

APPENDIX A

NOTICE OF PREPARATION AND COMMENTS RECEIVED



Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, DIRECTOR

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE JAPANTOWN CORPORATION YARD MIXED USE RESIDENTIAL
PROJECT IN THE CITY OF SAN JOSE**

Project Applicant: Williams & Dame Development and First Community Housing
File Numbers: General Plan Amendment GP07-03-04, A(PD) Planned Development Rezoning
PDC07-073
Assessor's Parcel Nos: 249-39-011 & 249-39-039

As the Lead Agency, the City of San Jose will prepare an Environmental Impact Report (EIR) for the Japantown Corporation Yard Redevelopment Project and would like your views regarding the scope and content of the environmental information to be addressed in the EIR. The EIR may be used by your agency when considering approvals for this project. A brief description of the proposed project, its site boundaries, and a summary of the potential environmental effects which will be analyzed in the Draft EIR are attached.

According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. **Written comments will be accepted until November 2, 2007.** Please identify a contact person, and send your response to:

City of San Jose
Department of Planning, Building and Code Enforcement
Attention: Dipa Chundur
200 East Santa Clara Street, 3rd Floor
San José, California 95113
(408) 535-7688

Joseph Horwedel
Director, Department of Planning, Building & Code Enforcement

Akoni Daniels
Deputy

Date: October 1, 2007

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE JAPANTOWN CORPORATION YARD MIXED USE RESIDENTIAL
PROJECT File # GP07-03-04 & PDC07-073
October 2007**

A. Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential for significant impacts on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to the project that may avoid or lessen significant effects of the proposed project.

The Japantown Corporation Yard Mixed Use Residential Project Environmental Impact Report (EIR) will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the *CEQA Guidelines*. In accordance with CEQA requirements, the EIR will include the following:

- Summary of the proposed project and its potential environmental effects;
- Description of the proposed project;
- Description of the existing environmental setting, potential environmental impacts, and mitigation measures;
- Analysis of cumulative impacts;
- Discussion of alternatives to the proposed project; and
- Description of environmental consequences of the project, including: (1) the growth-inducing impacts of the proposed project; (2) any significant environmental effects which cannot be avoided if the project is implemented; (3) any significant irreversible and irretrievable commitments of resources; and (4) effects found not to be significant.

B. Project Location

The project site is located within the City of San Jose, in Santa Clara County, immediately north of the Downtown and within the Japantown Redevelopment Project Area. The southern portion of the site is designated as a Neighborhood Business District. The subject site is comprised of two parcels totaling approximately 6.35 acres. The larger of the two parcels, approximately 5.8 acres, has until recently been utilized as a Corporation Yard by the City of San Jose and is bordered on the south by Jackson Street, on the west by North 6th Street, on the east by North 7th Street, and on the north by Taylor Street. The smaller parcel, approximately 0.55 acres, located immediately west of the Corporation Yard site on the west side of Jackson Street, was utilized as a parking lot for City employees working at the Corporation Yard. The smaller parcel and a southern portion of the larger parcel are located within 2,000 feet of light rail stations on North First Street.

The Corporation Yard site currently contains seven single-story buildings, consisting of one administration office and six shop/warehouse/storage structures, and surface parking areas. Total building area is approximately 85,000 square feet. The City of San Jose expanded operations at its Central Service Yard on Senter Road, and consolidated the past uses at the Japantown Corporation Yard with the Central Service Yard.¹

¹ The City of San Jose approved the expansion of the Central Service Yard to accommodate the uses from the Japantown Corporation Yard independent of the proposed redevelopment project discussed in this NOP.

C. Description of the Project

The proposed project would redevelop the corporation yard site with up to 600 residential units in approximately four mid to high-rise buildings up to 148 feet in height. It would redevelop the surface parking lot site with up to 75 affordable senior residential units in an approximately 6-story building. Within the corporation yard site, building heights would range between six to 14 stories, with variations in height designed to provide visual interest, view corridors, and site image. In addition, the corporation yard site would include 10,000 to 20,000 square feet of community amenity space in several one to two-story buildings within or adjacent to the public plaza area; up to 30,000 square feet of retail space; and a public plaza and garden. Below-grade parking is proposed.

The proposed project includes a General Plan Amendment (File # GP07-03-04) and an amendment to the Jackson-Taylor Residential Strategy to change the land use designation to allow the proposed mix of uses, allow increased height and density on the project site, increase the caps on development to the extent required, and amend relevant design principles. The site would be rezoned to A (PD) Planned Development Zoning District (File # PDC07-073).

