greater Gardner,
Market Almaden

RECOMMENDATIONS

It is recommended that the City Council and Redevelopment Agency Board adopt resolutions:

- (a) Accepting the Good Neighbor Committee's recommendations as outlined in the attached *Diridon Station Area Framework for Implementation*;
- (b) Directing the City Manager and the Redevelopment Agency Executive Director to consider including the *Diridon Station Area Framework for Implementation* priorities in potential agreements, contracts and projects where appropriate as they become realized; and,
- (c) Directing the City Manager and Redevelopment Agency Executive Director to reengage the Good Neighbor Committee to meet periodically, or as needed, to be updated on progress and to provide input as projects develop.

OUTCOME

Approval of these recommendations will provide clear, broadly supported guidance for implementation of future development in the Diridon Station Area and ensure a well informed and collaborative forum for appropriate future community engagement related to project implementation.

BACKGROUND

On May 19, 2009, the City Council and Redevelopment Agency Board established the Diridon Station Area Good Neighbor Committee (GNC). The purpose of the GNC was to provide a forum for neighbors and other stakeholders to work collaboratively in solving problems in the neighborhood that arose from development in the Diridon Station Area.

The GNC discussed potential impacts of existing and planned development and collaborated to recommend reasonable implementation priorities. The 31-member committee met 22 times over a 14 month period and achieved its purpose through the creation and unanimous adoption of the Diridon Station Framework for Implementation (Framework).

ANALYSIS

The Framework represents the final product of the GNC and its recommendations to the City Council and Redevelopment Agency Board. The Framework focuses on six interest areas: land use, neighborhood quality of life, parking and traffic, parks and trails, pedestrian and bicycle connections and connectivity, and public transportation systems.

GNC Decision Making Process

For each interest area the Framework identifies the top three priority objectives to guide future implementation. The priorities represent the GNC's advice to the City Council and Agency Board for addressing key impacts or issues when it is time for implementation.

The GNC developed its recommendations through a multi-step process:

1. Learn – For each of the interest areas the GNC was provided information on existing conditions and policies and best practices in the form of staff and expert presentations, studies, and reports that would provide a common level of knowledge on the subject.
2. Explore – The GNC discussed each interest area as a group and with staff.
3. List Objectives – The GNC created a draft list of priorities for each priority area.
4. Prioritize Objectives – The GNC tentatively selected the top three priorities for each interest area.
5. Review & Revise – The GNC reviewed and revised elements of the Framework throughout the process.
6. Adopt the Framework – At the final meeting, the GNC worked on and unanimously approved the Framework in its entirety.

All meetings were facilitated by City and Agency staff. The GNC did not follow Robert's Rules of Order; but rather, the decision-making process emphasized consensus building and consensual decision-making. The GNC included representation of neighbors, business interests and public transportation operators. Majority support from each of these four groups was required for an idea to become a priority.

The purpose of the Good Neighbor Committee recommendations is to support the development of the Diridon Station area as a destination and a great place. To that end, the recommendations contained within the Framework for Implementation are intended to support and encourage this development, and provide recommendations on how to implement it so that it is successful.

EVALUATION AND FOLLOW-UP

The City Manager and Redevelopment Agency Executive Director will reengage the Good Neighbor Committee when High Speed Rail, Major League Baseball or Mixed-Use development begins to become a reality. This will allow for continued community communication and involvement.

PUBLIC OUTREACH/INTEREST

The 31-member committee met 22 times over 14 months and achieved its purpose through the creation and unanimous adoption of the Diridon Station Area Good Neighbor Committee: Framework for Implementation. In addition, a webpage was maintained through out the process hosted at <http://www.sjredevelopment.org/ballpark.htm>, and 25 email updates were sent out to an email list of over 400 individuals. A number of informational presentations were held throughout the City at the request of various Council Districts and neighborhood groups, and over a half dozen walking tours were conducted to educate the public about the Diridon Station Area and the work of the GNC.

The proposed action does not meet any of the criteria noted below for added outreach efforts. This memorandum will be posted to the City's website for the January 25, 2011, City Council Agenda.

- ☐ **Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
- ☐ **Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City.
- ☐ **Criterion 3:** Consideration of proposed changes to service delivery, programs, or staffing that may have impacts to community services and have been identified by staff, the Board or Council, or a community group that requires special outreach.

COORDINATION

This memorandum was coordinated with the Department of Transportation; Planning, Building and Code Enforcement; the City Attorney's Office and the Agency's General Counsel.

MAYOR, CITY COUNCIL AND AGENCY BOARD

January 10, 2011

Good Neighbor Committee Recommendations

Page 4

CEQA

Not a Project, File No. PP10-068 (b), General Procedure & Policy Making.



DEBRA FIGONE
City Manager



HARRY S. MAVROGENES
Executive Director

Attachment

For questions please contact Lee Wilcox, Downtown Manager, at 408-535-8172 or Kip Harkness, Director of Strong Neighborhoods, at 408-535-8501.

Framework for Implementation

Diridon Station Area Good Neighbor Committee

Date Completed:
September 7, 2010

Prepared For:
San Jose City Council

Prepared By:
Diridon Station Area Good Neighbor Committee

Facilitated By:
Kip Harkness
Director of Strong Neighborhoods

Lee Wilcox
Downtown Coordinator

Table of Contents

Introduction	3
Land Use	4
Neighborhood Quality of Life	5
Parking and Traffic	6
Parks and Trails	7
Pedestrian and Bicycle Connections and Connectivity	8
Public Transportation Systems	9
<i>Attachment A: Map of Diridon Station Area</i>	<i>I</i>
<i>Attachment B: Roster of Diridon Station Area Good Neighbor Committee</i>	<i>II</i>
<i>Attachment C: Meeting Schedule</i>	<i>III</i>
<i>Attachment D: Raw Voting Records</i>	<i>IV</i>

Diridon Station Area: Framework for Implementation

As directed by the Mayor and City Council, the purpose of the Diridon Station Area Good Neighbor Committee (GNC) was to provide a forum for neighbors to work collaboratively in solving problems in the neighborhood that arise from development in the Diridon Station Area. The Good Neighbor Committee met 16 times and achieved their purpose through their creation of this *Diridon Station Area Good Neighbor Committee: Framework for Implementation*.

This document represents the final product of the GNC and their recommendations to the City Council and Redevelopment Agency Board. The *Framework* focuses on six (6) interest areas; land use, neighborhood quality of life, parking and traffic, parks and trails, pedestrian and bicycle connections and connectivity, and public transportation systems. For each of the interest areas the *Framework* identifies the top three priorities to guide future implementation.

DESTINATION DIRIDON, THE VISION:

- Diridon Station is **the way to San Jose**, you can get there from everywhere, you can get everywhere from there. – Quickly, easily.
- Diridon Station is the **hub of public transit and central place** of downtown San Jose, and a regional front door to Silicon Valley.
- **People of all kinds**, families, different generations, the cultural creatives, the professionals all **name Diridon as their favorite place**; to hang out, to play, to have fun, to meet, to work, to be.
- Diridon is **a great place surrounded by great neighborhoods**.
- **Trails and open space, parks and plazas**, the Guadalupe River and Los Gatos Creek, are amenities for an active Destination Diridon.
- The **great community events** of San Jose happen at Diridon Station – the concerts and the games, of course, but far more than that.
- The creation of a great place requires ***excellent community engagement*** and involvement throughout the process.

OVERALL RECOMMENDATIONS:

1. City Council and the Redevelopment Agency Board should direct the City Manager and the Redevelopment Agency Executive Director to consider including the Framework for Implementation Priorities in potential agreements, contracts and projects where appropriate as they become realized.
2. City Council and the Redevelopment Agency Board should re-appoint a smaller ongoing Good Neighbor Committee to meet periodically (quarterly) or as needed to be updated on progress and provide input as projects develop.
3. The new Good Neighbor Committee should form three smaller working groups on Parking and Traffic/Connectivity, High Speed Rail/Diridon Station, and the Major League Ballpark, to be able to work on these key issues that are likely to be first out of the gate. These working groups could include members and experts from outside of the Good Neighbor Committee.

Diridon Station Area: Framework for Implementation

LAND USE

MISSION: The Diridon Station Area is the most significant opportunity for placemaking in San Jose. Development should integrate and expand into the existing downtown core and surrounding business districts.

GOALS:

- Incorporate the priorities of the Framework for Implementation into the Diridon Station Area Master Plan.
- Incorporate the Diridon Station Area Master Plan into the Envision San Jose 2040 General Plan.
- Work with property owners in the core area, between, and including, the proposed Ballpark and the HP Pavilion, to develop a master implementation plan to ensure that new development and open spaces built in the core area are consistent with the Framework for Implementation.
- Prioritize development at Diridon to be mixed use, urban development that connects transit, jobs, housing, sports, entertainment, hotels, and the convention center.
- Acknowledge that OEI presents a constraint on the height of development in the Diridon Station Area.

IMPLEMENTATION PRIORITIES:

1. Account for pedestrian activity and auto use in the Diridon Station Area by way of downtown parking, satellite parking and shuttles.
2. Design and plan the Diridon Station Area to attract meaningful sustainable jobs accessible to local residents to produce a net benefit to the local economy.
3. Take advantage of the weather and plan for outside uses and venues and destination retail spaces in the core of the Diridon Station Area.

Diridon Station Area: Framework for Implementation

NEIGHBORHOOD QUALITY OF LIFE

MISSION: Development in the Diridon Station Area must provide protection for, and ongoing engagement with the surrounding community. In addition, the surrounding neighborhoods should benefit from the development. The Diridon Station Area investment should honor the past and embrace the future.

GOALS:

- Mitigate potential adverse impacts to Neighborhood Quality of Life.
- Enhance existing Neighborhood Quality of Life.
- Ensure development and operations in Diridon Station Area are non-intrusive for the existing neighborhoods.
- Design development to include amenities and projects that draw residents from the surrounding neighborhoods.
- Design development to support safe neighborhoods and enhance the safety of surrounding neighborhoods.

IMPLEMENTATION PRIORITIES:

4. Mitigate noise impacts to neighborhoods.
5. Reflect all incomes in new, incoming residential development.
6. Maintain a program for the Diridon Station Area and abutting neighborhoods with enhanced services including street cleaning, security, park maintenance, sidewalk cleaning, litter and graffiti removal, similar to the current Groundwerx program.

Diridon Station Area: Framework for Implementation

PARKING AND TRAFFIC

MISSION: The Diridon Station Area is a destination that invites people to stay. A balance will be struck among all modes of travel that will support viable local public transportation. This balance must be attractive to and safe for pedestrians, bicyclists, and transit riders, ensure an adequate parking supply, and support existing businesses.

GOALS:

- Provide and expand multimodal access to the Diridon Station Area.
- Provide equitable solutions to protect neighborhoods and business districts from the potential negative parking and traffic impacts of development in the Diridon Station Area.
- Ensure there is sufficient multimodal parking for the development in the Diridon Station Area.
- Reflect a significant reduction in Vehicle Miles Traveled (VMT) in traffic and parking management in the Diridon Station Area, consistent with San Jose General Plan 2040.

IMPLEMENTATION PRIORITIES:

7. Create an equitable and comprehensive Transportation and Parking Management Plan (TPMP) for the entire Diridon Station Area, similar to and building upon the Arena TPMP that evolves with public transportation as it comes on line and coordinated with the City's Downtown Parking Management Plan.
8. Create a Diridon Station experience that is attractive to pedestrians, bicyclists, and transit riders, ensures an adequate parking supply, supports existing businesses and does not negatively impact neighborhoods.
9. Encourage the use of transit and increase transit ridership to greater than 20% in the Diridon Station Area.

Diridon Station Area: Framework for Implementation

PARKS AND TRAILS

MISSION: Development of the Diridon Station Area must use an integrated approach that mixes the built environment with the natural environment to promote San Jose as one of the Great Green Sustainable Cities for the 21st Century.

GOALS:

- Consider trails as both recreation and transportation assets by maximizing the connectivity between businesses, residents, and entertainment and recreation areas.
- Return any movement or loss of existing or planned park space to the community it was supposed to serve.
- Use natural habitat as the focal point for driving economic benefits by providing restoration, flood control and bio-diverse wildlife corridors that connect the future generations of San Jose residents with their natural environment.

IMPLEMENTATION PRIORITIES:

10. Emphasizes the waterways; Restore the natural setting of the waterways in the urban areas, including specifically that of the Los Gatos Creek as it passes under Montgomery Street and Park Avenue, and enhance the relationship of commercial uses (like restaurants) to waterways and trails to balance nature and commercial vibrancy.
11. Recognize parks, trails and open space as an economic driver and an opportunity for investment, therefore prioritizing parks and trails in the implementation process for the Diridon Station Area.
12. Create public-private partnerships for parks, trails, and open space for the Diridon Station Area.

Diridon Station Area: Framework for Implementation

PEDESTRIAN AND BICYCLE CONNECTIONS AND CONNECTIVITY

MISSION: The Diridon Station Area should be designed for people, using greener forms of mobility and transitioning away from cars, allowing vibrancy, safety and attractive connections.

GOALS:

- Develop attractive and safe connections in all directions between and through the Diridon Station Area and the adjacent neighborhoods to enhance neighborhood and visitor quality of life.
- Enhance connectivity to support businesses and the business districts, such as the Downtown, the Alameda, West San Carlos and Willow Glen.

IMPLEMENTATION PRIORITIES:

13. Ensure the Diridon Station Area, including any new construction, has secure bicycle parking/storage for bike commuters, casual riders and visitors.
14. Implement the existing bike and pedestrian master plans as adopted in the City's current Greenprint.
15. Improve all undercrossings in the Diridon Station Area and turn them into attractive visual assets to achieve safety and better pedestrian and bicycle experiences.

Diridon Station Area: Framework for Implementation

PUBLIC TRANSPORTATION SYSTEMS

MISSION: The Diridon Station will be the hub of all public transportation (including High Speed Rail, BART, Bus Rapid Transit, etc.) in the South Bay. While new public transportation systems will come online the City should not lose sight of existing transit options.

GOAL:

- Design public transportation (including High Speed Rail, BART, CalTrain, Bus Rapid Transit, etc.), with durable, graffiti resistant world-class structures and art.
- Ensure the public transportation decision making process is guided by environmental impact, social equity impact and economic impact.
- That the High Speed Rail EIR should evaluate an above and below grade option.
- Minimize impacts to the surrounding neighborhoods by all aspects of public transportation operations.

IMPLEMENTATION PRIORITIES:

16. Ensure public transportation systems (including High Speed Rail, BART, CalTrain, Bus Rapid Transit, etc.) do not reduce the existing park land and trails or potential for more park lands and trails.
17. Mitigate vibration and noise effects.
18. Require that the High Speed Rail design use the Context Sensitive Solutions (CSS) process to design elements such as grade separations, overcrossings of waterways, tunnels and/or elevated structures (within the context of comprehensive CEQA and NEPA review).

Diridon Station Area: Framework for Implementation

Attachment A: Map of Diridon Station Area



Diridon Station Area: Framework for Implementation

Attachment B: Roster of Diridon Station Area Good Neighbor Committee

1. Adobe Systems
2. Alameda Business Association
3. Burbank Del Monte NAC
4. California High Speed Rail Authority
5. Cahill Home Owners Association
6. College Park Neighborhood Association
7. Delmas Park NAC
8. District 3 Designee
9. District 6 Designee
10. Friends of the Guadalupe River and Gardens
11. Gardner Advisory Council
12. Georgetown Home Owners Association
13. Greater Gardner NAC
14. Greenbelt Alliance
15. HP Pavilion at San Jose
16. Market Almaden NAC
17. North Willow Glen Neighborhood Association
18. Parkside Home Owners Association
19. Reserved for possible Baseball Team Representative
20. San Jose Arena Authority
21. San Jose Downtown Association
22. San Jose Downtown Residents Association
23. Santa Clara Valley Transportation Authority
24. Shasta Hanchett Park Neighborhood Association
25. Silicon Valley Chamber of Commerce
26. South Bay Labor Council
27. St. Leo's Resident
28. The Alameda Business at-Large:
29. West San Carlos Business Association
30. Willow Glen Neighborhood Association (including Palm Haven Area)
31. Xactly Corporation

Diridon Station Area: Framework for Implementation

Attachment C: Meeting Schedule

Full Good Neighbor Committee

<i>Meeting</i>	<i>Date</i>	<i>Location</i>
1	Wednesday, June 10, 2009	Council Wing
2	Thursday, June 18, 2009	Walking Tour – Diridon Station Area
	Thursday, June 25, 2009	Walking Tour – Diridon Station Area
	Wednesday, August 19, 2009	Walking Tour – Diridon Station Area
3	Tuesday, July 21, 2009	Council Wing
4	Thursday, September 24, 2009	Council Wing
5	Thursday, October 29, 2009	Council Wing
6	Monday, December 7, 2009	Council Wing
7	Wednesday, January 27, 2010	Council Wing
8	Monday, February 1, 2010	Council Wing
9	Wednesday, February 17, 2010	Council Wing
10	Wednesday, March 17, 2010	Council Wing
11	Wednesday, April 21, 2010	Council Wing
12	Monday, May 3, 2010	Council Wing
13	Wednesday, May 26, 2010	Council Wing
14	Wednesday, June 23, 2010	Council Wing
15	Thursday, August 5, 2010	Council Wing
16	Tuesday, September 7, 2010	Council Wing

Small Groups Meetings of the Good Neighbor Committee

<i>Meeting</i>	<i>Date</i>	<i>Location</i>
1	Thursday, July 8, 2010	Tower – 17 th Fl
2	Friday, July 9, 2010	Tower – 13 th Fl
3	Monday, July 12, 2010	Tower – 13 th Fl
4	Tuesday, July 13, 2010	Tower – 17 th Fl
5	Wednesday, September 1, 2010	Tower – 17 th Fl
6	Thursday, September 2, 2010	Tower – 17 th Fl

Diridon Station Area: Framework for Implementation

Attachment D: Raw Voting Records

Note: After raw voting occurred, the Committee went through an editing and validation process to ultimately become the final recommendations. Final recommendation language might appear or be different from this document.

I. PARKING AND TRAFFIC

- 1.1. Create a comprehensive Parking and Traffic Management plan for the entire Diridon Station Area. 16
 - 1.1.1. The plan would include HP Pavilion, the potential Ballpark, Diridon Station and the space in between.
 - 1.1.1.1. Implementation Oversight Body.
 - 1.1.1.1.1. Neighborhood Representation.
- 1.2. The city should explore using an approach other than just Police Officers for traffic control and parking management of events. A Goundwerx-like crew could provide both traffic control and serve as ambassadors to the Diridon area. 4
 - 1.2.1. Ensure plan looks at daytime events. – single and double.
 - 1.2.2. Planning begins before development starts.
- 1.3. People choosing to go to the Diridon Station Area in cars need to be accommodated. 8
- 1.4. **Strongly encourage and promote multimodal access to the Diridon Station Area.**
- 1.5. “CalTrain Access Plan”, which priorities transportation modes in the following order: Pedestrian, Bike, Transit, and Auto. 10
- 1.6. A range of access modes should be encouraged to access the Diridon Station Area. 0
- 1.7. Encourage the use of transit and increase transit ridership to over 20% in the Diridon Station Area. 9
- 1.8. **Provide equitable solutions to protect neighborhoods and business districts from the potential negative parking and traffic impacts of development in the Diridon Station Area.**
- 1.9. **Ensure there is sufficient parking for the development in the Diridon Station Area.**
 - 1.9.1. Short-term parking options, drop-off points.
 - 1.9.2. Long-term parking demands are addressed.
- 1.10. Utilize the existing dispersed parking downtown to serve the Diridon station area. 2
- 1.11. Do not fill the area between the HP Pavilion and a Ballpark with structured parking. 7
 - 1.11.1. Rely on existing connections to downtown, and create new connections to encourage people to park downtown and walk to Diridon.
- 1.12. Create Satellite Parking for games and events. 1
- 1.13. People who do choose to drive should be able to park outside of Diridon and have convenient transportation into Diridon. 0

Diridon Station Area: Framework for Implementation

- 1.14. Permit parking should be expanded to protect neighborhoods. 7
 - 1.14.1. Permit parking should be paid for by the entity that creates the demand.
 - 1.14.2. Permit parking to protect neighborhoods should be expanded.
 - 1.14.3. Permit Parking for affected neighborhoods should be affordable or no cost for neighborhoods and easy for residents to use.
- 1.15. Ensure Public Transportation is tied into the development of Diridon. – WG 0
- 1.16. Encourage, support and collaborate with local transit agencies to support efforts in Diridon. 0
- 1.17. Locate future parking and manage traffic to not impact neighborhoods. 0
- 1.18. Parking Revenue District to fund improvements in the Diridon Station Area. 1
- 1.19. Permit Parking in residential neighborhoods. 0
- 1.20. Metered Parking in Business Districts. 0
- 1.21. **Consistent with San Jose General Plan 2040 traffic and parking management should reflect 40% reduction in Vehicle Miles Traveled (VMT).**

Diridon Station Area: Framework for Implementation

2. NEIGHBORHOOD QUALITY OF LIFE

- 2.1. The quality of life of surrounding neighborhoods will be enhanced by better connections to the Diridon Station Area.
- 2.2. ***Impacts to Neighborhood Quality of Life need to be mitigated.***
- 2.3. Noise Impacts to neighborhoods need to be mitigated. 9
 - 2.3.1. There needs to be an ongoing process involving residents for addressing concerns about noise.
 - 2.3.2. Noise monitoring station around Ballpark.
 - 2.3.3. Setting Sound Levels.
 - 2.3.4. Oversight person to adjust sound levels.
 - 2.3.5. Adjust sounds levels in real time.
- 2.4. Vibration Impacts to neighborhoods need to be mitigated. 1
 - 2.4.1. Potential sources of vibration include both High Speed Rail and music concerts at the Ballpark.
- 2.5. ***Look for opportunities to enhance existing neighborhoods quality of life.***
- 2.6. ***The projects and new development in Diridon need to be non-intrusive for the existing neighborhoods.***
- 2.7. Equity – Incoming Residential development should reflect all incomes. 8
- 2.8. Equity – Parks, public services, and amenities should be prioritized.
- 2.9. Encourage below grade “submerged” design of the ballpark. 4
- 2.10. ***Amenities and projects that draw residents from the surrounding neighborhoods.***
- 2.11. Proper way-finding signage. 4
- 2.12. There should be ongoing community participation in, and oversight of the creation and implementation of the plan. 13 *MOVE TO Introduction*
- 2.13. Diridon Station Area plan should encompass and respect the existing and approved planning documents. 4
- 2.14. Lighting impacts on neighborhoods needs to be mitigated.
 - 2.14.1. Potential sources of light – ballpark and high-speed rail.
- 2.15. Permit parking should be paid for by the entity that creates the demand.
- 2.16. Overall Oversight body should include immediate surrounding neighborhoods and business districts.
- 2.17. Enhance security beyond the normal event detail in the west and south of Diridon Station. 4
- 2.18. Enhanced street cleaning, park maintenance, sidewalk cleaning, litter and graffiti removal, etc. in the surrounding areas. 6
- 2.19. ***New development should support safe neighborhoods and enhance safety of surrounding neighborhoods.*** 4
- 2.20. Enforce existing regulations to deter parking on lawns/creating parking lots on residential property.
- 2.21. Enforcement of parking by towing. 1
- 2.22. Existing parks should have restrictions against tailgate parties and cleanup should be supported.
- 2.23. Increased police presence in transit areas before, during and after events. 2
- 2.24. Parking fines need to be high to be effective.

Diridon Station Area: Framework for Implementation

3. PEDESTRIAN AND BICYCLE CONNECTIONS AND CONNECTIVITY

- 3.1. Enhanced Connectivity in all directions between the Diridon Station Area and the adjacent neighborhoods enhances neighborhood quality of life. 14**
- 3.2. Major Pedestrian and Bicycle only paths/thoroughfares beyond the current trail system, such as San Fernando. 3
- 3.3. Bike Rental Stations.
- 3.4. Develop the existing bike lane on Bird Ave into full permanent bike lanes with connectivity into the Diridon Area and beyond. 2
- 3.5. Implement the Alameda, Beautiful Way Program. 2
- 3.6. Connectivity should be increased to support businesses and the business districts, such as the Downtown, the Alameda, West San Carlos and Willow Glen. 10**
- 3.7. The Diridon Area, including any new construction, should have safe secure bicycle parking/storage for bike commuters, casual riders and visitors. 7
- 3.8. The plan maximizes the ability to travel within the Diridon Station Area on foot or bike. 4
- 3.9. Bike lane on Lincoln Ave.
- 3.10. Implement the existing bike and pedestrian master plans. 6
- 3.11. Connectivity during construction must be maintained or replaced if impacted. 1
- 3.12. Use every opportunity to enhance the bike and pedestrian experience.
- 3.13. Bike lanes are important to increasing the connectivity of businesses and the business improvement districts.
- 3.14. Prioritize pedestrian and bike access in the Diridon Station Area. 3
- 3.15. Safe bike and pedestrian system within the existing transportation system.
- 3.16. Pedestrian walkway into Downtown on San Fernando.
- 3.17. Enough crosswalks.
- 3.18. Accommodating skate borders and roller bladders.
- 3.19. Connect Bird Ave, San Fernando, Alameda, Park Ave, Lincoln, Guadalupe Trail North, Los Gatos Creek Trail and Auzerais bike lanes. 7
- 3.20. City and development community should pay particular attention to I-280 and Highway 87 and turn it into attractive visual assets to achieve safety and better pedestrian experience.

