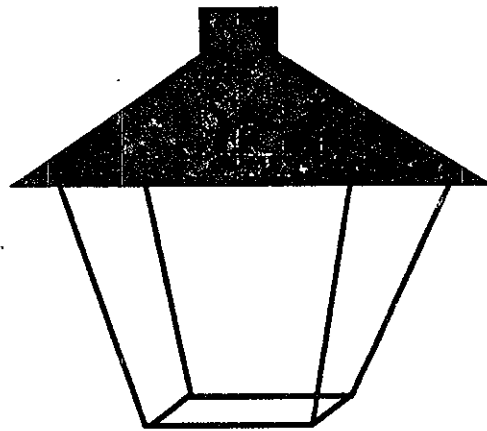


FINAL  
ENVIRONMENTAL IMPACT REPORT

TOWN AND COUNTRY  
VILLAGE



CITY OF SAN JOSE

JUNE 1998 97-036

VOLUME I OF IV : EIR TEXT

PDCSH 97-06-036

## PREFACE TO THE FINAL ENVIRONMENTAL IMPACT REPORT

This document, consisting of three volumes, constitutes the Final Environmental Impact Report (FEIR) for the Town and Country Village project. As listed in the FEIR Table of Contents on the following page, Volume I of this FEIR consists of the Draft EIR (DEIR). Volume II and III of this FEIR consists of the Technical Appendices to the DEIR. Volume IV consists of the First Amendment to the DEIR including comments and responses to the DEIR, revisions to the text of the DEIR, responses to comments received during the public hearing at the Planning Commission meeting on April 22, 1998, the Planning Commission staff report and resolution certifying the EIR as complete, and the City Council Resolution certifying the EIR, and making the appropriate findings, and adopting the mitigation monitoring plan.

In conformance with the CEQA Guidelines, the FEIR provides objective information regarding the environmental consequences of the proposed project. The FEIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The FEIR can be used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the FEIR does not control an agency's ultimate discretion on the project, the agency must respond to each significant of those significant effects. According to the State Public Resources Code Section 21081:

...no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to significant effect:

(1) Changes or alternations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

(2) The changes or alternations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a findings under paragraph (e) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

The San Jose City Council did make such findings, including statements of overriding consideration, and the findings are included in the City Council Resolution found in Volume IV of the FEIR.

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# CITY OF SAN JOSÉ, CALIFORNIA

DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT  
801 NORTH FIRST STREET  
SAN JOSE, CALIFORNIA 95110-1795

JAMES R. DERRYBERRY  
DIRECTOR

January 8, 1998

Ladies and Gentlemen:

**SUBJECT: TOWN AND COUNTRY VILLAGE DRAFT ENVIRONMENTAL IMPACT REPORT, FILE NO. PDCSH 97-06-036, SCH NO. 97072085**

The Planning Commission of the City of San José will hold a Public Hearing to consider the Draft Environmental Impact Report (DEIR) prepared for the project described below. A copy of the DEIR is attached for your review.

Your comments regarding the significant environmental effects of this project and the adequacy of the DEIR are welcome. Written comments submitted to the Department of Planning, Building and Code Enforcement by February 25, 1998, will be included in the EIR and be considered by the Planning Commission at this Public Hearing. *If you make comments through a state or regional clearinghouse, please send a copy of your comments to the contact person listed below to insure prompt consideration.* If we receive no comments (nor a request for an extension of time) from you by the specified date, we will assume you have none to make.

**Project Description and Location:** Redevelopment of the existing Town and Country Village with a mixed use development to include 650,000 square feet of commercial/retail space, 1,200 residential units and two 100-room hotels. Town and Country is located at the southeasterly corner of Stevens Creek and Winchester Boulevards in the City of San Jose.

**Tentative Hearing Date:** March 25, 1998

**Contact Person:** Julie Caporgno  
Department of Planning, Building and Code Enforcement  
801 North First Street  
San José, CA 95110-1795

Sincerely,

James R. Derryberry, Director  
Planning, Building and Code Enforcement

Deputy

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PDC97-36.EIR/JC/PL/78AA/207-02

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## PREFACE

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This document has been prepared by the City of San Jose as the Lead Agency in conformance with the California Environmental Quality Act (CEQA). The purpose of this Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of a proposed project.

In accordance with CEQA, an EIR provides objective information regarding the environmental consequences of the proposed project, both to the decision makers who will be considering and reviewing the proposed project, and to the general public. The purpose of this EIR is to evaluate the potential impacts which might result from approval of the redevelopment of the Town and Country Village site with a mixed use development.

The following guidelines are included in CEQA to clarify the role of an EIR:

**§15121(a). Informational Document.** An EIR is an informational document which will inform public agency decision makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR, along with other information which may be presented to the agency.

**§15151. Standards for Adequacy of an EIR.** An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently considers environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good-faith effort at full disclosure.

All documents referenced in this EIR are available for public review in the office of the Department of Planning, Building and Code Enforcement, 801 North First Street, Room 400, San Jose, California, on weekdays during normal business hours.

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## SUMMARY

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The proposed project is the redevelopment of a 39 acre site which will replace the existing 285,000 square foot Town and Country Village and, potentially, an existing car dealership with a mixed use development that could include up to a maximum of 650,000 square feet of commercial/retail space, 1,200 residential units, two 100 room hotels, and eight parking garages.

Following is a **brief summary** of project impacts and mitigation measures. Complete descriptions of the existing setting, impacts and mitigation measures can be found in the EIR text which follows.

---

### ENVIRONMENTAL IMPACTS

### MITIGATION MEASURES

---

#### Land Use Impacts

The project will not create significant land use impacts to existing surrounding land uses or be significantly impacted by existing surrounding land uses.

**Less Than Significant Impact**

No mitigation is necessary or proposed.

#### Traffic Impacts

Development of the project will increase the critical movement delay at an intersection already operating below LOS D by one percent during the AM peak hour on weekdays.

**Significant Impact**

The project will improve the west leg of the intersection of Moorpark / Winchester to include the addition of a second exclusive left-turn and the conversion of the existing shared through-left-turn lane to an exclusive through lane.

**Less Than Significant Impact With Mitigation**

The proposed project will increase critical movement delay by more than one percent in the PM peak hour on weekdays at an intersection already operating below LOS D.

**Significant Impact**

Implementation of the mitigation proposed for Stevens Creek/Winchester will require improvements in the City of Santa Clara. The mitigation is therefore outside the jurisdiction of the City of San Jose to implement.

**Significant Unavoidable Impact**

Project traffic will cause an intersection to deteriorate to LOS E in the Saturday peak hour.

**Significant Impact**

The project will add a fourth eastbound through lane at Stevens Creek Boulevard and Monroe Street that transitions into a second southbound on-ramp to I-880.

**Less Than Significant Impact With Mitigation**

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**Traffic Impacts, Continued**

The project will not cause any regional intersection to deteriorate to LOS F during the PM peak hour, and does not add four seconds increased delay to any such intersection already at LOS F.

**Less Than Significant Impact**

Project traffic will add more than one percent of segment capacity to six freeway segments already anticipated to operate below LOS E.

**Significant Impact**

No mitigation is necessary or proposed.

Improvements to freeways would be infeasible for implementation by a single project

**Significant Unavoidable Impact**

**Air Quality Impacts**

The proposed project would not create any new exceedances of the 1-hour or 8-hour standards, nor would the project "contribute substantially to an existing or projected violation" of the standards. Thus, the project impacts on local carbon monoxide concentrations are considered to be less than significant.

**Less Than Significant Impact**

Total project emissions of regional pollutants exceed BAAQMD thresholds and would have a significant impact on regional air quality.

**Significant Impact**

Air quality impacts resulting from construction, particularly generation of construction dust, could cause significant adverse effects to the adjacent land uses.

**Significant Impact**

No mitigation is necessary or proposed.

The project will implement site planning measures to encourage use of transit and other commute options. The mitigation will not reduce the impacts to a less than significant level.

**Significant Unavoidable Impact**

The project will implement construction dust control measures to reduce generation of particulate to a less than significant level.

**Less Than Significant Impact With Mitigation**

**Noise Impacts**

The project proposes commercial development on Stevens Creek Boulevard that would be exposed to exterior noise levels exceeding 60 dB LDN. Special building practices may be required to reduce the interior noise levels to 45 dB LDN or less.

**Significant Impact**

The proposed project includes multi-family residential development, commercial development, and a hotel on Winchester Boulevard would be exposed to exterior noise levels exceeding 60 dB LDN. Special building practices may be required to reduce the interior noise levels to 45 dB LDN or less.

**Significant Impact**

Construction of the project would create significant noise impacts on the adjacent residences and businesses.

**Significant Impact**

Prior to approval of the PD Permits for specific building designs, a detailed acoustical analysis will be prepared and the recommendations for noise attenuation will be incorporated into the design of the commercial structures.

**Less Than Significant Impact With Mitigation**

Prior to approval of the PD Permits for specific building designs, a detailed acoustical analysis will be prepared and the recommendations for noise attenuation will be incorporated into the design of the commercial and residential structures proposed on the project site to reduce the interior noise levels to 45 dBA. Design features which could provide noise attenuation include sound rated windows, forced air mechanical ventilation so windows could be kept closed, and special building construction techniques such as insulation and soundproofing.

**Less Than Significant Impact With Mitigation**

The project will implement noise reduction techniques during construction, including use of proper mufflers, scheduling, and use of quieter equipment where appropriate.

**Less Than Significant Impact With Mitigation**

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**Soils and Geology Impacts**

Development of the project as proposed would not expose structures and occupants to significant seismic impacts that cannot be mitigated through standard engineering design.

**Significant Impact**

A design level geotechnical investigation for the project site will be completed to address potential geologic hazards on the site. The geotechnical investigation for individual buildings will be completed prior to issuance of a Public Works Clearance. The investigation will include recommendations for proper foundation design, site preparation, and grading, which will be incorporated into project design.

**Less Than Significant Impact With Mitigation**

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**Hydrology Impacts**

The site is not located within the 100 year floodplain, therefore, the potential for flooding on the project site is unlikely.

**Less Than Significant Impact**

No mitigation is proposed or required.

Development of the project site will increase the amount of storm water runoff from the site. There is adequate storm water capacity in the existing system to accommodate the increased volume of storm water.

**Less Than Significant Impact**

No mitigation is proposed or required.

Development of the site would increase the amount of contamination of storm water runoff.

**Significant Impact**

The project will implement regular site maintenance activities during construction, including sweeping the streets and on-site retention, to reduce potential contamination in storm runoff. The project will comply with NPDES General Construction Activity Storm Water Permit requirements, including preparation of a Storm Water Pollution Prevention Plan. As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will include post-construction best management practices such as swales or inlet filters, and will implement regular maintenance activities (i.e., sweeping, litter control) at the site to prevent soil, grease, and litter from accumulating on the project site and contamination surface runoff.

**Less Than Significant Impact With Mitigation**

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**Biological Impacts**

Development of the project site would not result in significant loss of wildlife habitat, and is unlikely to significantly impact any special status species.

**Less Than Significant Impact**

No mitigation is proposed or required.

Should Burrowing Owls remain on the site, and/or breed there prior to the start of grading, individual birds and/or their eggs could be destroyed.

**Significant Impact**

A pre-construction survey will be done for Burrowing Owls, in conformance with federal and state regulations for protection of raptors. Should Burrowing Owls be found on the property at that time, they will be relocated in conformance with federal and state requirements

**Less Than Significant Impact With Mitigation**

Development of the site would result in the removal of 32 ordinance sized trees.

**Significant Impact**

Any trees that are removed will be replaced in accordance with City standards and the City's Residential and Commercial Design Guidelines.

**Less Than Significant Impact With Mitigation**

**Hazardous Materials Impacts**

The extent of the potential environmental hazards identified on the Courtesy Chevrolet portion of the project site have not been determined and may create a health hazard, particularly if residential uses are developed on this portion of the site.

**Significant Impact**

An environmental site assessment will be conducted on the Courtesy Chevrolet portion of the site prior to the issuance of a PD Permit for this portion of the site. The assessment will include remediation measures in conformance with local, state, and federal regulations.

**Less Than Significant Impact With Mitigation**

Soil contamination on the project site would result in the exposure of future project residents to significant risks to human health and safety.

**Significant Impact**

A site remediation plan will be followed which includes measures such as capping the contaminated soil and/or removing all or a portion of the contaminated soil.

**Less Than Significant Impact With Mitigation**



### Visual and Aesthetic Quality Impacts

Visual and aesthetic changes resulting from the development of the project as proposed would not constitute a significant environmental impact.

No mitigation is proposed or required.

**Less Than Significant Impact**

### Cultural Resources Impacts

Development of the proposed project may uncover buried archaeological or cultural resources.

In the event that an archaeological resource is found during construction, a mitigation program will be implemented in conformance with the standards described in Appendix K of the CEQA Guidelines.

**Significant Impact**

**Less Than Significant Impact With Mitigation**

### Utilities and Service Systems Impacts

There may be insufficient downstream capacity within the existing sanitary sewer system to serve the proposed project.

Should adequate capacity in the existing sanitary sewer system not be available to serve the proposed project, the project would include improvements to the sewer system to maintain the level of service D standard within the system.

**Potentially Significant Impact**

**Less Than Significant Impact With Mitigation**

### Cumulative Impacts

Project traffic will contribute to cumulatively significant impacts from pending development upon the levels of congestion on freeways, and on regional air quality. The project will also contribute incrementally to the regionally significant loss of Burrowing Owl habitat.

*The following discussion summarizes the effects of the project upon existing urban services. Increased demand for these services may result in increased fiscal or social impacts, but will not result in significant environmental effects unless the project generates the need for new facilities to provide the services. This information is provided here because it may be useful in the decision-making process for this project.*

#### Urban Services

The project will result in increased demands for some urban services. Development of the project will increase demand for fire, police, schools, and park resources; it is not anticipated that it will create the need for any new facilities.

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## SUMMARY OF ALTERNATIVES

CEQA requires that an EIR identify alternatives to a project as proposed. The CEQA Guidelines specify that the EIR identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project". The purpose of this section is to ascertain whether there are alternatives of design, scope or location which would substantially lessen the significant impacts. Those alternatives are summarized briefly below.

**No Project:** The No Project alternative is environmentally superior to the proposed project, since it avoids the impacts of the project. However, the No Project alternative would also not have the positive benefits anticipated from the project and would not meet the objectives of the project.

**Reduced Scale Alternative:** This alternative evaluated the possibility of having a lesser amount of development (approximately 25%). This alternative would result in similar traffic, air quality, noise, hydrology, biological, hazardous materials, and cultural resources impacts as the proposed project. This alternative is only slightly environmentally superior to the project as proposed. This alternative would meet the primary project objectives.

**Remodel/Residential Alternative:** This alternative would remodel the existing commercial center, with no expansion of area, and construct 250 dwelling units. This alternative would avoid all of the significant project impacts, although it would still contribute incrementally to cumulatively significant traffic, air quality and Burrowing Owl habitat loss. This alternative would be environmentally superior, but does not meet the project objectives.

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# I. DESCRIPTION OF THE PROJECT

## A. OVERVIEW OF THE PROJECT

The proposed project is the redevelopment of a 39 acre site which will replace the existing 285,000 square foot Town and Country Village shopping center and, potentially, an existing car dealership with a mixed use development. The new development could include up to a maximum of 650,000 square feet of commercial/retail space, 1,200 residential units, two 100 room hotels, and five parking garage. The proposed project could have structures with a maximum building height of 90 feet.

## B. PROJECT LOCATION

The project site is located on the southeasterly corner of the intersection of Stevens Creek Boulevard and Winchester Boulevard in the City of San Jose, as shown on the following Regional Location Map and Vicinity Map, Figures 1 and 2.