Agencies whose approval or review would or may be required include:

- City of San Jose
- City of San Jose Redevelopment Agency
- Bay Area Regional Water Quality Control Board
- Santa Clara County Airport Land Use Commission

D. POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

The Environmental Impact Report will identify the significant environmental effects resulting from the redevelopment of the Corporation Yard and parking lot sites. The EIR will address the following specific environmental topics:

1. Land Use

The proposed project would redevelop the site with a mix of residential, retail and community serving uses. Changes in land use resulting from the proposed project could result in some land use incompatibilities within the project site and with surrounding uses. Changes in intensity and use could also have effects on existing uses adjacent to the site. The proposed project's compatibility with surrounding land uses and General Plan and other applicable development plan policies will be discussed in the EIR. Potential land use conflicts, both within the site and with uses adjacent to the site will be described comprehensively. Appropriate mitigation measures will be identified for any significant land use impacts resulting from the proposed project.

2. Population, Employment, and Housing

Implementation of the proposed project would increase population and housing on the project site and change employment. The EIR will describe the existing demographics of the project area and its vicinity and assess the population, employment and housing impacts that would be created by the proposed project relative to the City's General Plan and ABAG's projections for population and employment and allocation of housing needs. All potential impacts will be evaluated in relation to existing city-wide population, employment, and housing figures. Appropriate mitigation measures, if necessary, will be

recommended to reduce any significant population, employment, and housing impacts to less-than-significant levels.

3. Transportation, Circulation and Parking

Implementation of the proposed project could result in increased traffic in the vicinity of the project site. A Transportation Impact Analysis will be prepared for the proposed project. The EIR will discuss existing traffic conditions and provide an impact analysis for trip generation, trip distribution, parking demand, intersection level of service, and bicycle, pedestrian, and transit impacts. The EIR will also evaluate the applicability of the proposed Oakland/Mabury/101 Transportation Area Development Policy to the proposed project. Mitigation measures will be identified to reduce transportation related impacts, where appropriate.

4. Air Quality

Development activity associated with the proposed project could increase air pollution emissions in the area. The EIR will address air quality impacts resulting from vehicle emissions from project traffic. The EIR will also discuss compatibility with regional air quality plans. Construction-related air quality impacts, such as vehicle exhaust and dust will be qualitatively discussed. Mitigation measures will be identified for potentially significant air quality impacts, where appropriate.

5. Noise

The noise environment in the project area is influenced by its proximity to local roadways, rail lines, and the Mineta San Jose International Airport. Noise impacts during demolition and construction will be analyzed in the EIR. Noise impacts from project specific and cumulative vehicle trips will also be evaluated. Noise levels will be evaluated for consistency with City of San Jose standards and guidelines. Mitigation measures to reduce noise impacts will be identified, where appropriate.

6. Geology, Soils and Seismicity

The EIR will assess soil and geologic conditions of the project area to address seismic hazards, including the potential for liquefaction, ground-shaking, soil erosion, and subsidence. Mitigation measures will be recommended, where appropriate.

7. Hydrology and Water Quality

The project site is located within the Coyote Creek Basin. The proposed project would disturb current surface cover and could expose soils to erosion and off-site sedimentation. The EIR will address any hydrology and storm drainage impacts that may occur as a result of the project. The analysis will discuss whether water quality and discharge requirements would be met, drainage patterns would be affected or altered, and if water resources would be degraded or depleted. Mitigation measures will be recommended, where appropriate.

8. Hazards and Hazardous Materials

The project site was used as a municipal corporation yard and remediation and monitoring programs are on-going. Historical releases of hazardous materials at or near the site could expose construction workers to hazardous materials during project development, and, if present, hazardous materials, soils and groundwater could potentially affect future workers, residents, and users of the project. Development of the project site would require the use of hazardous materials present in fuels, lubricants, and building materials. The EIR will include a description of the potential hazards on the site and the health and safety effects of development of the proposed project. Mitigation measures will be recommended, where appropriate.

9. Cultural and Paleontological Resources

The project site has a high potential for archaeological resources due to its past association with Heinlenville, San Jose's Chinatown from 1887 until 1931. The Japantown Historic District is being considered for designation across 6th Street from the corporation yard site and includes the surface parking lot portion of the project site; new buildings proposed on the project site could potentially impact the contributing elements of the District. The EIR will address potential impacts to the historic district and archaeological resources. The EIR will also address paleontological resources based on records review, literature search, and a field survey. Mitigation measures will be recommended, where appropriate.

10. Biological Resources

The site includes a corporation yard and a surface parking lot. Street trees have been planted around the perimeter of the site. The EIR will evaluate the potential project impact to nesting native birds and bats. A tree survey will also be completed. Mitigation measures will be recommended, where appropriate.

11. Visual Resources

The proposed project would change the existing visual character of the site from a mix of one- and two-story light industrial type structures and a corporation yard and surface parking lot to a mix of buildings ranging in height from approximately six- to 14-stories as well as a ground level plaza. These changes may result in significant impacts to the visual character of the site and its surroundings. The EIR will describe the existing visual conditions of the project area and address visual and aesthetic issues, including project visibility from key public viewpoints, compatibility with existing scale and architectural character of the surrounding vicinity, potential public view blockage, light and glare, and consistency with public plans and policy regarding visual urban/design quality. Mitigation measures will be identified to address significant impacts, where appropriate.