Diridon Station Area: Framework for Implementation

4. PARKS AND TRAILS

- 4.1. Any loss of parkland or potential parkland needs to be replaced for that affected area. 11
- 4.2. Create an exemption for the City's Living-Wage Policy for the Diridon Station Area. 7
- 4.3. Opportunity to re-create a San Antonio like river-walk into the natural setting of the creek/river in the urban areas. 6
- 4.4. Recognize parks, trails and open space as an economic driver and an opportunity for investment therefore prioritizing parks in the implementation process for Diridon Station Area. 6
- 4.5. Enhance Opportunities for new open space, parks and plazas. 5
- 4.6. The Diridon Station area should cause the connection of trails. 1
 - 4.6.1. All disconnected bike and pedestrian trails should be connected in a hub in Diridon. 5
 - 4.6.1.1. Connecting Los Creek Trail and Guadalupe River Trail. 3
 - 4.6.1.2. The Los Gatos Creek Trail should connect in Diridon
 - 4.6.1.3. The Guadalupe River Trail Should connect in Diridon
 - 4.6.1.4. The Guadalupe Bike Trail Should connect in Diridon
- 4.7. The Autumn Street Parkway should be a Park that connects the trail and creek systems. 1
- 4.8. Investigate public-private partnerships for parks, trails and open space for the Diridon Station Area. 3
 - 4.8.1. Adding revenue generating events and activities to park master plans. 6
 - 4.8.2. Establish Community Facilities District to assist with funding for maintenance of parks, trails and open space.
 - 4.8.3. Business sponsorship, partnership for development and maintenance of parks, trails and open space.
- 4.9. Pedestrian and bike systems should be separate from street and rail network. 2
- 4.10. Green fingers concept integrated in the parks, trails and open space plans. 1
- 4.11. Existing or future parkland used for temporary construction purposes should be restored to its previous status before the construction took place at no cost to the city. 1
- 4.12. **Trails should be considered as both recreation and transportation benefits by maximizing the connectivity between businesses, residents, and entertainment and recreation areas.**
- 4.13. **Any movement or loss of existing planned park space should be returned to the community it was supposed to serve.**
- 4.14. **Natural habitat becomes the focal point for driving economic benefits by providing restoration, flood control and bio-diverse wildlife corridors that connect the future generations of San Jose residents with their natural environment.**

Diridon Station Area: Framework for Implementation

5. PUBLIC TRANSPORTATION SYSTEMS

5.1. The design of HSR, whether above and/or below grade, needs to be world-class structures, art and graffiti proof.

5.1.1. Design needs to reflect the surroundings.

5.1.2. Design around the eyes of a traveler coming to San Jose.

5.1.3. The Station should be a placemaking destination.

5.2. Vibration and noise effects should be mitigated. 7

5.3. Social Equity - The High Speed Rail decision-making process should be informed by an understanding of Social Equity issues that arise for Diridon and the surrounding neighborhoods. 10

5.3.1. Social Equity Issues of an above grade alignment must be understood.

5.3.2. Social Equity Issues of below grade alignment must be understood.

5.4. Economic Impact – The High Speed Rail decision-making process should be informed by an understanding of the Economic Impact to Diridon and the surrounding neighborhoods. 11

5.4.1. The Economic Impact of an above grade alignment must be understood.

5.4.2. The Economic Impact of a below grade alignment must be understood.

5.4.3. Economic impact study should include impacts to the airport. OEI

5.5. THE HSR DECISION MAKING PROCESS MUST BE INFORMED BY ENVIRONMENTAL IMPACT, SOCIAL EQUITY IMPACT AND ECONOMIC IMPACT.

5.6. Environmental Impact – The High Speed Rail decision-making process should be informed by an understanding of the Environmental Impact to Diridon and the surrounding neighborhoods. 6

5.6.1. The Environmental Impact of an above grade alignment must be understood.

5.6.2. The Environmental Impact of a below grade alignment must be understood.

5.7. High Speed Rail (All aspects of operations) should minimize impacts to the surrounding neighborhoods.

5.7.1. The design of HSR should not divide existing and future neighborhoods, business districts and downtown but seek to enhance the connectivity of the Diridon and surrounding areas.

5.7.2. If the station is below ground it should still have public art and contribute to place making in Diridon.

5.8. High Speed Rail should not reduce the existing Parkland and trails or potential for more parklands and trails. 11

5.9. Look at small “footprint” transit that can adjust to demands – Alameda. 2

5.10. Creating the Opportunity for Ultra Personal Pods or similar idea for San Carlos Ave. 1

5.11. Encourage Light Rail Station at San Carlos and Auzerais.

5.12. Advocate for full funding of transit options that enhance Diridon Station. (List to come from VTA).

5.13. Use existing monitoring system and plan at airport for the curfew and apply it to HSR operations. 4

Diridon Station Area: Framework for Implementation

- 5.14. HSR design shall combine CSS process within the context of comprehensive CEQA and NEPA review of design elements, such as grade separations, overcrossings of waterways, and elevated structures. 8
- 5.15. Advocate for full funding and demand of transit into Diridon Station, including BART and BRT.

Diridon Station Area: Framework for Implementation

6. LAND USE

- ~~6.1.~~ The Diridon Station Area should be designed for People – not for cars. 11
- 6.2. Station needs to be welcoming and connected at all times. 0
- 6.3. The planning for the Diridon Station Area must understand the transit demands and the needs of the transit facilities and use that as the starting point for the planning. 7
- 6.4. The decision making process for both the Ballpark and High Speed Rail should be informed by an understanding of their respective Economic Impacts. 0
- 6.5. The Diridon Area is one of the most significant opportunities for placemaking in San Jose.**
 - 6.5.1. Do not set boundaries - flows to existing neighborhoods and resources**
 - 6.5.2. Every project and development in the Diridon Station area should contribute to placemaking.**
- 6.6. The Diridon Station Area should be different than it is today.
- 6.7. Pedestrian and traffic encourages people to connect to downtown. 9
- 6.8. There should be a binding agreement between City, developers and community stakeholders that institutes a method for tracking exceptions, violations and impacts in which fines occur they go back into the affected neighborhood. 5
- 6.9. Take advantage of the weather and plan for outside and destination retail spaces in Diridon between ballpark and the Arena. 8
- 6.10. Creating places for leisure and pleasure. – Slower pace.
- 6.11. The plan should take into account and address potential negative equity impacts making sure in the Diridon Plan creates “meaningful” jobs that are accessible to residents from the surrounding neighborhoods.
 - 6.11.1. Focus on middle income and sustainable jobs that produce a net benefit to our local economy. Affordable to all ranges of income. 10
- 6.12. Policy that ties to fiscal benefits to City and Agency be re-invested into the surrounding neighborhoods and business districts that are affected via a community input process. 5
- 6.13. Creating branch library space. 1
- 6.14. No auto orientated uses i.e. not freeway orientated (big box retail.) 2
- 6.15. Diridon Station Area should be considered its own Specific Plan**
- 6.16. Planning should not ignore the automobile. 5
- 6.17. Development at Diridon should prioritize mixed use, urban development that connects transit, jobs, housing, sports and entertainment, hotels, convention center (i.e., destination Diridon.)**
- 6.18. Consider Park Ave, San Carlos, and The Alameda in the planning.

Diridon Station Area: Framework for Implementation

7. Miscellaneous

- ~~7.1.~~ The Diridon Station Area should be home to, and encourage and support, a wide range of diverse businesses.
- 7.2. The Diridon Station Area should be developed in a manner that supports existing businesses.
- 7.3. Destination Diridon – Diridon should be a destination whether a Ballpark is built there or not.
 - 7.3.1. The planning for the area needs to look at both Diridon with a Ballpark and Diridon without a Ballpark.
- 7.4. The Diridon Station Area must be an economic driver for downtown and the City of San Jose.
- 7.5. Corporations and private developers must play a significant role in financing and supporting the development of Diridon as a place.
 - 7.5.1. Should look for ways of attracting corporate and developer support.
 - 7.5.2. Diridon should serve as a community a gathering space that functions as the backyard for residents and gathering space for all, everyday of the year.
- 7.6. Baseball needs to adhere to the Airport curfew.
- 7.7. As Diridon evolves what is the mechanism to bring new issues back? Oversight body – Pete K.
- 7.8. Ballpark should have “community use” built into the agreement. I.E. – CCS Playoffs.
- 7.9. Emergency Preparedness Plan for Diridon Station.
- 7.10. There should be ongoing community participation in, and oversight of the creation and implementation of the plans and projects in the Diridon Station Area.

San Jose Office
111 W. St. John St., Suite 420
San Jose, CA 95113
(408) 983-0856

February 13, 2014

Michael Brilliot, Senior Planner
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

RE: Diridon Station Area Plan

Dear Mr. Brilliot,

Thank you for allowing Greenbelt Alliance the opportunity to provide comments on the Diridon Station Area Plan (DSAP). Greenbelt Alliance is the champion of the places that make the Bay Area special, bringing people together to ensure the right development happens in the right place. Diridon Station is one of the Bay Area's premier locations for new intense urban development due to its proximity to regional transit. We applaud San Jose's efforts to create an attractive, walkable transit village.

Greenbelt Alliance is submitting general comments on the DSAP in addition to comments on the Draft Environmental Impact Report. Our goal is to strengthen the plan and move onto its implementation so as to bring positive on-the-ground change to this regional transportation hub.

Greenbelt Alliance has been engaged in the Diridon Station Area planning effort for several years, having spent considerable time and resources with the goal of crafting a plan that will lead to a dense, walkable, green, bike-friendly, equitable and thriving transit district. Diridon Station is a priority site for the Great Communities Collaborative and Greenbelt Alliance has been site lead, working in close collaboration with our partners, Silicon Valley Bicycle Coalition and Working Partnerships. We have engaged in the following ways:

- Served on the Diridon Good Neighbor Committee, helping craft the *Diridon Station Area Framework for Implementation* (Attachment A)
- Hired Nelson/ Nygaard to draft a Diridon Station Parking and TDM Plan and Appendix (Attachments B and C)
- Invited UCLA Urban Planning Professor Donald Shoup to present to the public and give a Masters level class to City of San Jose and VTA staff in February 2010
- Partnered with the Silicon Valley Bicycle Coalition and Urban Land Institute on a presentation to the San Jose City Council at a Diridon Station Area study session

While crafting a strong plan lays the foundation for a dynamic transit hub west of downtown, Greenbelt Alliance is keenly interested in implementation of the plan. The complexities of urban infill at a station that will add high speed rail, BART and bus rapid transit (BRT) to existing transportation options such as Caltrain, cannot be underscored enough. Greenbelt Alliance is committed to partnering with community stakeholders, the City and transit agencies to realize a transit village worthy of the Capital of Silicon Valley.

Overall Comments

In general, Greenbelt Alliance is pleased with the overall direction of the DSAP. There is an emphasis on designing around people over cars, creating a sense of place with 'green fingers' and neighborhood squares, and promoting high quality urban design. Diridon Station will bring together more transportation choices than any other station on the West Coast, which demands a strong mix of uses, from employment to residential to entertainment and retail. We like language such as defining "the emerging character of the station area as a sustainable and green urban community"(3-31). Greenbelt Alliance will hold the City to this vision.

At the same time, there are areas that warrant more attention or clarity. Affordable housing, for example, is a high priority for this area, yet the DSAP only offers a menu of potential strategies for financing new affordable homes. Stronger language must make clear that anti-displacement measures and affordable housing strategies are an integral part of the Plan.

Greenbelt Alliance recognizes the challenging landscape within which the City is planning for new development. Redevelopment agencies have been dismantled, high speed rail poses funding and infrastructure questions and the City has more homes than jobs. Homes are a critical component of the DSAP, and jobs are too. San Jose can attract jobs when there is a focus on high quality urban design, place-making elements, complete streets and an integrated parks program.

Land Uses

The DSAP calls for more homes, jobs, entertainment and retail within a 250-acre area. Some have called for a much stronger mix of uses, such as homes in the Northern Zone, and a reduction in the square footage dedicated to commercial/ industrial uses so as to provide for more homes. We agree that these are fair points. We acknowledge site constraints due to restrictions imposed by the Federal Aviation Association. We also recognize that jobs and entertainment support transit ridership. Our concerns with land uses can be summed up as follows:

- San Jose must ensure that the Innovation District does not give way to large format commercial uses, such as Coleman Marketplace. Big box retail might sometimes be referred to as land-banking, but the lifespan of big box retail is likely the same as that of the DSAP. We encourage the City to hold firm to a more compact industrial and commercial neighborhood, with smaller block sizes. This is appropriate for an area within walking distance of the largest multimodal transportation hub west of the Mississippi.

- The DSAP is confident that the Oakland A's will relocate to San Jose (1-11). However, it is highly probable they will not. The Plan can do a better job discussing alternate uses for the baseball stadium site, with a focus on place-making elements that attract Millennials, and therefore jobs.
- Combined Industrial/Commercial is a broad zoning designation that allows so much flexibility that it is hard to imagine what exactly it does allow. The allowed FAR varies from 0.25-12.0. Earlier DSAP maps described these areas as "Freeway-oriented commercial". We understand that often the first project out of the gate may not adhere to all of our smart growth goals. However, allowing any use with an FAR on the lower end of that scale within the Diridon Station Area does not make efficient use of expensive public transportation investments, nor contributes to a thriving urban environment.

Parks, Creeks and 'Green Fingers'

"Key to the plan is an exceptional park system that will provide amenities for existing and new communities and link the life of residents and visitors....with the larger ecological context" (2-34). The Plan's emphasis on the public realm of parks, plazas and neighborhood squares is excellent and we wholeheartedly support the idea of a civic plaza at the station entrance. The community's outdoor living room contributes to Diridon Station as a destination, a place that is welcoming of all.

- The concept of 'green fingers' is great, but Greenbelt Alliance cautions using a nice name for something that can end up as a road with trees. To be worthy of the idea behind the term, 'green finger', these 'wide linear parks' must prioritize pleasant connections for pedestrians and cyclists over cars. We support this concept and are eager to see the vision implemented.
- Los Gatos Creek can become a 'crown jewel' for the Station Area and must be treated as such. What is the status of Measure B funds for property acquisition and federal funds for final design and trail construction as mentioned in the Los Gatos Creek Trail-Reach 5 Master Plan? What needs to happen to ensure implementation of this plan moves forward?
- It should be noted that the number one implementation priority for parks and trails from the Diridon Good Neighbor Committee is to "restore the natural setting of the waterways in the urban areas, including specifically that of the Los Gatos Creek as it passes under Montgomery Street and Park Avenue." Day-lighting this segment of the creek has multiple benefits, such as increasing habitat for wildlife, providing flood control, improving water quality and creating a neighborhood sense of place.
- Bay Meadows Phase 2 in San Mateo is under construction, and one of the first elements to go in was the 12-acre Bay Meadows Park. At Diridon Station, San Jose should prioritize building high quality parks and/ or the civic plaza first to attract new development.
- The concept that the top deck of certain parking podiums become "a raised landscaped plaza into which the residential units above look down" is a creative idea that we encourage and celebrate.

- A central plan feature is the 8-acre community park in the south-central zone. What is the timeline for the fire training station re-location? Is this an assumed or confirmed move? Note earlier comment about building amenities earlier rather than later.
- While a minor element, San Jose should focus on a native tree canopy as opposed to palm trees which are quite unpopular among residents and business owners along West San Carlos Street.

Complete Streets

Central to the Diridon Station Area Plan is a network of green fingers, paseos and streets that cater to all modes of travel. The Envision San Jose 2040 General Plan has aggressive mode split targets for 2040, including 15% of all trips made by bicycle and 15% by foot. Downtown and Diridon Station offer the best opportunities in the entire city to make progress towards these aspirational targets. At build out, Diridon Station must reflect a community that is designed around people first and foremost. The City has gone to great effort to address this goal in the Plan and our following comments are intended to make the Plan even stronger.

- Figure 2-3-3 (2-42) highlights four east/west routes that will continue to have a vehicular emphasis. This does not seem to correlate with plans to downsize the Alameda from four lanes to two lanes or make West San Carlos and Santa Clara streets Bus Rapid Transit corridors. These 'grand boulevards' are intended to prioritize transit, which is preferable. It seems the DSAP is sending mixed messages in terms of streets and Greenbelt Alliance encourages the City to avoid prioritizing any street for vehicular movement and consider the complete package of multiple travel modes, progressive parking policies and a strong Transportation Demand Management (TDM) program as assisting this goal.
- At the same time, we recognize that the Autumn Parkway Extension has long been planned and will add vehicular capacity. San Jose should still pursue a multimodal corridor and perhaps look to Octavia Boulevard in San Francisco as a model. Octavia Boulevard moves 45,000 cars a day to and from the freeway. Highway 87 is one visual barrier between Diridon Station and Downtown so it is important that San Jose minimize other roadway impacts. Any improvements to Autumn Parkway must consider negative impacts to the creek corridor, such as nighttime lighting.
- Designing and building a grand civic plaza is critical to the livability of the area. It will create a sense of place which supports economic goals for the area. Don't let concerns about east-west vehicular circulation hold the City back from designing something impressive (2-49).
- San Jose has a history of removing pedestrian crossings in the name of safety. The City also leads the Bay Area in the number of pedestrian traffic fatalities. "In pedestrian-friendly cities, crossing locations are treated as essential links in the pedestrian network" (2-80). This is critically important and we support the City in moving towards more pedestrian crosswalks to facilitate safe and convenient access, especially across Autumn Parkway.
- Figure 2-6-2 forecasts transit ridership in the year 2035, yet fails to include Bus Rapid Transit (BRT) (2-86) among the transit modes. VTA is planning for two BRT lines within the DSAP, but this

travel mode is given scant attention in the document. More must be done to ensure both BRT lines, especially the West San Carlos line, have strong connections to Diridon Station.

- Kudos to San Jose for launching its second green, buffered bikeway along San Fernando Street. This plus bike-sharing at Diridon Station point to a more bike-friendly San Jose.
- Figure 2-6-5 (2-93) has several transportation strategies to promote more walking and bicycling and we encourage the City to include language stronger than “consider”. This plan points to a future where Diridon Station is dominated by pedestrians and this necessitates mid-block crosswalks and pedestrian scrambles.
- The same is true for Figure 2-6-6 (2-94). In this case, adding transit/ shuttle connections north of Santa Clara Street will be important to move people from the neighborhoods to the south to destinations to the north, such as Coleman Marketplace and San Jose International Airport.
- Diridon Station must become a community designed around people. “Intersection density is the single most important factor for promoting walking activity” (2-110). The DSAP goes on to say that an intersection density of at least 150-200 intersections per square mile is considered ideal for supporting more walkable neighborhoods (2-111). However, Figure 2-6-12 shows that Diridon Station, with proposed new streets, only reaches 112 intersections per square mile, while the Pearl District in Portland is at 400 intersections per square mile. We strongly suggest the City figure out how to improve the intersection density of Diridon Station or explain why it can’t achieve this goal.
- Along the same lines, “walkability decreases with the increase of block size, and block dimensions larger than 400 feet are typically not conducive to a pedestrian-friendly environment” (3-4). The Northern Zone states that the maximum block size should not exceed 350 feet, getting pretty close to being pedestrian-*unfriendly* despite it being within a ten-minute walk from the station. A transit-rich area is not the place for large block sizes.
- The DSAP makes an incorrect reference to Figure 2-6-11 as showing all the intersections within the Downtown Core that are exempted from level of service (LOS). Please add this figure. This section states that all of the DSAP is exempted from level of service (2-112). If a proposed development project would cause a significant LOS impact at a Protected Intersection, the proposed development must include construction of specific improvements *to enhance non-auto travel modes*. Funds raised through the Protected Intersections policy should not be used to make improvements to enhance automobile travel. Roadway expansions should only be permitted to add dedicated lanes for transit (e.g. bus rapid transit).
- Again, stronger language is needed in reference to green streets (2-113). If a location is appropriate, than permeable pavers and bioswales shall be included.
- Lastly, VTA must be encouraged to add bicycle lockers at Diridon Station sooner rather than later and Greenbelt Alliance is happy to push them on this infrastructure improvement. (2-83)

Parking and TDM

Greenbelt Alliance has focused much of our advocacy for a vibrant Diridon Station around parking policies. This land use influences everything around it. Parking degrades urban design, skews travel choices, raises the cost of construction and harms the environment. While some parking does need to be provided, striking the right balance will support the City's goals of creating an attractive, walkable district that caters to people. We look forward to seeing a Parking and TDM plan come to fruition during implementation and offer support for the following parking policies.

- A suite of parking policies must be in place to guide future development such as unbundled and shared parking, and market-based pricing. The DSAP refers to all three, which we applaud. However, stronger language will make it clear that the City is serious about managing this resource. Charging the right price for parking, especially curb parking, can ensure parking availability. Redwood City sets curb prices such that at any given time there is an 85% occupancy rate.
- Maximum parking ratios are not proposed as part of the DSAP and it is stated that “developers could build more parking spaces” (2-115). San Jose should remove minimum parking requirements and consider parking caps so that developers don’t compete with each other to build more parking. Residents do put a value on parking spaces, so “developers are unlikely to build housing without parking if residents will not rent or buy it....The demand for residential parking arises because it is bundled with housing, seemingly at no extra cost...With unbundled parking, residents can make separate housing and parking decisions.”¹ This way prices can do the job of reducing the number of parking spaces.
- We recommend that San Jose create a Parking Benefits District at Diridon Station. Market or performance based pricing can ensure curb space is available and that parking revenues return to the community to fund neighborhood improvements, such as an attractive pedestrian environment. Revenues generated at Diridon Station should not pass through the General Fund nor should they be used to finance new parking supply expansion (2-131).
- Lastly, we note with concern that the parking structures in the Innovation District are the tallest buildings: A7, C3 and C7 have eight or nine levels, creating a questionable skyline (4-3).

Low-Impact Development

The fact that stormwater facilities in the DSAP area are “antiquated and undersized” presents a real opportunity for the City to incorporate green streets and low-impact development. There is plenty of funding out there for greening streets and Greenbelt Alliance is happy to support the City's efforts in attracting some of this funding.

¹ Donald Shoup, *The High Cost of Free Parking* (American Planning Association, 2005), 569

- Was the Santa Clara Valley Water District engaged in discussions around impacts to the Guadalupe River and Los Gatos Creek? These areas are subject to flooding during extreme storm events and we are confused by the DSAP's discussion on this topic (2-146). Raising properties above existing flood levels could redirect flood waters elsewhere while removing these areas from flood plain mapping seems to ignore the issue altogether. We would appreciate some clarification.
- Since the City's stormwater design policy requires attenuation of the ten year storm event, there is a need to upsize the stormwater conveyance lines in the area (2-147). Low-impact development guidelines must be considered an integral part of the upgrade as well as all new development.
- All pertinent departments (planning, transportation, environmental services, public works) must work together to ensure cross-departmental coordination on stormwater management. High quality, multi-functional infrastructure can play a role in place-making and save the City money.

Affordable Housing

San Jose is one of the hottest markets in the country and demand for a more urban lifestyle will only increase. It is well-documented that housing prices are out of reach for many. One-bedroom apartments are renting for at least \$1500/month. This has put pressure on working families and seniors on fixed incomes who are finding that their neighborhoods are becoming more desirable and less affordable. Diridon Station has a higher percentage of renters whose median income is lower than the City overall. At the same time, the percentage of those who take public transit, walk or bike is twice that of the City overall (2-154). Effort must be made to not only preserve existing affordable housing, but to also create new affordable housing in the immediate area. Those who earn lower incomes and drive less must have access to transit, amenities and services.

- In the process of updating its Housing Element, the City of San Jose must identify sites that serve a range of incomes and especially identify affordable housing opportunity sites within PDAs. Diridon Station is part of a PDA. For sites to become affordable housing sites, they must be competitive for affordable housing funding, particular Low Income Housing Tax Credits. We strongly suggest that the City site affordable housing locations within the Diridon Station Area to maximize Low Income Housing Tax Credit (LIHTC) potential and to work with local affordable housing developers to analyze whether identified sites would be competitive for tax credits.
- Since this Plan was first drafted, many of our affordable housing tools have been weakened or dissolved. While the DSAP provides a menu of possible financing strategies, the Plan must go further and spell out some concrete actions. San Jose may point to the need to first create citywide policies that address this problem, but Diridon Station is significant enough that enacting some district-specific policies is warranted, such as Impact Fees, Housing Overlay Zones or specific anti-displacement policies.
- At least twenty percent of the homes must be affordable, which includes both the preservation and creation of affordable homes. Any affordable housing fees generated in Diridon Station must be spent in Diridon Station.

Greenbelt Alliance has always recognized San Jose as a housing leader, especially in the creation of more affordable homes. San Jose must continue to be a leader, identifying new and creative ways to address this critical need which is important for the economic, social and environmental health of our communities.

Conclusion

Greenbelt Alliance appreciates the opportunity to comment on the DSAP and to connect easily and often with City of San Jose Planning and Transportation staff. We believe we have the same vision and goals for Diridon Station: to create an attractive, dynamic, walkable community that provides quality jobs and affordable homes to the people who make San Jose the great city it is today. San Jose is on its way to being one of the great, green cities of the 21st century and we offer our partnership in ensuring this future.

Sincerely,



Michele Beasley
Regional Director

Keyon, David

From: Robert Neff [rmrneff@sonic.net]
Sent: Monday, February 10, 2014 9:49 PM
To: Keyon, David
Subject: Diridon Station Plan comments

Hello,

I received an Alert from VTA about the Diridon station plans. My comments:

Currently bicycle access from the West on marked bike routes is poor. When I travel from near Pruneridge and Lawrence (or from Stevens Creek Blvd.) it is not clear what would be a good, low stress bike route. The existing bike routes include Stevens Creek Blvd, which I cannot believe is marked as a bike route, and the Alameda, which is just as bad. Both have high speed, 40 mph traffic, which makes it challenging to "take the lane", and on street parking, so there is no extra width in the right hand lane to use. I think the best option I have tried is Pruneridge, Park, and eventually San Fernando from the West. Currently Park is intermittently OK. There are bike lanes on part of it, but there is also a narrow section without bike lanes which is high stress. It would be good to identify a route with either complete bike lanes or lower speed car traffic. I think access via San Fernando from the West, and then expecting cyclists to walk bikes through the station is a solution that works. Please work on better bike access along that East/West alignment.

Thanks,

Robert Neff
robert@neffs.net
3150 Emerson Street, Palo Alto
Work: 5301 Stevens Creek Blvd, Santa Clara (edge of San Jose).



Mahyar Congirlu
Land Agent
Land Rights Services-
South Coast

111 Almaden Boulevard
San Jose, CA 95113
Office: (408) 282-7138
Fax: (408) 282-7118
Email: mxk4@pge.com

February 13, 2014

David Keyon
Department of Planning, Building and Code Enforcement
City of San José
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

RE: Comment to the Draft Program Environmental Impact Report for the Diridon Station Area Plan

Dear Mr. Keyon:

Thank you for the opportunity to review the Draft Program Environmental Impact Report (EIR) for the Diridon Station Area Plan (DSAP). Pacific Gas and Electric Company (PG&E) has the following comments to offer regarding the proposed Plan:

Impacts to PG&E Facilities

PG&E owns and operates electric, gas, and service facilities located within the Diridon Station Area Plan. These facilities include PG&E's electric San José Substation A, two 115 kV power lines, and the Cinnabar Service Center. To promote the safe and reliable maintenance and operation of these utility facilities the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, the City of San José and project proponents should coordinate with PG&E early in the development phase of proposed construction projects to determine potential relocation or upgrades to PG&E facilities. The proposed construction projects that could impact PG&E facilities include but are not limited to the Diridon Station expansion, the major league Baseball Park, Transit Employment Center, and proposed commercial and residential development. Section 4.1.1 of the EIR explains that the "...site of the proposed baseball stadium includes vacant properties and a PG&E substation." The EIR also explains the option of the PG&E "service center" (Cinnabar Service Center) to be "replaced with a new Transit Employment Center, as proposed by the DSAP." See Table 1 for a list of PG&E facilities and properties within the Plan boundaries. Also, any proposed construction projects should provide for unrestricted utility access, and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

The City of San José and project proponents are encouraged to coordinate early with PG&E to establish a Utility Agreement with PG&E to identify costs associated with the relocation of existing PG&E facilities. To maximize PG&E's ability to identify impacts to PG&E facilities and to start the planning, engineering, acquisition, and construction phases an Agreement must first be attained.