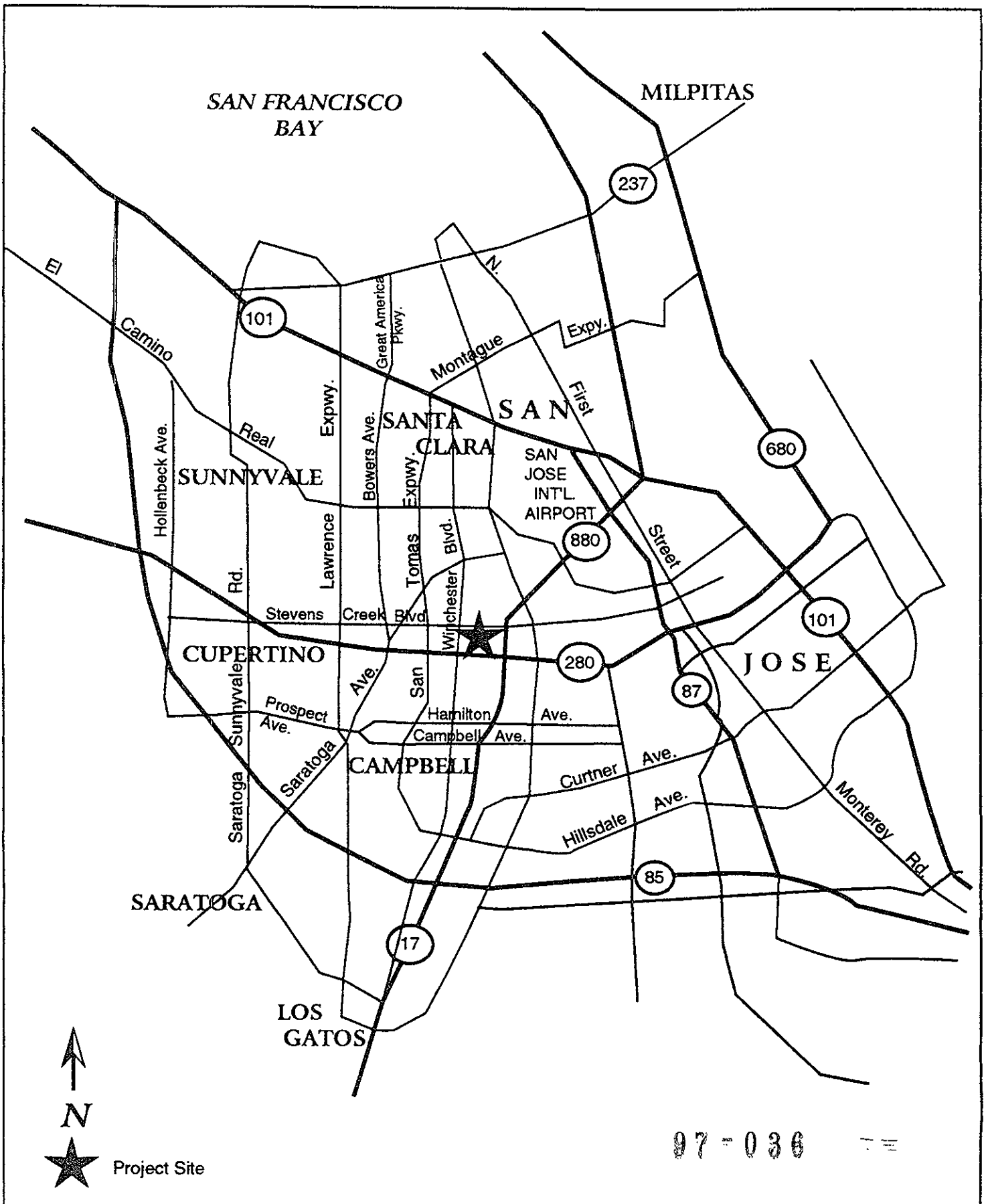
## C. DESCRIPTION OF THE PROJECT

The project proposes rezoning the project site from C-3 to C-3(PD) to allow the redevelopment of the existing Town and Country Village with a mixed use development. The maximum development allowed by this proposed rezoning would be 650,000 square feet of commercial/retail space, 1,200 residential units, and two 100-room hotels. This amount of development would be distributed over the entire project site, as shown on the Conceptual Site Plan in Figure 4.

The amount of additional development that could replace the existing car dealership, should it be eliminated, has been limited to generate no more traffic than the amount of traffic currently generated by the car dealership as identified in Table 1.

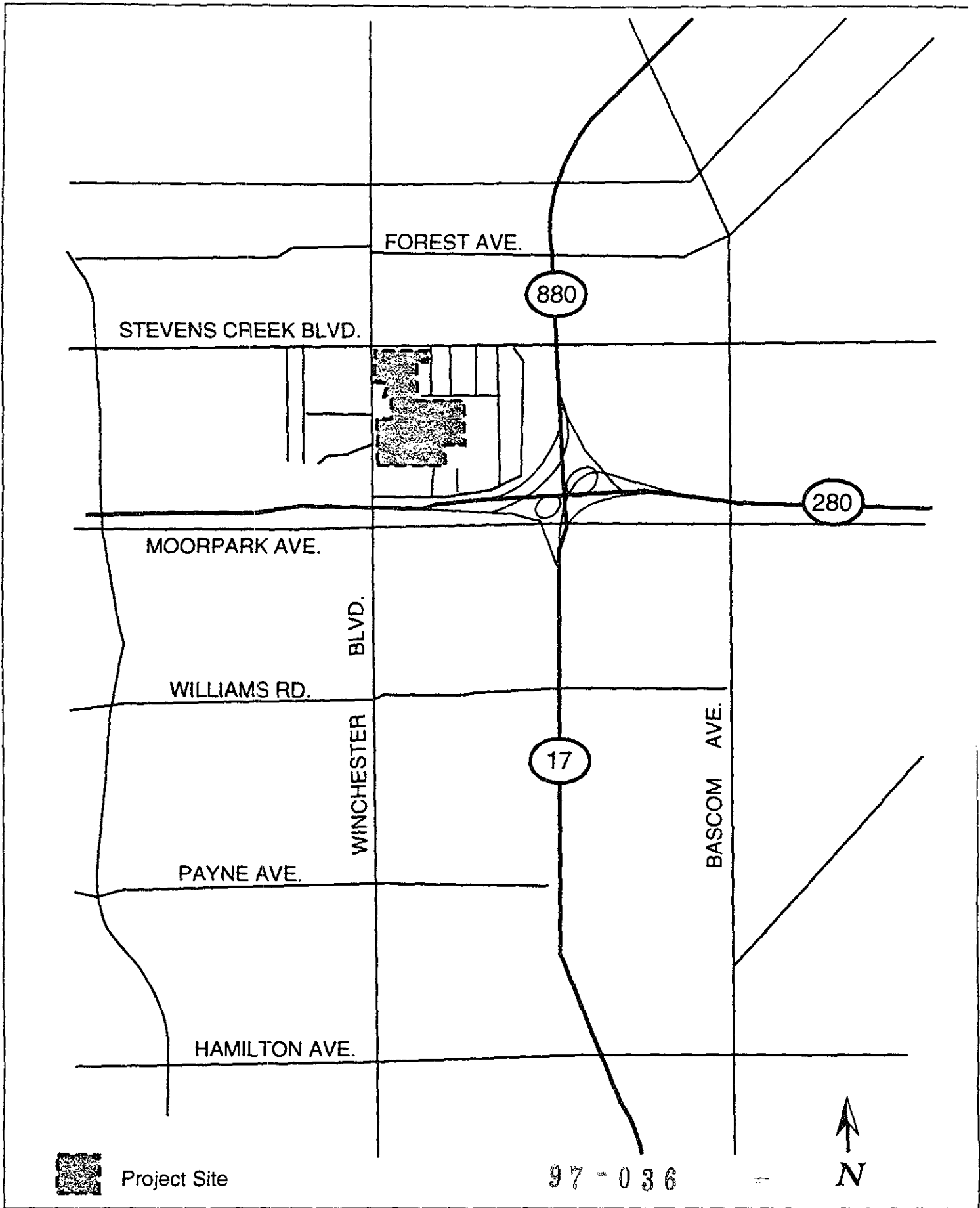
	<b>Residential Units</b>	<b>Commercial Square Footage</b>	<b>Hotel Rooms</b>	<b>Auto Dealership</b>
<b>Totals With Auto Dealership</b>	1,200	600,000	(2) 100	1
Auto Dealership Equivalent	0	50,000	0	0
<b>Totals Without Auto Dealership</b>	1,200	650,000	200	0

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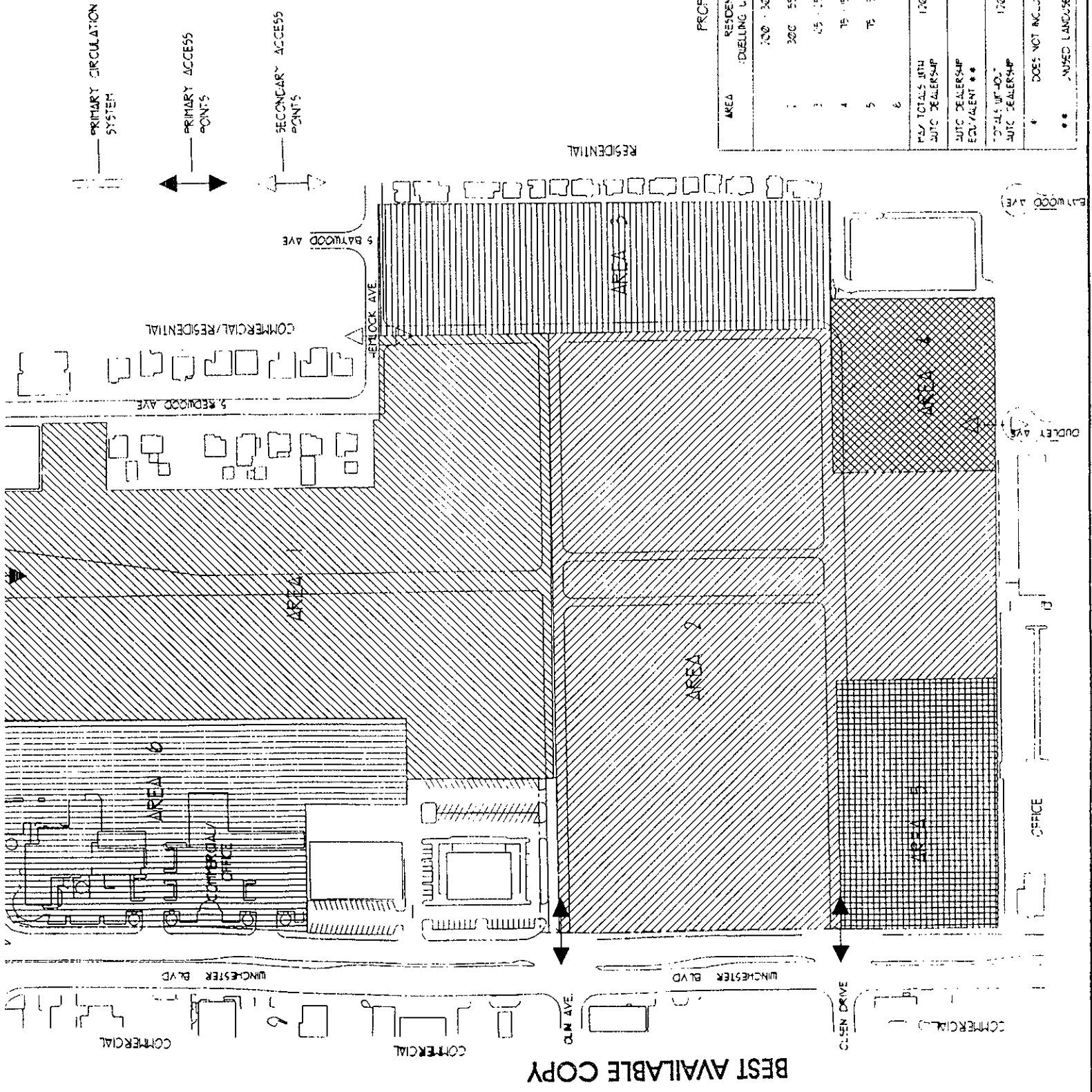
REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



EXISTING ZONING C-3 C-3  
 PROPOSED ZONING C-3 C-3  
 SITE AREA 38.8 ACRES GROSS  
 38.8 ACRES NET  
 PUBLIC ROW 0.0 ACRES  
 MAX NC RESIDENTIAL UNITS 1200 DU  
 MAX NC HOTEL ROOMS 2-100 ROOM HOTELS  
 TOTAL COMMERCIAL FL. SPACE 650,000 SQ. FT.  
 MAXIMUM OVERALL RES DENSITY 40 DU/ACRE OVERALL AVERAGE  
 MAXIMUM COMMERCIAL SQ. FT. 650,000 GLA RETAIL (COMM.)  
 TOTAL PKG SPACES PROV. 4,525 SPACES  
 LOADING SPACES PROV. 18 MINIMUM

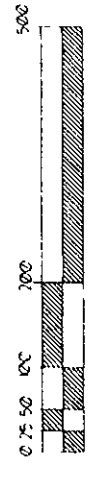
DEVELOPMENT SCHEDULE

START FALL 1999  
 COMPLETE JUNE 2001

PROPOSED LAND USE PLAN - TOWN & COUNTRY

AREA	RESIDENTIAL DWELLING UNITS	SHOPPING CENTER SQUARE FOOTAGE	HOTEL ROOMS	AUTOMOBILE DEALERSHIP	PARKING SPACES
1	300	100,000	50,000	0	100
2	300	50,000	300,000	0	360
3	45	0	50,000	0	166
4	15	0	0	0	54
5	75	10,000	10,000	0	234
6	0	0	0	0	0
<b>TOTALS WITH AUTO DEALERSHIP</b>	<b>1,000</b>	<b>650,000</b>	<b>400,000</b>	<b>0</b>	<b>914</b>
<b>TOTALS WITH AUTO DEALERSHIP EXCEPTED</b>	<b>0</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTALS WITH AUTO DEALERSHIP</b>	<b>1,000</b>	<b>700,000</b>	<b>400,000</b>	<b>0</b>	<b>914</b>

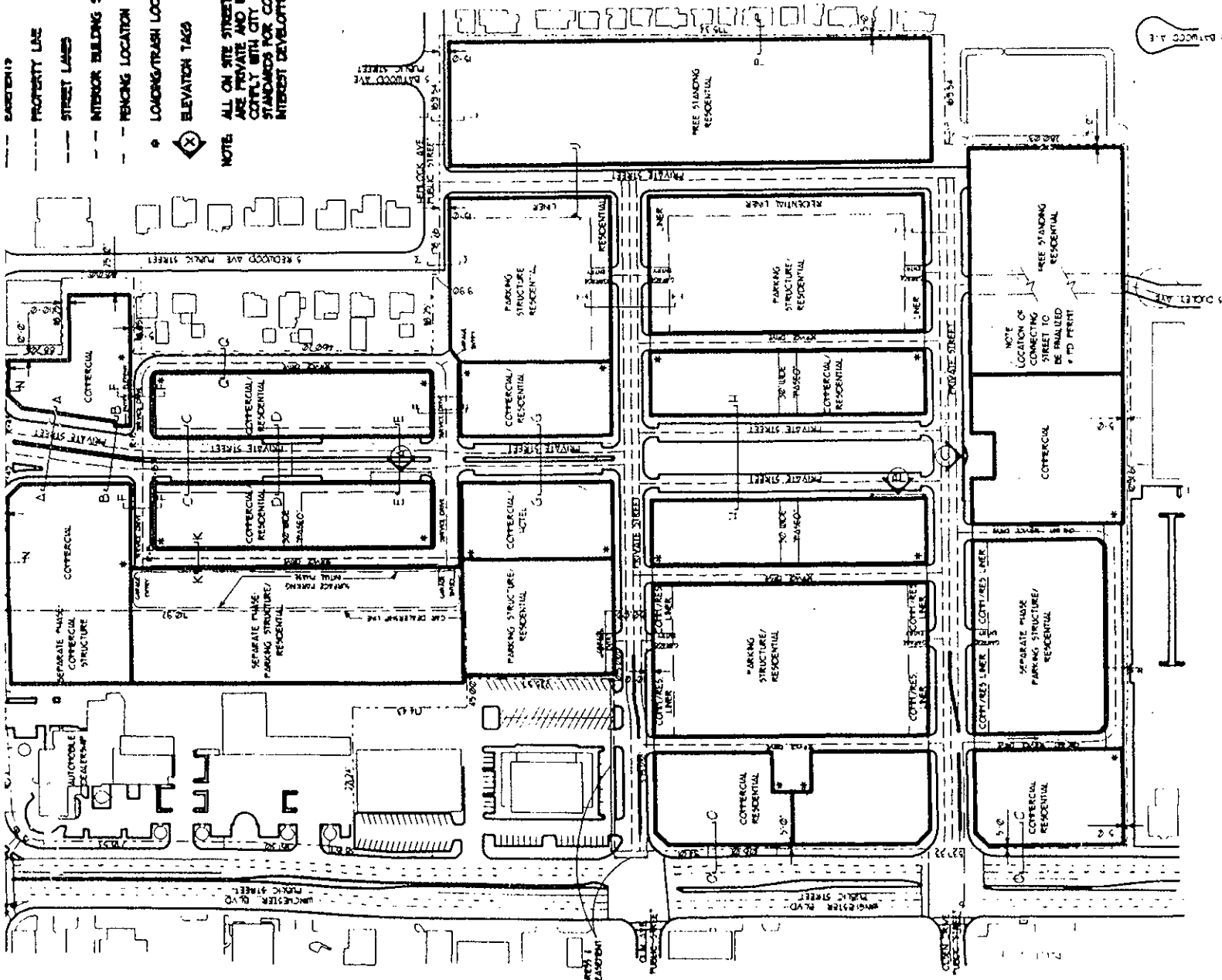
\*\* DOES NOT INCLUDE AUTOMOBILE DEALERSHIP PARKING  
 \*\*\* ADJACENT LOTS FROM SECTION 5 HAVE TRANSFERRED TO SECTION 6



LAND USE PLAN

FIGURE 3

- - - - - EASEMENTS
  - - - - - PROPERTY LINE
  - - - - - STREET LINES
  - - - - - INTERIOR BUILDING SEPARATIONS
  - - - - - FENCING LOCATION
  - o LOADING/TRASH LOCATIONS
  - ⊗ ELEVATOR TAGS
- NOTE:  
ALL ON-SITE STREETS ARE PRIVATE AND WILL COMPLY WITH CITY STANDARDS FOR COTTON INTEREST DEVELOPMENT.