12. Shade and Shadow

The proposed project would increase the range of building heights on the project site from six- to 14-stories. The EIR will evaluate potential impacts from new shade and shadows that may be cast onto adjacent or nearby public open space. Mitigation measures will be recommended, where appropriate.

13. Utilities

The development of residential uses on the site would generate new demands for utilities and infrastructure systems, including electricity, water supply; sanitary sewer/wastewater treatment and telecommunications. The availability and adequacy of existing utilities to serve the proposed project will be analyzed. Mitigation measures for any significant impacts to utilities and infrastructure will be recommended, where appropriate.

14. Public Services and Facilities

The change in use and development of residential uses on the project site may result in an increase in demand for fire and police protection services. Increased use of area parks and recreational facilities may occur as a result of project development. The EIR will identify existing police, fire, and recreational services serving the project area, and will quantify the increase in service demands resulting from the proposed project. The availability and adequacy of existing services will be analyzed. Mitigation measures will be recommended for any significant impacts to public facilities and services, where appropriate.

15. Energy and Mineral Resources

The EIR will describe current energy demand from uses on the project site or in the project vicinity. Mineral resources will also be discussed. The EIR will qualitatively describe potential impacts associated with increased energy demand due to the project and mitigation measures will be recommended where appropriate.

16. Consistency with Plans and Policies

This section of the EIR will summarize project consistency with City plans and policies relevant to the project area, such as the City of San Jose General Plan, City of San Jose Zoning Ordinance, Department of Housing 2000-2005 Consolidated Plan, the Jackson-Taylor Residential Strategy, the Land Use Plan for Areas Surrounding Santa Clara County Airports, the Redevelopment Agency's Redevelopment Plan, and the Redevelopment Agency's Five-Year Implementation Plan. The physical impacts associated with any plan or policy conflicts would be addressed. Likewise, conflicts relating to federal, State, and regional policies would also be addressed in the EIR.

17. Cumulative and Growth Inducing Impacts

The EIR will address the potentially significant cumulative impacts of the project when considered with other planned development. This analysis will cover all environmental topics discussed in the EIR (e.g., traffic, air quality, etc.) as well as global climate change, and will specify which areas are anticipated to result in significant cumulative impacts. Where appropriate, mitigation measures will be identified.

18. Alternatives to the Project

The EIR will identify and address the potential impacts of four alternatives to the proposed project. These alternatives may include: (1) the CEQA required "No Project" alternative; (2) redevelopment of the project area to another use; (3) a reduced density or reduced footprint alternative; and (4) an off-site location alternative.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

October 2, 2007

To: Reviewing Agencies
Re: Japantown Corporation Yard Redevelopment Project
SCH# 2007102015

Attached for your review and comment is the Notice of Preparation (NOP) for the Japantown Corporation Yard Redevelopment Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Dipa Chundur
City of San Jose
200 East Sant Clara Street
San Jose, CA 95113-1905

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

Resources Agency

Fish & Game Region 2
Banky Curtis

Fish & Game Region 3
Robert Floerke

Fish & Game Region 4
Julie Vance

Fish & Game Region 5
Don Chadwick
Habitat Conservation Program

Resources Agency
Nadell Gayou

Dept. of Boating & Waterways
David Johnson

California Coastal Commission
Elizabeth A. Fuchs

Colorado River Board
Gerald R. Zimmerman

Dept. of Conservation
Sharon Howell

California Energy Commission
Paul Richins

Cal Fire
Allen Robertson

Office of Historic Preservation
Wayne Donaldson

Dept. of Parks & Recreation
Environmental Stewardship Section

Reclamation Board
DeeDee Jones

S.F. Bay Conservation & Dev't. Comm.
Steve McAdam

Dept. of Water Resources
Resources Agency
Nadell Gayou

Conservancy

Fish and Game
Scott Flint
Environmental Services Division

Fish & Game Region 1
Donald Koch

Fish & Game Region 1E
Laurie Harnsberger

Public Utilities Commission
Ken Lewis

Santa Monica Bay Restoration
Guangyu Wang

State Lands Commission
Jean Sarino

Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans. & Housing
Caltrans - Division of Aeronautics
Sandy Hesnard

Caltrans - Planning
Terri Pencovic

California Highway Patrol
Shirley Kelly
Office of Special Projects

Housing & Community Development
Lisa Nichols
Housing Policy Division

Dept. of Transportation
Regional Programs Unit
Division of Financial Assistance

Caltrans, District 8
Dan Kopulsky

Caltrans, District 9
Gayle Rosander

Caltrans, District 10
Tom Dumas

Caltrans, District 11
Mario Orso

Caltrans, District 12
Ryan P. Chamberlain

Air Resources Board
Airport Projects
Jim Lerner

Transportation Projects
Ravi Ramalingam

Industrial Projects
Mike Tollstrup

California Integrated Waste Management Board
Sue O'Leary

State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

State Water Resources Control Board
Steven Herrera
Division of Water Rights

Dept. of Toxic Substances Control
CEQA Tracking Center

Department of Pesticide Regulation
Cheryl J. Powell

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Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