Table 1 PG&E Facilities within DSAP

PG&E Facilities and Fee Property*	DSAP Identity Zones	Impacts from potential planned projects
San José Substation A (1.4 acres**)	Central Zone	Major League Baseball Park
San José A-San José B 115 kV Power Line	Central Zone and Northern Zone	Major League Baseball Park, and residential/commercial development
El Patio-San José A 115 kV Power Line	Central Zone and Southern Zone	Major League Baseball Park, and residential/commercial development
Cinnabar Service Center (12.7 acres**)	Northern Zone	Transit Employment Center
PG&E Fee Strip (0.6 acres**)	Southern Zone	Transit Facilities/Park

*Excludes PG&E's Gas and Electric Distribution facilities within the draft DSAP boundaries.

** Approximate

Discretionary Permitting

PG&E is subject to the jurisdiction of the CPUC and must comply with CPUC General Order 131-D on the construction, modification, alteration, or addition of all electric transmission facilities (i.e., 115 kV power lines and San José Substation A.). In most cases where PG&E's electric facilities are under 200 kV and are part of a larger project (i.e. Diridon Station or ball park projects), G.O. 131-D exempts PG&E from obtaining an approval from the CPUC provided its planned facilities have been included in the larger project's California Environmental Quality Act (CEQA) review, the CPUC has been included as a responsible agency and included in the circulation of the review, and that the lead agency (e.g. City of San José) finds no significant unavoidable environmental impacts. PG&E may proceed with construction once PG&E has filed notice with the CPUC and the public on the project's exempt status, and the public has had a chance to protest PG&E's claim of exemption. If PG&E facilities are not adequately evaluated in the larger project's CEQA review, or if the project does not qualify for the exemption, PG&E may need to seek approval from the CPUC (i.e., Permit to Construct), taking as much as two years or more since the CPUC would need to conduct its own environmental evaluation (e.g., Environmental Impact Report).

Before the G.O.131-D process can proceed, a Feasibility and Constraints Analysis may first need to be conducted to determine potential relocations of PG&E facilities. Depending upon the degree of impact and facility, the Analysis could take between two months to one year per facility.

The City of San José/project proponent should also coordinate with PG&E on permits and authorizations required by resource agencies over PG&E's upgraded facilities. Construction work, design of utility facilities, and environmental impacts should be included as appropriate in the permits and authorizations required by these agencies.

In summary, if it is determined that a proposed construction project will impact PG&E facilities, PG&E recommends the following:

- Coordinate with PG&E on the development and review of agency permits and authorizations required;
- As appropriate, include impacted PG&E facilities as necessary in its project description and evaluate under CEQA all impacts caused by PG&E's proposed construction work and design of utility facilities; and
- Include construction work and design of utility facilities impacted as appropriate in the permits and authorizations required by resource agencies.

These actions could potentially reduce impacts to the project's schedule and cost by eliminating the need for additional environmental evaluation from the CPUC and resources agencies.

Section 851

Per the CPUC's Section 851 all PG&E property sales require CPUC approval. Obtaining CPUC approval for a Section 851 application can take 9 to 12 months, and requires compliance with CEQA. PG&E recommends that Section 851 issues be identified as early as possible so that the necessary application can be prepared and processed. As with GO 131-D compliance, PG&E recommends that the City of San José include any facilities that may be affected by Section 851 in the CEQA review so that the CPUC does not need to undertake additional CEQA review in connection with its Section 851 approval.

Growth and Development

Please note that continued development consistent with your Area Plan will have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions to the facilities that supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate build-out capacity, and building new substations and interconnecting transmission lines.

Cinnabar Service Center

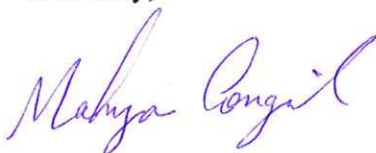
The draft EIR shows that the Transit Employment Center would occupy the area PG&E's Cinnabar Service Center currently exists. The drafts explain that the Transit Employment Center's "Driving Industry type businesses envisioned ... include high technology and green tech type business that would place a premium on being adjacent to the Diridon Station and the high level of transit access it provides and will provide." PG&E request that the City consider the traffic and utility impacts in its CEQA evaluation associated with the potential relocation of the Cinnabar Service Center if the Transit Employment Center construction project is proposed. With over 240 PG&E employees that include gas and electric first responders, maintenance crews, and customer field support the Cinnabar Service Center is strategically and centrally located to efficiently dispatch these crews to its customers. The number of vehicle miles traveled (negative impact) as a result of a potential relocation of the Cinnabar Service Center could outweigh the beneficial result of the vehicle miles saved with the construction project. The response time for first responders to power outages and other emergency events would also increase with the potential increase in vehicle miles traveled.

The EIR explains that the land use designations for the Employment Service Center would allow for different uses. PG&E requests that if zoning designations were to change, PG&E should be allowed to continue exercising the full extent of the current zoning designation. Any limitations by a new zoning designation may adversely affect PG&E's ability to serve our customers safely, reliably, and affordably.

Conclusion

PG&E is committed to working with the City of San José on the proposed DSAP developments while maintaining its commitment to provide timely, reliable, and cost effective gas and electric service to its PG&E customers. Please contact me by telephoning (408) 282 7138 or emailing me at MXK4@PGE.COM if you have any questions concerning our comments. We would also appreciate being copied on future correspondence regarding this subject as future projects develop.

Sincerely,



Mahyar Congirlu
Land Agent

cc: David T. Kraska, Esq.
Joseclyn Wong, PG&E
William Utic, PG&E
Karla Lomax, PG&E



Board of Governors

Joan Harrington, Chair
Santa Clara University
School of Law

Fred W. Alvarez
Jones Day

Denelle M. Dixon-Thayer
Mozilla Corporation

Martin R. Glick
Arnold & Porter LLP

Bruce Ives
Hewlett-Packard Company

Dolores Jimenez
Kaiser Permanente

Leo P. Martinez
UC Hastings College of the Law

Jahan Sagafi
Outten & Golden LLP

Rohit K. Singla
Munger, Tolles & Olson LLP

Abdi Soltani
ACLU of Northern California

Staff

Guillermo Mayer
President & CEO

John T. Affeldt
Richard A. Marcantonio
Managing Attorneys

Liz Guillen
Director of Legislative
& Community Affairs

Wynn Hausser
Director of Communication

Sumi Paik
Director of Finance &
Administration

Samuel Tepperman-Gelfant
Senior Staff Attorney

Marybelle Nzegwu
Staff Attorney

Rigel S. Massaro
Policy & Legal Advocate

Brandon Greene
Hilary Hammell
Attorneys & Law Fellows

Rebecca Durlin Smith
Development Manager

April Dawn Hamilton
Office Assistant

Patty Leal
Finance Manager

Princess Masilungan
Legal Administrative Coordinator

Jesse White
Communication & Development
Coordinator

February 13, 2014

VIA ELECTRONIC AND FIRST CLASS MAIL

David Keyon, david.keyon@sanjoseca.gov
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor,
San Jose, CA 95113

**Re: Draft Program EIR for Diridon Station Area Plan, File
No. PP09-163**

Dear Mr. Keyon:

Public Advocates welcomes the opportunity to comment on the Draft Program Environmental Impact Report ("DPEIR") for the Draft Diridon Station Area Plan ("Draft Plan"). We were invited to provide comments by Greenbelt Alliance, a member of the Great Communities Collaborative. The GCC is a regional network of organizations dedicated to creating healthy, thriving, and affordable neighborhoods in the Bay Area.¹ The Diridon Station Area, with substantial existing and planned transit connectivity and large scale redevelopment potential, occupies a unique place in the development of San Jose and the entire South Bay. Making that plan as sustainable and equitable as possible is critically important to building a strong future for San José, and the environmental review process is a vital opportunity for achieving that outcome.

Housing is among the most important factors that will determine the Draft Plan's environmental impacts. The number and affordability of homes planned for the station area will determine the level of impacts on traffic, air quality, greenhouse gas emissions, and numerous other environmental factors. As highlighted in the Plan itself, housing availability and affordability will have significant direct, indirect and cumulative environmental impacts:

The location of affordable housing in transit-rich locations is especially important, as lower-income residents utilize public transportation at a higher rate than other households. Transit ridership has the effect of helping to reduce greenhouse gas emissions and reducing the total cost of housing and transportation for lower-income households. Additionally, housing opportunities allow lower-income households who might otherwise be forced to

¹ <http://www.greatcommunities.org/>

live farther away from work to live and work in the same community, further reducing pollution and traffic congestions. (Draft Plan at 2-155/2-156).

Despite the strong links that both the Draft Plan and the DPEIR identify between housing affordability and environmental impacts, the DPEIR fails to properly incorporate this aspect of the plan into the environmental analysis. Because of this, the DPEIR fails to meet the legal requirements of the CEQA in at least four ways: (1) it contains an inaccurate project description (see Part I, below); (2) it fails to discover and analyze significant environmental impacts (Part II, below); (3) it fails to consider and incorporate all feasible mitigation measures (Part III, below); and (4) it fails to adequately analyze a full range of alternatives. (Part IV, below.)

To ensure the environmental benefits of affordable housing, affordable housing and anti-displacement strategies must be a concrete part of the Final Plan and its implementation. Until the Draft Plan is modified to incorporate those concrete strategies, the EIR must accurately reflect the full range of greater environmental impacts that will result. Public Advocates and Greenbelt Alliance acknowledge that the City has a strong record of promoting affordable housing; we stand ready to work cooperatively with the City to address these issues in the spirit of achieving the best result for the environment and the public at large.

I. The DPEIR's Assertion that 15% of New Units will be Affordable has no Basis in the Plan.

The DPREIR's project description inaccurately assumes a quantity of affordable rental housing that the Draft Plan does not provide. The DPEIR "assumes that 15 percent of the new units would be affordable housing" under the Draft Plan (DPEIR at 378). Yet, as the Draft Plan acknowledges, San José's inclusionary housing program "is on hold (except for for-sale homes in former redevelopment areas) due to legal challenges." Draft Plan at 2-156. While we applaud the City of San José's philosophical commitment to inclusionary housing, as a legal matter a proper CEQA analysis cannot be predicated on an inaccurate project description. *See County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 199; *City of Santee v. County of San Diego* (1989) 214 Cal. 3d 1438, 1450.

The discrepancy between the level of affordability assumed in the EIR and the Plan's lack of guaranteed production of affordable housing renders the project description flawed. "An accurate . . . project description is the *sine qua non* of an informative and legally sufficient EIR." *See County of Inyo*, 71 Cal. App. at 193. The project description must be grounded in facts and analysis, rather than on "the bare conclusions of the agency." *See Santiago Water Dist. v. County of Orange* (1981) 118 Cal. App. 3d 818, 831.

The Draft Plan acknowledges that, in the absence of an enforceable inclusionary housing ordinance, the City will have to adopt new policies to ensure that the assumed inclusionary units actually get built in the Station Area. "Without inclusionary housing and its ability to help site affordable housing in the right places, the City must develop new mechanisms to facilitate such developments in Diridon Station." Draft Plan at 2-155 (emphasis added). The Plan lists several policies which "will be explored as implementation tool[s]." *Id.* These measures, however, are not part of the plan, but merely speculative and aspirational. In fact, "specific robust mechanisms to facilitate San Jose's policy goal of a 15 percent minimum of affordable units, have not yet been determined for Diridon Station. . . ." Draft Plan at 2-159 (emphasis added). *See* 14 CCR 15126.4(a)(1)(B) ("Formulation of mitigation measures should not be deferred until some future time."). Furthermore, none of the

affordable housing policies or funding opportunities identified in the Plan is discussed in the Plan's Implementation Strategy Report.²

II. The DPEIR Fails to Analyze the Impacts of Foreseeable Housing Costs.

Unfortunately, the flaw in the project description extends to the entire DPEIR, which fails to adequately analyze and mitigate the significant environmental impacts related to foreseeable (rather than merely aspirational) levels of housing affordability and availability in the Plan Area. Until the Draft Plan is amended to explicitly adopt concrete and enforceable measures, the DPEIR is required to analyze the environmental impacts of realistically forecasted housing cost.³

Even though the Draft Plan's proposed development capacity is consistent with that anticipated in the 2040 General Plan, because the Draft Plan will "cause significant effects on the environment that were not adequately addressed in the prior EIR" (14 CCR § 15152(d)), the DPEIR must properly identify, analyze and mitigate any significant effects on the environment caused by the Plan's design. Analysis of the significant impacts of a project must include the "changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development)" and "any significant environmental effects the project might cause by bringing development and people into the area affected." 14 CCR 15136.2(a).

The lack of adequate affordable housing in the Station Area is likely to manifest itself in two interrelated dynamics that must be factored into the environmental analysis: (1) displacement and (2) inadequate affordable workforce housing.

1. Environmental Impacts Cause by Displacement (Section 4.15.3.3)

Transit-oriented development (TOD) can be highly beneficial, but the propensity of TOD to cause displacement,⁴ and the resulting adverse environmental impacts of that displacement, are well-established. Displacement results in negative impacts on health, air quality, VMT, GHG emissions, and transportation, *inter alia*. The failure to incorporate an adequate analysis of the environmental impacts of displacement not only undermines the DPEIR's conclusion in section 4.15.3.3 but also a host of other environmental impacts including transportation, air quality, climate change, and health.

The DPEIR should have considered the adverse social and economic impact of displacement on populations as a factor in assessing the significance of the Plan's effects. *See* 14 CCR § 15064(e) ("[I]f a project would cause overcrowding of a public facility and the overcrowding causes an adverse effect on people, the overcrowding would be regarded as a significant effect."); *see also* Cal. Pub. Res Code § 21083(b)(3) (stating that the Guidelines "shall require a finding that a project may have a "significant effect on the environment" if . . . [t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly").

² The Investment Strategy Report lists only HUD's Community Development Block Grants as a potential financial source to fund affordable housing. The policies listed in the Plan as possible implementation tools are not listed in the Implementation Strategy Report.

³ While this document tiers off the Envision PEIR (DPEIRat 6), "Tiering does not excuse the lead agency from adequately analyzing reasonably foreseeable significant environmental effects of the project..." 14 CCR § 15152(b).

⁴ Stephanie Pollack, Barry Bluestone, and Chase Billingham, *Maintaining Diversity In America's Transit-Rich Neighborhoods: Tools for Equitable neighborhood Change*, (Dukakis Center for Urban and Regional Policy, 2010) <http://www.dukakiscenter.org/report-summary/>

CEQA Guidelines § 15131 and §15064(e) describe situations in which social and economic factors must be considered. 14 CCR §§ 15131, 15064(e); *see also Anderson First Coalition v. City of Anderson*, 130 Cal. App. 4th 1173, 1182 (2005). It is well established that, “if the forecasted economic or social effects of a proposed project directly or indirectly will lead to adverse physical changes in the environment, then CEQA requires disclosure and analysis of these resulting physical impacts.” *Bakersfield Citizens for Local Control v. City of Bakersfield*, (2004) 124 Cal. App. 4th 1184 (1205); *see also, Napa Citizens for Honest Government v. Napa County Bd. of Supervisors*, 91 Cal. App. 4th 342 at 367-68. Additionally, the negative impacts of socio-economic displacement also affect human health,⁵ a topic not considered in the DPEIR.

The DPEIR’s analysis of two forms of displacement is inadequate:

a. Construction Displacement (Displacement of Housing Units)

The DPEIR is internally inconsistent on the issue of displacement from construction. On the one hand, it states that “Implementation of the [Draft Plan] could displace a portion of the approximately 1,430 existing residents in the Plan area.” DPEIR at 379. Despite this (likely accurate) statement, the DPEIR simply adopts the Envision PEIR’s conclusion that, “[t]he intensification of employment lands and the construction of infrastructure and public facilities necessary to serve future growth would not displace substantial amounts of existing housing or people. Therefore, the 2040 General Plan would not result in significant impact in terms of housing or population displacement.” *Id.* Despite the likely displacement of an unspecified portion of the existing residents, to make the determination that this impact will be less than significant, this section again relies on the ability of displaced residents to “relocate to new housing in the Plan area.” *Id.* As the “Less than Significant” determination relies on the flawed assumption about the extent of guaranteed affordable housing, as discussed above, this impact must be reassessed.

b. Socio-Economic Displacement (Displacement of People)

The Draft Plan acknowledges the “potential displacement of existing households as a result of rising rents or property values due to the development of Diridon Station.” Draft Plan at 2-154. The Plan desires to “continue to support these existing residents while accommodating a new residential population.” *Id.* Yet the potential for economic displacement is high due to the fact that existing households in Diridon have lower incomes than San José as a whole. The median household income of residents in the Diridon Station is \$25,000 lower than the citywide median income, placing these residents in the low- and very low- income brackets for Santa Clara County.⁶ Furthermore, 78 percent of these residents are renters compared to 42 percent citywide, and Station Area renters currently pay \$246 less in median gross rent than renters citywide. *Id.* In short, the lower income renters who live in the Station Area today are uniquely vulnerable to economic displacement pressures.

⁵ *See e.g.*, Bhatia, R., and Guzman, C., The Case For Housing Impacts Assessment: The Human Health and Social Impacts of Inadequate Housing and Their Consideration in CEQA Policy and Practice. PHES Technical Research Report, City and County of San Francisco: Department of Public Health (May 2004), at 5-11 (noting that “[r]esidential displacement or the permanent loss of area affordable housing can be expected to lead to diverse health effects,” including increased psychological and physiological stress, poverty, job loss, overcrowding, homelessness, segregation, and demand for transportation systems and social services, as well as decreased housing safety, indoor air quality, social support, and social cohesion); Malekafzali, S. and Bergstrom, D. Healthy Corridor for All: A Community Health Impact Assessment of Transit Oriented Development Policy in St. Paul, Minnesota, Technical Report, PolicyLink (2011), at 61 (“Displacement can have several negative health outcomes, including increases in infectious disease, chronic disease, stress, and impeded child development ...”).

⁶ *See* Housing Authority of the County of Santa Clara, Income Limits http://www.hacsc.org/p_IncomeLimits.php

Most of the housing units that are home to today's lower-income Station Area residents are cheaper market-rate units, with only about 150 existing deed-restricted affordable units in the project area. Draft Plan at 2-155. As the Draft Plan notes, a foreseeable impact of the Plan is that market pressures and a lack of enforceable policies will lead to a shortage of residential units affordable to low-, very low- and extremely low-income households within the Plan area. Draft Plan at 2-154. In short, many of these market-rate units will likely cease to be affordable.

The DPEIR fails to address this likelihood. Instead, it focuses exclusively on the proportion of newly-constructed units that will be affordable, without addressing the pressures placed on current rental units. The influx of people willing to pay market rate for units within this area may lead to rising rents, an increase in Ellis Act evictions, and/or market incentives to convert rental units into condominiums. These dynamics should be fully analyzed and mitigated. Even if 15 percent of new units are affordable to very-low and low-income households, it is still likely that economic pressures will displace the existing lower-income residents of the Diridon Station area and force them to move to far-flung areas where housing is more affordable, thereby inducing a significant change in the current population distribution. *See* 14 CCR 15136.2.

Displacing the lower-income residents of this area will induce pressures that strain or deplete the affordable housing stock in nearby communities or require the construction of new homes in areas where land is less expensive. The negative impacts of socio-economic displacement also affect human health. The DPEIR cannot avoid analyzing these impacts.

2. Environmental Impacts Caused by Lack of Jobs-Housing Fit

In addition to impacts related to displacement of existing units and residents, the Draft Plan will also create thousands of low-wage jobs without providing adequate additional affordable housing for these new lower-income workers and their families. If the Plan Area provides inadequate affordable workforce housing, most of these workers will be forced to live elsewhere. While we acknowledge that San Jose is "housing rich," (DPEIR at 376) given the high housing prices prevalent throughout all of Santa Clara County, these families will likely need to look outside the county (and outside the Bay Area altogether) to find affordable homes. The further that housing is from their jobs in the Station Area, the more VMT their trips to work will generate, which in turn will increase local air pollution, greenhouse gas emissions, and traffic.

The DPEIR claims that "the main environmental issue associated with a jobs/housing imbalance is increased VMT and the [Draft Plan] is a key strategy for reducing VMT; however, because the project will increase jobs over residential units within the City, the [Draft Plan] would contribute to the significant unavoidable impact identified in the Envision PEIR." DPEIR at 381. Again, because the DPEIR does not analyze housing affordability, beyond raising it as an issue, the DPEIR fails to address the relative impact on VMT that would occur if housing "that matches the needs of new workers" is constructed within the Plan area. DPEIR at 380.

Furthermore, the existing lower-income population of Diridon utilizes public transportation at twice the rate of the average transit-riding community in San José. To maintain transit ridership at these levels, "The location of affordable housing in transit rich locations is especially important, as lower-income residents utilize public transportation at a higher rate than other households." Draft Plan at 2-150. Because transportation needs are driven in large part by where people can afford to live, housing affordability affects the transportation sector's emissions. The availability of affordable housing within the Plan area significantly impacts transit ridership, VMT generated, air pollutant and GHG emissions.

The DPEIR itself acknowledges that the relationship between local wages and local housing costs has direct implications for the environment. A proper jobs/housing balance can reduce VMT, and “VMT is linked to a variety of environmental impacts (i.e., traffic flows, air quality, energy consumption, etc.).” DPEIR at 376. Moreover, attention to the jobs/housing “fit” is even more important than the overall jobs/housing balance, as the DPEIR acknowledges:

Important to the analysis of the jobs/housing balance is whether housing is affordable to local employees and whether employment opportunities match the skills and educational characteristics of the local labor force. When considering these factors, sizeable levels of in-commuting and out-commuting may occur, even if a jurisdiction has a statistical balance between jobs and housing. Improving the availability of housing that is suitable for those holding jobs in the community can allow employees to live in proximity to their place of work. (*Id.*).

By ensuring that a greater percentage of the new workers would be able to find affordable housing within the Diridon Station area, these environmental impacts can be reduced. Thus, we urge the city to further analyze the significant environmental impacts caused by lack of jobs-housing fit within the Plan Area and adopt affordable housing related mitigation measures.

III. The DPEIR Must Identify and Analyze Housing-related Mitigation measures that would Lessen the Significant Impacts of the Plan.

Identification and adoption of feasible measures to avoid or substantially lessen significant environmental impacts is one of the primary purposes of an EIR. *See* Pub. Res. Code § 21081.6(b); *see also* 14 CCR 15121(a); *Fed’n of Hillside and Canyon Ass’ns v. City of Los Angeles* (2000) 83 Cal App. 4th 1252, 1258. Indeed, a project should not be approved “as proposed if there are feasible mitigation measures available which would substantially lessen the significant environmental effects of the project.” Cal. Pub. Res. Code § 21002; *see also* 14 CCR § 15002(a)(3) (agencies must prevent avoidable damage “whenever it finds measures to be feasible”). In order to be deemed feasible, mitigation measures must be successfully achievable within a reasonable period of time. *See Napa Citizens*, 91 Cal. App. 4th at 365. Deferring the specifics of a mitigation measure to the future does not fulfill these requirements. *See* 14 CCR § 15126.4(a)(1)(B) (“Formulation of mitigation measures should not be deferred until some future time.”).

Where multiple measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. 14 CCR § 15126.4(a)(1)(B). And, because mitigation measures are “the teeth of the EIR,” *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1039, they must be “fully enforceable through permit conditions, agreements, or other legally binding instruments.” 14 CCR § 15126.4.

The Draft Plan’s land use policies establish “maximum development capacities for residential commercial, retail, and hotel uses.” DPEIR at 6. As a result, mitigation measures or alternatives that address both the amount of housing and the proportion of affordable housing are feasible and should be discussed. *See* 14 CCR § 15131 (“Economic, social, and particularly housing factors shall be considered by public agencies . . . in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR.”) (emphasis added). Because, as described above, housing affordability bears on the significance of environmental impacts discussed in EIR, it follows that measures addressing housing affordability are a feasible method for alleviating the identified environmental impacts.

While a shortfall of affordable units within the Plan Area would have adverse environmental impacts, measures that guarantee 15 percent of new units are affordable and/or increase the percentage of affordable units within the Plan area would substantially lessen certain identified impacts. As the City identified in its analysis of the Design Alternative, increasing the Maximum Development of Residential units from 2,588 in the Draft Plan to 4,000, and including less office/R&D square footage, would reduce the traffic impacts because residential uses result in “30% less traffic than jobs-related land uses.” DPEIR at 16, 416.

In sum, the Draft Plan should be amended to either include concrete measures guaranteeing that the bare minimum of 15 percent of units will be affordable to very-low and low-income households, or make provision for a minimum number of units of housing affordable to those households. It should also consider the environmental benefits of increasing the total number of housing units and of increasing the percentage of affordable housing in the Plan. Absent strong policies in the Plan, the EIR must include a revised project description, must analyze the full range of impacts associated with the shortfall of affordable rental housing, and must include enforceable mitigation measures to increase the supply of affordable housing and preserve existing affordable housing.

a. The DPEIR Must Mitigate Displacement.

As discussed above, the DPREIR’s analysis of displacement impacts is fundamentally flawed. The DPEIR bases its conclusion that displacement impacts are less than significant on the unsupported assumption that approximately 15 percent of residential units in the Plan area will be affordable. DPEIR at 379. We assume that a proper analysis will be conducted prior to certification of the Final EIR and therefore offer the following comments on appropriate mitigation measures.

When properly analyzed, displacement impacts are likely to be significant, necessitating a discussion of mitigation measures.⁷ The DPEIR must discuss and incorporate feasible anti-displacement measures, such as, *inter alia*: (a) implementing a jobs-housing impact fee, (b) dedication of land for affordable housing, (c) implementation of affordable housing overlay zone, (d) increasing the amount of housing growth, (e) provision of deed-restricted affordable housing, (f) inclusion of stronger tenant protections. Moreover, while ensuring the availability of affordable housing within the Plan area is one method of safeguarding against displacement, there are a host of other measures the City could consider that would effectuate this goal. For example, the city could consider local hire and living wage ordinances as policies to mitigate socio-economic displacement. There are approximately 150 existing deed-restricted affordable units currently within the project area. DSAP at 2-154. Preservation of these units is a high priority and should be guaranteed in Plan implementation as a concrete mitigation measure.