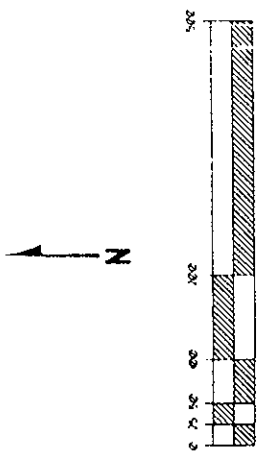


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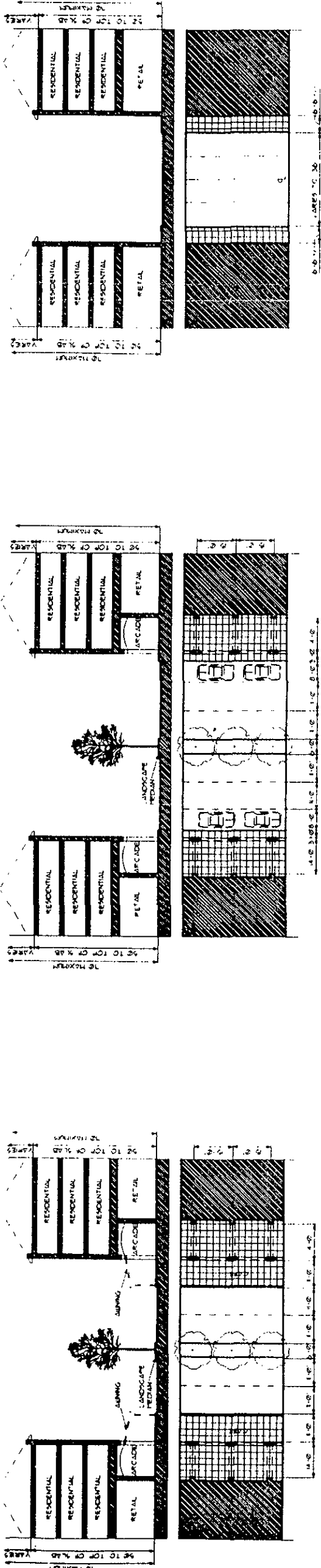
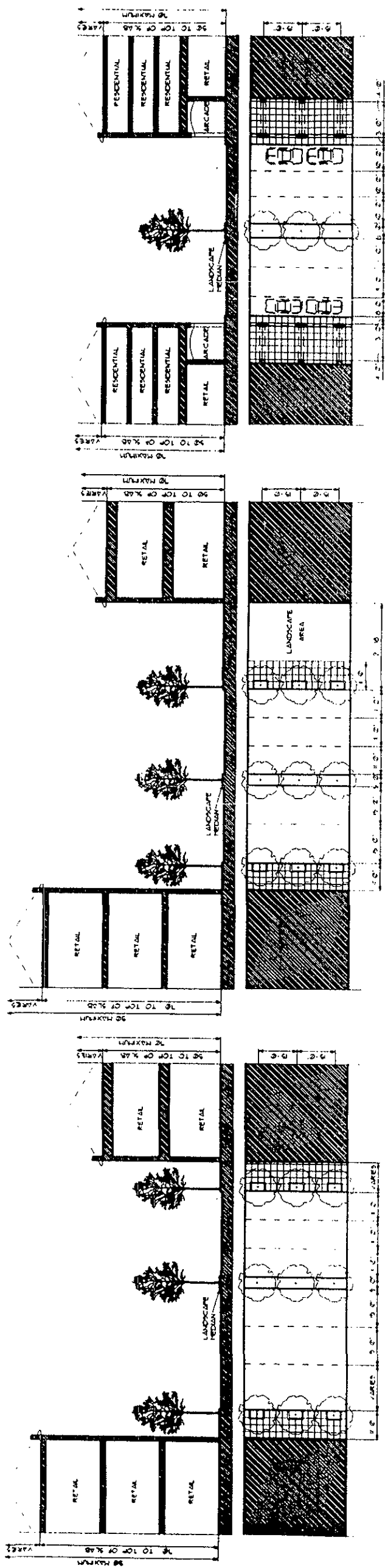
- USES**  
PERMITTED COMMERCIAL AND SPECIAL USES LISTED IN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF SAN JOSE ZONING ORDINANCE
- MAXIMUM FLOOR AREA**  
MAXIMUM FLOOR AREA OF THE COMMERCIAL SPACE IN AREAS 1, 2, 3, 4 & 6 SHALL BE 650,000 GROSS LEASABLE RETAIL AREA PLUS THAT AREA REQUIRED FOR 100 ROOM HOTELS.
- MAXIMUM HEIGHT**  
MAXIMUM HEIGHT FOR AREAS 1, 2, 3, 4 & 6 SHALL BE 30
- MAXIMUM SETBACKS**  
THE MINIMUM SETBACKS WILL BE CONSISTENT WITH THE C-3 ZONING DISTRICT

**PROPOSED DEVELOPMENT STANDARDS, RESIDENTIAL**

- USES**  
PERMITTED USES WITHIN AREAS 1, 2, 3, 4, 5 & 6 SHALL INCLUDE FOR-SALE RESIDENTIAL FLATS, CONDOMINIUMS AND/OR TOWNHOUSES AS WELL AS RENTAL APARTMENTS OR TOWNHOUSES.
- MAXIMUM FLOOR AREA**  
MAXIMUM FLOOR AREA OF THE RESIDENTIAL SPACE IN AREAS 1, 2, 3, 4 & 6 SHALL BE THAT AREA REQUIRED FOR UP TO 1200 RESIDENTIAL UNITS. THE DENSITY FOR THIS DEVELOPMENT WILL NOT EXCEED AN OVERALL SITE AVERAGE OF 40 UNITS/ACRE.
- MAXIMUM HEIGHT**  
MAXIMUM HEIGHT FOR AREAS 3 & 4 SHALL BE 30 AND ON 5 STORED
- MAXIMUM SETBACKS**  
SETBACKS FOR AREAS 1, 2 & 4 WILL BE 25 FEET FROM EXISTING STRUCTURES TO PROPOSED STRUCTURES AND 15 FEET FROM THE PROPERTY LINE ALONG PUBLIC STREETS. SEE ATTACHED CONCEPTUAL STREET PLANS & SECTIONS.



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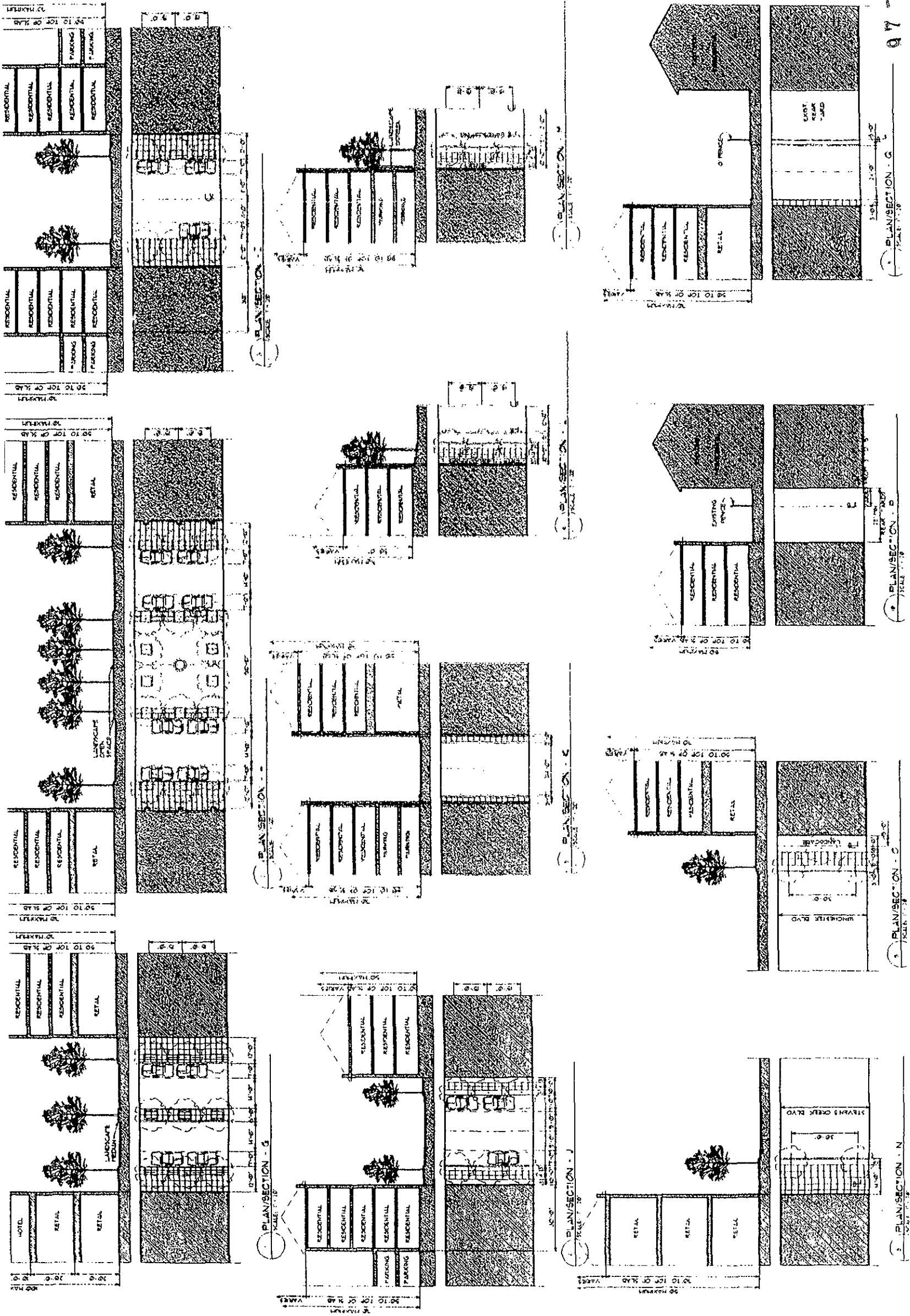
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CONCEPTUAL ANALYTIC SECTION

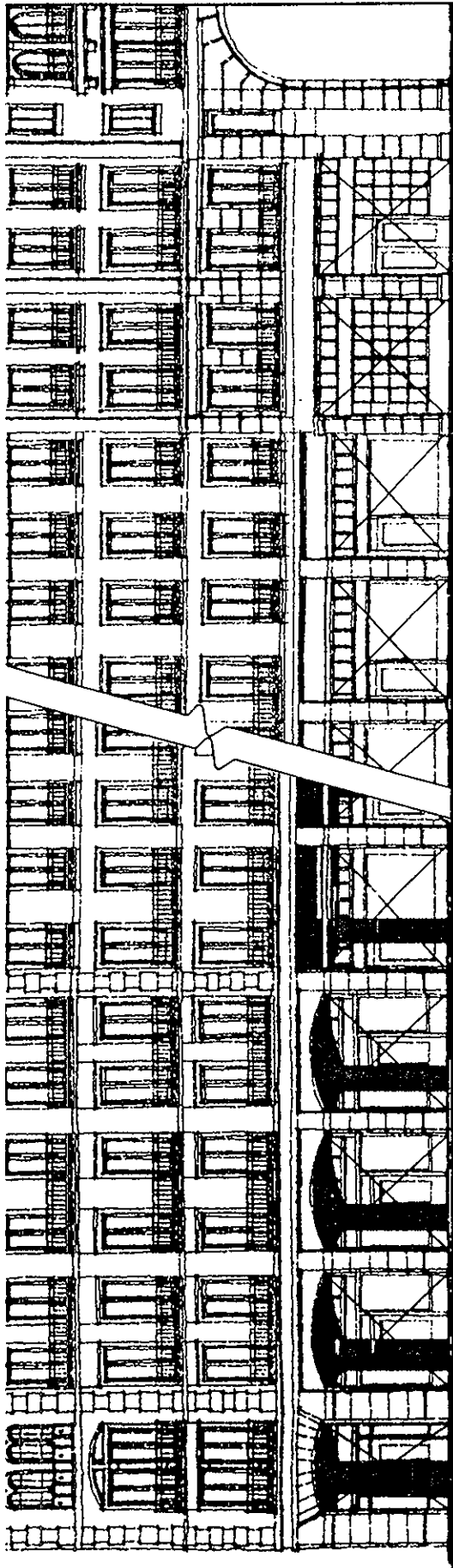
FIGURE 1



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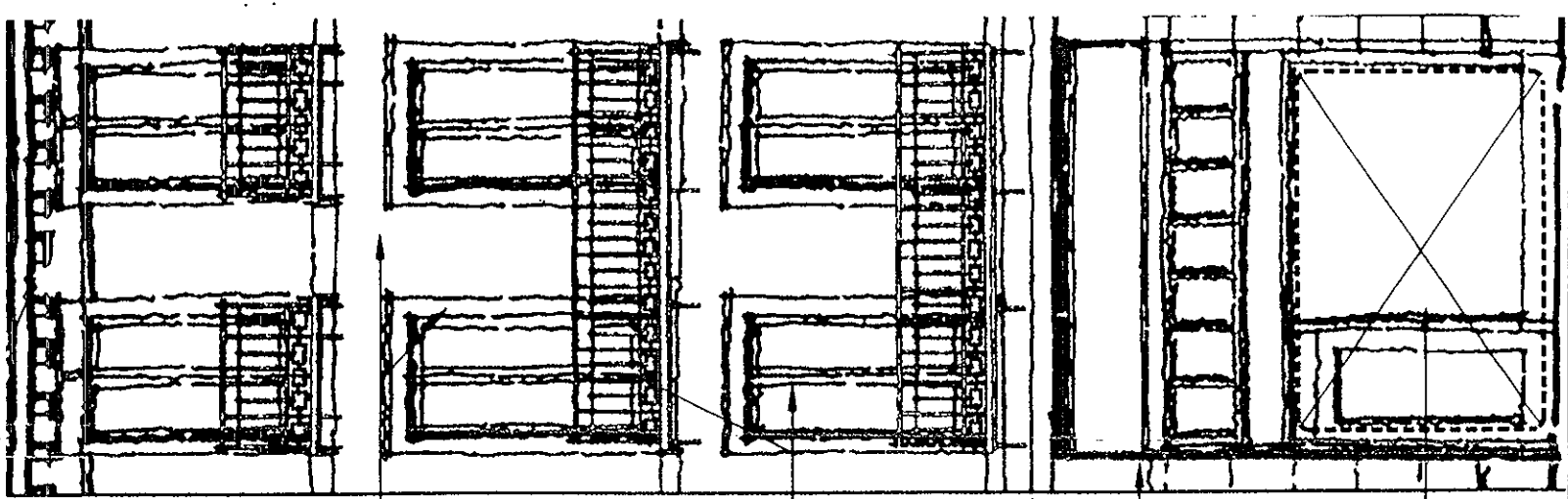


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1. TYPE RESIDENTIAL/COMMERCIAL MIXED-USE BUILDING ELEVATION WITH ARCADE  
SHEET 11

ARCHITECTURAL VOCABULARY  
THE ARCHITECTURAL DESIGN AND DETAILS ILLUSTRATED ARE CONCEPTUAL AND SUBJECT TO FURTHER REFINEMENT. THESE BUILDING ELEVATIONS ARE INTENDED TO ILLUSTRATE THE ARCHITECTURAL STYLE AND CHARACTER, AS WELL AS THE MASSING, MATERIALS AND GENERAL DETAIL OF BUILDINGS. SPECIFIC BUILDING DESIGN WILL BE FINALIZED AT THE P.D. FRONT STAGE. APPROPRIATE REGIONAL MATERIALS WILL BE USED THROUGHOUT THE PROJECT. THESE INCLUDE BRICK, TILE, STONE, PRE-CAST CONCRETE AND STUCCO, OR A COMBINATION OF THESE MATERIALS. MATERIAL, WOOD OR A DARK STAIN IS APPROPRIATE. AN ACCENT MATERIAL IN BALCONIES BRACKETS, BAY-WINDOWS, WOOD TRIM AND THE USE OF WOOD COLUMN IS ALSO APPROPRIATE. ALONG WITH THE USE OF WOOD BALUSTRADES, FURNITURE, SCREENS AND ARCHES AS ACCENT MATERIALS, THE PROJECT WILL BE DESIGNED WITH AN APPROPRIATE REGIONAL STYLE VOCABULARY. IT IS ANTICIPATED THAT THE RESIDENTIAL COMPONENT WILL BE COMPATIBLE WITH THE REMAINDER OF THE PROJECT SITE. STAND-ALONE ARCHOR RETAIL BUILDINGS WILL BE COMPATIBLE WITH THE REMAINDER OF THE PROJECT SITE WITH AN EMPHASIS ON A SINGLE IDENTITY AS EXPRESSED BY THE ARCHOR TENANT. EXPOSED PARKING GARAGE FACADES WILL BE COMPATIBLE WITH THE PROJECT SITE AND SOFTENED WITH APPROPRIATE REGIONAL MATERIALS AND LANDSCAPING AS DETERMINED BY THE ARCHITECT.