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Document Details Report
State Clearinghouse Data Base

SCH# 2007102015
Project Title Japantown Corporation Yard Redevelopment Project
Lead Agency San Jose, City of

Type NOP Notice of Preparation

Description The proposed project would redevelop the corporation yard site with up to 600 residential units in approximately four mid to high-rise buildings up to 148 feet in height. It would redevelop the surface parking lot site with up to 75 affordable senior residential units in an approximately 6-story building. Within the corporation yard site, building heights would range between six to 14 stories, with variations in height designed to provide visual interest, view corridors, and site image. In addition, the corporation yard site would include 10,000 to 20,000 square feet of community amenity space in several one to two-story buildings within or adjacent to the public plaza area; up to 30,000 square feet of retail space; and a public plaza and garden. Below-grade parking is proposed. The proposed project includes a General Plan Amendment (File #GP07-03-04) and an amendment to the Jackson-Taylor Residential Strategy to change the land use designation to allow the proposed mix of uses, allow increased height and density on the project site, increase the caps on development to the extent required, and amend relevant design principles. The site would be rezoned to A (PD) Planned Development Zoning District (File #PDC07-073).

Lead Agency Contact

Name Dipa Chundur
Agency City of San Jose
Phone (408) 277-7688
email
Address 200 East Sant Clara Street
City San Jose
State CA **Zip** 95113-1905
Fax

Project Location

County Santa Clara
City San Jose
Region
Cross Streets 6th & E. Taylor Street
Parcel No. 249-39-011,-039
Township **Range** **Section** **Base**

Proximity to:

Highways 87, 880
Airports Mineta International
Railways UPRR
Waterways Coyote Creek, Guadalupe River
Schools Burnett Academy
Land Use The project site is located north of the Downtown and within the Japantown Redevelopment Project Area. The southern portion of the site is designated as a Neighborhood Business District. The subject site is comprised of two parcels totaling approximately 6.35 acres. The larger of the two parcels, approximately 5.8 acres, has until recently been utilized as a Corporation Yard by the City of San Jose and is bordered on the south by Jackson Street, on the west by North 6th Street, on the east by North 7th Street, and on the north by Taylor Street. The smaller parcel, approximately 0.55 acres, located immediately west of the Corporation Yard site on the west side of Jackson Street, was utilized as a parking lot for City employees working at the Corporation Yard. The Corporation Yard site's current zoning is LI Light Industrial. The current General Plan designation is Mixed Use #2 within the Jackson-Taylor Planned Residential Community. The Mixed Use #2 designation allows a mix of high-density residential (25-50 DU/AC), 150 senior housing units, a 40-room inn, up to 80,000 square feet of office, and between 33,000 and 53,750 square feet of retail. The commercial square footage may also include a cultural center. Within the Mixed use #2 designation, the height limit is 65 feet. The General Plan designation for the southern portion of the Corporation Yard site is Public Park/Open

Note: Blanks in data fields result from insufficient information provided by lead agency.

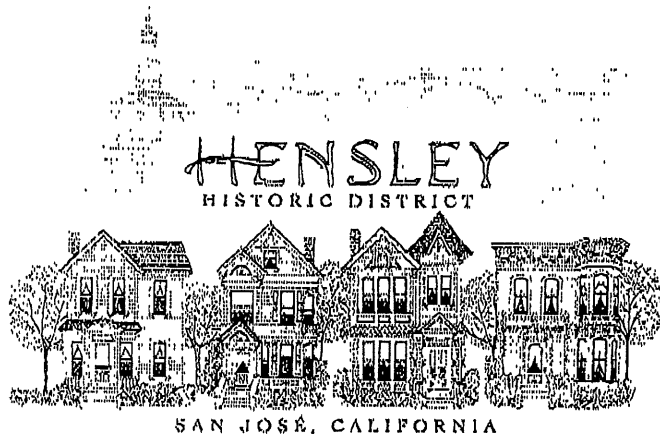
**Document Details Report
State Clearinghouse Data Base**

Space. The General Plan land use designation for the City surface parking lot site across Sixth Street is Medium High Density Residential (12-25 DU/AC), the zoning is LI Light Industrial.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 4; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2; Resources Agency; Caltrans, Division of Aeronautics

Date Received 10/02/2007 **Start of Review** 10/02/2007 **End of Review** 10/31/2007



November 29, 2007

472 N. 4th Street
San Jose, CA 95112
November 29, 2007

Mr. Ron Eddow
City of San Jose
Department of Planning

re: Development Zoning request (file no. GP07-03-04, PDC07-073)

Dear Mr. Eddow:

Please accept these comments to be included in the scoping of the EIR analysis for the proposed redevelopment of the Corporation Yard located in Japantown.