⁷ For reasons similar to those discussed above it would be inappropriate to rely on the assumption that 15% of residential units will be affordable as a mitigation measure for displacement impacts. To be adequate, “mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments.” 14 CCR § 15126.4 (emphasis added). Although the Draft Plan lists implementation policies the City will “consider,” these policies are not included in the Implementation Strategy Report. Furthermore, the DPEIR does not demonstrate that these measures contain “specific criteria or standards of performance” that would be used to monitor and ensure that the levels of mitigation identified in the plan will be achieved. See Pub. Res. Code § 21081.6(a). The Inclusionary Housing Policy even when working at its best does not ensure that 15 percent of units will be affordable, but instead ensures that in some cases a developer will opt to include affordable units rather than pay a fee. While we strongly support the goals of the Inclusionary Housing policy, neither the Plan nor the EIR contains an actual commitment to achieve these goals, and thus the associated environmental impacts must be mitigated through additional policies and programs.

When properly analyzed, displacement impacts are likely to be significant, necessitating a discussion of mitigation measures. The DPEIR must discuss and incorporate feasible anti-displacement measures, such as, *inter alia*: (a) implementing a jobs-housing impact fee, (b) dedication of land for affordable housing, (c) implementation of affordable housing overlay zone, (d) increasing the amount of housing growth, (e) provision of deed-restricted affordable housing, (f) inclusion of stronger tenant protections. Moreover, while ensuring the availability of affordable housing within the Plan area is one method of safeguarding against displacement, there are a host of other measures the City could consider that would effectuate this goal. For example, the city could consider local hire and living wage ordinances as policies to mitigate socio-economic displacement. There are approximately 150 existing deed-restricted affordable units in the project area. DSAP at 2-154. Preservation of these units is a high priority and should be guaranteed in Plan implementation as a concrete mitigation measure.

The City could also strengthen affordable housing impact fees to provide more funding for affordable housing, strengthen tenant protections, adopt a land trust/land banking program in the Station Area, and include other methods of funding affordable housing to ensure that it is actually built within the Station Area. Before the DPEIR can conclude that the Draft Plan will not have a significant impact on displacement, there must be a policy that ensures the assumed affordable housing will actually be built in the Plan area, as mitigation measures cannot be deferred or speculative.

b. The DPEIR Must Analyze Housing Policies that Would Mitigate Other Identified Significant Environmental Impacts.

Because the DPEIR identified significant environmental impacts, feasible mitigation measures that would substantially lessen those impacts must be discussed. These include Impact AQ-1, Impact Tran-1 and Impact GHG-1. The housing-related policies discussed throughout this letter would mitigate each of those impacts. The failure to consider and adopt such mitigation measures in response to the finding of significant impacts is a legal flaw.

1. Vehicle Traffic Generation Impacts

Location-efficient, affordable TOD, for example, has been estimated to yield VMT reductions of 20 to 40 percent over households in non-TOD locations.⁸ While living in TOD homes increases transit ridership among people of all incomes, low-income households demonstrate the highest transit ridership in TOD neighborhoods in California's four largest metro areas. Therefore, the benefits of improved access to transit will decrease if existing residents with low vehicle ownership are displaced. The new higher-income, car-owning residents are significantly less likely to use public transit for commuting.

2. Greenhouse Gas Emissions

Affordable housing in TOD is a key component of California's greenhouse gas ("GHG") reduction strategy. The California Air Resources Board has identified affordable housing in TOD as an investment that facilitates reductions of greenhouse gas emissions.⁹ Especially as Diridon Station is a future high speed rail station, the Draft Plan should more fully incorporate a complete vision for sustainable communities and the resulting GHG emissions reductions.

⁸ California Air Resources Board, Draft Proposed Scoping Plan Update, http://www.arb.ca.gov/cc/scopingplan/2013_update/draft_proposed_first_update.pdf

⁹ *Id.*

3. Air Quality

Motor vehicle use is the largest source of ozone precursors, carbon monoxide and particulates in the Bay Area.¹⁰ Affordable housing opportunities allow lower income households who might otherwise be forced to live farther away from work to live and work in the same community, further reducing pollution and traffic congestions.

IV. The DPEIR Must Analyze the Full Range of Feasible Alternatives.

The DPEIR does not consider an alternative that would increase the proportion, or deepen the income targeting, of affordable housing within the Plan Area. Such an alternative would alleviate air quality, greenhouse gas emissions and traffic impacts. The EIR should discuss reasonable alternatives and identify those that “will feasibly attain most of the basic operatives of the project but will avoid or substantially lessen any of the significant effects of the project.” *Marin Municipal Water District v. KG Land Cal. Corp.*, 235 Cal. App. 3d 1652, 1664. The failure of the EIR to consider this alternative is a serious legal flaw.

“The purpose of the alternatives section is to determine whether there are alternatives of design, scope or location that will substantially lessen the significant impacts, even if those alternatives impede to some degree the attainment of project objectives.” 14 CCR §15126.6(b). This alternative is completely feasible, as noted above. And even if it were not, an EIR may omit an alternative deemed infeasible from detailed consideration only if provides analysis that explains in meaningful detail the reasons and facts supporting its conclusion. *Marin Municipal Water District*, 235 Cal. App. 3d at 1664.

An agency should not approve a project if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of a project. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564-65 (citing Pub. Res. Code §§ 21001(g), 21002). A “feasible” alternative is one capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. *Id.* at 565; 14 CCR § 15364.

The Design Alternative demonstrates how, by increasing the Maximum Development of Residential units from 2,588 in the Draft Plan to 4,000, and including less office/R&D square footage, environmental impacts of the plan can be reduced. The Design Alternative would reduce the traffic impacts because residential uses result in “30% less traffic than jobs-related land uses.” DPEIR at 16. However, analysis of this alternative did not address affordable housing. The DPEIR should have analyzed how 15 percent affordable housing in that scenario (a total of 600 new lower-income units) would impact traffic, air quality, VMT, GHG emissions.

¹⁰ Bay Area Air Quality Management District, <http://www.baaqmd.gov/Divisions/Communications-and-Outreach/Air-Quality-in-the-Bay-Area/Air-Pollutants.aspx>

V. Conclusion

For all of the reasons stated above, the DPEIR must do more to comply with CEQA. In light of the serious issues identified above and in the comment letter submitted by Greenbelt Alliance, and the extent to which correcting those deficiencies will likely affect much of the DPEIR, recirculation after those deficiencies have been addressed is highly advisable. In any event, we look forward to the City's reasoned response, including a good faith rationale for rejections of specific comments. *See* 14 CCR § 15088. We hope to work with you to improve the draft Plan.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Marybelle Nzegwu". The signature is fluid and cursive, with the first name being more prominent.

Marybelle Nzegwu
Staff Attorney



February 13, 2014

Via US Mail & E-Mail: david.keyon@sanjoseca.gov

David Keyon
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

**RE: Diridon Station Area Plan Draft Program Environmental Impact Report
State Clearinghouse # 2011092022; File No. PP 09-163**

Dear Mr. Keyon,

On behalf of Sharks Sports & Entertainment LLC ("SSE"), the parent company of San Jose Arena Management, LLC, I am submitting preliminary comments to the Diridon Station Area Plan Draft Program Environmental Impact Report, State Clearinghouse # 2011092022, dated December, 2013, prepared by the City of San Jose ("DEIR").

While SSE appreciates the opportunities the Diridon Station Area Plan ("DSAP"), creates for the City and regional transit center environs, the City is well aware we have long been concerned that the DSAP, if not properly drafted and implemented, could significantly harm the successful ongoing operations of the SAP Center at San Jose ("Arena") to the extreme detriment of SSE and the City. As you know, the Arena draws from a broad region outside of San Jose. It is unlikely that public transportation will allow convenient transportation from throughout the area that the Arena draws from, and vehicular access will be the most significant method for our patrons and their families to attend Arena events for the foreseeable future. Any limitation in the effectiveness of vehicular access to the Arena, along with adequate available parking, would degrade the customer experience and would discourage attendance at the Arena. Thus, the risk of a miscalculation in traffic and parking planning that impedes regional and local access is an adverse impact on Arena operations and on the businesses throughout the downtown area that rely on the Arena's draw to keep them profitable.

The City Council decided on April 28, 2011 that the Arena's parking and traffic concerns must be dealt with in a way that ensures the DSAP strengthens and does not impair the Arena. The Council directed that any reduction in aggregate parking below the levels agreed to by the City in the Arena Management Agreement could occur only with the concurrence of SSE (and SSE has not agreed to any such reduction). Finally, the Council directed that adequacy of circulation and parking for the Arena would be a key objective for, at least, the first decade of the DSAP.

In CEQA terms we believe the Arena's regional draw and the Arena Management Agreement are baseline conditions and complying with the City Council's directives are among the project objectives. With that in mind we have provided City staff with an additional project objective to include in section 1.4 of the DEIR.

SSE has been working closely with City since 2011 to fulfill the City Council's directives. We sincerely appreciate the cooperative effort City staff has made to preserve and protect the Arena as part of the ongoing plan preparation and analysis process, particularly as it relates to the preparation of the 10 Year Horizon Analysis, which we view as an essential part of the DSAP, along with this DEIR.

While much of the analysis in the DEIR, some of which has been undertaken at our request, is consistent with our prior understandings with City staff, we are concerned about several items presented in the DEIR. As presented, we believe these items pose major risks to the adequacy of circulation and parking for Arena customers. We believe these items need to be refined before the DEIR can be properly considered an adequate environmental impact report under CEQA.

We have two particularly important concerns and then several other points which we also believe need further consideration.

Our first major concern pertains to parking, and we have two specific objections regarding this issue:

1. The DEIR does not address whether the proposed parking supply in the Diridon Plan will be sufficient to meet the expected parking demand. For multiple reasons, we believe the DEIR needs to be modified to include a comprehensive parking adequacy analysis.
2. From review of parking supply and demand information presented in the Diridon Draft Preferred Plan Report dated December 2013, we believe that the actual full development parking demand likely will substantially exceed the supply of spaces. If this situation occurred, one consequence would be that much of the excess parking demand would occupy spaces in the downtown area, which are intended to be unoccupied and available for Arena customers upon their arrival for events. The result would be a deficiency of spaces for Arena customers and a shortfall from the City's responsibility to provide off-site parking spaces for Arena customers. Page 65 in the DEIR states that the total recommended parking supply would be about 11,950 spaces. Table 2-8-4 in the Draft Preferred Plan Report states that the total estimated parking demand would range from 10,480 to 11,340 spaces. This parking demand projection is premised on substantial reductions in development parking ratios below existing City Code and substantial reductions in parking demand by transit users from projections presented by the transit agencies. In our opinion, these extensive parking demand reductions are highly speculative. As presented in a document attached to this letter, we believe the actual full development parking demand will be in the low 20,000s, nearly double the parking demand presented in the Draft Preferred Plan Report. You will note that our demand projections are premised on several specific citations

from City Code and citations from publications by transit agencies, and our comments simply elaborate on ones we made to the City Council in April, 2011; so are not new.

Based on the two above points, we believe that the DEIR needs to be modified to include a comprehensive parking supply/demand analysis, to resolve multiple items in the Draft Preferred Plan report where parking demand is underestimated, and to present a refined Diridon Plan that provides sufficient parking spaces to meet the expected demand.

Our second major concern pertains to potential negative traffic impacts at the intersection of Autumn Street, Bird Avenue, and Park Avenue. This intersection is subject to two particularly important performance measures:

1. Criterion agreed upon by the City and SSE that all major intersections in the vicinity of the Arena should operate at level of service E or better during the hour of 6:00 to 7:00 p.m. with an Arena event.
2. Statement under Section 11 in the Third Amendment to the Amended and Restated Arena Management Agreement that the intersection "shall not be reconfigured in a manner so as to reduce the traffic capacity measured against the existing intersection capacity of greater than 25%."

City staff worked closely with our traffic engineer during the process of analyzing intersection levels of service. Through the extensive work performed by the City and cooperation with our engineer, we believe that point 1. above has been adequately addressed.

However, we believe that point 2. is not yet satisfied. Based on a statement on page 131 in the DEIR regarding planned narrowing of Bird Avenue and based on other intersection plan information City staff have provided, our traffic engineer has determined that the current plans for the Autumn/Bird/Park intersection would reduce the capacity of this intersection by 36%. This potential violation of the 25% maximum capacity reduction rule needs to be resolved. We believe some modest adjustments to the intersection plan can be accomplished, which would eliminate this problem. Our traffic engineer is in communication with City staff to seek a mutually acceptable concept plan for this intersection.

Our other comments regarding the DEIR and requests for further consideration are presented next. Each comment is referenced by the applicable page number in the DEIR.

- a) *Pages 34 and 35.* This section begins: "The City is considering a plan to reduce the number of travel lanes on The Alameda from four lanes to two lanes...." The final statement is: "Construction is currently underway with completion expected in early 2014." Our understanding is that the current project does not reduce the number of travel lanes, that an EIS would be required to reduce the number of lanes, and that the City has no intention anytime soon to prepare such an EIS. This section needs to be clarified. The traffic analysis for the DEIR

did not address the concept of The Alameda just providing two traffic lanes. We believe such narrowing likely would cause serious negative impacts for motorists traveling to the Arena.

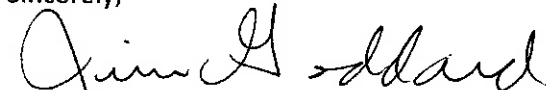
- b) *Pages 38 and 39.* The set of objectives should be expanded to include a new objective referring to the Arena. We have consulted with City staff regarding the wording of this new objective.
- c) *Page 61 and Table 2-4.* A serious deficiency in the transportation improvement strategies presented is that no reference is made to the need to provide high quality vehicular access and parking for the Arena and other land uses in the Plan area. Such a strategy should be added.
- d) *Page 61 and Figure 2-10.* References are made to a North Railroad Trail, which would run along the Arena parking lot from Santa Clara Street and connect to the Guadalupe River Trail at Autumn Street. As we have advised City staff, we are very concerned this trail as depicted would take right-of-way from our parking lot and thereby reduce the number of on-site spaces for Arena customers. The trail should be removed unless clarification can be provided which demonstrates that this trail would not impact our parking lot.
- e) *Pages 74 through 97.* The DEIR should recognize and adequately describe the Arena, its operations, and the City's contractual obligations under the Arena Management Agreement (as amended) respecting the specific parking and transportation standards which must be maintained. Such information is needed in the DEIR so readers can properly understand the baseline conditions upon which the DSAP and future projects within it will be considered. Existing/Surrounding Land Use sub-sections as well as the Regulatory Framework section should identify the items noted above. Likewise, the Land Use Compatibility Impacts should identify what possible effects future development may have on the Arena and its operations.
- f) *Page 66 in Appendix C.* The last sentences in the first paragraph state: "However, the proposed project would generate the greatest amount of traffic and result in the greatest impact to the roadway system during the standard AM and PM peak hours. In addition, the City's Level of Service Policy is applicable to only the standard AM and PM peak commute periods. Therefore, the 6:00-7:00 PM event period analysis is presented for informational purposes only." These sentences are incorrect and either should be deleted or rewritten. Analyses presented by the City show that at least the following four intersections would have worse levels of service during the 6 to 7 PM hour on event days: Autumn Street and San Fernando Street, Delmas Avenue and Park Avenue, Montgomery Street and Park Avenue, and Woz Way and San Carlos Street. The statement that this analysis is presented for informational purposes only discounts directions from the City Council to provide effective traffic operations for event traffic and does not acknowledge that CEQA impacts can occur outside the times covered by the City's LOS policy.

Diridon Station Area Plan Draft Program EIR
File No. PP 09-163
Comments by Sharks Sports & Entertainment LLC
February 13, 2014
Page 5 of 5

In closing, I also wish to note that we are still completing our review of the DEIR. Because it identifies the "project" as the DSAP itself, and the complete draft plan, specifically the 10 Year Horizon Analysis, was not made available until late last week, we could have additional comments once we complete our review of the DEIR based on a complete DSAP.

You are welcome to contact me if you have any questions about the contents of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Goddard". The signature is fluid and cursive, with the first name "Jim" and last name "Goddard" clearly distinguishable.

Jim Goddard
Executive Vice President and General Manager

Encl: Independent Assessment of parking Demand

cc: Nanci Klein, Office of Economic Development (Nanci.klein@sanjoseca.gov)
Jim Ortbal, Department of Transportation (james.ortbal@sanjoseca.gov)
Chris Morrissey, San Jose Arena Authority (morrissey@sjaa.com)

February 13, 2014

INDEPENDENT ASSESSMENT OF PARKING DEMAND AND SUPPLY FOR DIRIDON STATION AREA PLAN

Parking Demand for Planned Development

USE/SIZE	PARKING DEMAND PER CITY CODE - DOWNTOWN	
	PARKING DEMAND	CITATION
Commercial/R&D 4,963,400 gross sq. ft.	10,547	Table 20-140 in Zoning Ordinance – 2.5 spaces per 1,000 sq. ft. floor area. Section 20.90.050 defines floor area as 85% of gross floor area
Retail/restaurant 708,200 gross sq. ft.	0	Table 20-140 in Zoning Ordinance
Dwelling units 2,588	2,588	Table 20-140 in Zoning Ordinance – 1 per DU
Hotel room 900	315	Table 20-140 in Zoning Ordinance – 0.35 per room
Total Development Parking Demand	13,450	

Parking Demand for Transit Users

TRANSIT SYSTEM	PARKING DEMAND	CITATION
Caltrain	2,281	Table 2-8-3 in Preferred Plan Report, December 2013. This table also shows reductions in parking demand by 47 to 74% based on expected reductions in park and ride mode share. This level of reduction in parking demand is considered highly unrealistic. For example, even the highest reduced parking demand of 1,200 spaces is less than the existing Caltrain parking demand of 1,240 spaces, which is presented on page 3-3 of the Draft 10-Year Horizon Report dated January 2014
BART	2,585	Table 3-23 in BART EIS dated March 2009. This EIS includes a recommended 1,300 space parking garage to help meet this demand. The Diridon Plan recommends development on this proposed parking garage site and does not provide any separate parking for BART. The BART EIS does not identify any potential reductions in parking demand, such as the 80 to 90% reductions presented in Table 2-8-3 of the Preferred Plan Report dated December 2013.
High Speed Rail	1,151	A memorandum produced by the High Speed Rail Authority on March 10, 2010, indicates a cumulative parking space demand of 3,800. This memorandum also indicates that 1/3 of these total spaces should be provided at the station. Page 147 in the Draft EIR states that “the parking supply serving HSR in the vicinity of Diridon Station was assumed to be 1,432 spaces, based on guidance from the CHSRA.”
Amtrak and Capitol Corridor	65	Table 2-8-3 in Preferred Plan Report
Total Transit Pkng. Demand	6,082	

Overall Total Parking Demand

PLAN COMPONENT	PARKING DEMAND PRESENTED IN DRAFT PREFERRED PLAN REPORT	PARKING DEMAND FROM CITY CODE FOR DOWNTOWN AREA AND OTHER APPLICABLE CITATIONS
Planned Development	9,127	13,450
Transit	1,353 – 2,213	6,082
Total Parking Demand	10,480 – 11,340	19,532

Conclusions Regarding Adequacy of Planned Parking Supply

Parking demand projections presented in the Diridon Draft Preferred Plan Report are far below projections derived from City Code provisions and other applicable citations. We believe the above projections established using City Code provisions for the downtown area are valid, with one exception. For the Diridon area, we believe that Code provisions which do not require any separate parking for retail and restaurant uses in the downtown area are not valid. Though practically all of the Diridon study area is within the downtown area defined in City Code, there is one major difference between the Diridon area and the downtown core. The downtown core includes multiple City operated parking facilities to help meet parking demand not accommodated in private parking facilities. No such City operated parking facilities are planned for the Diridon area. Thus, we strongly believe retail and restaurant uses in the Diridon area will require some additional parking spaces. City staff have accounted for additional retail and restaurant parking demand in the 10-Year Horizon Report dated January 2014.

In summary, we believe total parking demand upon full development of the Diridon area will be in the low 20,000s. This demand will be nearly double the planned number of parking spaces, which will result in a shortage of parking spaces for Arena customers and will result in problems for the City to fulfill its responsibilities to provide off-site parking for Arena customers.



February 13, 2014

Via email

David Keyon
Department of Planning, Building and Code Enforcement
City Of San Jose

Dear Mr. Keyon,

Santa Clara Valley Audubon Society (SCVAS) mission is to preserve, protect, and educate our community about native birds and their ecosystems in Santa Clara County, California. We are pleased to submit the following comments on the Diridon Area Plan (Project) Environmental Impact Report (EIR).

General comments on Objectives and Design Guidelines:

Bird watching is a recreationally, economically and culturally important activity in the US, and is practiced in urban and natural landscapes alike.

- Birding in the United States: A Demographic and Economic Analysis. Addendum to the 2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation. US Fish and Wildlife Service, 2014. (Please see attached)

Bird conservation increasingly relies on the integration of bird habitats in urban and urban-boundary landscapes

- Myla F. J. Aronson, Frank A. La Sorte, Charles H. Nilon, Madhusudan Katti, Mark A. Goddard, Christopher A. Lepczyk, Paige S. Warren, Nicholas S. G. Williams, Sarel Cilliers, Bruce Clarkson, Cynnamon Dobbs, Rebecca Dolan, Marcus Hedblom, Stefan Klotz, Jip Louwe Kooijmans, Ingolf Kühn, Ian MacGregor-Fors, Mark McDonnell, Ulla Mörtberg, Petr Pyšek, Stefan Siebert, Jessica Sushinsky, Peter Werner, and Marten Winter. **A global analysis of the impacts of urbanization on bird and plant diversity reveals key anthropogenic drivers.** Proc. R. Soc. B April 7, 2014. 281 1780 20133330; doi:10.1098/rspb.2013.3330 1471-2954.
<http://rspb.royalsocietypublishing.org/content/281/1780/20133330>

The Project's location on the migratory Pacific Flyway and the vicinity to Los Gatos Creek provides opportunity for incorporating bird friendly urban habitat enhancement and native bird attractions as a part of the “livability” in community parks, open space and creek corridors as well as within the built environment. In section 2.3 Landscape and Open Space, the plan includes

many beneficial features. We ask for increased integration of habitat and bird-friendly design principles in the urban green spaces (native plants, trees that support diverse bird species, vegetated understory) and minimizing light pollution.

Furthermore, it is important to incorporate bird safe building design policies and guidelines to minimize bird collision with glass in all new buildings the project area. Studies have shown that cumulatively, window collisions significantly threaten the viability of bird populations leading to local, regional, and national declines.

- <http://www.aoucospubs.org/doi/full/10.1650/CONDOR-13-090.1> Scott R. Loss, Tom Will, Sara S. Loss, and Peter P. Marra (2014) Bird–building collisions in the United States: Estimates of annual mortality and species vulnerability. The Condor: February 2014, Vol. 116, No. 1, pp. 8-23.

Bird death and injuries are culturally and aesthetically unacceptable to the public

Other cities in our region, including San Francisco, Oakland and Sunnyvale, are taking action to incorporate bird safety design measures and light out operation programs to reduce impacts to birds and biological resources, and bird-safety is considered LEED standards:

- <http://www.sf-planning.org/index.aspx?page=2506>
- <http://www.goldengateaudubon.org/wp-content/uploads/Oakland-Bird-Safety-Measures.pdf>

CEQA specific comments

Segmentation

- The MND for the impacts of the proposed Los Gatos Creek Bridge Replacement/South Terminal Phase III Project should be considered together with the Diridon Station Area Plan, in one CEQA document. That project was led by Caltrain and segmented from the Diridon Station project, despite the fact that the projects are interdependent and are each needed for the other to be completed as planned. We believe that the Los Gatos Creek Bridge Replacement/South Terminal Phase III Project would cause significant and irreversible damage to Los Gatos Creek (see comment letters attached).

We thank you for your time and consideration. Please do not hesitate to call on us if we can be of help,



Shani Kleinhaus, Ph.D.
Environmental Advocate



COMMITTEE FOR
GREEN FOOTHILLS



December 23, 2013

Ms. Hilda Lafebre
Caltrain
P.O. Box 3006, San Carlos, CA 94070-1306

Re: Comments on the Revised Initial Study/ Mitigated Negative Declaration for the Los Gatos Creek Bridge Replacement / South Terminal Phase III Project

Dear Ms. Lafebre,

Please accept these comments on the Revised Initial Study/ Mitigated Negative Declaration (ISMND) for the Los Gatos Creek Bridge Replacement / South Terminal Phase III Project (Project), submitted by the Committee for Green Foothills, Santa Clara Valley Audubon Society, and the Sierra Club. Our organizations are dedicated to the protection of our environment and natural resources. We have a strong interest in protecting the health of Los Gatos Creek, its aquatic and riparian habitats, and the fish, birds and wildlife that inhabit the stream and its riparian corridor. This comment letter supplements our comment letter on the original ISMND, submitted October 18, 2013 (see attached). We maintain that the revision of the ISMND has not cured the inadequacies of the original environmental review for the Project, and an Environmental Impact Report (EIR) should be prepared to explore design of environmentally superior alternatives.

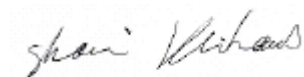
The California Environmental Quality Act (CEQA) requires the preparation of an EIR whenever substantial evidence, in light of the entire record, supports a "fair argument" that the project may have a significant adverse impact on the environment. Letters from the public and from Government Agencies (including the December 19 2013 letter by the San Francisco Bay Regional Water Quality Control Board - CIWQS Place ID No. 799264) provide ample evidence in support of a fair argument that the Project implementation as designed may cause significantly adverse, unavoidable and permanent impacts to Los Gatos Creek and to the environment.