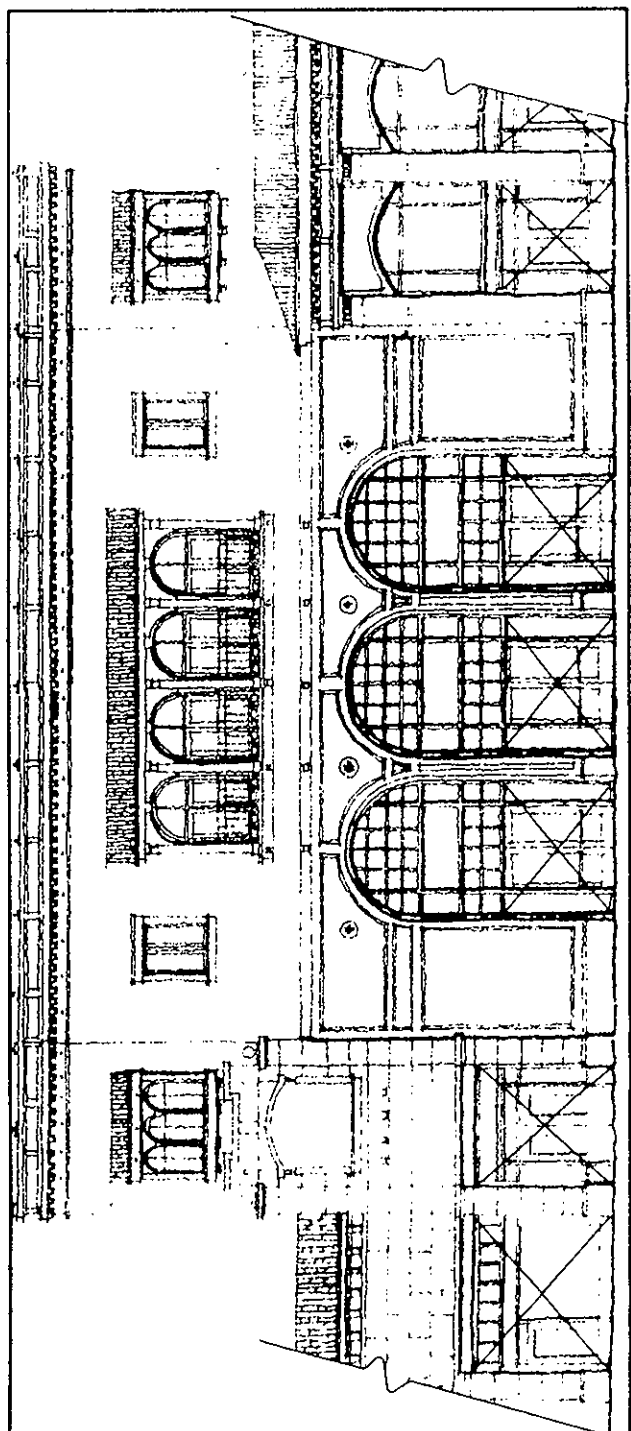


OR OTHER APPROPRIATE REGIONAL EXPRESSIONS AS DETERMINED BY ARCHITECT  
TYPICAL  
WALL AND CEILING PLAKE TREATMENT MAY CONSIST OF:  
-STUCCO PAINTED EPS PAINTED  
-FORMIC TILE AND/OR BRICK  
WITH:  
-WOOD CLAY STONE EPS OR PAINTED PLANKS  
OR OTHER APPROPRIATE REGIONAL EXPRESSIONS AS DETERMINED BY ARCHITECT

TYPICAL  
OPENING AND BALCONY TREATMENT MAY CONSIST OF:  
-WOODS AND FRENCH DOORS WITH CLEAR GLASS SET IN PAINTED PETAL OR WOOD FRAMES  
-BALCONIES MAY CONSIST OF PAINTED PETAL OR WOOD WITH OTHER APPROPRIATE REGIONAL EXPRESSIONS AS DETERMINED BY THE ARCHITECT.

STREET LEVEL BASE  
BUILDING PLAKE TREATMENT MAY CONSIST OF THE FOLLOWING MATERIALS:  
-STONE OR CAST STONE COLUMNS  
-WOOD TILE OR EPS UNITS AND SURROUNDS  
WITH OTHER APPROPRIATE REGIONAL EXPRESSIONS AS DETERMINED BY THE ARCHITECT.

NOTE: STOREFRONT DESIGN INCLUDES TENANT GRAPHICS AND OTHER STREET LEVEL BUILDING ADVERTISEMENTS WILL BE SUBMITTED BY THE COMMERCIAL OCCUPANT AT THE TIME OF BUILDING FRONT SUBMISSIONS.



2. BUILDING ELEVATION

For the purposes of this discussion, the proposed project has been divided into six areas, as shown on the Land Use Plan, Figure 3. The square footage of commercial/retail space and the number of residential units that could be developed in each of those areas are expressed in ranges. The total development distributed throughout the project site will not exceed 650,000 square foot of commercial/retail, 1,200 residential units, and two 100 room hotels.

The discussion below refers to the plans which are included as Figures 3,4,5,6 and 7. These plans illustrate a proposed project that is currently being reviewed by the City of San Jose. The plans that are ultimately approved by the City may be revised to reflect input received during the project review process, including input related to this EIR. The plans include a Land Use Plan (Figure 3 ), and development standards which represent the parameters within which future development would occur. A "Conceptual Site Plan" represents one possible development scenario that conforms to those development standards; actual development may, however, be different than what is shown in the Conceptual Site Plan. At the time PD Permit applications are submitted to the City, additional environmental review will be required to determine if this EIR provides adequate clearance. The plan/sections (Figures 5 and 6) illustrate how buildings on the project boundary will relate to streets and adjacent properties. Figure 7 demonstrates the quality of architecture proposed for the main commercial street in the project.

#### Area 1

Area 1 is located in the northerly portion of the site adjacent to Stevens Creek Boulevard. There are seven buildings shown within this area on the Conceptual Site Plan, Figure 4. Three of the buildings are shown as commercial/retail (non-residential) structures. The other four buildings would have multi-tenant commercial/retail uses on the ground level with live/work spaces, small service/offices, and multi-family residential units located above. Area 1 will also contain parking garages. In total, Area 1 could contain between 200,000 and 400,000 square feet of commercial/retail development, a maximum of 300 residential units, a 100 room hotel, and 1,200 to 2,225 parking spaces.

Buildings in Area 1 will be set back a minimum of 5 feet from Stevens Creek Boulevard. The proposed buildings in this area will range in height from 70 feet to a maximum of 90 feet, as shown on the following plan/sections, Figure 5 and 6.

#### Area 2

Area 2 is located within the central portion of the site. There are six buildings shown in this area on the Conceptual Site Plan. Three of the buildings could have multi-tenant commercial/retail uses on the ground level with live/work spaces, small service/offices, and multi-family residential units located above. Two buildings within this area will be lower level parking garages with multi-family residential above. One commercial-only building is planned in the southernmost portion of this area. In total, Area 2 could contain between 130,000 and 300,000 square feet of commercial/retail development, 300 to 550 residential units, and 960 to 2,038 parking spaces.

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Buildings in Area 2 will be set back a minimum of 5 feet from Winchester Boulevard. The proposed buildings in this area will range in height from 50 feet to a maximum of 70 feet, as shown on the following plan/sections, Figure 5 and 6.

### Area 3

Area 3 is located in the easterly portion of the project site. There is one building shown on the Conceptual Site Plan within this area but other buildings could be developed there instead. The one structure shown is identified as "free-standing" residential on the Conceptual Site Plan. In total, Area 3 could contain 125 to 250 residential units and 268 to 537 parking spaces.

Buildings in Area 3 will be setback 10 feet from Hemlock Avenue, and will range in height from 30 feet to a maximum of 50 feet. The project proposes to maintain a minimum 25 foot separation between buildings in Area 3 and the existing residential structures to the east, as shown on following plan/sections, Figure 5 and 6.

### Area 4

Area 4 is located on the southeasterly corner of the site. There is presently one residential building shown on the Conceptual Site Plan, although it could also be developed with more than one structure. Area 4 could contain between 75 to 150 residential units, and between 94 to 188 parking spaces.

Buildings in Area 4 will be set back a minimum of 5 feet from the south and easterly site boundaries. The proposed building in this area could range in height from 30 feet to a maximum of 50 feet.

### Area 5

Area 5 is located on the southwesterly corner of the site. There are two buildings shown on the Conceptual Site Plan within this section. One of the buildings shown is a multi-tenant commercial/retail structure on the ground floor with multi-family residential units located above. The other building in this area is identified as a parking garage with multi-family residential units above. One of the uses proposed in this area is an 100-room hotel, as shown on Figure 3. In total, Area 5 could contain between 20,000 and 40,000 square feet of commercial/retail development, 75 to 190 residential units, and 234 to 462 parking spaces.

Buildings in Area 5 will be set back at least 5 feet from Winchester Boulevard. The proposed buildings in this area could range in height from 50 feet to a maximum of 70 feet, as shown on plan/sections, Figure 5 and 6.

### Area 6

Area 6 is located at the northwesterly corner of the site and is the location of the existing car dealership. If the car dealership should no longer remain a tenant on the site, 50,000 square feet of commercial uses could be developed on that corner and/or other development

could be built on that portion of the site instead of elsewhere on the project. Area 6 would also include an additional parking structure.

Buildings in Area 6 will be set back at least 5 feet from Winchester Boulevard. The proposed buildings in this area could range in height from 50 feet to a maximum of 70 feet.

### Project Access

Primary access to the project will be provided from Stevens Creek Boulevard; and from Winchester Boulevard at the existing signalized intersections of Winchester Boulevard/Olin Avenue, and Winchester Boulevard/Olsen Drive on the westerly site boundary. Right-in/right-out access along Stevens Creek Boulevard will be retained. Secondary access is planned along Hemlock Avenue at the northeasterly corner of the site.

Potential alternative access to the site could be provided at the terminus of Dudley Avenue at the southeasterly corner of the site.

## **D. PROJECT OBJECTIVES**

The project is proposing a mixed-use development that effectively integrates a variety of dwelling unit types, entertainment and dining uses, retail commercial and service businesses, and live/work space in an attractive and economically viable design. The project would produce high density housing for all income levels, encourage public transit use, locate housing near job centers, optimize service capacity of existing infrastructure and encourage efficient use of infill property in compliance with General Plan policies. The project proposes a range and size of units to match the needs and income levels of the City's workers. It is anticipated that the development of housing at this location in San Jose would provide housing for the employees of nearby office and commercial uses and would, therefore, reduce vehicle trip lengths to existing and planned jobs in the San Jose area. In addition, the project proposes residential and commercial development easily accessible to transit facilities, which would also serve to shorten vehicle trip lengths. The objectives of redeveloping this infill site with this kind of project include:

- 1) Providing a high quality living environment;
- 2) Maximizing the opportunities for people to live, work, shop, and be entertained at proximate locations that reduce regional traffic congestion;
- 3) Locating shopping, dining, and entertainment uses at a convenient location central to existing residential uses in the County;
- 4) Redeveloping the project site with a project that results in upgrading, beautifying, and revitalizing an existing shopping center;
- 5) Making efficient use of existing infrastructure.

E. **CONSISTENCY WITH RELEVANT PLANS AND POLICIES**

In conformance with Section 15125(b) of the CEQA Guidelines, the following section discusses the consistency of the proposed project with relevant plans and policies.

1. **Regional and Local Plans and Policies**

**1982 Bay Area and Policies and 1994 Clean Air Plan  
ABAG/BAAQMD/MTC**

The 1982 Bay Area Air Quality Plan and 1994 Clean Air Plan ('94 CAP) establish regional policies and guidelines to meet the requirements of the Clean Air Act, as amended through 1994. The Bay Area is a non-attainment area for carbon monoxide, since federal standards are exceeded for that pollutant. Each non-attainment area was required to submit detailed plans to the State by June 30, 1991, to demonstrate new control programs and schedules for their implementation.

The Bay Area '94 Clean Air Plan is the current regional strategy for improving air quality. The Plan proposes the adoption of transportation, mobile source and stationary source controls on a variety of pollutant sources to offset population growth and provide improvement in air quality. The consistency of the proposed project with this regional plan is primarily a question of the consistency with the population/employment assumptions utilized in developing the plan

**Consistency:** The project will contribute to local traffic in the peak hours. This increase in traffic would be a source of increased air pollutant emissions, which will contribute to exceedances of regional air quality standards. Construction activities associated with future development would also generate minor temporary air pollution impacts.

This project does not propose to add additional jobs to the City of San Jose General Plan land use buildout scenario. Since the growth projections in the Clean Air Plan are based on General Plan buildout and the project does not propose to increase the number of jobs in the General Plan buildout assumption, this project is consistent with the Clean Air Plan.

**Santa Clara Valley Nonpoint Source Pollution Control Program**

The Santa Clara Valley Nonpoint Pollution Control Program was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan to control nonpoint sources of pollution entering water sources and prevent deterioration of water quality. The Nonpoint Source Program was also designed to fulfill the requirements of the Federal Clean Water Act and the Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) permit requirements for storm water runoff.

The State Water Resources Control Board implemented an NPDES general construction permit for the Santa Clara Valley. For projects disturbing five acres or greater, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

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This development will conform to the requirements of the NPDES permitting program. The proposed construction would increase storm water runoff. Runoff-borne pollution and associated impacts will increase both during and after construction of the future development of the site. Section II (F) of this DEIR identifies mitigation measures proposed to reduce water quality impacts in runoff, both for construction and in the long-term, which are consistent with the standards of the Non-Point Source Program.

**Consistency:** The proposed project is consistent with the provisions of the Non-Point Source Program.

### **Santa Clara County Congestion Management Program**

In accordance with Proposition 111, the Congestion Management Agency prepared the Santa Clara County Congestion Management Program (CMP). The CMP legislation requires that all urbanized counties in California prepare a Congestion Management Program in order to obtain each county's share of the increased gas tax revenues. The CMP legislation requires that each CMP contain nine mandatory elements: 1) a system definition element; 2) a traffic level of service standard element; 3) a transit standards element; 4) a trip reduction and transportation demand management element; 5) a County-wide transportation model and database element; 6) a land use impact analysis program element; 7) a capital improvement program element; 8) an annual monitoring and conformance elements; and 9) a deficiency plan element.