This project borders a residential national historic district sandwiched between Japantown and the downtown core. Any development bordering the Hensley Historic District must be mindful of all impacts on this national resource.

The neighborhood is concerned primarily with two potential impacts. Increased traffic in The Hensley is to be avoided at all costs. The project should include studies of how the development will impact traffic in the surrounding neighborhood, especially on N. 3rd, N. 4th, N.5th, N. 6th and Empire Streets. Traffic calming including medians, bumps and traffic circles should be considered, and planners need to be mindful of the City's promise and goals in the Downtown Circulation and Access Study to decrease traffic on N. 3rd and N. 4th and that no traffic signals would be introduced into The Hensley. The proposed project should include plans for routing the public and delivery trucks through Japantown and not the Hensley Historic District.

The second concern is noise. We already experience noise from Japantown events several times a year and the increase in cultural events will bring more noise to the surrounding neighborhood without thoughtful construction practices with adequate soundproofing. Event hours and exit plans must especially be considered to preserve peace in the surrounding neighborhood.

Sincerely,

Lenora Porcella

County of Santa Clara

Roads and Airports Department



101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2400

November 2, 2007

Ms. Dipa Chundur
City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113

Subj: Japan Town Corporation Yard Mixed Used Residential Project
City File No: GP07-03-04, PDC07-073

Dear Ms. Chundur:

We received and reviewed your Notice of a Draft Environmental Impact Report for the subject above, and we have no comments.

Thank you for the opportunity to review and comment on this project. If you have questions, please call me at (408) 573-2462.

Sincerely,

A handwritten signature in black ink, appearing to read "Felix Lopez".

Felix Lopez
Project Engineer

Cc: MA, AP, WRL, RN, file

November 2, 2007

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

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Japantown Corporation Yard Mixed Use Residential Project in the City of San Jose

Dear Ms. Chundur:

First, I would like to state that I completely in favor of this project. I look forward to the removal of the corporation yard eyesore to make way for this mixed-use project that includes mid- and high-rise structures, which will further urbanize the area and enhance the vitality of Japantown.

Please consider the following comments regarding the scope of the environmental document:

- **Transportation, Circulation, and Parking:** With a mix-use development that includes high-density residential, parking is of particular concern. Recently, Jackson Street was re-striped to allow for additional parking. Yet, there always seems to be a shortfall when looking for a place to park to eat at a local restaurant, shop at the local grocery store, or patron any other business in Japantown, especially in the evening. The new residences will certainly include many two-car households, and the guests of residences will need parking as well. The new development should ensure ample parking is available for residences, guests, and business patrons without impacting existing parking in the surrounding area.

Also of concern are the four-way stops in the project area. With more cars on local roads as a result of this project, the four-way stops will get very backed up.

- **Biological Resources:** While the existing corporation yard has few trees other than street trees, street trees do provide wildlife habitat. The new development should incorporate a landscape design that includes many trees to replace those that are removed due to the project. Trees not only create wildlife habitat but also contribute to a pedestrian-friendly and visually-appealing environment. Some native vegetation would be a plus.
- **Visual Resources:** The community should have input into the architectural design of the mid-and high-rise structures. These new structures will be prominent in Japantown. The character of the buildings should reflect the community. As mentioned above, the new development should incorporate a landscape design that

includes many trees, as well as other vegetation. I would prefer to never again see another concrete wasteland like that which surrounds City Hall.

- **Shade and Shadow:** The Notice of Preparation mentions that the environmental analysis will consider shade and shadow on nearby public open space. It is unclear what public open space the notice is referring to. The only existing open space is the triangular-shaped parcel on the east side of 7th Street between Taylor and Jackson streets. The analysis should consider shade and shadow to surrounding areas that are in addition to existing open space (or potential open space that is included in the design of the new development).
- **Utilities:** All new utilities should be underground. The project should also reconfigure existing overhead utilities in the project area by placing them underground. This is huge visual benefit, as overhead wires are ugly – very ugly.
- **Energy and Mineral Resources.** All new development should be designed or constructed to be green. This development should strive for LEED certification to reduce energy demand and provide other benefits. It is my fervent hope that one day the City of San Jose will incorporate a green roof into a project. It would be nice if it was this one.
- **Alternatives to the Project.** While the Notice of Preparation does not state the purpose and need for the project, I will assume the purpose and need has to do with providing high-density housing and increasing economic development of the community. Therefore, I do not understand how the proposed alternative two, “redevelopment of the project to another use” could meet this assumed purpose and need. Is there a particular reason why there are four alternatives? It seems that three alternatives fulfill the CEQA requirement.
- **Project Location Map.** Note that the map does not currently highlight the parking lot on the west side of 6th Street that is also included in the project footprint.

Thank you for offering the opportunity to provide comments on this exciting project.