The above referenced letter points out that the Revised ISMND proposes mitigations that are not adequate to reduce significant harm to fish and other biological resources as a result of the anticipated loss of riparian habitat along Los Gatos Creek. Risks of erosion and degradation of water quality and hydrology also remain significant, and the risk of frac-out remains potentially feasible and is not fully evaluated. CEQA does not allow ISMND to include mitigations that are inappropriate, not available, or otherwise infeasible and/or depend on further investigation at a future time. Yet the Revised ISMND includes inappropriate mitigation. While not an exhaustive list, examples include: local mitigation for loss of habitat "to the extent feasible" is inappropriate since the feasibility of mitigation should be evaluated at this time; proposed mitigation in a mitigation bank where such bank is not available for this

region in inappropriate; and using the Santa Clara Valley Habitat Plan which does not protect listed fish species or impacts to water quality is also wrong. In addition, the Revised ISMND fails to fully consider cumulative impacts in combination with upcoming City projects to extend the creek trail and rebuild the San Carlos Street Bridge. But the most disturbing problem in our opinion is that Caltrain adheres to a outdated bridge design and alignment that could unnecessarily inflict tremendous damage on aquatic and riparian ecosystems in a creek that provides crucial habitat to many species of wildlife, including federal and state listed species.

We maintain that the proposed Project design is likely to cause significant and unavoidable impacts and that the mitigation described in the Revised ISMND will not be sufficient to reduce to less than significant. Feasible alternatives to the Project design and alignment can be developed that would avoid or substantially lessen these impacts. Such alternatives, including an alternative that would align the bridge design with creek flow, must be explored in an EIR.

Thank you for your consideration,



Shani Kleinhaus
Environmental Advocate, Santa Clara Valley Audubon Society



Alice Kaufman
Legislative Advocate, Committee for Green Foothills



Katja Irvin
Water Committee Chair, Sierra Club Loma Prieta Chapter

cc: Tasha Bartholomew, bartholomewt@samtrans.com
Brent Tietjen, TietjenB@samtrans.com



Sierra Club Loma Prieta Chapter

Celebrating 81 Years of Protecting the Planet

3921 East Bayshore Road, Suite 204, Palo Alto, CA 94303
loma.prieta.chapter@sierraclub.org
TELEPHONE: (650) 390-841 FAX: (650) 390-8497

February 7, 2013

City of San Jose
200 East Santa Clara Street
San José, CA 95113

RE: Diridon Station Area Plan Draft Environmental Impact Report (DEIR) - File No. PP09-163

Honorable Mayor, City Council, Planning Commission, Michael Brillot, and David Keyon,

The San Jose Cool Cities Team (SJCCT) of the Sierra Club Loma Prieta Chapter would like to comment on the Draft Environmental Impact Report (DEIR) of the Diridon Station Area Plan (DSAP). Our main concerns with the DEIR involve impacts within the project area as well as the surrounding environment and communities. Given the circumstances –climate change, air pollution, hydrological impairments and flooding, and impacts on humans and wildlife –the SJCCT suggests specific recommendations in six (6) sections of the DEIR, including: A) Land Use, B) Transportation, C) Air Quality, D) Greenhouse Gases, E) Biological Resources, and F) Hydrology.

The following comments are in respect to the potential impacts and mitigations (and/or lack thereof) proposed in the DEIR for the DSAP. Each impact is organized in the chronological order as written in the DEIR unless the solutions we propose are grouped.

Thank you for considering our recommendations. We hope that by working together, Diridon Station can become a community that supports and embraces the grouping of homes, jobs, and services near transit while protecting species and their habitats and the surrounding environment.

A. Land Use

There should be a hierarchy of neighborhoods throughout the City of San Jose. The area that should get the most intensification is downtown followed by station areas, public institutions (public/quasi public), office parks, and then residential. These types of neighborhoods create different varieties of place-making.

1. **DSAP is Not Downtown:** The Diridon Station Area **must focus more on housing** rather than downtown place-making as indicated in the plan. Currently, DSAP designates mixed-use developments coupled with increased intensity of restaurants, clubs, and other entertainment facilities. **DSAP must act more as a housing stock that feeds into the downtown and the accessible transit hub.** An example of this would be the Balboa BART station in San Francisco.¹

¹ See "Housing" : http://www.sf-planning.org/ftp/general_plan/Balboa_Park_Station.htm#BPS_HSG

The housing-focused character of DSAP we're proposing changes the land use of the area to one that may also restore the natural landscape, thus, considering the nearby riparian corridors that have been known to cause massive flooding.² By reducing intensity of the area, parking can be reduced and the riparian corridors can be restored. **Tools that can accomplish this are Transfer Development Rights and Incentive Zoning.**³ We ask that these tactics be considered, studied, and implemented. Further, current conditions show that the Delmas parking lot is a suitable area to be converted into an alluvial park that can act as a pleasant connection to the station area and its residents to open space and downtown.

2. **More Flexibility on Housing Location:** To better connect people between the project area and downtown, **housing must not be limited to the southern portion of the project area as suggested in the Final and Alternatives reports for the DSAP.** Further, it is important to note that a new market segment is growing between the senior populace and adolescents; they both prefer to live near transit with easy accessibility.⁴ This is especially true amongst seniors because there is a need. Over the next twenty years the Baby Boom Generation will reach their senior years and it is estimated that by 2030, one out of every four residents of Santa Clara and San Mateo Counties will be over age 65.⁵ Since most seniors have limited mobility, the plan **must consider the negative impacts of a southerly focused housing on seniors, and therefore, housing must be spread throughout the project area closer to transit than the proposed quarter mile/5 minute walking distance measured exclusively for young adults.**

B. Transportation

1. **No HSR Alternative:** Although we commend the City of San Jose (CSJ) for preparing project alternatives of the California High Speed Rail (HSR), CSJ must prepare a "No HSR" alternative considering the Federal Government's funding of HSR is uncertain.⁶ In effect, a plan that considers the station without HSR reduces parking estimates, changes circulation measurements, traffic and congestion levels, and may bring more opportunities for land-uses that prioritize pedestrian and bicycle circulation. **Again, we strongly recommend CSJ to study and create a "No HSR" alternative since there would be considerable impacts on pedestrians and bicyclists from car traffic, congestion, and circulation of an HSR plan.**
2. **Flawed Assumptions:** There are many flawed assumptions in the flow and level of service measurements incorporated into the mitigation measures for Impact TRAN-1 (pgs 9, 134). Freeways (I-280, SR 87, I-680, and US 101) and connector roads to freeways are currently congested. Expanding roads or freeways would not improve traffic and congestion conditions since money spent for driving develops into mechanisms made in favor of driving.

*Impact TRAN 1 (Pg.9) –When compared to existing conditions, build-out of the DSAP would result in a significant impact on 15 directional mixed flow freeway segments and four directional HOV lane freeway segments during at least one peak hour when compared to the existing condition.
[Significant Impact]*

Mitigation Tran 1 (Pg 9) –Full mitigation of significant project impacts on freeway segments would require roadway widening to construct additional through lanes, thereby increasing freeway

² See: <http://museumca.org/creeks/z-tamingguadalupe.html> and

http://www.engr.scu.edu/~emaurel/classes/ceng140_watres/handouts/Guadalupe_project_summary.pdf

³ See: <https://njaes.rutgers.edu/highlands/tdr.asp> and http://www.seattle.gov/planningcommission/docs/SPC_IncZon.pdf

⁴ See: <http://www.law.du.edu/documents/rmlui/conference/handouts/2013/Nelson-ULI-The-New-California-Dream.pdf>

⁵ See: http://smchealth.org/sites/default/files/docs/SMC_AgingHealthBooklet.LR.pdf

and http://www.sccgov.org/sites/ssa/Department%20of%20Aging%20-%20Adult%20Services/Documents/2012_04_quality_of_life.pdf

⁶ The following article exemplifies the potential fallout of HSR: <http://www.governing.com/news/headlines/the-problem-with-californias-high-speed-rail-plan.html>.

capacity. It is not feasible for the proposed project to bear the responsibility for implementing such extensive transportation system improvements due to constraints in acquisition and cost of right-of-way. In addition, Caltrans or VTA have not developed a freeway widening program to which individual projects can contribute.

The DSAP is intended to reduce vehicle travel and congestion in the long-term. In particular, the intensification of development in proximity to Diridon Station would make transit a more viable commute option for people living and working in the Plan area, which would reduce vehicle traffic at a citywide and regional scale. However, it is not possible to know if the strategies proposed by the DSAP would reduce freeway impacts to a less than significant level.
[Significant Unavoidable Impact]

And

Impact TRANS 3: The proposed project would result in a significant impact on mixed flow lanes of one additional freeway segment under Strategy 2000 plus Project Build-out conditions. [Significant Impact]

Mitigation TRANS 3: Freeway widening is not a feasible mitigation measure and it is not possible to know if the strategies proposed by the DSAP would reduce freeway impacts to a less than significant level. Although the DSAP is intended to reduce vehicle travel over the long-term, particularly at a citywide and regional level, it is not possible to know if the contribution to freeway impacts would be reduced to a less than significant level. [Significant Unavoidable Impact]

The following tools must be considered, for TRAN-1 and TRAN-3, to reduce dependence on automobiles and increase a multi-modal approach in the Station Area:

- **Reduce Parking:** The most significant precursor to driving is parking. Currently, public transit costs more money and time than refueling and parking an automobile. In essence, tools to put the real cost of fuel and parking must be implemented in the station area. Cars usually benefit from extensive amenities of parking which provide much faster and cost effective reasons to drive than to take transit. **Therefore, CSJ must conduct a "door-to-door" (switch terminal) study of cost and time used when taking transit versus the cost and time it takes to drive from place to place.**
- **Further,** phase out the HP Pavilion arena surface parking lot which will enable more density and walkability, and fewer vehicle trips
- **Do Not Widen Roads:** We caution and remind the City again that widening roads and freeway capacity are auto-centric tools to relieve traffic and congestion only for the car.
- The **DEIR must utilize the many basic Transportation Demand Management (TDM) strategies and tools the Plan already includes.** We strongly recommend either **free or discounted transit passes to both residents and employees within the project boundary** provided or subsidized by developers, local government, and/or companies as outlined on pages 2-116 and 2-117 of the Plan. Other common features of TDM programs include car and bike share, mobility management like carpool programs, and emergency ride home services.⁷
- **Further, reporting must be required on vehicle trips and transportation mode share** – this is a step that can be approved by the City up front, without working out more of the TDM implementation details.
- **Shuttles & Community Benefit Districts:** The DEIR must emphasize the use of public shuttles to the project area not only to downtown, but also to abutting communities. More specifically, we recommend shuttle buses with stops approximately every three blocks, financed through development fees or Community Benefit District (CBD) as effective and enduring mitigation measures to relieving traffic and congestion within the project area.

⁷ See: www.codepublishing.com/CA/SanCarlos/html/SanCarlos18/SanCarlos1825.html#18.25

- **Further**, CBDs must be funded through “parking congestion pricing” to ease parking congestion by using price signals to alter automobile usage behavior.
- **Mode Share & Bus Rapid Transit (BRT):** The set of transit services that are accounted for to meet the 40% mode share goal in the plan does not include Bus Rapid Transit (BRT). There are two major BRT projects adjacent to the Diridon Area - El Camino and San Carlos. The San Carlos stop is about a half-mile away and access must be made closer. The BRT projects must play an important role at bringing residents to jobs or transit connections.
- **Further**, the DEIR does not include the cumulative impacts current and future traffic and congestion may have on the BRT projects.

3. **“Protected Intersections” & Parking Policies:** We disagree with the mitigation of designating the stated intersections as "Protected Intersections" as the only means of mitigating Impact TRAN-2 at the stated intersections.

Impact TRAN-2: Build-out of the DSAP would result in significant impacts to the intersections of The Alameda/Naglee Avenue and Park Avenue/Naglee Avenue under Strategy 2000 plus Project Build-out conditions. [Significant Impact]

Mitigation TRAN -2: These intersections serve as gateways to Downtown and as important transit, bicycle, and pedestrian corridors. Therefore, the project proposes to add these two intersections to the List of Protected Intersections. As a condition of project approval, the City/future developers will be required to implement offsetting improvements to pedestrian, bicycle, and transit facilities in the vicinity of the existing and proposed protected intersections. The construction of offsetting improvements would be required for impacts at these intersections. [Significant Unavoidable Impact]

“Protected Intersection” implies that no further improvements can be made by including Smart Growth initiatives and General Plan policies, however, “Protected Intersections” do not guaranty multi-modal improvements because of other roads and networks that may be causing the traffic and congestion to begin with (which may be subject to “improvements” such as road widening”).⁸ **We are certain that if pedestrian and bicycling facilities are planned in those intersections as well as throughout project area, then the Level of Service will improve.** According to a study conducted by Greenbelt Alliance & Nelson/ Nygaard Consulting Services, 4 cities have shown significant improvement in their transportation system by implementing innovative parking policies to mitigate problems related to traffic and congestion.⁹ These cities are:

- The city of **Boulder, Colorado**, which was able to revive its downtown by abolishing minimum parking requirements for all the non-residential uses and also by adopting policies to fund public transportation system rather than creating oversupply of parking spaces.
- The city of **Arlington County, Virginia**, which transformed itself by “choosing to surround its new Metro stations with intense, high-density transit-oriented development and market-rate parking, rather than the more usual swaths of free park-and-ride lots and parking structures. Today, the Metrorail corridors generate 50% of the County’s tax base on just 7% of its land, making it possible for the County to give its residents the best levels of government services in the region, with the lowest tax rates.”
- The city of **Santa Monica, CA**, which has built “shared parking lots at strategically located locations to allow the downtown to function well with just 2.1 spaces per 1000 square feet of building space.”

⁸ See the following website/PDF of CSJ’s “Traffic Impact Analysis Handbook” for our references to Protected Intersections on page 6: <http://www.sanjoseca.gov/DocumentCenter/View/4366>

⁹ See: <http://xa.yimg.com/kq/groups/20892832/153360934/name/SAN+JOSE+Diridon+PTDM+Revised+Draft.docx> and <http://xa.yimg.com/kq/groups/20892832/1260156053/name/SAN+JOSE+Diridon+PTDM+Revised+Draft+Appendix.docx>

- The city of **Pasadena, CA**, which was successful in installing parking meters and reducing on street parking by their employees on roads. The revenue that was generated from these parking meters proved useful in funding various street side and community improvements.

We believe that city of San Jose can use these examples for improving its circulation and transportation networks. The following tools must also be considered as adequate mitigation measures to Impact TRAN-2 and in general throughout the DEIR:

- **Pedestrian Priority:** We recommend that pedestrian priority be the primary design criteria for block size, streets and public spaces, with bikes second, transit third, and automobiles last, controlling speed wherever possible to create pedestrian convenience within ½ mile of the station area.¹⁰
- **Traffic Speed Limitation:** We recommend including a 15 mph traffic speed limitation for most streets within DSAP for pedestrian and bicycle safety and priority. Fatalities rise exponentially above 15 mph.¹¹
- **“Safe Routes to School”:** We recommend Safe Routes to School be integrated within the station area to accommodate the most vulnerable street users first and to serve all ages and abilities. ¹² With downtown containing San José State University as well as several elementary schools including St. Patrick School, Gardner Academy, Learning Pathways, and Horace Mann Elementary, DSAP should be safe for pedestrians of all ages.
- **Mid-block pedestrian:** We encourage cross walks, connected to “paseos” every 50 ft. to increase neighborhood walkability.
- **Coordinate with Regional Planning Processes** such as Plan Bay Area, adopted Climate Action Plans and the Grand Boulevard Initiative to meet goals and targets integrated within station area.¹³
- **Require Unbundled Parking:** When parking is unbundled and users pay to park, fewer spaces are needed and construction cost savings can be passed on to tenants and home buyers as rent reduction or reduced residential unit cost. **This is something that must be done now since it meets all of the policy goals the City is trying to achieve in Envision 2040 and the Green Vision, including: air quality improvements, greenhouse gas reductions, and congestion improvements.**
- **Implement Residential Permit Parking Zones** for existing residential neighborhoods, within and adjacent to all of DSAP, where needed to protect neighbors from overflow parking. ¹⁴
- **Collect In-Lieu Parking Fees** to build public satellite parking on the edge of the station area to control traffic and avoid prime real estate in the DSAP wasted on extra parking garage space. In addition, pooled parking is more efficient.

¹⁰ San Francisco used these design criteria in their Better Streets Plan1 (adopted December 2010) with linkages among the City for improved community life, access and mobility: http://www.sf-planning.org/ftp/BetterStreets/proposals.htm#Final_Plan

¹¹ The International Transportation Forum released a research report, Pedestrian Safety, Urban Space and Health5, that provides information on speed management and how to implement speed management measures. Lower speeds provide many benefits including the avoidance of collisions, decrease in the severity of injuries, and the reduction of environmental pollution and noise: http://www.keepeek.com/Digital-Asset-Management/oecd/transport/pedestrian-safety-urban-space-and-health_9789282103654-en

¹² See: www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm

¹³ See: Regional Planning Process Plan Bay Area Priority Development Areas - www.bayareavision.org/initiatives/prioritydevelopmentareas.html, Grand Boulevard Initiative - www.grandboulevard.net, and FOCUS - www.bayareavision.org/initiatives/index.html

¹⁴ See: http://www.mtc.ca.gov/planning/smart_growth/parking/2-2-12/12-Jeff_Tumlin_Nelsson_Nygaard_Summary_and_Key_Lessons.pptx

- **Implement Parking Congestion Pricing** in a community benefit district (CBD) to ease parking congestion by using price signals to alter automobile usage behavior.¹⁵
- **Implement Metered Parking, Shared Parking** and combine all parking through a parking authority that can qualify under the State's Air Resource Board's "Parking Cash-Out Program," including satellite public parking. For example, Satellite Parking –Some cities, such as Portland, Oregon –have low or no parking requirements in downtown buildings because the city provides public parking structures, in preferred locations, using “in-lieu” developer fees. Shared Parking –Private parking is open to public use at certain times e.g. parking in office buildings is open for public parking at night; in Mountain View, CA, condo residential parking is shared with CalTrain commuters during the day.
- **Further, implement “smart parking”** as a means of enabling land uses that minimizes travel requirements. Since parking increases the use of cars, this results in health impacts from pollution and noise, danger to walking and dispersal of the land uses where it's inefficient to walk, which in effect, increases obesity, heart disease, and type II diabetes levels on people.¹⁶
- The City of San Jose must **de-emphasize or remove automobile "Level of Service"** within the Diridon Station Area and use modal splits to set goals for each mobility mode such that each gets equal share and appropriate environmental impacts are measured adequately. Modal Splits establish goals/metrics for the percentage of traffic planned to use each different mode of travel- walking, biking, bus, shuttle, scooters, cars, etc. As suggested in SB 743 (Steingberg, 2013):¹⁷

SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

- **Installing High Quality Bicycle And Pedestrian Infrastructure:** Bike/Ped infrastructure around the station area must be improved because there currently are no significant bicycle routes around the Station Area. In addition, the DEIR indicates LOS E and/or F (Figure 4-5, pg 139) on many areas proposed to have Class II and III bicycle lanes or none at all in the DSAP (pg. 2-103), such as Park Ave, Taylor St., San Carlos, Santa Clara/ The Alameda, Montgomery St., Delmas Ave., and Autumn St. **Class I Bicycle Facilities and sidewalk widening must be made in these streets that have LOSs of Es and Fs for the safety of bicyclists and the success of the DSAP.** This supports and enhances “The Alameda: A Plan for the Beautiful Way” 2010 report which was created and backed by the community such as the Shasta/Hanchet Park Neighborhood Association.¹⁸ Also, a **centrally located bike stand/station must be installed**, so that more people could easily locate this facility and can avail themselves of its benefits. By creating a centrally located bicycle stand, we can eliminate the danger of theft from the minds of the bicyclists, which could create more comfortable conditions for them to leave their cars and travel using bikes. According to the General Plan Policy TR-2.8 “Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned

¹⁵ See: <http://www.dukakiscenter.org/storage/TRNEquityFull.pdf>

¹⁶ See: <http://lomaprieta.sierraclub.org/transportation/parking>

¹⁷ See: http://www.opr.ca.gov/s_sb743.php

¹⁸ See: <http://www.sjredevelopment.org/TheAlamedaTransportationImprovements/TheAlamedaPlan.pdf>

facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.”

- **Further, implement a** duplicate or enhanced version San Francisco’s 4th and King Caltrain station where a staffed bike parking lot is alongside bicycle repair shops.
- **Green Streets/Walks:** In addition to Park Avenue being a “Green Street”, it must also be a “Green Walk” to make the walking experience both pleasant and efficient. Examples of pleasant walkways include Bryant St. in Palo Alto and San Francisco's Embarcadero. “Green Streets/Walks” should not only be limited to east-west connections, but also for north-south along riparian corridors to extend natural alluvial buffers. Examples of where this must be included are Autumn St. running along the Guadalupe River and Delmas Ave.

The DEIR proposes to add the stated intersections below under the list of protected intersections.

*According to the DEIR-TRANS IMPACT 4: Build-out of the DSAP would make a substantial contribution to significant cumulative impacts at the intersections of Park Avenue/Naglee Avenue, The Alameda/Naglee Avenue, and Lincoln Avenue/San Carlos Street under Cumulative plus Project conditions.
[Significant Cumulative Impact]*

We believe that the problems with these intersections could be improved by adopting:

- **Removal of Excess Street Parking:** There are excess parking spots provided on the Montgomery St. and Autumn St., which should be reduced to provide better bike/ped infrastructure. By removing curbside parking spaces on this road, we could provide room for dedicated bike lanes and better pedestrian infrastructure on both sides of these roads.

According DEIR-TRANS IMPACT 5:

*The project would make a substantial contribution to significant impacts on transit priority corridors.
[Significant Cumulative Impact]*

The following mitigation strategies must be considered:

- **Establish Transportation Management Association (TMA):** These associations can help in managing the functions of the transit priority corridors such as parking management and pricing, transit pass subsidies, managing and enforcing trip reduction requirements, and providing information. Possible stakeholders should be identified and involved in forming these TMA’s.^{19 20}

C. Air Quality

As shown on page 191 of the DEIR, the project exceeds the thresholds set by the BAAQMD for ROG and NOx. Reactive Organic Gases (ROG) and Nitrogen Oxides (NOx) are precursors to ozone, photosynthetic smog.

Impact AQ-1: Build-out of the DSAP would result in a net increase in ROG and NOx in the Bay Area, contributing to existing violations of ozone standards. This conclusion is consistent with the analysis in the Envision PEIR and Strategy 2000 EIR. [Significant Impact]

¹⁹ See: <https://www.portlandoregon.gov/transportation/article/96759>

²⁰ See: <http://www.emeryville.org/DocumentCenter/Home/View/327>

The DIER states that an increase in ROG will be sourced from aerosol products and cannot be contained. However, the DIER does not specifically state a source of NO_x, which 42% out of all sources come from on-road vehicles.²¹ Further, the Bay Area Air Quality Management District states that “unusual heat waves triggered new exceedances of the national ozone standard during the summers of 1995 and 1996.” ‘As a result, in 1998 U.S. EPA re-designated the region [San Francisco Bay Area] back into nonattainment status for the national 8-hour ozone standard.’ “The region also periodically exceeds state ambient air quality standards for ozone and particulate matter.”²² The EIR suggests that this impact is unavoidable due to unforeseen impacts of future projects within the station area. This impact must be studied more, and thus, cross-analyzed more thoroughly with the Transportation section of the DIER as a majority of NO_x will come from idling, congestion, and traffic of motor vehicles in the area. For example, the transportation study on congested intersections and highways in Figures 4-5 and 4-6 of the Transportation section show a grade of LOS E and F on a majority of intersections based on the build-out of the DSAP. Since 42% of photosynthetic smog originates from on-road vehicles then mitigation measures to reduce automobile use must be a priority. **Therefore, CSJ must use the mitigations suggested throughout our comments on the Transportation section.**

The DEIR also must take into further consideration of cancer risk and the sensitive receptor populace (e.g. youth, elderly, and asthma patients). Although the DEIR includes CSJ as an area with high levels of toxic air contaminants (TAC) and mentions the adoption of BAAQMD’s Community Air Risk Evaluation (CARE) program, **it does not provide any recommendations to reduce these emissions specific to the Plan.** About 800 to 1,200 persons per million in the area are at risk of cancer due to exposure to TAC in San José.²³ These emissions largely come from the abutting highways, such as 101, 87, 85, and 280. **We recommend the City of San José to create measures to reduce cancer risk and the negative impacts to sensitive receptors specific to Diridon Station, which in effect, will help the CARE program become more successful.**

D. Greenhouse Gases (GHGs)

The GHG section of the DEIR focuses on a globally- scaled perspective, and thus, the mitigation measures did as well. We disagree with this logic and recommend the city to focus on local and regional level solutions to climate change. Currently, the County of Santa Clara trails behind Contra Costa for second place with 19.6% (18.8 MMT/Yr) of total CO₂ emissions released within the entire Bay Area.²⁴ When looking closely at the majority of GHG emissions, they are largely sourced from the City of San José’s travel behavior of automobile usage. Greenhouse gas emissions will continue to rise if commuters are given incentives, such as parking. A more in-depth study using vehicle miles traveled (VMT) in the area can better address the impact at a regional scale of the Bay Area more effectively, rather than on a global scale (which easily makes it seem as an unavoidable impact). Our transportation section comments address the use of VMTs in more detail, see our transportation comments.