**Consistency:** The traffic analysis prepared for the proposed project discusses impacts on CMP facilities. As discussed in Section II (B), the project as proposed is consistent with the provisions of the CMP.

### **San Jose 2020 General Plan**

The San Jose 2020 General Plan is an adopted statement of goals and policies which serve as the major planning document defining the character and quality of future development in the City. The project site is designated *Regional Commercial* on the City of San Jose 2020 General Plan Land Use/ Transportation Diagram. The Regional Commercial land use designation applies to existing shopping centers which reflect the cumulative attraction of a regional center and one or more nearby community or specialty centers in close proximity, whose combined drawing power is of a regional scale.

Under a General Plan Discretionary Alternate Use Policy, *Residential Uses on Commercially Designated Parcels*, high density residential development (12 dwelling units per acre or more) or mixed use development can be allowed on properties designated for *Regional Commercial* use if the development is located on major thoroughfares, takes access from a major thoroughfare, and "is non-residential environment". The maximum density allowed under this policy is 40 dwelling units per acre if the site is on a Major Arterial (115-130 feet right-of-way). Both Stevens Creek Boulevard and Winchester Boulevard are designated as Major Arterials. Since the project takes primary access from these streets and has frontages on them, the project is eligible for consideration under this Discretionary Alternative Use Policy.

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## *Major Strategies*

### *Economic Development Strategy*

The City of San Jose's Economic Development Strategy strives to make San Jose a more "balanced community" by encouraging more commercial and industrial development to balance the existing residential development. San Jose currently has a significant surplus of housing over employment, a "jobs/housing imbalance". This makes it difficult to provide adequate urban services, since residential development does not generate sufficient revenue to cover service demands. Economic development is, therefore, a basic priority for San Jose, both for financial reasons and to provide employment opportunities for San Jose residents.

The redevelopment of the Town and Country Village shopping center would increase the City's tax base by providing up to 650,000 square feet of commercial development and two hotels.

### *Sustainable City Strategy*

The Sustainable City Strategy reflects San Jose's desire to become an environmentally and economically sustainable city, minimizing waste and efficiently using its natural resources. The redevelopment of the project site with a mixed use development which includes a residential component above retail uses would help reduce traffic generated by the project by internalizing the trips on-site. In addition, the proposed project will include landscaping which meets the City's water conservation guidelines, and a pedestrian circulation system to encourage access to transit.

## *General Plan Goals and Policies*

### *Balanced Community Goal*

One of the policies for achieving the Balanced Community Goal states that the City should foster development patterns which will achieve a "whole and complete community" in San Jose, and improve the balance between jobs and housing, to the greatest extent feasible. The redevelopment of the Town and Country Village shopping center would contribute to that balance by locating jobs within the planned urban area.

### Urban Design Goals and Policies

#### *Urban Design Goal*

The City's Urban Design Goal requires the highest standards of architectural and site design for all development projects, both public and private.

The General Plan also contains a number of urban design policies intended to guide the City's physical form and project the character and integrity of residential neighborhoods.

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*Urban Design Policy #1*

The City should continue to apply strong architectural and site design controls on all types of development for the projection and development of neighborhood character and for the proper transition between areas with different types of land uses. This project will require a PD Permit, which will be reviewed by City staff for adherence to this policy.

*Urban Design Policy #2*

Private development should include adequate landscaped areas. Landscaped areas should utilize water efficient plant materials and irrigation systems. Energy conservation techniques such as vegetative cooling and wind shielding should also be utilized. All landscaped areas should include provision for ongoing landscape maintenance. The proposed project includes landscaping integrated into the project's design, all of which will be maintained by the property owner.

*Urban Design Policy #10*

Residential building height should not exceed 45 feet except in specific areas of the City. The project site is not located within one of those specific areas; however, the project proposes a mixed use development not a wholly residential project.

*Urban Design Policy #11*

Non-residential building height should not exceed 45 feet except for mixed use projects (residential and non-residential uses) on sites of 20 acres or larger located near major transportation arterials or corridors, the maximum building height is 90 feet, provided that the project contains a minimum of 200 dwelling units in a master Planned Development zoning. The intent of this policy is to encourage mixed use development and allow flexibility of building heights for design and aesthetic purposes without increasing the intensity of non-residential use beyond what could be developed within the 45-foot height limit. This mixed-use project would be developed under a master Planned Development zoning and will include between 800 and 1,200 dwelling units on a 39 acre site, and no structures will be higher than 90 feet.

Economic Goals and Policies

*Economic Development Goal #2*

Economic Development Goal #2 is intended to create a stronger municipal tax base by obtaining a greater share of the total industrial and commercial development in the County, and by nurturing and encouraging expansion of the existing industrial and commercial development in the City. The proposed project includes an expansion of existing commercial uses.

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*Economic Development Policy #1*

The City should reduce the present imbalance between housing and employment by seeking to obtain and maintain an improved balance between jobs and workers residing in San Jose. A perfect balance between the number of jobs and employed residents may not be achievable but the City should strive to achieve a minimum ratio of 0.80 jobs/employed resident to attain greater fiscal stability. The proposed project will add more housing than is required for the number of jobs provided on-site.

*Parks and Recreation Level of Service Policy #16*

Level of Service Policy 16 addresses Citywide level of service measures as benchmarks to be used to evaluate major General Plan land use and policy changes. This policy identifies City service level objective for park and recreational lands of 3.5 acres of neighborhood and community serving recreational lands per 1,000 population. Based upon a projected occupancy rate of 2.29 persons per household unit, the project could result in the need for a minimum of 6.4 to 9.6 acres of public neighborhood/community serving park land.

This policy is implemented through application of the City's Park Impact Fee and Parkland Dedication ordinances. The standards set forth in Section 19.38.050 of the Municipal Code are .003 acres/dwelling unit, with an occupancy rate for multi-family development of 2.029. Credit is given for both private open space and recreation improvements provided by a project, and for public park and recreation improvements. This project will be conditioned to meet the requirements of these ordinances.

**Consistency:** Overall, the redevelopment of the project site with the proposed project is consistent with the relevant goals and policies of the City of San Jose General Plan.

**F. USES OF THE ENVIRONMENTAL DOCUMENT**

This Environmental Impact Report (EIR) will be used to provide the environmental review necessary for the development of the proposed project. The EIR provides the City of San Jose as the Lead Agency with relevant environmental information to use in considering the approval of the project.

The City of San Jose will use the EIR in its decision making process for the discretionary approvals to implement the project, as listed below.

- PD Rezoning, PD Permits, Tentative Maps
- Demolition Permit(s)
- Infrastructure improvements, including acquisition of right-of-way
- Tree Removal Permit

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## II. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

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### A. LAND USE

#### 1. Existing Setting

##### Overview of the Project Area

Town and Country Village is located in central San Jose, in a predominately commercial area. The project site is approximately three miles west of Downtown San Jose. The City of Santa Clara city limit boundary runs along the northern side of Stevens Creek Boulevard adjacent to the northerly project boundary. Land uses in the project area include regional commercial, commercial/office, retail, and residential development.

##### Existing Land Uses

The majority of the project site is currently developed. The existing Town and Country Village shopping center contains approximately 140 business suites in ten, one- to two-story buildings totaling 285,000 square feet, and covers the majority of the site, as shown on the following Photographs of the Site, Figures 8 and 9. These buildings are occupied by various types of retail uses, specialty stores, boutiques, restaurants, and small offices. Courtesy Chevrolet car dealership, which contains 40,000 square feet in buildings and a car display lot, is located on approximately six acres on the northwesterly corner of the site. The Town and Country Tennis Club, which includes eight tennis courts and a two-story clubhouse, is located on the southeasterly corner of the site. Approximately five acres of the site along the easterly boundary is vacant grassland.

##### Surrounding Land Uses

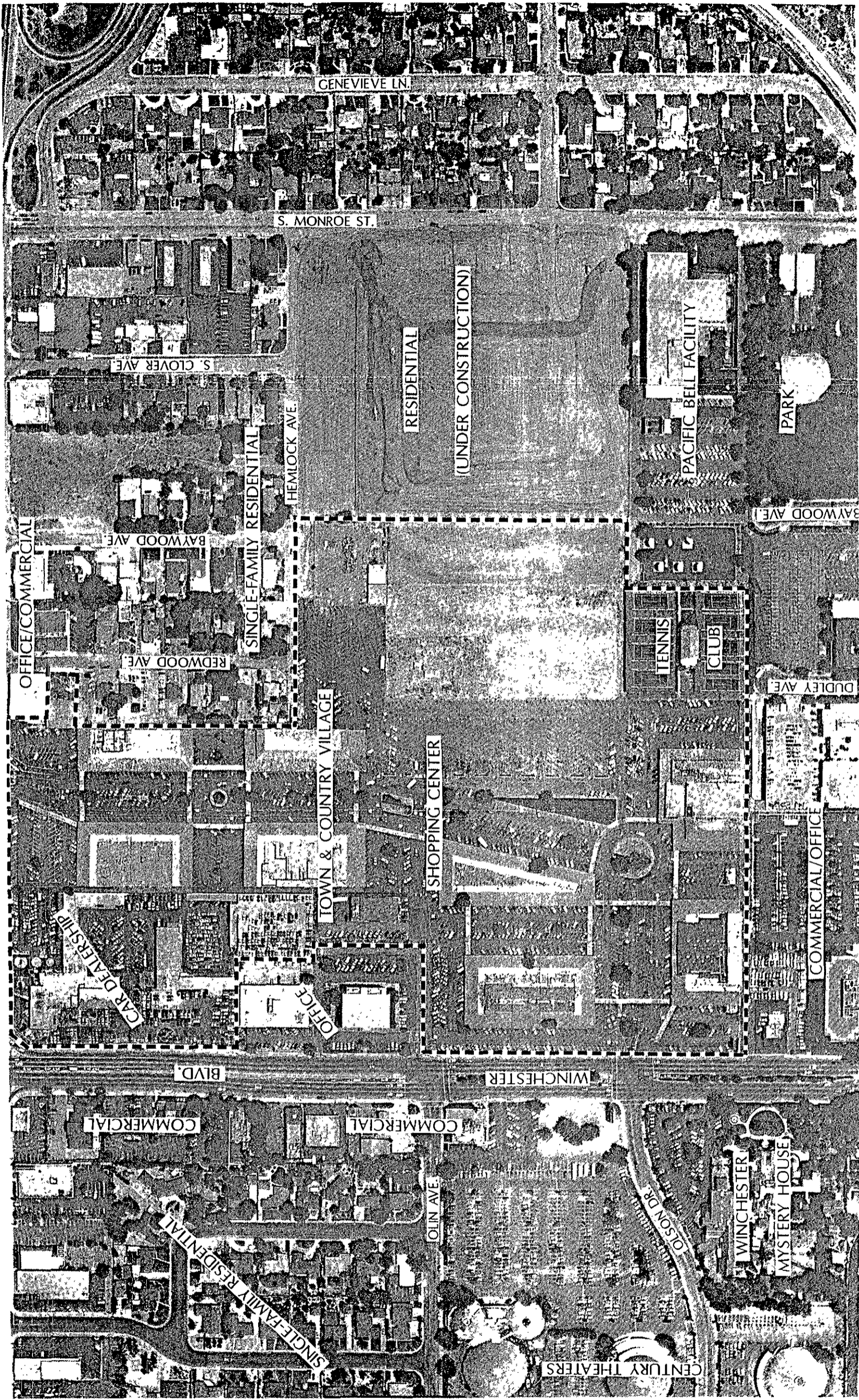
The project site is located in an area of mixed commercial and residential development as shown on the Aerial Photograph, Figure 10. Valley Fair Shopping Center is located to the north of the project site. The Winchester Mystery House, a State of California Registered Historic Landmark, a movie theater complex, and various commercial uses are located along the westerly site boundary on the west side of Winchester Boulevard. The Town and Country Village and Courtesy Chevrolet facilities surround an existing two-story commercial building and a three story office building along the westerly site boundary adjacent to Winchester Boulevard. Two six- and ten-story office towers are located on Tisch Way, adjacent to the southwesterly site boundary. The Pacific Bell Telephone two-story office building is located adjacent to the southeasterly site boundary. New single family residences are currently under construction along the easterly site boundary. A mixture of small-scale commercial and retail uses located in former residential structures, single family residences and duplexes are located along Hemlock Avenue adjacent to the northeasterly site boundary. In addition, a two story office building is along Stevens Creek Boulevard adjacent to the northeasterly corner of the site.

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1" = ± 250'  
Project Site  
Boundary





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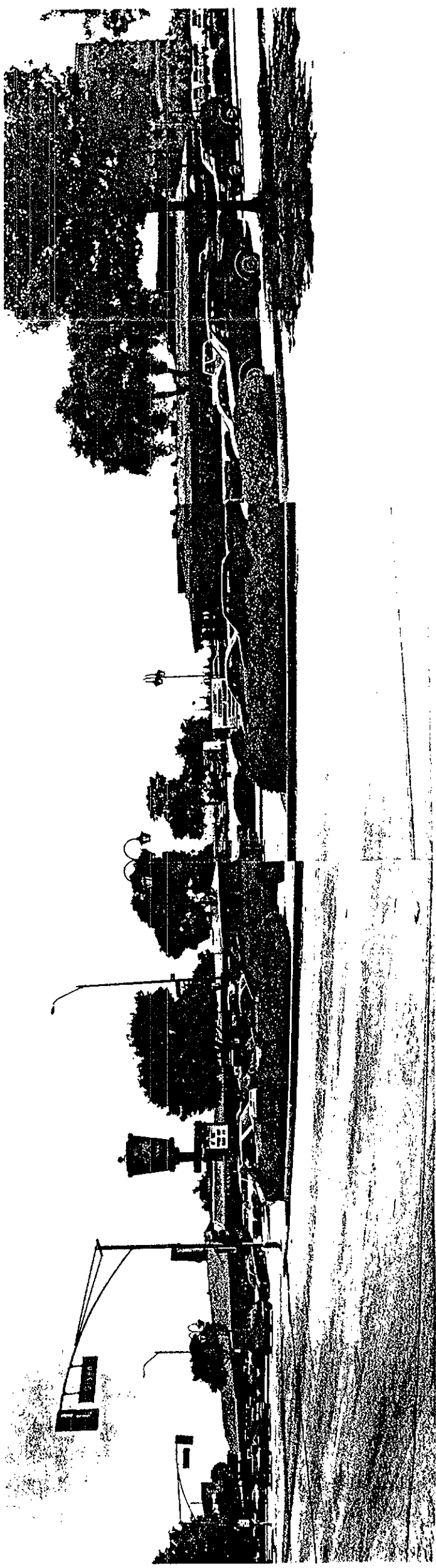


PHOTO 3: View of the western boundary of the project site along Winchester Blvd.

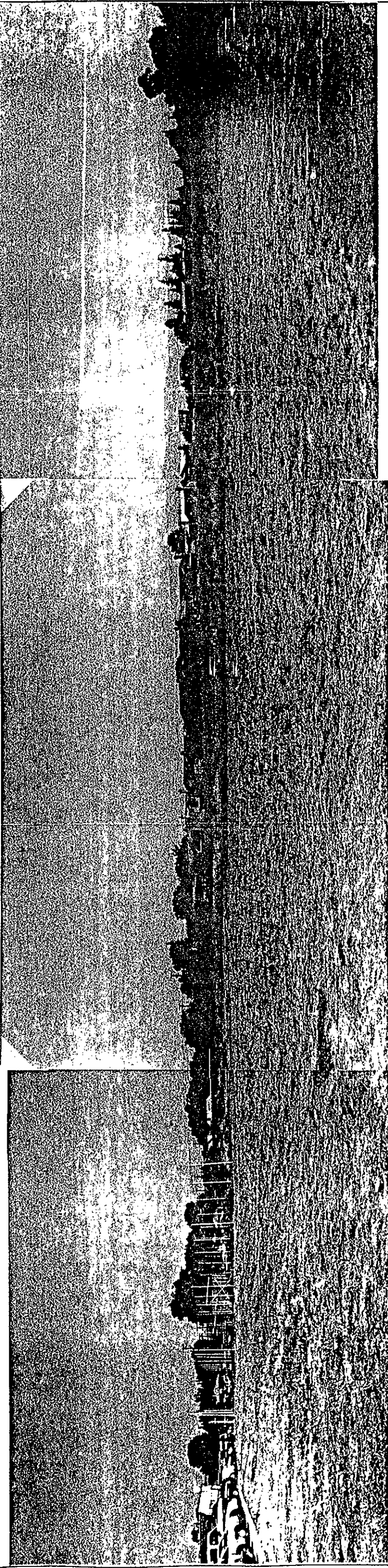


PHOTO 4: View of the eastern portion of the project site, taken from the southern site boundary.