Sincerely,

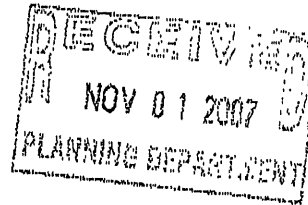
Ann Calnan-Read
588 Manzana Place
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apcalnan@paxio.net

[sent by e-mail November 2, 2007]

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

October 29, 2007

Dipa Chundur
City of San Jose, Department of Planning
200 East Santa Clara Street
San Jose, CA 95113-1905

RE: Japantown Corporation Yard Redevelopment Project, SCH# 2007102015

Dear Ms. Chundur:

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the City be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way (ROW).

Of specific concern is the impact from increased traffic from the project on the safety of the existing at-grade highway-rail crossings on 7th and Jackson Streets. Currently, the 7th/Jackson Streets intersection is stopped controlled. Unfortunately, this does not allow vehicles to clear off the tracks like a signalized intersection with railroad preemption. Although the Manual for Uniform Traffic Control Devices provides warrants for signalizing an intersection, none of the warrants takes into account the special needs for intersections in close proximity to rail crossings. The warrants are considered permissive "should", and an intersection that does not meet any of the warrants can be signalized based upon the need provided by an engineering study. In addition, pedestrian improvements at the rail crossings should be included as part of the project.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the City.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

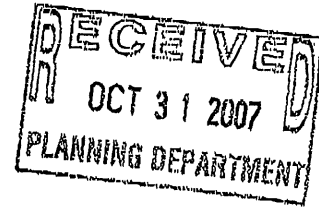
Kevin Boles
Environmental Specialist
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Terrel Anderson, Union Pacific Railroad
Jay Thorstensen, City of San Jose



374 West Santa Clara St.
San Jose, CA 95196-0001

October 25, 2007



Dipa Chundur
City of San Jose
Planning Division
200 E. Santa Clara Street
San Jose, CA 95113-1905

Reference: Water Supply Assessment (WSA) for the Japantown Corporation Yard
Redevelopment Project

Dear Ms. Chundur:

The City of San Jose (City) requested a WSA from San Jose Water Company (SJWC) for the Japantown Corporation Yard Redevelopment Project per Joseph Horwedel's letter dated October 4, 2007. The Japantown Corporation Yard Redevelopment Project site consists of two parcels on 6.35 acres bounded by East Taylor Street on the north, 7th Street on the east, Jackson Street on the south and 6th Street on the west. This site currently contains seven single-story buildings with approximately 85,000 square feet of office and storage buildings. The proposed project would redevelop the site to include 675 residential units and 30,000 square feet of retail space.

The water usage of this proposed development was included in the growth projections of SJWC's 2005 Urban Water Management Plan. In addition, a hydraulic analysis of SJWC's existing distribution system was performed with and without the Japantown Corporation Yard Redevelopment Project demand of 154,100 gallons per day or approximately 56 million gallons per year. This demand was based on the City's estimates of 225 gallons per day usage for each single family high density residential unit and 0.0751 gallons per day per square foot of retail space. The model results showed that the additional Japantown Corporation Yard Redevelopment Project demand had a minimal impact on the existing distribution system. SJWC should be able to adequately supply the Japantown Corporation Yard Redevelopment Project without any additional source of supply or system operation changes.

If you have any questions, please call me at (408) 279-7862.

Sincerely,

Nicole Dunbar, P.E.
Planning Supervisor



11/01/2007

5750 ALMADEN EXPWY
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File: 31628
Guadalupe River

October 23, 2007

Mr. Dipa Chundur
City of San Jose
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Subject: City File No. GP07-03-04 and PCD07-073

Dear Mr. Chundur:

Santa Clara Valley Water District (District) staff has reviewed the Notice of Preparation of an Environmental Impact Report (EIR) for the Japantown Corporation Yard Mixed Use Residential Project, received on October 3, 2007. The proposed project is not located on District easement or fee title right-of-way, nor does it affect the Guadalupe River. In accordance with District Ordinance 06-01, a District permit is not required for this project. Though a permit is not required, we would appreciate the opportunity to review the DEIR when available.

Part D, section 7 of the Notice of Preparation states that the proposed project site is located within the Coyote Creek Basin. According to District watershed boundary maps, the proposed project lies within the Guadalupe Watershed.

If you have any questions or need further information, please contact me at (408) 265-2607, extension 2586. Please reference District File No. 31628 on any future correspondence.

Sincerely,

Kathrin A. Turner
Assistant Engineer II
Community Projects Review Unit

cc: S. Tippets, B. Goldie, K. Turner, L. Davis, File (2)

31628_49932kt10-23



Linda S. Adams
Secretary for
Environmental Protection

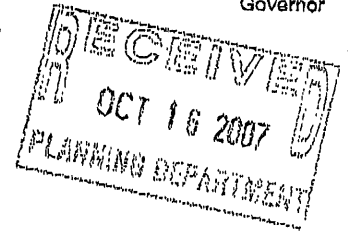


Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor



October 12, 2007

City of San Jose
Department of Planning, Building and Code Enforcement
Attention: Dipa Chundar
200 East Santa Clara Street, 3rd Floor
San Jose, California 95113

Dear Mr. Chundar:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Japantown Corporation Yard Mixed Use Residential Project draft Environmental Impact Report (EIR). The Project site is located in the City of San Jose, Santa Clara County. As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project under the California Environmental Quality Act (CEQA) adequately addresses any remediation activities pertaining to releases of hazardous substances.