***Impact GHG-1: Build-out of the DSAP would make a considerable contribution to the significant unavoidable cumulative impact to global climate change identified in the Envision PEIR.
[Significant Cumulative Impact]***

²¹ See page 2-15:

<http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/Plans/2010%20Clean%20Air%20Plan/CAP%20Volume%20I%20%20Appendices.ashx>

²² See page 7: http://www.baaqmd.gov/~media/Files/Planning and Research/Plans/CEQA Guide/ceqa_guide.ashx

²³ See: <http://www.baaqmd.gov/Divisions/Planning-and-Research/CARE-Program.aspx>

²⁴ See: http://www.mtc.ca.gov/planning/climate/Bay_Area_Greenhouse_Gas_Emissions_2-10.pdf

*Build-out of the DSAP would make a considerable contribution to the significant unavoidable cumulative impact to global climate change identified in the Envision PEIR.
[Significant Cumulative Impact]*

1. **GHG Measurement & Evaluation:** The Plan's DEIR does not discuss how GHG reduction will be critically measured, evaluated, and even fails to mention climate adaptation strategies. **We recommend that DSAP greenhouse gas emissions measurements be conducted annually to measure its progress via CAPCOA methodologies and include mandatory reportings prepared by Environmental Services to be addressed to the Planning Commission and City Council for evaluation.**²⁵ This report will allow city staff and decision makers to reevaluate new ways of cutting down further GHG emissions, if needed, to reach the General Plan: Envision 2040 San Jose's Greenhouse Gas Reduction Strategy and Green Vision goals. We also **recommend using CAPCOA's extensive mitigation and climate adaptation strategies (2009 California Climate Adaptation Strategy)** as opposed to using the bare minimum as recommended in the DEIR. ²⁶
2. **Green Concrete to Cut CO₂:** To further cut down on GHG emissions, the use of Green Concrete is highly recommended. Recently in Dallas six schools were built using Green Concrete and had a net savings of 108.7 million pounds of CO₂ emissions.²⁷ Implementing this into the building requirements may cut down contributions to the significant unavoidable cumulative impact to global climate change. Also this could help fulfill the GHG emissions goals of San Jose's Envision 2040 and the Greenhouse Gas Reduction Strategy.
3. **Green Building Certification:** The Plan and the Draft EIR does not consider making all new buildings green building certified. Implementing more green building certifications, like LEED Neighborhood Development (Silver or Platinum) certified buildings can help curb GHG emissions from residential use, office, retail, industrial, and commercial. San José's Green Vision Goal 4 states that any new building within San José have to use certification of Build It Green or USGBC which strives for optimal energy performance and results in a reduction in Greenhouse gasses.²⁸
4. **Street Lights:** Referring to San José's Green Vision goal number nine, implement 100% of the street lights with smart, zero emissions lighting such as Light Emitting Diodes (LEDs). This will help reduce GHG emissions, while implementing San José climate change goals. ²⁹

E. Biological Resources

Section 4.7 Biological Resources (Pages 252-276)

The DEIR analysis discusses the impacts from the proposed project onto the riparian corridor. The impacts from increased human activity include: increased noise, litter, destruction of native vegetation, nuisance of wildlife, harassment from pets such as house cats, and night lighting. To help alleviate these impacts, the DEIR states that it will abide to the City of San José's Riparian Corridor Policy Study measures. The measures include setback guidelines of at least 10 feet for trails, 100 feet for urban development and active recreational facilities, and 200-300 feet for night-lighted facilities.

The following must be included:

1. **Respecting Riparian Corridor Setbacks:** While these are good measures, we are concerned about the final language, "The setback for a particular project is typically determined on a case-by-case basis" (page 255). The SJCCT of the Sierra Club Loma Prieta Chapter recommends the language be

²⁵ See: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf><http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

²⁶ See: http://resources.ca.gov/climate_adaptation/docs/Statewide_Adaptation_Strategy.pdf

²⁷ See: <http://www.environmentalleader.com/2013/08/26/us-concrete-saves-schools-108-7m-pounds-of-co2-emissions>

²⁸ See: <https://www.sanjoseca.gov/index.aspx?NID=2740>

²⁹ Ibid

modified to reflect that development will always respect the setback guidelines. **We recommend the language to state, “The setback for a particular project is typically determined on a case-by-case basis, in accordance with the Riparian Corridor Policy Study setback guidelines.”** This setback measure will help to lessen the impacts of human activity, such as lighting, noise, litter, trampling, and house pets, on critical riparian resources. **If setbacks are not met, adequate mitigation measures and a public review process must be mandated.**

2. **Habitat restoration:** The DEIR’s Table 4.7-1 includes several San José General Plan 2040 policies to help reduce or avoid impacts on the city’s riparian corridor (page 256). However, the DEIR fails to incorporate one important policy, ER-2.5, which discusses habitat restoration. **The San Jose Cool Cities Team (SJCCT) of the Sierra Club Loma Prieta Chapter recommends Table 4.7-1 must include San José General Plan 2040 Policy ER-2.5: “Restore riparian habitat through native plant restoration and removal of non-native/invasive plants along riparian corridors and adjacent areas.”** This will help to provide a much-needed suitable habitat for many critical wildlife species that rely on a healthy riparian corridor for survival.
3. **Proper Tree Replacement Ratio:** The DEIR’s Table 4.7-2 describes the tree replacement ratios for each tree that would be removed (page 266). Currently, a 1:1 replacement ratio of one 15-gallon container tree is set to replace those removed trees of a diameter of less than 12 inches. However, this fails to adequately replace the beneficial ecosystem services and critical habitat that would be lost due to the removal of a larger, established tree. **The SJCCT of the Sierra Club Loma Prieta Chapter recommends it is critical to increase the minimum size of each replacement tree to a 24-inch box and have a tree replacement ratio of 2:1.** Therefore, two 24-inch box trees shall be planted for the removal of each tree which is less than 12 inches in diameter. This will help to more adequately replace the removed tree, provide a suitable habitat for wild species, clean the air and absorb pollutants, and help with erosion control. This tree replacement ratio and size minimum is especially critical in the riparian corridor where many wild species are found.
4. **Bird Nest Surveys:** The DEIR proposes a mitigation measure where bird nest surveys shall be completed no more than a certain period prior to demolition/construction activities, and if nests are found a construction-free buffer zone can be created (page 270). The DEIR states that the pre-construction survey “shall be completed no more than 14 days prior to the initiation of demolition/construction activities during the early part of the breeding season... and no more than 30 days prior to the initiation of these activities during the late part of the breeding season.” However, the timeline does not accurately reflect the reproductive cycle of breeding birds. For example, according to VTA’s Santa Clara-Alum Rock Transit Improvement Project Final EIR and CalSJ.org, the Yellow Warbler, a declining species and thus a California Species of Special Concern, nests in the Los Gatos/Guadalupe River-Coyote Creek riparian corridor.³⁰
5. **The Yellow Warbler** typically builds its nest over 4 days, the incubation period is 10-13 days, and the nestling period is 9-12 days.³¹ Therefore, the pre-construction surveys and its timeframe is not an adequate mitigation measure in protecting these birds. **Therefore, surveys must be conducted no more than 4 days prior to the demolition/construction period, in addition to surveys conducted within 4 days prior to any tree removals within the riparian corridor.** This aligns with many birds’ reproductive cycle and will more appropriately help to lessen impacts on Species of Special Concern, nesting raptors, and migratory birds.
6. **Bird-Friendly Design:** Approximately 750 million to 1 billion birds are killed in North America each year as a result of collisions with artificial structures.³² Several hundred million collisions result from windows in buildings, particularly plate glass and other highly transparent or reflective glass. Specifically near riparian and migratory corridors, where bird life is in greater abundance, collisions are much greater. Many cities are adopting bird friendly design guidelines or ordinance to address this problem. Within the Bay Area, the City of San Francisco, Oakland, and Sunnyvale have already

³⁰ See: http://www.calsj.org/Appendix_A.doc and <http://www.vta.org/sfc/servlet.shepherd/version/download/068A0000001Fc9i>

³¹ See: http://www.allaboutbirds.org/guide/yellow_warbler/lifehistory and <http://www.sanjoseca.gov/DocumentCenter/View/11867>

³² See: <http://www.goldengateaudubon.org/conservation/make-the-city-safe-for-wildlife/standards-for-bird-safe-buildings/>

adopted bird-safe building guidelines.³³ **The SJCCT of the Sierra Club Loma Prieta Chapter recommends the City of San José to adopt bird-friendly design guidelines in order to help prevent bird deaths and continue its leadership in wildlife and environmental protection. If not, we ask that the final EIR at least require bird safe building designs for all new construction.**

F. Hydrology

1. **Stormwater Runoff:** We commend the plan to follow the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Provision C.3 (page 291), Low Impact Development (LID) measures and several General Plan: Envision 2040 Policies. **However, both Los Gatos Creek and Guadalupe River are impaired water bodies, and therefore, it is critical to do more than the minimum required pollution prevention as suggested in the DEIR. Since this plan encompasses a large planning area where multiple developments will be constructed near sensitive waterways, it is reasonable to require innovative stormwater infiltration measures that can mitigate cumulative impacts and support General Plan Policies ER-8.5 and MS-3.4.** Non-industrial projects should be required to implement additional measures such as: **underground infiltration units; infiltration trenches; permeable pavement; and green roof infiltration systems.** For more information see “Water Quality Improvement Project: Solving Water Quality Problems.”³⁴
2. **Water Quality/Litter:** The increase of human activity at the Diridon Station Area Plan will likely increase litter and pollution into the creek (page 299). The SJCCT of the Sierra Club Loma Prieta Chapter commends the City of San Jose for its efforts to reduce waste such as Provision C.10 and C.11 of the NPDES permit (page 299). However, again, stronger mitigation measures are necessary to address the increase of human activity and not impact the critical biological resources and water along the creek. Additional mitigation efforts must include increase of **trash/recycling/compost bins with proper enclosures to avoid runoff, such as one bin every 250 feet along sidewalks, as well as creek trails.** Furthermore, creek trails should offer pet waste bags. Educational signage about waste reduction should be displayed throughout the Diridon Station Area Plan and creek trail areas. This effort can be funded by development impact fees or a Community Benefit District.
3. **Flooding:** The analysis of flooding **must include possible impacts from the Los Gatos Creek Bridge Replacement / South Terminal Phase III Project** immediately upstream from the planning area. **The EIR must analyze how this will effect erosion, sedimentation, and possibly even change the creek channel, and hence how it will affect flooding and other creek issues in the planning area.** See Appendix A for more information about this project. To avoid flooding impacts, the Plan **must restrict below-grade structures within flood hazard areas.** Furthermore, to protect from the impacts of any new building in flood zones, **the EIR must include a mitigation measure to require the developers of any new structure within a 100-year flood hazard area to analyze the potential for the project to impede or redirect flood flows (to guarantee the claim in the DEIR that there will be no impact in this area).** Stating that the properties in DSAP are not near a creek channel is irrelevant **because the threshold does not contain an exception for this condition. More analysis is needed.**
4. **Sea Level Rise-** Please see Appendix B for a sea level rise map of the NOAA’s Coastal Services Center’s *Sea Level Rise and Coastal Flooding Impacts Viewer*. This map illustrates projected impacts of sea level rise. Although the map does not show impacts directly on the Diridon Station Area, impacts are still shown throughout San Jose’s watershed, such as the Guadalupe River. According to the National Institutes of Environmental Health Sciences, climate change and sea level rise are known to have alarming affects on life since it increases the temperature in water, “precipitation frequency and severity, evaporation-transpiration rates, and changes in coastal ecosystem health could increase the

³³ See: http://www.mercurynews.com/sunnyvale/ci_25026760/sunnyvale-adopts-bird-safe-building-guidelines

³⁴ See: <http://www.conservationolutions.org/report.html#>

incidence of water contamination with harmful pathogens and chemicals, resulting in increased human exposure.”³⁵ This is one of several negative impacts sea level rise may have, therefore, **the City of San Jose must conduct a much more thorough analysis of DSAP’s impact from sea level rise by considering it a “Significant Impact” with mitigations incorporated (pg 298).**

5. **De-Watering:** Since discharges from de-watering will flow from storm drains into Los Gatos Creek or Guadalupe River, the quality and quantity of this water **must be strictly regulated.** Depending on the flow in these waterways at the time of dewatering, **discharge volumes may need to be limited, and water temperatures could also be an issue. More specific measures must be developed to mitigate any possible impacts from dewatering on nearby aquatic habitats.**

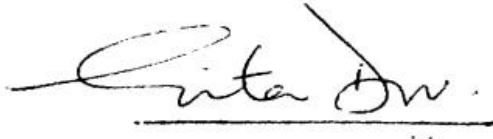
We thank the Honorable Mayor and City Council, Planning Commission, Michael Brillot, and David Keyon for giving the San Jose Cool Cities Team of the Sierra Club Loma Prieta Chapter the opportunity to comment on the Diridon Station Area Plan’s DEIR. We hope that with our combined efforts the Diridon Station Area Plan will thrive for the local community, the environment and the greater Bay Area.

Respectfully Submitted,

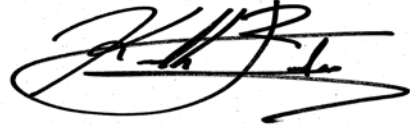
[Kindly Turn to Next Page]

³⁵ See: http://www.niehs.nih.gov/health/materials/a_human_health_perspective_on_climate_change_summary_508.pdf

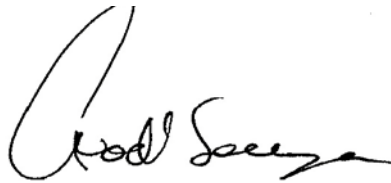
Gita Dev
Sierra Club, Loma Prieta Chapter
Sustainable Land Use Committee Chair



Kenneth Rosales
Sierra Club, Loma Prieta Chapter
Conservation Programs Coordinator



Gladwyn DeSouza
Sierra Club, Loma Prieta Chapter
Transportation Committee Chair



Sarah Boyagian
San Jose Cool Cities Team of the Sierra
Club Loma Prieta Chapter Chair

Katja Irvin
Sierra Club Loma Prieta Chapter
Water Committee Chair

CC: Bruce Rienzo, Executive
Committee Chair
Michael J Ferreira, Conservation
Committee Chair



February 11, 2014

David Keyon
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Dear David:

The San Jose Arena Authority appreciates the opportunity to respond to the Draft Environmental Impact Report (EIR) for the Diridon Station Area Plan, File No. PP09-163. The Arena Authority considers the Draft EIR for the Diridon station area as an essential component in the continued development of the western portion of Downtown San Jose.

The Arena Authority respectfully requests that the following points receive thoughtful consideration by the City's Department of Planning, Building and Code Enforcement, the Department of Transportation and other critical stakeholders in the development and implementation of this significant regional project:

- That the Arena Authority be kept apprised of any significant developments in the further refinement of the EIR, the Diridon Station Area Plan and other potential EIR and developmental plans for projects considered in the Arena/Diridon station area, including the professional baseball stadium, the Bay Area Rapid Transit, High Speed Rail, Autumn Parkway and other potential area developments.
- That the appropriate City and project representatives continue to engage representatives from Sharks Sports and Entertainment (operators of SAP Center at San Jose) in the developmental, technical and operational aspects of the EIR and the Diridon plan as they relate to the ongoing operations at SAP Center at San Jose.
- That all local residential and business/commercial stakeholders continue to be engaged and advised of significant plan milestones. This can be accomplished in a number of fashions, including the continued convening of the City's Diridon Station Good Neighbor Committee.

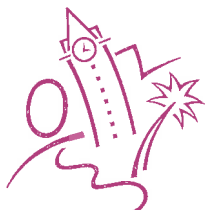
In closing, I appreciate your consideration on the items listed above and look forward to continuing to work cooperatively on this essential regional project. Please feel free to contact me with any comments or questions. I can be reached at 408-977-4783 or at morrisey@sjaa.com.

Sincerely,



Chris Morrisey
Executive Director

cc: Members of the Arena Authority Board of Directors
Members of the Arena Events Operations Committee



**SAN JOSE DOWNTOWN
ASSOCIATION**

28 N. FIRST STREET
SUITE 1000
SAN JOSE, CA 95113
TEL: 408-279-1775
FAX: 408-279-1904
WWW.SJDOWNTOWN.COM

Feb. 13, 2014

David Keyon
Environmental Project Manager
Planning, Building and Code Enforcement
City of San Jose
200 E. Santa Clara St.
San Jose, CA 95113

Dear Mr. Keyon,

The members of the San Jose Downtown Association (SJDA) appreciate this opportunity to comment on the Diridon Station Area Plan (DSAP) Program Environmental Impact Report (PEIR).

The primary objective of the DSAP is to provide a long-term growth vision for the Diridon Area's 250 acres, incorporating large scale projects like a baseball stadium, BART and high speed rail with a land use/policy framework to address San Jose's jobs/housing imbalance by attracting new industry-driving jobs, specifically office and technology-sector jobs.

SJDA supports the PEIR's focused analysis that provides environmental review for future DSAP projects as well as CEQA clearance for potential traffic-related impacts.

Building height limits

The PEIR would be more complete if it provided analysis on building height maximums throughout the Diridon Area allowed by FAA compared to the lower limits currently in use by City of San Jose.

In 2.1.3 the PEIR states “the height limits prevent more intense development in most cases” yet the DSAP is calling for more density and FAR. The analysis would be more complete if these “cases” were identified. For instance, Figure 2-3 shows height limits of 80, 90 and 100 feet in the Northern Zone. It is unclear how the 3 million square feet of commercial development identified for this zone is achievable at these heights. Is there room for 30 buildings of 100,000 square feet each at 100 feet high or less with the other uses contemplated in the northern zone? This potential capacity flaw should receive additional study.

High Speed Rail and Diridon Station

On page 32, 1.2.1.2, the PEIR states the DSAP assumes construction of the aboveground alignment for High Speed Rail because this option has the potential to effect land uses to a greater extent than any below ground option. The PEIR is not complete without studying the alternative below ground alignment, particularly its impacts on land use. For instance, the enormous footprint required by aerial high speed rail structures with its corresponding bridges, abutments and trestles will consume how many acres? And if these acres were then available for other uses because of the underground alignment, what would the impacts and mitigations be for the Diridon Area? There would undoubtedly be additional development capacity for each of the three zones. In fact the PEIR elsewhere in the report (pages 398-399) acknowledges this logic by recognizing the aerial tracks impact on the park at the fire training site: “The HSR alignment is currently planned to pass over the southwestern portion of the park site and the presence of elevated tracks 60 feet above the ground surface could constrain the uses and design of the new community park (precluding baseball/softball fields).” In this example, an underground alignment would obviously mitigate these impacts on the park; it stands to reason similar mitigations would be realized throughout the area and the PEIR fails to adequately account for these impacts.

If the PEIR response to all things HSR is to defer to *if* and *when* the CHSRA performs its project EIR, is our community faced with a plan that pushes development away from the station area based upon a flawed *assumption* in the DSAP for an aerial alignment?

The Diridon Station Conceptual Plan in 2.2 is all above ground. Again, with an underground HSR alignment, impacts for the station would be very different than described in the PEIR. The reference to underground in this section applies to BART, not to HSR. The PEIR is deficient in not providing analysis of an underground HSR station at Diridon.

SJDA concurs that the existing historic depot building would remain under any scenario in the Diridon Plan.

Missing from this document is any reference to accommodating the relocation of the Greyhound Bus depot to this area of transportation convergence.

Open space

SJDA supports the vision to incorporate a variety of plazas, parks, creek areas and trails into the plan.

All will be needed, and more. It is clear in the PEIR that the new open spaces created within the plan area are inadequate to meet the new demand without counting the adjacent parks, primarily in the downtown core. To this point, it is quality (not quantity) of the new open spaces in the plan area that will mitigate the intensity of development. SJDA encourages prioritization of the Los Gatos Creek Reach 5, the daylighting of Los Gatos Creek (page 263) from its culvert beneath Park Avenue/Bird Avenue and the development of a continuous Los Gatos Creek trail across the entire Diridon Area connecting to the confluence with Guadalupe River.

Housing

The PEIR states in 4.15.3.3 that affordable housing will comprise 15 percent of new housing units in the plan area. SJDA considers 15 percent a minimum. We encourage the affordable housing be blended within projects of all product types throughout the plan area.

Access, circulation and parking

The PEIR does not adequately address impacts on access to the Diridon Area. The myriad transportation projects – BRT, BART, HSR, new bike lanes, DASH shuttles – are not integrated with the full build-out of land uses in context with the limited number of streets providing ingress and egress to the area. Is there enough roadway capacity to service the area given the transportation demands on these same streets sharing the intensification of land uses?

Considering the location of the Hwy 87 freeway entrance and exit ramps, do the significant unavoidable impacts (page 405) concentrate along the surface streets crossing beneath the overhead freeway at Santa Clara, Julian, St. John, Park, San Fernando and San Carlos, effectively the dividing line between the Downtown Core and Diridon Area?

Does the PEIR analysis on circulation take into account the handful of downtown east-west streets and overlay these with both the anticipated Diridon Area and Downtown Core build out alongside the transportation projects (reduced lanes, etc.) for many of these same streets?

Is there analysis that shows how 13,000 baseball cars (page 65), 11,950 Diridon max development cars (page 65) and the current level of cars -- especially on an Arena event day – work together?

SJDA concurs with the DSAP recommendations for a 900-space parking garage to support SAP Center and other area activities. The Shared Parking Program should be further clarified, along with the Parking Trade Credits program and Diridon Area Parking District, for how it applies to the SAP Center parking lot and future SAP Center parking structure.

Text Amendments

It is difficult to follow the jargon in 2.1.4.3 created by the 2040 Plan that establishes two separate growth areas downtown, including the Downtown Growth Area and Diridon Area Urban Village, while the Diridon Area Urban Village is mostly contained within the Downtown Core while the Diridon

Urban Village objectives are contained in the Diridon Station Area Plan while the Downtown Core includes most of the Diridon Area Urban Village, while the Downtown Growth Area covers the remainder of the Core. Confused? The PEIR does not clarify (nor simplify) the overlapping terminology and boundaries.

Autumn Parkway

The extension of Autumn Street to Coleman Avenue is an important linkage for the Diridon Area. However, another potential north-south barrier to pedestrian movement is the last thing downtown and Diridon Area need. We already have Almaden Boulevard and the Hwy 87 freeway – and overhead high speed rail tracks would be the mother of all imposing structures. Consider Autumn as a *street*, rather than a parkway. SJDA concurs with the recommendations of SPUR on how to treat Autumn Street: phase the roadway with the development demand (i.e. ballpark); maintain the street grid north of Julian Street; keep on-street parking and loading north of Santa Clara Street for use during non-event periods; utilize the street grid to connect with Los Gatos Creek and Guadalupe River.

Underpass connections with core

The PEIR acknowledges sidewalk improvements, better lighting and public art are ways to improve the pedestrian experience beneath Hwy 87. These will be critical especially for San Carlos, Park, San Fernando, Santa Clara and St. John Street connections between the downtown core and Diridon Area.

Sincerely,



Scott Knies

Executive Director

Cc: Mayor Chuck Reed
Councilman Sam Liccardo
Chris Neale, SJDA President

February 13, 2014

David Keyon
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor
San Jose, CA 95113
File No. PP09-163

Dear Mr. Keyon,

SPUR is pleased to share our comments on the draft Diridon Station Area Plan (DSAP) and its related Draft Program Environmental Impact Report (DPEIR). We appreciate and commend the years of time and commitment already contributed to creating this plan from the community, the city and dozens of experts.

The Diridon Station Area is an opportunity to implement the vision and policies set forth in the City's Envision 2040 General Plan, including strengthening and expanding the city's downtown and achieving the ambitious target to grow walking, cycling, transit and carpools to 60% of all commute trips. It is also an area of regional and statewide significance given the projected transit investment. What happens at Diridon could become a model for effective long-term transit-oriented planning and development throughout California.

SPUR is an urban policy organization and civic group with offices in San Jose and San Francisco. We recently published a major report on urban design in San Jose ("Getting to Great Places") and will soon release a report on the future of downtown San Jose. That report includes additional discussion of the Diridon area and other recommendations about downtown overall. Later this year we will release a long-term strategy report about the Valley Transportation Authority (VTA). These reports inform the following comment letter. SPUR is committed to San Jose and to the long-term development around Diridon.

SPUR is supportive of the broad outlines of the draft plan. Of primary importance is ensuring both significant and high-quality development in the station area to achieve high transit ridership while successfully implementing the placemaking and transportation policies discussed in the plan. We look forward to a close partnership with the city and other stakeholders in this effort.

We do, however, think that the Draft Program Environmental Impact Report (DPEIR) does not provide sufficient analysis of some of the project impacts. This letter has three parts.

1. What we support about the Diridon Station Area Plan (DSAP) and the DPEIR.
2. Areas that deserve special attention, particularly in the plan's implementation.
3. Areas that should be corrected or modified in the plan or further studied in the DPEIR.

1. We support the following:

- ***The overall land use plan and proposed amount of development is appropriate.*** SPUR supports the proposed DSAP, not the Design Alternative. Diridon should be a major job node and 5 million square feet is a realistic amount of commercial development for the area. The alternative only includes 1.15 million square feet, which is a major underuse of this important district. We do think that Diridon could support more than 5 million square feet of development, particularly if the densities were increased in the southern zone (where the airport flight path and high water table are less of a limiting factor in development).
- ***The land use controls in the central area should focus on commercial or job-generating uses and restrict residential development.*** The central area will be one of the most transit-rich places in the state. As is well documented, significant employment directly adjacent to transit is the best way to ensure high transit ridership. As a result, we agree with the Plan's restriction on housing within the immediate zone around the station and support the proposal to focus the housing development in the southern portion of the plan area.
- ***We support the goal to require transportation demand management (TDM) for future development.*** We would go a step further to establish an area-wide transportation management association (TMA) to promote TDM for future visitors and users. In addition to running programs to encourage employees, residents and visitors to travel with alternative modes, the TMA could take on the additional role of parking policy and management in the Diridon area.
- ***The station plaza is an opportunity to create a sense of place and orient travelers.*** We are encouraged by the analysis of different options for orienting the plaza. We think selecting the appropriate plaza design will be crucial for the success of the station area and think this is worthy of additional discussion.

2. The following areas deserve special attention, particularly in the plan's implementation:

- ***More attention should be paid to the land ownership and management structure.*** Realization of the vision the DSAP and related Envision 2040 goals will require a high level of continuous cooperation among public agencies, private land owners, facility operators, and the community. One option would be to establish a Joint Powers Authority that would serve as the joint owners for major portions of the entire site. This would streamline decision-making.
- ***The physical connection and street orientation between the station and Santa Clara Street is the key to connecting Diridon to the rest of downtown.*** Planning for Diridon must come from the perspective of the pedestrian, particularly the transit passenger who arrives at Diridon and exits the station heading elsewhere in downtown. The streets, sightlines, signage and other orientation tools should clearly point the pedestrian towards downtown's Grand Boulevard of Santa Clara Street or other identified direct paths to the rest of downtown. This will require ongoing careful consideration about the walkability of the district as it gets built out. We suggest a requirement that as individual projects come forward, their site plans show orientation to pedestrian paths of travel. (Table 2-4, Section 2.3.2.1)

- ***The physical connection to preferred bicycle routes to/from the station in all directions is key to connecting Diridon to the Central San Jose area.*** Per the 2040 General Plan, 2020 Bike Plan and our own research, we believe San Jose has significant potential to increase non-auto commute mode share, particularly within the neighborhoods immediately surrounding downtown. This area we refer to as “Central San Jose.” In addition to building on the strong bike infrastructure the City has recently constructed, the signage, maps, significant bicycle storage and clear path of bike travel should be prioritized. We suggest a requirement that as individual projects come forward, their site plans show bicycle paths of travel. (Table 2-4, Section 2.3.2.1)
- ***The station area should have seamless integration between the multiple transit operators and provide clear information about the various transit options, both within the station and at the bus transfer stops outside.*** Given the many different transit services at Diridon, there is additional burden for travel information. There should be better signage and digital displays of real-time information for all trains at Diridon, rendered in a consistent way across different transit services and repeated throughout the station area. The 511 maps located just outside Diridon Station are an improvement but do not give enough detail about the places to go in downtown, nor do they provide any real-time information about transit or the DASH shuttle. There should also be a hub for all bus lines outside the station with similarly clear real-time signage and mapping. (Table 2-4, Section 2.3.2.1)
- ***There should be a goal and commitment to shift towards a shared parking model where not every building is self-parked.*** The plan suggests that shared parking should be encouraged. But this is something that cannot happen if every building is required to be self-parked. We strongly support establishing a parking management system that shares parking between uses and times of day. (Section 2.3.2.2)
- ***The pedestrian connections and green finger investments should respond to the natural walking and mobility patterns of users.*** It is crucial for the pathways to be logical for the user. Some of the maps and proposed connections seem to be missing key routes and connections (such as along Santa Clara and San Fernando) while other proposed paths do not seem to be most needed. For example, the rail spur should not become bike lane in the Northern Innovation zone, as this is not a natural route for anyone traveling in the area. Instead, any bike path should be directly south to the Diridon station from the Innovation District. In addition, maintaining the existing rail/track area as a bike path would carve up these development opportunity sites. (Table 2-4, Section 2.3.2.1)
- ***The total amount of open space in the area should be carefully managed to not become too much space that is rarely used.*** Ensuring that future open space is well used and inviting should be the key goal. Downtown San Jose already has substantial open space resources that are underutilized. It is important for the implementation of the plan to carefully consider the amount and access to future park space. This includes proposals to expand the park space along Los Gatos Creek, the proposal to build a major park in the Southern Area of the DSAP and the various options and alignments for the plaza in the Central Zone.