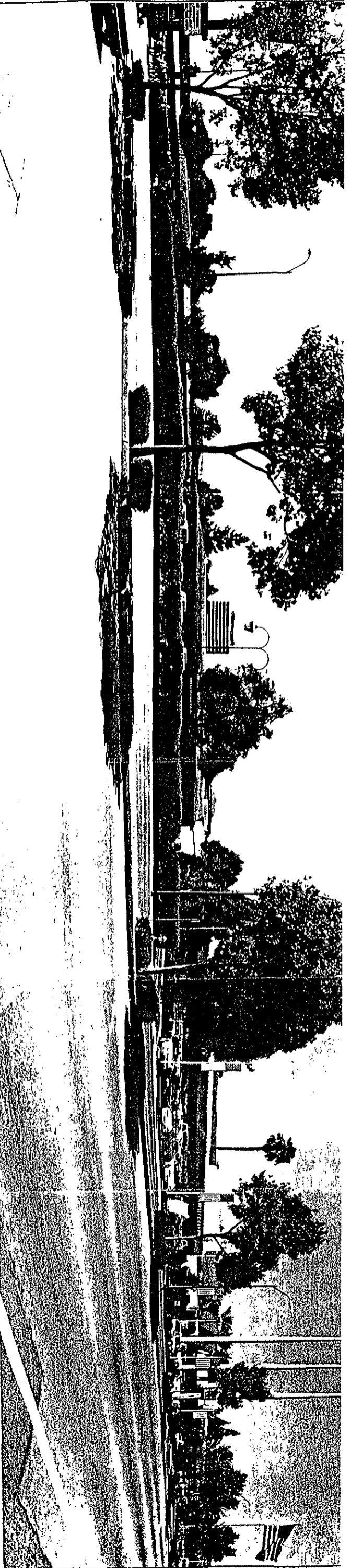


PHOTO 1: View of the project site's northern boundary, along Stevens Creek Blvd.

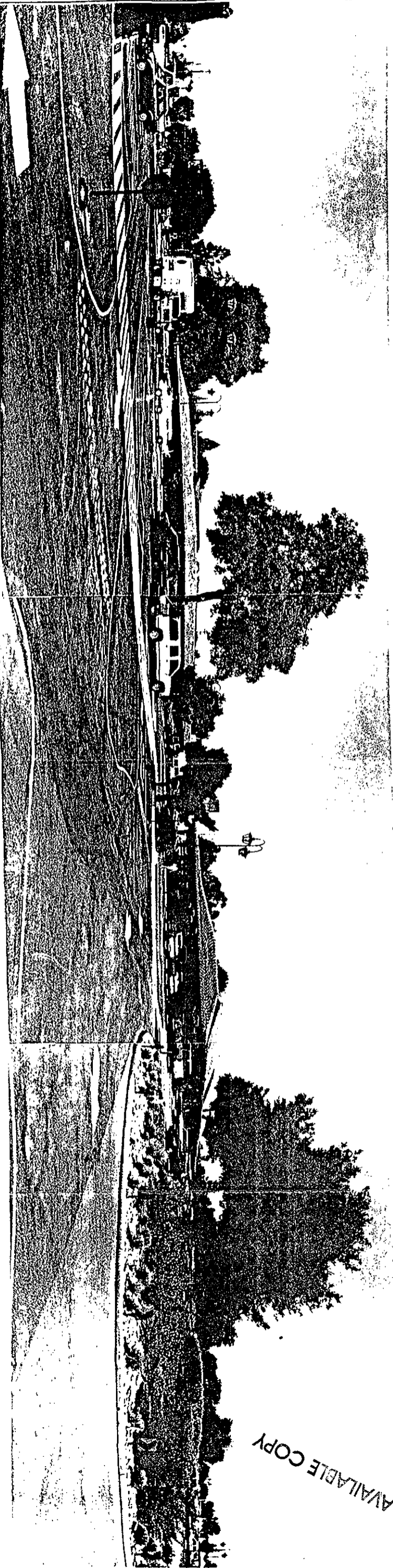


PHOTO 2: Interior view of the project site taken from the southern boundary, looking towards the northwest.

PHOTOS 1 AND 2

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2. Land Use Impacts

**Thresholds of Significance**

For the purposes of this project, a land use impact is considered significant if the project will:

- conflict with adopted land use goals and policies of the community;
- induce substantial growth or concentration of population;
- displace a large number of people;
- disrupt or divide the physical arrangement of an established community;
- conflict with established residential, recreational, educational, religious, or scientific uses of the area;
- convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land;
- substantially increase ambient noise levels for adjoining areas; or
- expose substantial numbers of people to health or safety hazards.

The proposed project involves the redevelopment of the existing 285,000 square foot Town and Country Village shopping center and, potentially, the existing 40,000 square feet of buildings in the Courtesy Chevrolet car dealership, with a maximum of 650,000 square feet of commercial/retail uses, 1,200 residential units, and two 100 room hotels on approximately 39 acres. The proposed redevelopment of the site would result in land use impacts associated with the proposed increase in development intensity, increase in building heights, and potential land use incompatibility. These direct impacts would also create additional indirect land use impacts including increased traffic, air pollutant emissions, noise impacts, and visual changes.

**Land Use Conflicts**

Land use conflicts can arise from two basic causes: 1) a new development or land use may cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere; or 2) conditions on or near the project site may have impacts on the persons or development introduced onto the site by the new project. Both of these circumstances are aspects of *land use compatibility*. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land use compatibility conflicts can range from minor irritation and nuisance to potentially significant effects on human health and safety. The discussion below distinguishes between potential impacts *from* the proposed project *upon* persons and the physical environment, and potential impacts *from* the project's surroundings *upon* the project itself.

***Impacts From the Project***

The proposed project will change the character of the project site. It will replace the existing Town and Country Village shopping center, tennis club, and potentially, the car dealership with a mixed use development with commercial/retail space, residential units, and up to two hotels. The proposed project will increase activity as well as traffic on and surrounding the

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site. The demolition and construction phases of the project will also involve significant noise, activity, and dust.

Because they are generally compatible uses, the project will not have significant land use impacts upon Valley Fair Shopping Center to the north, commercial uses to the west, the office buildings to the south, or the Pacific Bell facility to the southwest. The residential uses located to the east and northeast of the project site are generally considered a sensitive land use.

Area 3 of the proposed project, which is located nearest these residential properties, has been designed with residential-only buildings in that area. The density of the development proposed in Area 3 is greater than the density on either of the adjacent residential sites. The residential units currently under construction along the easterly property boundary are approximately 25 feet in height and have a rear or side yard setbacks from the shared property boundary of between 2 feet and 10 feet. One residential building is proposed by the project in Area 3 adjacent to the easterly boundary. Figures 5 and 6 contain cross sections that illustrate how this proposed residential structure will relate to the new single family homes. The building will range in height from 30 feet to a maximum of height of 50 feet, as shown on Figures 5 and 6. A 25 foot separation will be maintained between the proposed building and the adjacent residences currently under construction. The proposed buildings and the residential units under construction to the east are similar enough in height, mass, and building separation to be considered compatible.

The residences located along Hemlock Avenue are one-story structures which are set back from the edge of the roadway by approximately 20 feet. Hemlock Avenue, which is located between the project site and the residences, is approximately 30 feet wide at the project site. The project proposes a 10-foot set back from Hemlock Avenue, see Figure 5 and 6. Thus, the proposed project structure will be located approximately 60 feet from the residences on Hemlock Avenue.

There is existing development on the west side of Redwood Avenue, including a variety of commercial land uses in converted residential structures. The project proposes to maintain a fence along the property line adjacent to these uses (see cross section in Figures 5 and 6).

The southeast corner of the site proposes development adjacent to an office parking lot, which is not considered a sensitive land use.

#### *Construction Impacts*

Construction of the project will involve the demolition of the existing shopping center, grading, delivery of construction materials, and the construction itself will use power equipment, possibly pile drivers, concrete trucks, and other sources of noise, dust, and traffic. The issues of noise and dust are also discussed in Section II(C) and (D) of this EIR. While construction impacts may be significant, they are temporary in nature, and can be reduced in their severity.

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*Indirect Land Use Impacts*

Due to the increase in development intensities, the proposed project would generate increased local and regional traffic, noise impacts, and increased air pollutant emissions. These impacts are addressed in their corresponding sections of this DEIR.

*Impacts to the Project*

The potential impact to future project occupants and residents of the project from noise is discussed in Section II (D) of this EIR. Other possible site constraints to the project include the presence of hazardous materials due to historical agricultural uses on the site. A discussion of hazardous materials on the site is provided in Section (H) of this EIR. The discussion in those sections does not identify significant constraints that would preclude development of the project on the site.

**Conclusion:** The project will not result in significant land use impacts to existing land uses, including residential development, and does not propose new land uses that will be significantly adversely impacted by nearby conditions or land uses. (**Less Than Significant Impact**)

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## B. TRANSPORTATION

A traffic analysis was prepared for this project by Barton-Aschman Associates, Inc. in November 1997, and is attached to this EIR as Appendix A.

### 1. Existing Setting

#### Existing Roadway System

Figures 1 and 2 illustrate the local and regional street and roadway system in the project area. Regional access to the project site is provided by I-880 and I-280:

I-880 is a six-lane freeway with no high-occupancy vehicle (HOV) lanes in the project area. I-880 extends northward to Oakland and southward, as SR 17 south of I-280, to Santa Cruz. Access to the site is provided via a full interchange at Stevens Creek Boulevard.

I-280 is an eight-lane freeway [three mixed-flow lanes and one high-occupancy vehicle (HOV) lane in each direction]. I-280 runs in a predominately north/south direction from San Francisco through the peninsula to its junction with I-680 in San Jose. In the South Bay, however, I-280 generally runs in an east/west direction. Access to the site is provided via a partial interchange at Winchester Boulevard.

Local access to the site is provided by Stevens Creek Boulevard, Winchester Boulevard, Moorpark Avenue, and San Tomas Expressway. These roadways are described below:

Stevens Creek Boulevard is a six-lane divided arterial which runs in an east/west direction. The roadway begins as San Carlos Street east of Downtown San Jose and continues west through the Cities of Santa Clara and Cupertino. Stevens Creek Boulevard provides direct access to the project site via a full-access signalized driveway at the intersection of Emporium Way and Stevens Creek Boulevard.

Winchester Boulevard is generally a six-lane divided arterial that runs in a north/south direction reaching from Santa Clara to the north, through Campbell to the south. Immediately, south of Stevens Creek Boulevard, Winchester Boulevard is a six-lane facility. North of Stevens Creek Boulevard, the roadway narrows to four lanes. Winchester Boulevard provides access to the project site via two full access signalized driveways at the intersections of Olin Avenue and Olsen Drive.

Moorpark Avenue is a four-lane roadway which runs in an east/west direction. This facility provides access to the site via Winchester Boulevard. Moorpark becomes Bollinger Road west of Lawrence Expressway, and terminates as an on-ramp to I-280 east of Leigh Avenue.

San Tomas Expressway is a six-lane divided expressway (two mixed flow lanes and one HOV lane in each direction) which generally runs in a north/south direction, from the City of Santa Clara through the City of San Jose to the City of Campbell. This facility provides access to the site via Moorpark Avenue and Stevens Creek Boulevard.

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## Transit Service

Bus service in the vicinity of the project site is provided by the Santa Clara Valley Transportation Authority (VTA) as shown on Figure 11. The project site is served directly by Routes 60, 23, 24, and 36, which are described below:

*Route 60* provides service between Los Gatos and Great America Parkway. This line operates on a 15- to 30-minute headway and provides service along Winchester Boulevard adjacent to the site.

*Route 23* provides service between Downtown San Jose and San Antonio Shopping Center in Mountain View. This line operates on a 30-minute headway and provides service along Stevens Creek Boulevard near the site.

*Route 24* provides service between Downtown San Jose and the California Avenue (Palo Alto) Train Station. This line operates on a 30-minute headway and provides service along Stevens Creek Boulevard near the site.

*Route 36* provides service between East San Jose and Vallco Fashion Park. This line operates on a 15- to 30-minute headway and provides service along Winchester Boulevard and Forest Avenue near the site.

## Bicycle and Pedestrian Facilities

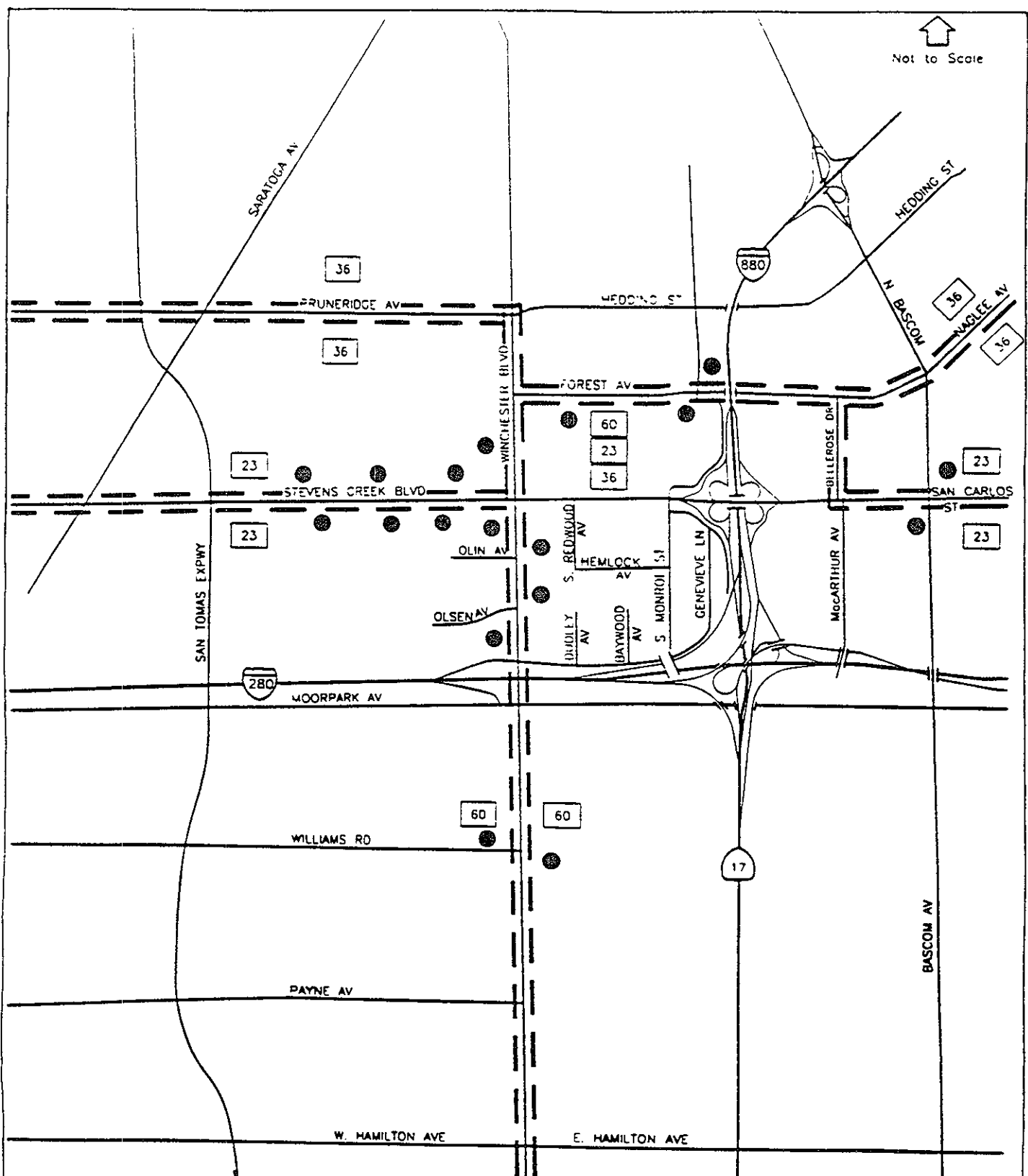
The project site is relatively isolated from any bicycle routes designated by the Santa Clara County Bikeways Network. Sidewalks are available along both sides of Stevens Creek Boulevard and Winchester Boulevard, with pedestrian crossings provided at signalized intersections. The City of San Jose Transportation Bicycle Network designates Winchester Boulevard as a bicycle route.