The Project site is located immediately north of downtown San Jose within the block bounded by Jackson, Taylor, 6th and 7th Streets. The site, which was a City corporation yard and parking lot, consists of two parcels totaling approximately 6.3 acres. The NOP states that the Project includes the development of up to 600 residential units in mid-to high-rise buildings, 75 affordable senior housing units in a six-story building, indoor and outdoor public space, retail space, and below-grade parking.

DTSC strongly recommends an historical assessment of past land uses for each of the parcels to determine whether hazardous substances may have been released to the soil at the site. Based on this information, sampling should be conducted to determine whether there is an issue that will need to be addressed in the CEQA compliance document.

If hazardous substances have been released, they will need to be addressed as part of this project. For example, if remediation activities at the Site include the need for soil excavation, the CEQA compliance document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities,

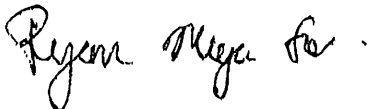
Mr. Dipa Chundar
October 12, 2007
Page 2

including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of public upset should be there an accident at the Site.

DTSC and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement, March 1, 2005 (MOA) aimed to avoid duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at brownfield sites. Under the MOA, anyone requesting oversight from DTSC or a Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The application is available at <http://www.calepa.ca.gov/brownfields/MOA/application.pdf>.

If you have any questions or would like to schedule a meeting, please contact Allan Fone of my staff at (510) 540-3836. Thank you in advance for your cooperation in this matter.

Sincerely,



Denise M. Tsuji, Unit Chief
Northern California - Coastal Cleanup
Operations Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, CA 95812-3044

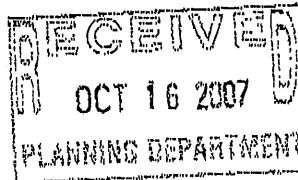
Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
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October 11, 2007

SCL-087-6.9
SCL087107

Ms. Lori Tanase
City of San José
200 East Santa Clara Street
San José, CA 95113

Dear Ms. Tanase:

Japantown Corporation Yard Residential Mixed Use Development, Transportation Impact Analysis (TIA) Work Scope Notification

Thank you for including the California Department of Transportation (Department) in the environmental review process of the project proposal for construction of 600 market-rate residential units, up to 30,000 square feet of retail space, a 10,000 square foot community amenity space, and up to 900 underground/surface parking spaces. We have reviewed the TIA work scope notification and have the following comments to offer.

Highway Operations

The Department recommends that the TIA analysis also follow Caltrans Traffic Impact Studies guidelines on preparing the TIA, which can be accessed from the following webpage:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c. Scott Morgan (State Clearinghouse)
Dipa Chundar (City of San José)

#SCH2007102015

IN RE: Notice of Preparation

"Caltrans improves mobility across California"

COMMUNITY AND EIR PUBLIC SCOPING MEETING

Japantown Corporation Yard Reuse Project¹

Thursday, November 29, 2007
6:30 PM to 8:45 PM
City of San Jose City Hall, Wing Rooms 119/120
200 East Santa Clara Street, San Jose, CA

Meeting Purpose: To present the proposed Japantown Corp Yard Reuse project to the community so that they can provide feedback to the City and the applicant on the proposed project and Draft Environmental Impact Report before it circulates

Meeting Agenda:

- I. Welcome, Introductions, and Review of the Agenda:**
Kevin Schwaba, District 3 Council office, will welcome attendees and introduce project team members (6:30 – 6:35).
- II. Planning Process and Tentative Schedule:**
Michelle Stahlhut, Project Manager, San Jose Planning Department, will review the agenda, explain the planning process, current status, and tentative schedule for the project (6:35 – 6:40).
- III. Project Presentation:**
Trevor Rowe, Project Manager, Williams & Dame Development, will explain what he has done to address the community's comments from the September 27, 2007 community meeting (6:40 – 6:55).
- IV. Open Forum:**
Ron Eddow, Senior Planner, San Jose Planning Department will facilitate comments and questions from community members about the proposed project (6:55 – 7:55).

¹ The Japantown Corp Yard Reuse Project proposes up to 600 single-family attached residential units; up to 30,000 square feet of commercial uses; and a public park and community center containing from 10,000 to 20,000 square feet on a 5.23 gross acres site. The applicant has filed the following applications: (1) General Plan Amendment file nos. GP07-03-004/GPT07-03-004, (2) Planned Development Zoning file no. GP07-073; and (3) Comprehensive Preliminary Review file no. PRE07-252. Additional information is available on the City's website: www.sanjoseca.gov/planning

V. Environmental Impact Report (EIR) Public Scoping Meeting

Akoni Danielsen, Environmental Principal Planner, will conduct an EIR public scoping meeting (7:55 – 8:45).