3. The following areas should be corrected or modified in the plan, or further studied in the DPEIR:

Correction or clarification requested:

- ***The DSAP inaccurately references and depicts the addition of a separated bike path and open space area west of Autumn Street and east of the Los Gatos Creek Trail, between Santa Clara and San Fernando Streets.*** There are several permanent structures existing today in this geography that prohibit the possibility of a Class I bike path or publically accessible open space between Autumn and the Los Gatos Creek (see Los Gatos Creek Trail – Reach 5 Master Plan, 2008). As stated on page 35 of the DPEIR, the statement: “the trail would follow on-street alignments between San Fernando Street and Santa Clara Street, although the City currently plans to construct the trail in the open space created by the Autumn Street realignment project” appears to be not entirely accurate as the trail would have to connect on Autumn Street. For clarification purposes, references to this as a continuous path/open space should be removed from the project description and maps of the DPEIR. For example:
 - References Figure 2-2, text on page 35, 59 and 61, Figures 2-8 (or, buildings such as that located at the southeast corner of Santa Clara Street and Autumn should be acknowledged), Figure 2-9 (Los Gatos Creek park area in same location) and particularly “Bicycle and Trail” map of Figure 2-10, which incorrectly depicts the proposed Los Gatos Creek Trail Alignment at Santa Clara and Autumn.

4.1 LAND USE

- ***There should be an alternative studied and prepared to the baseball stadium.*** In the event that Major League Baseball does not occupy the space around Diridon, there should be an environmentally cleared alternative that assumes maximum development of commercial/job uses in the area of the proposed stadium.
- ***The minimum FAR for the Central Zone should be higher than 2.0 to ensure that the build out does not underutilize the land around the station.***
- ***Demolition of existing homes and properties should be minimized.*** Much of the project assumes major redevelopment and demolition of existing homes and commercial buildings. If more of the existing soft sites were built out at high enough densities, and priority was given to the rehabilitation of particularly unique and historical existing structures there would be no need to demolish existing homes and businesses to achieve the build out. In addition, leaving more of the existing structures in place would maintain and add to the future character of the new districts. Building on existing urban fabric, not entirely replacing it, enhances the authenticity of place.

4.2 TRANSPORTATION

- ***There should be a strong focus on the performance of the transportation systems in the station area.*** The DPEIR makes simplifying assumptions about the execution of the DSAP and the development of the “high-volume commuter facility, intermodal passenger hub, and long-distance train station”. Specifically, it

assumes that all connections between modes (walking, cycling, transit, auto) and transit services (VTA bus/BRT, light rail, Caltrain, BART, HSR etc.) will be of a high enough quality that ridership projections will be attained. This would support the DPEIR's conclusion that the project will conform to Envision 2040 and as a result, projects in the DSAP will be largely "self-mitigating".

- ***The DPEIR should provide further assurance and methods of measuring/monitoring that there is a less than significant impact to transit, bicycle and pedestrian facilities from the plan.*** The DPEIR says that the Plan and existing policies ensure there will be a less-than-significant impact to pedestrians, cycling and transit. But without a funding mechanism, TDM or other more detailed planning, those other modes will be impacted. The concern is that new development will continue to prioritize automobile travel and throughput, despite policy variations.
- ***The DPEIR discloses insufficient information about the impact of the project on planned transit projects.*** In particular, the DPEIR notes that the proposed project would make a "substantial contribution to significant impacts on transit priority corridors". Given that the DPEIR has no information on projected ridership of the Alameda/El Camino Real BRT route and mistakenly refers to VTA's 522 line as "BRT" (See page 111), it is difficult to assess the level of impact on this planned transit investment from the DSAP.
- ***The plan should protect more intersections from growth in auto capacity.*** The City of San Jose's policy to protect intersections from auto mitigations is an exemplary tool to improve conditions for non-auto modes. While the DPEIR proposes adding three intersections to the protected intersections list, we suggest adding all intersections in the DSAP area to this list so that project level EIRs do not result in adverse impacts to these modes.
- ***The city's new policy framework requires rethinking of design of Autumn Parkway.*** Autumn Parkway was mitigation from the Strategy 2000 EIR. Subsequent to that time, California passed SB 375 and more importantly, the City of San Jose adopted its Envision 2040 General Plan. We propose that San Jose reexamine this project in light of its new policies. Prioritizing auto throughput in this area is in direct contradiction to the city's stated goals of reducing vehicle miles traveled and encouraging non-auto modes of travel.
- ***Autumn Parkway should not be built south of Julian.*** The connection north of Julian is useful in that it increases connectivity across the old railroad tracks. However, the street design and alignment of Autumn Parkway south of Julian would disrupt and destroy some of what is left of the traditional grid in the area as well as lead to the demolition of existing properties. As a result, San Jose should wait for significant development before finalizing the full project extension south of Julian Street. It is appropriate to allow some of the development to take place before defining exactly what kind of roadway expansion is required. It would be a mistake to build out a roadway based on a final development pattern that may take decades to transpire. We did not see any evidence in the DPEIR that stopping Autumn Parkway at Julian Street would have any adverse affect on the transportation system.
- ***Autumn Parkway should be designed as a multi-modal street.*** Particularly between Santa Clara Street and Park, it will be important to make sure that there

is a north/south bike path along Autumn Parkway. An alternative such as the Guadalupe River Trail is not appropriate for bike commuting as that trail is currently closed after dark and as stated before, the assumption of the Los Gatos Creek Trail as a Class I bike facility is likely impossible. Additionally, it is important to maintain on-street parking. This would allow for continued direct access to facilities such as the children's playground just east of the Arena. The on-street parking could be used as a lane of traffic during special events.

- ***There should have been additional analysis of the impact of minimum parking requirements and an alternative explored that eliminates parking minimums.*** The DSAP and DPEIR assume an average of 1.5 spaces per 1,000 square feet of commercial uses and 1 space for every residential use. We do not believe that the DPEIR properly evaluated the negative impact on quality urban design and encouragement of auto travel of having every building self-parked. Additionally, while we do not dispute the need for increased parking in the Diridon Station area, we do not support the notion of mandating a parking minimum and suggest these be removed from the final plan. An alternative in the near term is to use existing surface parking lots as an interim use and form of land banking until values get high enough to justify dense new development.

4.5 CULTURAL RESOURCES

- ***There should be greater protection of historic resources, particularly pre WWII housing north of the station area.*** In Impact CUL-1, the DPEIR notes that "The DSAP would make a cumulatively considerable contribution to previously identified significant impacts to historic resources." Greater attention should be placed on enabling development in such a way that preserves the existing street fabric and historic structures. We do not think that there is enough information to evaluate the cumulative impact of the loss of these resources. In particular, the Northern Innovation zone includes several blocks of pre-WWII housing on Autumn Street and Autumn Court that should be kept as part of the fabric and history of the area. To treat this area as simply an opportunity site to wipe clean misses part of its unique selling point -- its history. We do not support the extent to which the DSAP and DPEIR assume total loss of those resources and recommend that the city assume retention of as much of the existing fabric and historic buildings as possible. We recognize that part of the challenge lies in CEQA where Structures of Merit are not considered significant resources for the purposes of CEQA, even though they "contribute to the historic fabric of the city."
- ***The DPEIR does not properly analyze the need for the realignment project to also remove the existing buildings east of Autumn Street towards Los Gatos Creek.*** As stated earlier, there is no reference to existing structures that would need to be removed in this area.

For ease of review and orientation to the DPEIR, it would be helpful to include a summary of all Impacts, Mitigation and Avoidance Measure and Level of Significance in the first table (starting on page 9), not only those of Significant and Unavoidable (SU) Impact.

Finally, we challenge the underlying assumptions that lead to the “Reduced Scale Alternative” being considered the “environmentally superior alternative” only because it would result in less development overall. Increasing development around transit is environmentally superior to an alternative of more scattered development. By confining the environmental analysis to the immediate intersections and blocks, the scale of analysis for making this assumption misses the broader and greater environmental impact of reducing development around the station.

In sum, we support much of what is included in the DSAP and the DPEIR. We look forward to ongoing collaboration with the City and other stakeholders on the implementation of this plan.

Thank you for the opportunity to comment on the Diridon Station Area Plan and DPEIR.

Regards,

A handwritten signature in dark ink, appearing to read "Leah Toeniskoetter", with a stylized flourish at the end.

Leah Toeniskoetter
Director, SPUR San Jose



1922 The Alameda
Suite 420
San Jose, CA 95126

Tel 408.287.7259
Fax 408.213.7559

BOARD OF DIRECTORS

Shiloh Ballard
Phil Brotherton
Gary Brustin, Esq.
Ian Dewar
Carolyn Helmke
Jessica Herrera
Peter Ingram
Ann Jasper
Scott Lane
James Lucas
Susan Tierman Kroll, MD
Jim Parker
Alyssa Plicka
Jeff Selzer
Cheryl Smith

ADVISORY BOARD

Andrew J. Ball
President West Region
Suffolk Construction

Carl Guardino
President and CEO
Silicon Valley Leadership Group

Rick Wallace
President and CEO
KLA-Tencor

Tom Werner
President and CEO
SunPower Corp.

**PRESIDENT AND
EXECUTIVE DIRECTOR**
Corinne Winter

*SVBC is a 501(c)(3)
non-profit organization.
EIN 77-0338658*

<http://bikesiliconvalley.org>

February 13, 2014

David Keyon, Department of Planning, Building and Code Enforcement
City of San José
200 E. Santa Clara Street
Tower, 3rd Floor
San Jose, CA 95113
Via email: david.keyon@sanjoseca.gov

Re: Comments on Diridon Station Area Plan Draft Environmental
Impact Report

Dear Mr. Keyon:

I am writing on behalf of Silicon Valley Bicycle Coalition (SVBC), a membership-based organization that promotes the bicycle for everyday use in Santa Clara and San Mateo Counties. We have nearly 400 members living in the City of San Jose. Thank you for this opportunity to provide input on the draft environmental impact report (DEIR) for the Diridon Station Area Plan (DSAP).

Support for measures that encourage active transportation

As you may be aware, SVBC was highly involved in the development of the preferred DSAP. We are encouraged to see that the DEIR takes into account and repeatedly references that the area around Diridon Station is planned to be a "highly active, lively, pedestrian and bicycle friendly place." We applaud those mitigation strategies described in the DEIR that support this vision:

Implementation of a transportation demand management (TDM) program: mitigation for Impacts AQ-1 and AQ-2.

Addition of the intersections at The Alameda/Naglee Avenue; Park Avenue/Naglee Avenue; and Lincoln Avenue/San Carlos Street to the City's List of Protected intersections: mitigation for Impacts TRAN-2 and TRAN-4.

Measures to reduce and avoid impacts related to regional air quality:

- Parking measures that include fees for single occupancy vehicles and implementation of a parking cash-out scheme (p. 192).
- Bicycle and pedestrian measures, including secure and weather-protected bicycle parking; direct access to adjacent

bicycle routes, showers and lockers for employees using active transportation; secure short-term parking for customers and visitors; and direct, safe, attractive pedestrian access from the area to transit and nearby development (pp. 192-193).

Measures included to reduce greenhouse gas emissions: In general, creation of an environment where bicycle and pedestrian access is comfortable and convenient (p. 351).

Suggested additional measures

The above measures are crucial for preventing air pollution, mitigating traffic caused by increased travel to the area, and reducing greenhouse gas emissions. However, there are several other steps that would contribute to achieving these goals:

Greenhouse gas emissions: Impact GHG-1 contends that, "Build-out of the DSAP would make a considerable contribution to the significant unavoidable cumulative impact to global climate change..." Though we concede that new development will lead to increased traffic and travel through the area, we urge the City to take a more multi-modal approach to its analysis and projections. Importantly, the traffic analysis in the DEIR relies on Level of Service (LOS), which looks only at motor vehicle traffic. **We encourage analysis using Multimodal Level of Service (MMLOS)**, which incorporates bicycle, pedestrian, and transit travel. MMLOS would provide a more accurate baseline for measurement, as the City pursues ambitious mode shares of 15% bicycle, 15% pedestrian, and 20% transit as identified in the Envision 2040 General Plan. Without accurate measurements and analysis of all modes of transportation, the projected impacts of bicycle and pedestrian infrastructure (and other facilities such as parking) can only be guessed at. More accurate projections of facilities' impact in reducing single-occupancy vehicle (SOV) trips can help guide land use and transportation projects in the DSAP to more efficiently mitigate GHG impacts.

Parking: We appreciate the parking measures identified on page 192 of the DEIR, including parking fees for SOV commuters and implementation of a parking cash-out for employees in the area. We feel additional parking policies would help mitigate SOV traffic and encourage bicycling and walking in the spirit of the DSAP:

- **Unbundled parking for residential developments:** separate the cost of parking from the cost of housing, so people who choose to live car-free or car-light are more likely to be able to afford to live in the area.
- **Eliminate minimum parking ratios:** Instead, place parking maximums on developments and let the market determine parking supply under those maximums.
- **Implement bike parking minimums for residential developments:** Residents of the area need weather-protected, secure storage for bicycles if they are going to take advantage of living in a bicycle-friendly place.

Specific project elements suggestions:

We urge the City to consider altering specific project elements and mitigation strategies to achieve a higher level of active transportation, thus further mitigating impacts to traffic, air quality, and greenhouse gas:

Autumn Street extension: The Autumn Street extension will provide a major thoroughway in and out of the station area and should include protected bikeways along its length. The extension will connect the core station area to a popular shopping destination and existing bicycle route. The current extension plan, which relies on the adjacent trail to provide bicycle access, falls short in several areas:

- The trail only runs along on the east side of the roadway. Southbound bicycle riders (those heading to Diridon Station from the north) would have to cross over multiple lanes of moving traffic to reach it.
- The City of San José trail system is closed for use from one hour after sunset to one hour before sunrise the following day. This policy precludes legal use of the trail much of the time, particularly in the winter.
- Even if trail use were permitted at night, the isolated environment (away from the street and other travelers) is intimidating for people who feel more vulnerable to crime or injury.
- The trail is mixed-use, meaning pedestrians and bicyclists share the same space. This is antithetical to the City's mode share goals: if walking and bicycling are to each compose 15% of trips taken, adequate space must be provided for both if the facility is to be used for transportation purposes.
- The speed limit on the trail system is 15 miles per hour. The low speed limit makes the trail highly unattractive to some who bike for transportation and maintain higher speeds.

We have examined the plans for Autumn Street in the vicinity of the SAP Center, and we would be happy to discuss some design ideas with DOT staff that successfully incorporate protected bikeways along with event parking.

Meridian Avenue/Fruitdale Avenue mitigation: The DEIR identifies an unacceptable degradation in LOS at this intersection and anticipates the addition of a second eastbound left-turn lane as mitigation.

- As discussed above, we urge the use of MMLOS instead of LOS.
- We urge the City to consider bicycle infrastructure improvements in order to encourage increased bicycle trips through the intersection. This is particularly appropriate given the proximity to light rail, the Southwest Expressway bicycle route, and the Los Gatos Creek Trail.

Implementation:

As a membership organization, we have turned to our members for input regarding this DEIR. One of the most often repeated concerns is the lack of clear implementation tactics in many planning documents. Additionally, while the DEIR seems like an ideal document to drive implementation of Envision 2040's mode share goals, many of the issues described above (LOS, Autumn Street, parking minimums) seem to contradict

those goals. We encourage the City to establish clear timelines and funding mechanisms for implementing the many laudable bicycle and pedestrian infrastructure elements of the DSAP.

In general, we are grateful to see the Diridon Station Area Plan moving forward. The planning process has included extensive outreach and opportunity for public input and we appreciate the efforts of staff and our elected leaders over the last several years of work on the DSAP. We hope the City will consider integrating our suggestions to make a great plan even more supportive of the goals laid forth in Envision 2040.

Sincerely,



Corinne Winter
President and Executive Director

Cc: Hans Larsen, Director, Department of Transportation,
hans.larsen@sanjoseca.gov
Councilmember Sam Liccardo, District 3, sam.liccardo@sanjoseca.gov

SILICON VALLEY LEADERSHIP GROUP

2001 Gateway Place, Suite 101E
(408) 501-7864 Fax (408) 501-7861

www.svlg.org

CARL GUARDINO
President & CEO

Board Officers:

STEVE BERGLUND, Chair
Trimble Navigation

GREG BECKER

SVB Financial Group

TOM WERNER, Former Chair

SunPower

AART DE GEUS, Former Chair

Synopsys

MICHAEL SPLINTER, Former Chair

Applied Materials, Inc.

ROBERT SHOFFNER

Secretary/Treasurer

Citibank

Board Members:

JOHN ADAMS

Wells Fargo Bank

SHELLY ARCHAMBEAU

MetricStream, Inc.

ANDY BALL

Suffolk Construction

GEORGE BLUMENTHAL

University of California, Santa Cruz

JOHN BOLAND

KQED

TOM BOTTORFF

Pacific Gas & Electric

CHRIS BOYD

Kaiser Permanente

TORY BRUNO

Lockheed Martin Space Systems

DAVID CUSH

Virgin America

Lloyd Dean

Dignity Health

Mike DeCesare

McAfee

STEPHEN DEWITT

Hewlett-Packard Company

MICHAEL ENGH, S.J.

Santa Clara University

Bill Enquist

Stryker Endoscopy

TOM GEORGENS

NetApp, Inc.

RAQUEL GONZALEZ

Bank of America

LAURA GUIO

IBM

BARBARA HOLZAPFEL

SAP

KEN KANNAPPAN

Plantronics

GARY LAUER

eHealth

TARKAN MANER

Wyse Technology

ALBERTO MAS

BD Biosciences

KEN MCNEELY

AT&T

KEVIN MURAI

Synnex

JES PEDERSEN

Webcor

KIM POLESE

ClearStreet

MO QAYOUMI

San Jose State University

ALAN SALZMAN

VantagePoint Capital Partners

RON SEGE

Echelon Corporation

MAC TULLY

San Jose Mercury News

RICK WALLACE

KLA-Tencor

BILL WATKINS

Bridgelux

JED YORK

San Francisco 49ers

Established in 1978 by

DAVID PACKARD

February 13, 2014

David Keyon

Department of Planning, Building and Code Enforcement

200 E. Santa Clara Street, Tower, 3rd Floor

San Jose, CA 95113

File No. PP09-163

Dear Mr. Keyon,

The Silicon Valley Leadership Group writes to share its comments on the draft Diridon Station Area Plan (DSAP) and its related Draft Program Environmental Impact Report (DPEIR). We greatly appreciate the time and effort that the City, community and others have put into the DSAP and look forward to working with all involved to implement this critical and ambitious plan.

The Silicon Valley Leadership Group, founded in 1978 by David Packard of Hewlett-Packard, represents nearly 400 of Silicon Valley's most respected employers on issues, programs and campaigns that affect the economic health and quality of life in Silicon Valley, including energy, transportation, education, housing, health care, tax policies, economic vitality and the environment. Leadership Group members collectively provide nearly one of every three private sector jobs in Silicon Valley and have more than \$3 trillion in annual revenue.

The Leadership Group has a vested interest in the success of the Diridon Station Area and Plan, particularly given our support for active transportation and transit, high-quality, infill development, and dense market rate and affordable housing. We have been major proponents of the BART Silicon Valley extension and the Caltrain system, and the success of those and other regional transit options depend on the excellent implementation of development at and around the Diridon Station.

Overall, we enthusiastically support the DSAP. The area around Diridon Station represents an incredible opportunity and should serve as a demonstration site for the City of San Jose's laudable land use and mode shift goals. Our comments focus on areas that should be strengthened and/or deserve particular focus as the City moves to the implementation phase of the Plan. Comments are organized into three sections: land use, form & placemaking, housing and transportation.

Land Use, Form & Placemaking

- The overall intensity of development envisioned in the DSAP, particularly for the Central Zone, is appropriate and should be ensured, with minimum development thresholds

(floor to area ratios or FAR) raised. The (lower) development intensities envisioned in the Design Alternative and Reduced Scale Alternative result in a greater environmental impact (counter to findings in the dEIR) when the overall City is considered, as scattered development is worse for the environment than concentrated development near transit and key destinations.

- We support the concept of high-density employment and other intensive uses closest to the Station. This approach takes greatest advantage of incredible transit offerings. Generally, we hope to see density in all uses (entertainment, housing, employment, hotel, and retail) throughout the DSAP Area.
- We appreciate the emphasis on placemaking and the integration of artistic elements throughout the Plan, and urge the City to hold to the highest standards of urban design in vetting and approving projects that come forward. This attention to detail at the pedestrian scale will ultimately pay dividends, fostering vibrancy, creating value and encouraging walking and lingering in the area.

Housing

- As cited in the DSAP, the demand for more homes and particularly affordable homes in transit-rich areas is tremendous. While San Jose has plentiful housing, it does not have enough homes in walkable, transit-accessible urban neighborhoods. These homes are in increasingly high demand among the skilled workers needed by our member companies and other regional corporations. More homes in walkable neighborhoods will help regional employers be competitive in the market for talent and encourage companies to locate in San Jose.
 - Market Rate Homes. We encourage the City to maximize the number of homes available in the Plan. Part of the strategy for accommodating significant residents should be encouraging smaller, well-designed homes that appeal to those looking for urban living opportunities. These homes are frequently affordable “by design” rather than “by regulation” and help ensure that many more people have access to the amenities in and around the Diridon Area, even when they do not qualify for subsidized homes.
 - Affordable Homes. Placing affordable homes near transit is particularly good for the transit systems (with higher projected ridership from lower income riders), the residents (who benefit from a lower overall housing and transportation cost burden), and the environment (with fewer people driving older, less fuel-efficient cars). We encourage the City to maximize the number of homes available in the Plan and ensure that at least 15 percent of them are affordable to those of low and moderate means. Tools such as smaller homes, density bonuses, inclusionary housing and in-lieu fees, a housing impact fee, and value capture mechanisms should all be considered to exceed existing affordable housing goals in the implementation of the Plan.

Transportation

- In general, it should be easiest to get to and from Diridon Station on transit, by walking or by biking. This is the right area to prioritize non-auto travel, particularly to serve as a demonstration area for the City’s Envision 2040 mode shift goals (60% of all trips made via non-solo driving). All further comments seek to reinforce this fundamental principle.
- Coordination among the many transit options available at Diridon Station will prove critical to the success of the station and DSAP. This involves both the physical layout of the Station itself – is it easy, quick and intuitive to walk between transit providers? – and operational coordination among the various agencies (timed transfers, ticketing/fares, etc.). Global best practices for intermodal station design can assist in the physical layout, while regional leadership may be required to ensure interagency operational coordination.

- We are encouraged by the Transportation Demand Strategies articulated in the DSAP, and urge the establishment of a Transportation Management Association (TMA) to pool resources among Diridon and Downtown-area users and incentivize alternative transportation.
- Parking frequently poses a major challenge to quality urban design and a pedestrian, bike and transit-first orientation. Parking within individual developments also runs counter to fostering an active street life. We urge the City to create a mechanism for managing shared parking among users (potentially in association with the TMA) and to eliminate parking minimums in the Diridon Area, instead letting the market decide how much parking is needed.
- This is among the most transit-rich areas west of the Mississippi. Accommodating autos looking to travel through the Diridon Area to any significant extent runs counter to the goals of the plan and the Envision 2040 mode shift goals. Priority should be given to transit and to connecting with transit via bike and on foot; auto-capacity improvements should be assessed to ensure they have no negative impact on transit, biking or walking.
 - We believe that the success of the SAP Center should be celebrated and built upon, and that maintaining access to the venue is of critical importance to the San Jose Sharks and other SAP Center users. As the Diridon Area matures, we see the potential for increasing access to the SAP Center by multiple transportation means, akin to the way that roughly 50 percent of AT&T Park patrons arrive via transit and/or on foot – enlivening the surrounding area as they travel. We are heartened by, and encourage your continued outreach to, key stakeholders like The Sharks and SAP who have made such a significant investment in our downtown, as the final plan must work for all of our stakeholders as we move forward to grow a good city into a great one.
 - Building out Autumn Parkway to a four-lane auto-oriented street has the potential to create another east-west barrier dividing the Diridon Station Area and Downtown. If and when Autumn Parkway needs to be reconfigured south of Julian Street, it should be designed to carry needed auto capacity without compromising the ability to safely and comfortably cross it on foot or bike. The roadway should be designed for slow auto speeds and with ample, well-designed crossing opportunities.
- Follow “desire-lines” for pedestrians and bicyclists accessing Diridon Station. People on foot and bike should have short, intuitive paths to and from Diridon Station. This requires short blocks with ample sidewalks and bike facilities (both on- and off-street) that safely and directly connect cyclists to the Station from nearby trails, Downtown and surrounding neighborhoods. We are particularly concerned about the bike connection between the Station and the Guadalupe River Trail to the north.

Thank you for your consideration of these comments, and for the good work that has gone into the DSAP to date. We look forward to working with you on the implementation of this Plan in the months and years to come.