## Existing Intersection Levels of Service

The operating conditions of the key intersections in the project area were evaluated with level of service (LOS) calculations. *Level of service* is a qualitative description of intersection operation, ranging from LOS A, or free-flow conditions, to LOS F, or jammed conditions. Two analytical methods were used in the study to meet the City of Santa Clara and City of San Jose requirements.

The San Jose method estimates the level of service based on critical volume-to-capacity (V/C) ratios. The volumes of the vehicles in the turning movements that dictate the operation of the intersection are divided by the capacity of those movements. The individual ratios are added to obtain the intersection V/C ratio. The V/C ratio is correlated to a level of service, as shown in Table 2. An acceptable level in the City of San Jose for local intersections is defined as LOS D or better.

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- LEGEND**
- = BUS STOP
  - xx = BUS ROUTE

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TRANSIT ROUTES

FIGURE 11

<p style="text-align: center;"><b>Table 2</b>  <b>Signalized Intersection Level of Service Definitions</b>  <b>Using Volume-to-Capacity Ratios</b></p>		
Level of Service	Interpretation	V/C Ratio
A	Uncongested operations; all queues clear in a single signal cycle.	Less Than 0.600
B	Very light congestion; an occasional approach phase is fully utilized.	0.600-0.699
C	Light congestion; occasional backups on critical approaches.	0.700-0.799
D	Significant congestion on critical approaches, but intersection functional. Cars required to wait through more than one cycle during short peaks. No long-standing queues formed.	0.800-0.899
E	Severe congestion with some long-standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersections(s) upstream of critical approach(es).	0.900-0.999
F	Total breakdown, stop-and-go operation.	1.000 and Greater

The level of service method used by the City of Santa Clara for regional intersections evaluates intersection operation based on the average stopped vehicular delay. The average delay is calculated using CAPSSI-11 software and is then correlated to a level of service, as shown in Table 3. The traffic report also includes an analysis of regional intersections in San Jose based upon Congestion Management Agency Methodology; however, the City of San Jose does not use this methodology to determine traffic impacts for CEQA purposes in San Jose.

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**Table 3  
Intersection Level of Service Definitions  
Using Average Stopped Vehicular Delay**

Level of Service	Description	Average Stopped Delay Per Vehicle (Sec.)
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	≤ than 5.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	5.1 to 15.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	15.1 to 25.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	25.1 to 40.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	40.1 to 60.0
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	> 60.0

Existing peak-hour traffic volumes were obtained from previous studies and supplemented with new manual turning-movement counts as described in Appendix A.

The existing volumes were used with the existing lane configurations and signal phasing as inputs to the LOS calculation method to evaluate the current operations of the key intersections. The results are presented in Tables 4 and 5. The results show that three of the study intersections in San Jose currently operate at an unacceptable LOS E or worse during at least one of the peak-hours. The intersection of Hamilton Avenue and Winchester Boulevard operates at LOS E in the PM peak-hour. The intersection of Moorpark Avenue and San Tomas Expressway operates at LOS E in the AM peak-hour and at LOS F in the PM peak hour. The intersection of San Tomas Expressway and Stevens Creek Boulevard operates at LOS F in the PM peak hour. All other study intersections currently operate at an acceptable LOS D or better in both of the peak hours. The intersection level of service calculation sheets for the San Jose method are included in Appendix A.

All the key regional Santa Clara intersections are operating at acceptable levels based on the CAPSSI-11 standard (LOS E or better) during both peak hours.

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**Table 4**  
**Existing Intersection Levels of Service - City of San Jose Method**

Intersection	Peak Hour	Count Date	V/C	LOS
I-280/Moorpark	AM	4/9/97	0.357	A
	PM	10/96	0.439	A
I-880/Stevens Creek	AM	4/15/97	0.228	A
	PM	10/96	0.343	A
Bascom/Moorpark	AM	4/17/97	0.799	C
	PM	4/17/97	0.744	C
Bascom/Naglee	AM	10/31/95	0.746	C
	PM	4/17/97	0.639	B
Bascom/San Carlos	AM	4/15/97	0.849	D
	PM	4/15/97	0.784	C
Bellerose/Stevens Creek	AM	6/23/95	0.409	A
	PM	4/17/97	0.598	A
Hamilton/Winchester	AM	4/17/97	0.740	C
	PM	4/17/97	0.913	E
Hedding/Monroe	AM	4/17/97	0.486	A
	PM	4/17/97	0.532	A
Hedding/Winchester	AM	4/17/97	0.534	A
	PM	4/17/97	0.647	B
Monroe/Stevens Creek	AM	4/9/97	0.488	A
	PM	7/8/97	0.757	C
Moorpark/San Tomas	AM	4/17/97	0.914	E
	PM	10/96	1.003	F
San Tomas/Stevens Creek	AM	4/17/97	0.826	D
	PM	7/9/97	1.032	F
Moorpark/Winchester	AM	10/1/97	0.893	D
	PM	7/10/97	0.771	C
Saratoga/Stevens Creek	AM	5/21/96	0.578	A
	PM	10/96	0.786	C
Stevens Creek/Emporium	AM	4/15/97	0.417	A
	PM	4/15/97	0.496	A
Stevens Creek/Redwood	AM	4/10/97	0.395	A
	PM	4/10/97	0.475	A
Stevens Creek/Winchester	AM	4/16/97	0.640	B
	PM	7/10/97	0.850	D
Tisch/Winchester	AM	4/16/97	0.371	A
	PM	4/16/97	0.675	B
Williams/Winchester	AM	4/16/97	0.752	C
	PM	4/16/97	0.502	A
Winchester/Olsen	AM	4/17/97	0.424	A
	PM	4/17/97	0.476	A
Winchester/Olin	AM	4/16/97	0.427	A
	PM	4/16/97	0.440	A

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**Table 5  
Existing Intersection Levels of Service - CAPSSI-11 Method**

Intersection	Peak Hour	Count Date	Average Intersection Delay <sup>a</sup>	LOS
I-280/Moorpark	AM	4/9/97	16	C
	PM	10/96	17	C
I-880/Stevens Creek	AM	4/15/97	14	B
	PM	10/96	16	C
San Tomas/Stevens Creek	AM	4/17/97	37	D
	PM	7/9/97	53	E
San Tomas/Moorpark	AM	4/17/97	37	D
	PM	10/96	35	D
Saratoga/Stevens Creek	AM	5/21/96	31	D
	PM	10/96	36	D
Stevens Creek/Winchester	AM	4/16/97	29	D
	PM	10/96	37	D

Whole intersection average delay expressed in seconds per vehicle.

### Existing Freeway Level of Service

The CMP requires an analysis of traffic conditions on freeway segments that could potentially be impacted by project traffic. Traffic conditions were therefore evaluated for segments of I-280, I-880, and SR 17. The freeway analysis is based on the volume-to-capacity (V/C) ratio of each directional freeway segment. The range of acceptable conditions for freeways is LOS E or better, which corresponds to a V/C of 0.999 or lower.

The analysis of existing freeway conditions was based on data provided in *1996 Traffic Volumes on California State Highways* and in the *1995 Annual HOVL Report*, both published by Caltrans. The CMP dictates an assumed freeway capacity of 2,000 vehicles per hour per lane and requires that conditions be analyzed separately for high-occupancy-vehicle (HOV) lanes and mixed-flow (non-HOV) lanes. The existing levels of service on the study segments are shown in Table 6. The results show that the mixed-flow lanes of all 16 study segments currently operate at an unacceptable LOS F during at least one of the peak-hours.

The existing conditions reported here warrant some qualification. The validity of the analysis depends on the accuracy and validity of the traffic volumes used. The only traffic volumes made available by Caltrans are the annually published traffic volumes. These volumes are typically shown to be higher than could possibly be sustained by the roadways. Generally, any volumes that produce a V/C over 1.20 are suspect, since any V/C ratio greater than 1.0 may not be meaningful since the segment is already at capacity. As shown in Table 6, the V/C ratio is shown to exceed 1.20 on nine of the sixteen segments, with the V/C ratio reaching nearly 1.70 on one segment. The volumes therefore do not provide meaningful results. The results are reported here because the CMP requires it and because there is no other source for existing freeway traffic volumes.

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**Table 6  
Existing Freeway Level of Service**

Freeway Segment	Direction	Lanes	Peak Hour	% MFV <sup>a</sup>	Total Volume	Split Volume	Mixed-Flow Lane Traffic			HOV Lane Traffic Volumes <sup>d</sup>			LOS	
							Capacity <sup>b</sup>	Volume	V/C	Capacity <sup>b</sup>	Volume	V/C		
I-280	Lawrence to Saratoga	SB 3+HOV+AUX	AM	0.94	16,000	5,920	7,000	5,565	0.795	D	2,000	355	0.178	A
			PM	0.88	10,080	10,080		8,870	1.267	F		1,210	0.605	C
I-280	Saratoga to Winchester	SB 3+HOV+AUX	AM	0.94	20,200	7,474	7,000	7,026	1.004	F	2,000	448	0.224	A
			PM	0.88	12,726	12,726		11,199	1.600	F		1,527	0.764	C
I-280	Winchester to I-880	SB 3+HOV	AM	0.94	18,300	6,771	6,000	6,365	1.061	F	2,000	406	0.203	A
			PM	0.88	11,529	10,146		10,146	1.691	F		1,383	0.692	C
I-280	I-880 to Bascom	SB 4+HOV	AM	0.94	18,500	8,510	8,000	7,999	1.000	F	2,000	511	0.255	A
			PM	0.88	9,990	9,990		8,791	1.099	F		1,199	0.599	C
I-280	Bascom to Meridian	SB 4	AM	1.00	18,400	8,464	8,000	8,464	1.058	F	N/A	N/A	N/A	N/A
			PM	1.00	9,936	9,936		9,936	1.242	F		N/A	N/A	N/A
I-280	Meridian to Bascom	NB 4+AUX	AM	1.00	18,400	10,304	9,000	10,304	1.145	F	N/A	N/A	N/A	N/A
			PM	1.00	8,096	8,096		8,096	0.900	D		N/A	N/A	N/A
I-280	Bascom to I-880	NB 4+HOV+AUX	AM	0.88	18,500	10,360	9,000	9,117	1.013	F	2,000	1,243	0.622	C
			PM	0.94	8,140	8,140		7,652	0.850	D		488	0.244	A
I-280	I-880 to Winchester	NB 3+HOV	AM	0.88	18,300	10,614	6,000	9,340	1.557	F	2,000	1,274	0.637	C
			PM	0.94	7,686	7,686		7,225	1.204	F		461	0.231	A
I-280	Winchester to Saratoga	NB 3+HOV+AUX	AM	0.88	20,200	11,716	7,000	10,310	1.473	F	2,000	1,406	0.703	C
			PM	0.94	8,484	8,484		7,975	1.139	F		509	0.255	A
I-280	Saratoga to Lawrence	NB 3+HOV+AUX	AM	0.88	16,000	9,280	7,000	8,166	1.167	F	2,000	1,114	0.557	C
			PM	0.94	6,720	6,720		6,317	0.902	D		403	0.202	A
I-880	Bascom to Stevens Creek	SB 3+AUX	AM	1.00	12,200	4,758	7,000	4,758	0.680	C	N/A	N/A	N/A	N/A
			PM	1.00	7,442	7,442		7,442	1.063	F		N/A	N/A	N/A
I-880	Stevens Creek to I-280	SB 3	AM	1.00	12,200	4,758	6,000	4,758	0.793	D	N/A	N/A	N/A	N/A
			PM	1.00	7,442	7,442		7,442	1.240	F		N/A	N/A	N/A
SR 17	I-280 to Hamilton	SB 3+2AUX	AM	1.00	13,700	5,480	8,000	5,480	0.685	C	N/A	N/A	N/A	N/A
			PM	1.00	8,220	8,220		8,220	1.028	F		N/A	N/A	N/A
SR 17	Hamilton to I-280	AM 3+AUX	AM	1.00	13,700	9,316	7,000	9,316	1.331	F	N/A	N/A	N/A	N/A
			PM	1.00	4,384	4,384		4,384	0.626	C		N/A	N/A	N/A
I-880	I-280 to Stevens Creek	NB 3	AM	1.00	12,200	8,174	6,000	8,174	1.362	F	N/A	N/A	N/A	N/A
			PM	1.00	4,026	4,026		4,026	0.671	C		N/A	N/A	N/A
I-880	Stevens Creek to Bascom	NB 3+AUX	AM	1.00	12,200	8,174	7,000	8,174	1.168	F	N/A	N/A	N/A	N/A
			PM	1.00	4,026	4,026		4,026	0.575	C		N/A	N/A	N/A

<sup>a</sup> Mixed-Flow-Vehicles (MFV) = Percent of all vehicles that are in mixed-flow lanes. Source: Caltrans Annual HOVL Report, December 1995.

<sup>b</sup> Capacity of mixed-flow and HOV lanes, assuming 2,000 vphpl.

<sup>c</sup> Traffic volumes in mixed-flow lanes = total volume x MFV fraction.

<sup>d</sup> Traffic volumes in HOV lanes = total volume - mixed-flow volume.

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## Existing Interchange Ramp Analysis

Traffic conditions were analyzed for the eight freeway ramps at the I-880/Stevens Creek interchange and for the two freeway ramps at the I-280/Winchester interchange. Existing traffic volumes on the ramps were established from traffic counts conducted specifically for this study (see Appendix A). Twenty-four-hour tube counts were conducted on the I-880/Stevens Creek ramps over a continuous period from September 4 to September 12, 1997 and from October 1 to October 6, 1997. The existing volumes on the I-280/Winchester ramps were established from peak-hour intersection turning-movement counts conducted at the adjacent intersections. The ramp volumes are included in Appendix A.

Traffic conditions on the ramps were analyzed for the weekday AM and PM peak hours and also for the Saturday peak hour. There are several reasons to include the Saturday peak hour in the ramp analysis. First, the shopping center use generates the most trips on Saturday, rather than during the weekday commute, so that in the immediate vicinity of Town & Country the total traffic could be greater on Saturday. Second, the I-880/Stevens Creek interchange is located directly adjacent to Town & Country. Third, the ramp counts revealed that on most of the ramps the Saturday peak-hour volumes are higher than the weekday peak-hour volumes. In order to ensure that the analysis does in fact include the worst peak-hour conditions, the Saturday peak hour was therefore included.

The interchange ramps were evaluated on the basis of volume-to-capacity utilization of the ramps. Ramp operations are not addressed by the CMP or the City's LOS Policy, but it was assumed for this study that the acceptable range of conditions on ramps is LOS D or better, corresponding to a V/C of 0.899 or less. The ramp capacity varies with design speed of the ramp. Diagonal ramps permit higher speeds than loop ramps and thus have a higher capacity. The assumed ramp capacity is 2,000 vehicles per hour per lane (vphpl) for the diagonal ramps and 1,800 vphpl for the loop ramps, as specified in the Transportation Research Board's *1994 Highway Capacity Manual*. The results of the ramp analysis are summarized in Table 7. The results show that all ten freeway ramps analyzed operate at an acceptable LOS D or better during all peak hours.