- A. Akoni Danielsen will explain the environmental impact report process (7:55 - 8:05).
- B. Shannon Allen, LSA environmental consultants, will present the Notice of Preparation. (8:05 - 8:15 p.m.).
- C. Akoni Danielsen will facilitate public comments regarding what issues should be addressed in the Draft EIR. (8:15 – 8:45 p.m.).

How to Reach Us

- Ron Eddow, City of San Jose, 408-535-7848, ron.eddow@sanjoseca.gov
- Michelle Stahlhut, City of San Jose, 408-535-7849, michelle.stahlhut@sanjoseca.gov
- Akoni Danielsen, City of San Jose, 408-535-7823, akoni.danielsen@sanjoseca.gov
- Trevor Rowe, William & Dame Development, 503-227-6593, Trevor@wddcorp.com

JAPANTOWN CORPYARD PROJECT

ENVIRONMENTAL PROCESS

CEQA: state law requires public agencies to analyze and disclose the environmental effects of proposed projects prior to making project decisions.

EIR Purpose:

1. inform decision makers and public by disclosing environmental impacts
2. minimize or avoid environmental impacts
3. facilitate public participation in planning process
4. foster intergovernmental coordination

EIR Process:

1. Director determines to prepare EIR
2. Notice of Preparation, Public scoping meeting to solicit input on EIR's content and scope
3. Prepare Draft EIR
4. Public review and comment on draft EIR, typically 45 days
5. City prepares written responses to comments, revises EIR text to produce Final EIR
6. Planning Commission hearing to certify EIR
7. Council considers EIR appeal, if any.
8. Once EIR certified, decision can be made on project. If project is approved despite significant environmental effects, City must identify project benefits that outweigh environmental effects.

For more info contact:

Dipa Chundur, City of San Jose, Dipa.Chundur@sanjoseca.gov, (408) 535-7688

Akoni Danielsén, City of San Jose, Akoni.Danielsen@sanjoseca.gov, (408) 535-7823

San Jose Japantown Corporation Yard Project November 29, 2007

The Japantown Corporation Yard Project is subject to the following planning processes:

- **Comprehensive Preliminary Review** – The project applicant submitted preliminary conceptual plans of the project in August 2007 for the City's Comprehensive Preliminary Review process. The process is "comprehensive" because several City departments (for example, the Public Works Department, the Fire Department, etc.) have had the opportunity to comment on the proposed project. There was a community meeting in September 2007 and an Architectural Review Committee meeting in October 2007 for comments on the preliminary conceptual plans. Those comments have helped to further refine the project and its details
- **Environmental Impact Report** – The City will evaluate the project's potential for environmental impacts in an environmental impact report (EIR) under the California Environmental Quality Act. A portion of tonight's meeting is for the public to comment on the scope of issues to be addressed in the EIR. In the winter of 2007, the public will have an opportunity to review and comment on a draft of the EIR. The City will take the public's comments into account before certifying the environmental impact report in the spring of 2008.
- **General Plan and Specific Plan Amendments** – The project applicant submitted an application in August 2007 to amend the City's General Plan and the Jackson-Taylor Residential Strategy to allow for an increase in the number of dwelling units per acre, up to 30,000 s.f. of retail (or, as a variation, up to 15,000 s.f. of retail and 24 residential units), up to 20,000 s.f. community amenity space, an increase in the height limit to 175 feet, and a limited amount of surface parking. City staff currently is reviewing this application. It is anticipated that the Planning Commission and City Council will consider the application in the spring of 2008.
- **Planned Development Zoning** – In September 2007, the project applicant submitted an application to rezone the Corporation Yard to Planned Development to allow and guide residential, retail and related development on the site. City staff currently is reviewing this application. A portion of tonight's meeting is for the public to comment on the proposed development. It is anticipated that the City Council will consider the application in the spring of 2008.
- **Other Planning Approvals** – If the City Council approves the project, the project applicant will apply for other approvals in advance of site construction, such as Planned Development Permits (which will establish the site plan and architecture), subdivision maps, and building permits for each phase of construction. Community meetings and public hearings will be held for the Planned Development Permits and subdivision maps. The project applicant anticipates initiating the building permit application process in the summer of 2008 and starting construction in the spring of 2009.
- **Further Information** – For further information, you can visit the project applicant's Japantown Project website at www.japantowncorpyard.com (full content to be added soon), or contact Matt Brown with Williams & Dame Development at (503) 227-6593 or matt@wddcorp.com, or Ron Eddow with the City of San Jose at (408) 535-7848 or ron.eddow@sanjoseca.gov.