Sincerely,



Jessica Zenk
Senior Director, Transportation



Shiloh Ballard
Senior Vice President,
Housing & Community Development



Bena Chang
Director, Housing & Transportation



February 13, 2014

David Keyon
Department of Planning, Building and Code Enforcement
200 E. Santa Clara Street, Tower, 3rd Floor
San Jose, CA 95113
File No. PP09-163

Dear Mr. Keyon,

TransForm's would like to submit the following comments on the Draft Diridon Station Area Plan (DSAP) and the Draft Program Environmental Impact Report. We would like to thank the City staff and community members that contributed to the plan over the course of the last several years.

TransForm works to create world-class public transportation and walkable communities in the Bay Area and beyond. We have been engaged in the San Jose for over ten years and have been deeply involved with the planning of Bus Rapid Transit (BRT) along the Alum Rock, El Camino, and Stevens Creek Corridors, all three of which intersect at the Diridon Station Area.

It is critical that the DSAP create a pedestrian, cyclist, and transit-first environment if the City is to reach its local and citywide mode share goals. To do this, the City will need to provide both incentives to taking public transportation, walking, and biking, and disincentives to single occupancy auto travel. Specifically, high density development lined with a wide variety of ground-floor uses that activate the street should be encouraged wherever possible. Parking must be minimized the DASP area using aggressive Transportation Demand Management (TDM) measures such as shuttle services and free transit passes to employees and residents of the area. TransForm's GreenTRIP program has shown that most transit-oriented residential and mixed use developments are significantly over-parked and that offering free transit passes, de-bundling parking, providing free car-sharing membership, and including affordable homes results in residents taking greater advantage of nearby public transit options while decreasing the amount of auto trips.

In order to ensure the highest level of transit use in the DSAP and broaden the economic benefits of the area's employment growth, it's critical that at least 15% of the housing units in the plan be affordable and that the City implement strong anti-displacement measures. The City of Portland's Pearl District is a good example of how pricing parking and requiring a high degree of housing affordability (30% all units in the Pearl District are affordable) can generate significant benefits for transit ridership, quality of life, and social equity. Although the Diridon Plan calls for 15% affordability, the mechanisms to generate these affordable units, such as Redevelopment funding, are no longer available. Potential policies that the City could implement include inclusionary housing, housing impact fees, and land value capture. Furthermore, more than five years after the Berryessa Flea Market development was approved by the City of San Jose, it's is clear that the City is just as unprepared today to effectively deal with displacement pressures near

MAIN OFFICE: 436 14TH STREET, SUITE 600, OAKLAND, CA 94612 | T: 510.740.3150 |
SACRAMENTO: 717 K STREET, SUITE 300, SACRAMENTO, CA 95814 | T: 916.706.2035 |
SILICON VALLEY: 48 SOUTH 7TH STREET, SUITE 103, SAN JOSE, CA 95112 | T: 408.406.8074 |

WWW.TRANSFORMCA.ORG

transit station areas. Policies to deal with displacement must be adopted as soon as possible before more low-income and working class families are pushed out of the area. Strategies that the City may consider include increasing the supply of affordable units, adopting strong relocation assistance requirements, and strengthening existing rent control ordinances.

Another necessary ingredient to ensuring that the DSAP is a success is making sure that the multiple transit improvement plans in the area are implemented effectively. For example, the extent to which Bus Rapid Transit (BRT) will carry a high number of riders to the Diridon area depends on the degree of transit priority given to the lines. At this point, the only section of the BRT corridors with dedicated bus lanes planned within the City of San Jose is less than a two mile stretch on Alum Rock Ave. Generally speaking, the faster and more reliable the transit service, the greater the ridership. Furthermore, the BRT station at Bird Ave is too far removed from the Diridon Transit Center. TransForm recommends a study of the benefits and drawbacks to re-routing the Stevens Creek BRT line through the DSAP up to Santa Clara Street through Autumn Street and Montgomery Street instead of 1st and 2nd Street in downtown San Jose.

Finally, TransForm recommends halting the further build-out of Autumn Parkway until development materializes to sufficiently warrant such costly construction, and only after aggressive TDM measures are implemented. Auto-centric projects in the DSAP will move the city in the opposite direction of its General Plan mode share goals.

TransForm looks forward to working with the City and other stakeholders in ensuring effective implementation of the Diridon Station Area Plan. Thank you for the opportunity to comment on the DSAP and DPEIR.

Best,

A handwritten signature in black ink that reads "Christopher Lepe". The signature is written in a cursive, flowing style.

Christopher Lepe
Senior Community Planner, Silicon Valley
TransForm



February 13, 2014

City of San Jose
Department of Planning and Building
200 East Santa Clara Street
San Jose, CA 95113

Attention: David Keyon

Subject: City File No. PP09-163 / Diridon Station Area Plan

Dear Mr. Keyon:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Updated Plan and Draft EIR (DEIR) for expansion of the Diridon Station and transit center as well as allowing for an increase in development within the 250-acre site. We have the following comments.

Land Use

VTA strongly supports the objectives of the Diridon Station Area Plan to improve the Diridon Station to accommodate future transit improvements and create a framework to intensify the land uses surrounding the Station. The Diridon Station Area is the most transit-rich area in Santa Clara County, served by 12 VTA bus routes, Light Rail, Caltrain, Altamont Corridor Express, and Capitol Corridor service. The Station will also be served by future Bus Rapid Transit, BART and High Speed Rail service. Additionally, by concentrating housing, employment, retail, and entertainment uses in close proximity to the existing mix of uses in Downtown San Jose, the project will create more opportunities for daily trips to be accomplished by walking and bicycling and incrementally reduce automobile trips and greenhouse gas emissions.

Pedestrian Accommodations

Projects in the Diridon Station Area should include exceptional pedestrian accommodations to facilitate walking trips throughout the area, especially near the transit center, SAP Center and potential future baseball stadium. VTA recommends accommodations above and beyond the minimum requirements including widened sidewalks, pedestrian-scale lighting and a buffer strip between pedestrians and automobiles with consistent street trees. Resources on pedestrian quality of service, such as the Highway Capacity Manual 2010 Pedestrian Level of Service methodology, indicate that such accommodations improve perceptions of comfort and safety on a roadway. VTA also recommends that projects in the area be designed to provide an engaging pedestrian experience by providing consistent active frontages with entrances facing the street.

Congestion Impacts to Transit Service

The DEIR notes that buildout of the DSAP would make a substantial contribution to significant cumulative impacts at the CMP Intersection of The Alameda/Naglee Avenue. The Level of

Service would degrade to F under Cumulative plus Project conditions, which is an impact under CMP criteria. The DEIR notes that the intersection would be added to the City's List of Protected Intersections and offsetting improvements to pedestrian, bicycle, and transit facilities in the vicinity would be required (p. 148). In addition, the DEIR finds that the project would have Significant Cumulative Impacts on the Transit Priority Corridors of The Alameda/Santa Clara Street and San Carlos Street (p. 152). VTA notes that these corridors are currently served by Lines 22/522 and 23/323, which are among VTA's most highest ridership bus routes, and that both corridors are planned to be upgraded to Bus Rapid Transit (BRT) service in the future.

VTA supports the proposal to require offsetting multimodal improvements at Protected Intersections, consistent with City policy. Also, VTA supports the purpose of "Protecting" intersections in transit-rich infill locations, such as the Diridon Station Area, to facilitate concentrated development to support transit ridership. However, increased congestion at the locations discussed above could result in delay to transit vehicles, which could degrade schedule reliability and increase operating costs. VTA requests that even where intersections are "Protected" from automobile Level of Service (LOS) standards, TIAs and environmental documents for future projects in the area should still include an analysis of transit delay due to congestion. If increased transit delay is found in this analysis, VTA believes that contributions to transit priority measures at the affected intersection or nearby, such as queue jump lanes, transit priority signal timing, and/or bulb-out transit stops, would constitute appropriate off-setting measures.

Project Phasing

VTA understands that the buildout of the Diridon Station Area Plan will occur in phases, and requests that the City circulate plans, TIAs and/or environmental documents for individual projects to VTA as they are proposed.

Queuing Analysis at Freeway On-Ramp locations

The proposed development is within close proximity of SR 87, I-280, I-880, US 101. Per *Section 2.3 – Determining Other Transportation Issues to Address* and *Section 9.1.2 Queuing Analysis* of *VTA Transportation Impact Analysis (TIA) Guidelines, March 2009*, a queuing analysis should be included in the TIA report for the intersections at the ramp locations.

Existing Intersection LOS

The 2008 Monitoring and Conformance Report was used for the analysis of CMP facilities (intersections, freeways and expressways).

LOS for study intersection I-880/ Coleman Avenue is listed as LOS D, which does not match with the VTA 2008 Monitoring and Conformance report. Please verify LOS for the CMP facilities.

The document may be downloaded from <http://www.vta.org/cmp/monitoring-report>. For more information please contact Rob Cunningham of VTA at (408) 321-5792.

Freeway Analysis

VTA recommends providing freeway segment analysis in a tabular form as shown in Appendix B of the VTA TIA guidelines. This table should be provided for all the scenarios analyzed. The TIA should include an assessment of freeway segments to determine whether additional freeway segments meet the one percent threshold. This recommendation is based on *Section 2.2 of the VTA CMP TIA Guidelines*.

The document may be downloaded from <http://www.vta.org/cmp/technical-guidelines>. For more information on the TIA Guidelines, please call Shanthi Chatradhi of the VTA Congestion Management Agency Division at 408-952-4224.

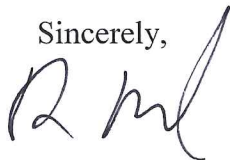
Transit Center Design

We have the following comments concerning the transit center design options discussed in the Updated Plan:

- We prefer the Bus Plaza Option over the alternative option. The alternate option (Transit Mall Option) would be less efficient than the existing transit center.
- We recommend that the transit center incorporate at least two additional bus bays in order to accommodate expansion of service.
- Space for private company shuttle buses and other transit providers such as Megabus and Bolt may not be adequate. The additional rail service at this station will generate more shuttle activity and private bus service.
- Pedestrian bulbouts need to accommodate bus turning movements at Santa Clara Street and Cahill.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5784.

Sincerely,



Roy Molseed
Senior Environmental Planner

cc: Michael Liw, San Jose Development Services
Erik Alm, Caltrans
Brian Brandert, Caltrans

WORKING PARTNERSHIPSUSA

February 13, 2014

David Keyon
Department of Planning, Building, and Code Enforcement
200 East Santa Clara St., Tower, 3rd Floor
San Jose, CA 95113

RE: Draft Diridon Station Area Plan and Draft Program Environmental Impact Report

Dear Mr. Keyon:

Working Partnerships USA is pleased to provide comments on the draft Diridon Station Area Plan (DSAP) and the associated Draft Program Environmental Impact Report (DPEIR). We commend the city and the numerous community stakeholders who have invested considerable time, energy, and imagination into the development of the DSAP and its related planning documents.

Working Partnerships is a public policy and economic justice organization dedicated to helping low- and moderate-income workers and families meet their economic needs. Since our founding in 1995, we have been involved in numerous planning and policy efforts to improve housing, transportation, and environmental conditions for San Jose residents. We strongly support the broad overall direction of the DSAP, particularly its emphasis on high intensity, transit-supporting land uses; enhancing pedestrian and bicycle facilities and connectivity; inclusion of affordable homes; and the recognition that mechanisms need to be developed to prevent displacement of low-income residents.

The Diridon Station area offers an unprecedented opportunity to create a vibrant, local and regional destination and establish a major presence for public transit in Silicon Valley. We think the DSAP sets a promising beginning framework for taking advantage of this unique opportunity. However, there are elements of the plan that could be improved or moved forward. In this letter we focus on components of the DSAP and the DPEIR that could be strengthened and/or that deserve special attention as the plan enters the implementation phase. Our comments are broken into three sections: quality local jobs, affordable housing and displacement prevention, and land use/transportation.

Quality Local Jobs:

The DSAP could be strengthened by including strategies or policies to increase local hiring, job quality, and economic opportunities generated by development in the Diridon area. While the Envision San Jose 2040 Plan¹ and the Diridon Station Area Good Neighbor Committee recommendations² both prioritize creating self-sustaining jobs for local residents, currently there is *no explicit strategy or policies* within the

¹ Envision San Jose 2040 General Plan. Chapter 2, Thriving Community, page 9 (Goal IE-6; Policies IE-6.1 – 6.4)

² Diridon Station Area Good Neighbor Committee. Framework for Implementation, Land Use Implementation Priority #2, page 4.

WORKING PARTNERSHIPSUSA

DSAP to promote access to quality employment opportunities for local residents, despite the substantial scale of development envisioned for the Diridon area. The environmental impacts of having no such strategy – while difficult to study in an EIR – are not insignificant. The creation of low-wage jobs and jobs inaccessible to local residents increase traffic and greenhouse gas emissions, due to workers commuting in from outside the area. In 2008, for example, non-local construction workers employed in Santa Clara County cumulatively drove over 1 million miles per day to and from work. If the work done by these non-local workers was instead performed by local residents with shorter commutes, the estimated savings would be 123,619,000 miles per year.³

The amount of development anticipated in the Diridon area build out will have a significant impact on the local labor market, employment opportunities, and economic well-being. If done well, these projects can serve as an important driver of economic growth and quality job creation in our community. Conversely, development that creates and proliferates substandard jobs, at which workers do not achieve financial self-sufficiency, is far less valuable to the community, hampers economic growth, and places additional burdens on the city to provide affordable housing and social services for these workers. It is in the public interest, therefore, to promote and encourage the creation of jobs accessible to local residents, which provide area standard wages enabling employees to achieve financial self-sufficiency.

Implementation of the Diridon Plan should include the development of strategies to promote and prioritize quality job opportunities for local residents. Such strategies could include:

- Encouraging developers in the Diridon area to coordinate with Work2Future to link economic development to workforce development and programs that assist local youth and disadvantaged residents in gaining access to construction careers and other job opportunities.
- Encouraging developers of projects receiving entitlements from the city to pay area standard wages to construction workers employed on projects in the Diridon Station Area.
- Exploring model approaches the city can use to proactively attract the kinds of development that offer sustainable wages and career opportunities.
- Encouraging developers, owners and occupants of projects in the Diridon area to meet a goal for employment of local residents and utilization of local businesses in construction contracting and in the permanent workforce and supplier and contract opportunities created by development and use of the site.
- Encouraging owners and occupants of major projects receiving entitlements from the City to pay a livable wage to the permanent workforce employed at that site, and to provide career opportunities, on the job training, work experience and/or paid internship opportunities for local youth and disadvantaged individuals.

³ Analysis of Blue-Collar Construction Workers (BCCWs) performed by Alex Lantsberg and Louise Auerhahn with data drawn from ACS 2006-2008.

Affordable Housing and Displacement Prevention:

The DSAP includes a thoughtful analysis of affordable housing needs and establishes a policy goal that a minimum of 15% of the homes developed in the Diridon area should be affordable to low- and moderate-income households. Given the growing number of individuals and families in need of below market rate homes and the elevated value and importance of ensuring affordability in transit rich areas we encourage the DSAP to adopt a higher affordable housing goal (20%). However, as the city understands well, the loss of redevelopment funding, the Governor's veto of AB1229 and other changes to the affordable housing landscape have made this goal more difficult to achieve. To ensure an inclusive, diverse community at Diridon, San Jose must be dedicated to adopting a strong policy response to the loss of these tools.

Whereas the DSAP includes a strong emphasis on developing mechanisms to address displacement of low-income residents, the DPEIR fails to adequately discuss the full impacts of potential displacement. Section 4.15.3.3 (page 379) of the DPEIR observes that implementation of the DSAP could displace a portion of the approximately 1,430 existing residents in the Plan area. It acknowledges that new housing may be more expensive for displaced residents trying to relocate within the plan area. However, the DPEIR seems to assume that this potential impact would be mitigated simply because the plan has a 15% affordable housing goal. There is no analysis of what the displacement impact would be if this 15% goal is not met. And, the DPEIR fails to study the impact of various levels of affordable housing that could be included in the plan, both in terms of the depth of affordability as well as the total percentage of affordable homes within the DSAP.

As the draft DSAP indicates, currently the Diridon area is more income diverse than the city overall; 78% of households are renters compared to 42% citywide and the median household income in the Diridon area is substantially lower than the citywide median income (DSAP, pg. 2-154). The Diridon area will be benefiting from a multi-billion dollar public investment in transit, all income levels should have access to and benefit from these public amenities. But given the constrained regional and local housing market, rising property values and development pressure will make affordability and displacement a big challenge in this community. It is critical that we don't push out from this area, the families and seniors who would benefit most from the amenities envisioned for Diridon. Tools will need to be put in place to ensure the low-income families and seniors are not left out.

The DSAP does outline several potential financing tools to meet Diridon affordable housing goals. As the DSAP moves into the implementation phase, explicit policies to ensure affordability within the Diridon plan must now be developed and implemented. Such policies could include: a) enacting a citywide housing impact fee and requiring that fees generated from market rate residential development in the Diridon area should stay within Diridon to build affordable projects, b) creating a mechanism to capture a portion of increasing land values through the rezoning process to provide funding for affordable homes to prevent displacement of low income residents.

WORKING PARTNERSHIPSUSA

Land Use/Transportation

The Diridon Station anticipates a tenfold increase in transit ridership as a result of transit system expansion and the full build out of the Diridon area. Achieving these lofty ridership targets and moving towards the laudable and ambitious mode shift goals outlined in the 2040 General Plan will not happen simply by building out the plan alone. It will require a commitment to high-intensity development (particularly in the central area), emphasis on quality transit- and pedestrian-friendly design, and an ongoing dedication to prioritizing non-automobile modes. With these thoughts in mind, we have the following comments:

- Given Diridon's role as a regional transit center, the overall level of development proposed in the DSAP is appropriate and should be ensured by increasing minimum allowable densities (floor area ratios) in the central zone. A dense mix of uses through the Diridon area is needed to support transit, walkability, and placemaking goals. The lower intensity alternatives studied in the DPEIR fall short of meeting these goals.
- VTA, Caltrain and other transit agencies should be very closely integrated with the planning and implementation of the DSAP in order to maximize quality design and provide well-coordinated frequent transit service. For example, the El Camino and Stevens Creek/San Carlos Bus Rapid Transit (BRT) system planning efforts should be more explicitly incorporated into the planning for the Diridon area to ensure effective integration of these important projects into the overall vision for the Station Area. Pedestrian connections between the BRT stops and the Diridon Station need to be safe and convenient and the BRT systems themselves should be designed to prioritize the reliability and speed of the transit.
- The Diridon area should adopt a progressive parking and transportation demand management program that effectively encourages alternative modes of transportation and incorporates shared, unbundled and reduced parking policies.

Thank you for your consideration of these comments. We look forward to continuing to work with the city and other stakeholders to ensure the Diridon Station Area can meet its substantial potential.

Sincerely,



Brian Darrow

Director of Land Use and Urban Policy

Willow Glen

Neighborhood Association

David Keyon
Project Manager
City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose CA 95113-1905

Email: David.keyon@SanJoseCA.gov
Phone 408-535-7898

Subject: Diridon Station Area Plan (DSAP) Program Environmental Impact Report (PEIR) State Clearinghouse # 2011092022

The Willow Glen Neighborhood Association (WGNA) and our members were actively and positively involved in developing the Envision San Jose 2040 General Plan and Good Neighborhood Committee and support the purpose of DSAP to integrate past and present plans into one vision that would guide future mixed use Diridon Station Area Urban Village development that is planned to take full advantage of the high level of transit connectivity.

WGNA had previously expressed concerns in our comments about Baseball Stadium (Diridon/Arena Area) DEIR and asked for clarification regarding the hierarchy of the multiple interrelated area plans and multiple plan layers and what takes priority and what is consistent or not consistent, and the Diridon Station Area Plan addresses many of our concerns.

The Program Environmental Impact Report (PEIR) Review uses "tiering" to deal with environmental issues and cumulative impacts from the two previously approved San Jose Downtown Strategy 2000 based on 4 guiding principles and Envision San Jose 2040 General Plan, which establishes a vision for future population and economic growth and provision of municipal services for the City of San Jose.

We believe that a number of DSAP PEIR significant adverse environmental impacts were dismissed without adequate analysis and certain conclusions unsupported by evidence, and that some impacts and potential mitigations are inadequately evaluated in PEIR.

1) Meaningful Alternative Uses for Baseball Stadium Site and Proposed High Speed Rail Sites

WGNA continues to have very serious concerns as previously expressed in our Baseball Stadium (Diridon/Arena Area) DEIR (May 3, 2006) comments that meaningful alternatives to the proposed baseball stadium must be studied and compared under the EIR, especially high rise, high density, mixed-use development and multi-mode area transportation impacts and

mitigations, which is an essential part of public participation in DSAP development CEQA process.

The omission of the meaningful possible alternative uses of stadium site and the review of impacts and mitigations as specified under CEQA must be done because of the very real possibility that either Major League Baseball (MLB) or San Jose voters may not approve the proposed baseball stadium. Both approvals are required prior to building the stadium. MLB has disapproved A's request and voters have twice turned down stadium approval.

2) Transportation and parking impacts and mitigations in DSAP, surrounding areas and south Interstate 280 to Curtner

WGNA and other neighborhoods have very serious concerns about the lack of adequate transportation and parking analysis using current, not outdated or missing, multi-mode information of the cumulatively considerable impacts and CEQA required mitigations that must be done for proposed extensive DSAP development and related significant increased vehicle transportation street usage, to include senior appropriate transportation, bike / trails to and from DSAP area impacts on comprehensive multi mode Transportation Network in surrounding low income Strong Neighborhoods Initiative areas – Washington, Gardner, Burbank/Del Monte, University, etc., and the streets and highways bounded by Interstate 280 (north) to Curtner Ave. (south), South First Street/Monterey Highway (east) to Southwest Expressway (west) including Almaden Expressway, Vine, Bird, Coe, Willow, Lincoln, Meridian, and neighborhood cut thru streets..

Population growth, correlating vehicle emissions, alternative transportation methods, and movement to electric vehicles should be estimated and shown to be in compliance with the Greenprint.

This additional CEQA analysis of impacts using current, not outdated or missing, multi-mode information and mitigations must also be done for the possible alternative uses of stadium site.

3) Tamien Station Area Development Impact and Mitigations on DSAP and surrounding areas

Council has apparently given direction to Planning to not study or consider any environmental impacts or mitigations in DSAP area from the Tamien Station Area (TSA) development. TSA has the only existing and recent VTA (acting as developer) proposed but unfilled high-density housing development, without the other required mitigating live-work or walkable elements (jobs, stores, parks, pedestrian, bike, etc.) of a well-designed Transit Station/Urban Village development.

VTA proposed at the December 2, 2013 Preliminary Community Meeting a high-density housing development on vacant land and existing CalTrain parking lot on Lick Ave., and clearly told neighborhoods that VTA would not be building replacement parking. At a later meeting, VTA indicated they would further study the issues raised at the December 2 Community Meeting.

WGNA respectfully disagrees with Council and believes that DSAP and TSA will have significant unstudied adverse environmental and transportation impacts and needs mitigations because Diridon and Tamien are the only Light Rail/CalTrain stations in San Jose; if VTA proposals are approved, current Tamien Station users and proposed new residents will use neighborhood streets and highways to go to Diridon Station for CalTrain/Light Rail unless TSA is developed within a reasonable timeframe with all required mitigating live-work and walkable elements of a well designed Transit Station/Urban Village development.

4) WGNA, many other neighborhoods, community groups and city staff have expressed multiple times in public meetings that the previous Council's 2000-2006 rezoning of about 1,400 acres of employment lands (commercial and retail) to residential uses ignored the General Plan 2020's clear guidance, **"...it is critical to consider the fiscal implications of new growth,"** and **"...the community's tax base is weak and may be unable to support adequate levels of urban services,"** which negatively affected San Jose's historical low jobs/housing balance and resulted in many significant multiple-year budget deficits due to **"limited revenues to pay for these services."** And many believe 1,400 acres of rezoning had non-General Plan significant CEQA cumulatively considerable impacts that needed mitigations that may not have been studied, or were only recently studied in Envision San Jose 2040 General Plan.

General Plan 2020 - II Background for Planning – Jobs and Housing pages 19-21

The concept of a balance between the number of jobs and resident workers (generally referred to as the "jobs and housing balance") is integral to this General Plan and to an understanding of the regional urban setting. The jobs/housing balance is the relationship between the number of jobs provided by a community and the number of housing units needed to house the workers in those jobs. The best measure of jobs/housing balance is the jobs/employed resident ratio; a ratio of 1.00 indicates that there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 indicates that a community is "job poor" and that its economic development has not kept pace with its housing growth. Typically this implies that the community's tax base is weak and may be unable to support adequate levels of urban services.

Fiscal Setting on pages 22-23

"The fiscal health of San José is integrally linked with the City's land uses and economic development activity. Generally, industrial and commercial uses generate greater revenues and require fewer services than residential uses. As a 'bedroom community,' San José has significant service demands while having limited revenues to pay for these services. Figures 5 and 6 document San José's relatively poor per capita revenues when compared with either other large cities in California or other 'full service' cities in Santa Clara County.

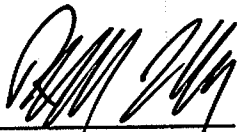
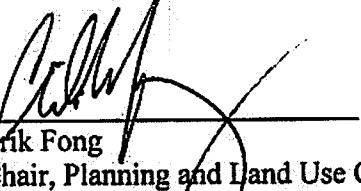

"Because of the constraints imposed by State law, options for improving local government revenues are limited. For this reason, it is critical to consider the fiscal implications of new growth. A fiscal analysis completed for the San José 2020 General Plan process demonstrated that the location and type of new development affect the costs of providing services."

Envision San Jose 2040 General Plan was developed with neighborhood and community input, and with significant emphasis on achieving the planned minimum "jobs and housing balance" that has never been previously achieved because housing development has always exceeded the job development needed for a strong community tax base able to support adequate levels of urban city services.

Many San Jose neighborhoods and community groups are very concerned that recent public calls for more market rate and affordable housing by community groups and business community with political pressure on Council will result in more rezoning employment lands to residential without considering the future fiscal implications of new growth as has occurred in 2000-2006.

Additional housing without the required additional jobs and tax revenues to support adequate levels of public safety, transportation infrastructure, increase of the currently understaffed (25-30% vacancies) Planning Department to implement planning reviews, monitor CEQA mitigations, and support other essential city critical staff and services will make San Jose quality of life further deteriorate and cause needed business and jobs and their tax revenues to leave for other cities and states.

Sincerely,


Richard Zappelli
President - WGNA
Erik Fong
Chair, Planning and Land Use Committee
Ed Rast
Former President / Member