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**Table 7**  
**Existing Interchange Ramps Level of Service-CMP Method**

Interchange	Ramp	Type	Capacity	Period	Volume	V/C	LOS
I-880/Stevens Creek	SB to WB	Diagonal	2,000	AM	493	0.247	A
			2,000	PM	628	0.314	A
			2,000	Sat	850	0.425	A
I-880/Stevens Creek	SB to EB	Loop	1,800	AM	136	0.076	A
			1,800	PM	168	0.093	A
			1,800	Sat	179	0.099	A
I-880/Stevens Creek	WB to NB	Diagonal	2,000	AM	218	0.109	A
			2,000	PM	179	0.090	A
			2,000	Sat	234	0.117	A
I-880/Stevens Creek	WB to SB	Loop	1,800	AM	160	0.089	A
			1,800	PM	354	0.197	A
			1,800	Sat	270	0.150	A
I-880/Stevens Creek	NB to EB	Diagonal	2,000	AM	272	0.136	A
			2,000	PM	272	0.136	A
			2,000	Sat	501	0.251	A
I-880/Stevens Creek	NB to WB	Loop	1,800	AM	1,004	0.558	A
			1,800	PM	1,051	0.584	A
			1,800	Sat	1,245	0.692	B
I-880/Stevens Creek	EB to SB	Diagonal	2,000	AM	483	0.242	A
			2,000	PM	1,374	0.687	B
			2,000	Sat	1,364	0.682	B
I-880/Stevens Creek	EB to NB	Loop	1,800	AM	252	0.140	A
			1,800	PM	504	0.280	A
			1,800	Sat	750	0.417	A
I-280/Winchester	to NB	Diagonal	2,000	AM	713	0.357	A
			2,000	PM	729	0.365	A
			2,000	Sat	689	0.345	A
I-280/Winchester	from SB	Diagonal	2,000	AM	769	0.385	A
			2,000	PM	1,068	0.534	A
			2,000	Sat	865	0.433	A

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## Background Conditions

The following discussion describes background conditions in the project area. Background conditions are defined as conditions just prior to completion of the proposed development. Traffic volumes for background conditions include volumes from existing traffic counts plus traffic generated by approved but-not-yet-constructed developments in the area. This section first describes the procedure used to determine the background traffic volumes. Then, the results of the level of service calculations are presented.

### *Background Traffic Estimates*

The background traffic volumes were estimated by adding existing volumes, growth and Approved Trip Inventory (ATI) volumes. Specifically, the existing volumes were increased by a growth factor of 0.3 per month for any counts over six months old, from the date of the count to September 1997. Traffic from approved but not yet constructed projects included in the ATI were added to these volumes.

### *Background Intersection Levels of Service- City of San Jose*

Intersection level of service calculations were then conducted using background volumes. With buildout of already approved projects, more traffic will use intersections in the study area. Four of the study intersections would operate at an unacceptable LOS E or worse during at least one of the peak-hours under background conditions. The intersection of Hamilton Avenue and Winchester Boulevard would operate at LOS E in the PM peak-hour. The intersection of Moorpark Avenue and San Tomas Expressway would operate at LOS E in the AM peak-hour and at LOS F in the PM peak-hour. The intersection of San Tomas Expressway and Stevens Creek Boulevard would operate at LOS F in the PM peak-hour. The intersection of Moorpark Avenue and Winchester Boulevard would operate at LOS E in the AM peak-hour. The results of the City of San Jose analysis are presented in Table 8.

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**Table 8  
Background Intersection Levels of Service - City of San Jose Method**

Intersection	Peak Hour	V/C	LOS
I-280/Moorpark	AM	0.363	A
	PM	0.457	A
I-880/Stevens Creek	AM	0.254	A
	PM	0.386	A
Bascom/Moorpark	AM	0.804	D
	PM	0.747	C
Bascom/Naglee	AM	0.804	D
	PM	0.646	B
Bascom/San Carlos	AM	0.861	D
	PM	0.827	D
Bellerose/Stevens Creek	AM	0.454	A
	PM	0.628	B
Hamilton/Winchester	AM	0.740	C
	PM	0.913	E
Hedding/Monroe	AM	0.486	A
	PM	0.532	A
Hedding/Winchester	AM	0.536	A
	PM	0.647	B
Monroe/Stevens Creek	AM	0.467	A
	PM	0.819	D
Moorpark/San Tomas	AM	0.914	E
	PM	1.033	F
San Tomas/Stevens Creek	AM	0.826	D
	PM	1.035	F
Moorpark/Winchester	AM	0.909	E
	PM	0.798	C
Saratoga/Stevens Creek	AM	0.606	B
	PM	0.813	D
Stevens Creek/Emporium	AM	0.420	A
	PM	0.519	A
Stevens Creek/Redwood	AM	0.396	A
	PM	0.546	A
Stevens Creek/Winchester	AM	0.651	B
	PM	0.860	D
Tisch/Winchester	AM	0.414	A
	PM	0.718	C
Williams/Winchester	AM	0.752	C
	PM	0.502	A
Winchester/Olsen	AM	0.428	A
	PM	0.480	A
Winchester/Olin	AM	0.431	A
	PM	0.444	A

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One regional Santa Clara intersection is projected to operate at unacceptable levels (LOS F) under background conditions. The intersection of San Tomas Expressway and Stevens Creek Boulevard is projected to operate at LOS F during the PM peak hour under background conditions. The other regional Santa Clara intersections will continue to operate at acceptable levels. The results of the Santa Clara analysis and the analysis for three regional intersections in the City of San Jose are presented in Table 9.

**Table 9  
Background Intersection Levels of Service - CAPSSI-11 Method**

Intersection	Peak Hour	Average Intersection Delay <sup>a</sup>	LOS
I-280/Moorpark	AM	16	C
	PM	17	C
I-880/Stevens Creek	AM	16	C
	PM	17	C
San Tomas/Stevens Creek	AM	37	D
	PM	54	E
San Tomas/Moorpark	AM	37	D
	PM	37	D
Saratoga/Stevens Creek	AM	32	D
	PM	36	D
Stevens Creek/Winchester	AM	29	D
	PM	40	D

<sup>a</sup> Whole intersection average delay expressed in seconds per vehicle.

### Background Freeway Analysis

The Center for Urban Analysis (CUA) traffic model, which is the Santa Clara County traffic model sanctioned by the CMP, was used to produce forecasts of future background traffic. The model forecasts of background traffic include as a component the existing volume of traffic on the freeways. The forecasts are, however, independent of the existing traffic "counts" on which the existing freeway analysis is based. The background freeway analysis is therefore free from the inaccuracies inherent in the existing freeway analysis. The freeway traffic volumes are included in Appendix A.

As described previously, the assumed freeway capacity is 2,000 vehicles per hour per lane (vphpl), as prescribed by the CMP. The results of the background freeway analysis are summarized in Table 10. The results show that on 9 of the 16 freeway segments the mixed-flow lanes would operate at an unacceptable LOS F during at least one of the peak hours under background conditions.

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**Table 10  
Background Freeway Segment Level of Service**

Freeway	Segment	Direction	Peak Hour	Mixed-Flow Lane Traffic Volumes				Background Traffic Volumes (a)				HOV Lane Traffic Volumes			
				Capacity	Volume	V/C	LOS	Capacity	Volume	V/C	LOS	Capacity	Volume	V/C	LOS
I-280	Lawrence to Saratoga	SB	AM	7,000	6,957	0.99	E	2,000	457	0.23	A				
I-280	Saratoga to Winchester	SB	PM	7,000	7,421	1.06	F	2,000	770	0.39	B				
I-280	Winchester to I-880	SB	AM	6,000	7,156	1.02	F	2,000	396	0.20	A				
I-280	I-880 to Bascom	SB	PM	8,000	7,252	1.04	F	2,000	638	0.32	A				
I-280	Bascom to Meridian	SB	AM	8,000	4,251	0.71	C	2,000	336	0.17	A				
I-280	Meridian to Bascom	SB	PM	8,000	4,284	0.71	C	2,000	564	0.28	A				
I-280	Bascom to I-880	SB	AM	8,000	6,877	0.86	D	2,000	476	0.24	A				
I-280	I-880 to Winchester	SB	PM	8,000	7,166	0.90	D	N/A	663	0.33	A				
I-280	Winchester to Saratoga	NB	AM	9,000	7,356	0.92	D	N/A	0	N/A	N/A				
I-280	Saratoga to Lawrence	NB	PM	9,000	7,829	0.98	E	N/A	0	N/A	N/A				
I-280	Lawrence to Bascom	NB	AM	9,000	7,713	0.86	D	N/A	0	N/A	N/A				
I-280	Bascom to I-880	NB	PM	9,000	7,270	0.81	D	2,000	439	0.22	A				
I-280	I-880 to Winchester	NB	AM	6,000	8,435	0.94	E	2,000	506	0.25	A				
I-280	Winchester to Saratoga	NB	PM	7,000	7,894	0.88	D	2,000	465	0.23	A				
I-280	Saratoga to Lawrence	NB	AM	7,000	5,572	0.93	D	2,000	580	0.29	A				
I-880	Bascom to Stevens Creek	SB	PM	7,000	5,059	0.84	D	2,000	488	0.24	A				
I-880	Stevens Creek to I-280	SB	AM	6,000	7,531	1.08	F	N/A	518	0.26	A				
SR 17	I-280 to Hamilton	SB	PM	8,000	7,206	1.03	F	2,000	465	0.23	A				
SR 17	Hamilton to I-280	NB	AM	7,000	7,040	1.01	F	2,000	500	0.25	A				
I-880	I-280 to Stevens Creek	NB	PM	6,000	6,717	0.96	E	N/A	N/A	N/A	N/A				
I-880	Stevens Creek to Bascom	NB	AM	7,000	4,970	0.71	C	N/A	N/A	N/A	N/A				
			PM	7,000	7,576	1.08	F	N/A	N/A	N/A	N/A				
			AM	6,000	3,449	0.57	C	N/A	N/A	N/A	N/A				
			PM	8,000	6,109	1.02	F	N/A	N/A	N/A	N/A				
			AM	8,000	5,233	0.65	C	N/A	N/A	N/A	N/A				
			PM	7,000	8,508	1.06	F	N/A	N/A	N/A	N/A				
			AM	6,000	7,520	1.07	F	N/A	N/A	N/A	N/A				
			PM	6,000	5,330	0.76	C	N/A	N/A	N/A	N/A				
			AM	7,000	5,997	1.00	F	N/A	N/A	N/A	N/A				
			PM	7,000	3,626	0.60	C	N/A	N/A	N/A	N/A				
			AM	7,000	6,888	0.98	E	N/A	N/A	N/A	N/A				
			PM	7,000	5,095	0.73	C	N/A	N/A	N/A	N/A				

Background traffic volumes and HOV/L proportions are based on 2010 CUA model projections.

### Background Interchange Ramp Analysis

Ramp volumes under background conditions were estimated by adding trips from approved projects to existing ramp volumes. The ramp volumes are included in Appendix G. The results of the ramp analysis are summarized in Table 11. The results show that all ten freeway ramps analyzed would operate at an acceptable LOS D or better during all peak hours.

**Table 11**  
**Background Interchange Ramp Levels of Service**

Interchange	Ramp	Type	Capacity	Period	Volume	V/C	LOS
I-880/Stevens Creek	SB to WB	Diagonal	2,000	AM	639	0.320	A
			2,000	PM	682	0.341	A
			2,000	Sat	904	0.452	A
I-880/Stevens Creek	SB to EB	Loop	1,800	AM	136	0.076	A
			1,800	PM	168	0.093	A
			1,800	Sat	179	0.099	A
I-880/Stevens Creek	WB to NB	Diagonal	2,000	AM	218	0.109	A
			2,000	PM	179	0.090	A
			2,000	Sat	234	0.117	A
I-880/Stevens Creek	WB to SB	Loop	1,800	AM	160	0.089	A
			1,800	PM	354	0.197	A
			1,800	Sat	270	0.150	A
I-880/Stevens Creek	NB to EB	Diagonal	2,000	AM	272	0.136	A
			2,000	PM	272	0.136	A
			2,000	Sat	501	0.251	A
I-880/Stevens Creek	NB to WB	Loop	1,800	AM	1,101	0.612	B
			1,800	PM	1,144	0.636	B
			1,800	Sat	1,338	0.743	C
I-880/Stevens Creek	EB to SB	Diagonal	2,000	AM	527	0.264	A
			2,000	PM	1,513	0.757	C
			2,000	Sat	1,503	0.752	C
I-880/Stevens Creek	EB to NB	Loop	1,800	AM	318	0.177	A
			1,800	PM	531	0.295	A
			1,800	Sat	777	0.432	A
I-280/Winchester	to NB	Diagonal	2,000	AM	757	0.379	A
			2,000	PM	768	0.384	A
			2,000	Sat	728	0.364	A
I-280/Winchester	from SB	Diagonal	2,000	AM	785	0.393	A
			2,000	PM	1,080	0.540	A
			2,000	Sat	877	0.439	A

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## 2. Traffic Impacts

### Thresholds of Significance

For the purposes of this project, a traffic impact is considered to be significant if it will:

- cause a City of San Jose intersection to operate below LOS D, or cause an impact of greater than one percent at a City of San Jose intersection already operating below LOS D; or
- cause a regional Santa Clara intersection to operate below LOS E, or cause an increased delay of more than four seconds at a City of Santa Clara intersection already operating below LOS E; or
- cause a freeway segment to operate at LOS F, or contribute traffic in excess of 1% of segment capacity to a freeway segment already operating at LOS F.

### Project Traffic Estimates

The amount of traffic associated with a project is estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In the first step, the amount of traffic entering and exiting the site is estimated on both a daily and a peak-hour basis. In the second step, the directions the trips use to approach and depart the site are estimated. The trips are assigned to specific streets and intersections in the third step.

#### *Trip Generation*

The amount of traffic added to the roadway network by a particular development is estimated by applying the applicable (based on type of land use) trip generation rates to the size of the development. The standard trip generation rates are those published in the Institute of Transportation Engineers (ITE), *Trip Generation*, fifth edition.

Trip generation for retail uses are typically adjusted to account for pass-by trips. Pass-by trips are trips that would already be on the adjacent roadways (and are therefore already counted in the background traffic) but would turn into the site while passing by. Justification for applying the pass-by trip reduction is founded on the observation that such retail traffic is not actually generated by the retail development, but is already part of the ambient traffic levels. Pass-by trips are therefore excluded from the traffic projections. A pass-by trip reduction of 32 percent was applied to the existing retail uses and a pass-by trip reduction of 25 percent was applied to the proposed retail uses (note that the reduction decreases with increasing size of the retail use). The trip generation for the proposed retail and residential uses was further reduced by 10 percent to reflect an internalization of trips within the site.

With the trip generation rates and reductions applied to the proposed development as indicated, the project as proposed is estimated to generate a total of 14,520 daily trips with 728 trips occurring during the AM peak-hour (269 inbound and 459 outbound) and 1,133 trips occurring during the PM peak-hour (647 inbound and 486 outbound). The trip generation estimates are presented in Table 12.

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**Table 12**  
**Trip Generation Estimates for Town and Country Shopping Center**

Project Description	Size (1,000 s.f.)	Daily Rate	Daily Trips	Peak- Hour Rate	AM Peak Hour <sup>a</sup>			PM Peak Hour <sup>a</sup>						
					Capture Reductio n	Pass-By In	Out Total	Capture Reductio n	Pass-By In	Out Total				
Shopping Center (Proposed)	600	36.4	19,656	0.78	10%	265	156	421	3.4	10%	25%	663	663	1,326
Less Shopping Center (Existing)	285	48	13,680	1.06	0%	190	112	302	4.51	0%	32%	437	437	874
Added Trips From Shopping Center			5,976			75	44	119				226	226	452
Residential Dwelling Units	1200	6.3	6,804	0.44	10%	114	361	475	0.49	10%	0%	339	191	529
Limited-Service Hotel	200	8.7	1,740	0.67	0%	80	54	134	0.76	0%	0%	82	70	152
Net Added Trips			14,520			269	459	728				647	486	1,133

<sup>a</sup>Peak-hour trip generation totals reflect reductions for internal capture and pass-by trips.  
Source: Rates per 1,000 s.f. or per d.u., from ITE *Trip Generation*, 5th Edition, 1991.

The traffic analysis evaluates a development scenario that includes replacement of the existing 285,000 s.f. of retail with 600,000 s.f. of retail, and the addition of 1,200 units of residential, and two 100-room hotels. The traffic analysis also evaluated the potential impacts of eliminating the existing auto dealership and allowing the entire site to be developed with a slightly greater amount of retail commercial development, or a total of 650,000 s.f.

As described in Appendix A, the existing auto dealership is the "worst case" scenario. Replacing the auto dealership with 50,000 s.f. of retail would generate fewer peak hour impacts. Should this variation in land use ever be implemented, it would have less traffic impact than retaining the car dealership.

### ***Trip Distribution***

The trip distribution pattern was estimated based on existing travel patterns on the surrounding roadways and the relative locations of complementary land uses. A graphic representation of the trip distribution to various roadways is found on Figure 12.

### ***Trip Assignment***

The trips generated by the proposed development were assigned to the roadway system based on the directions of approach and departure discussed above. The project trip assignments for the AM and PM peak hours are found on Figure 13.

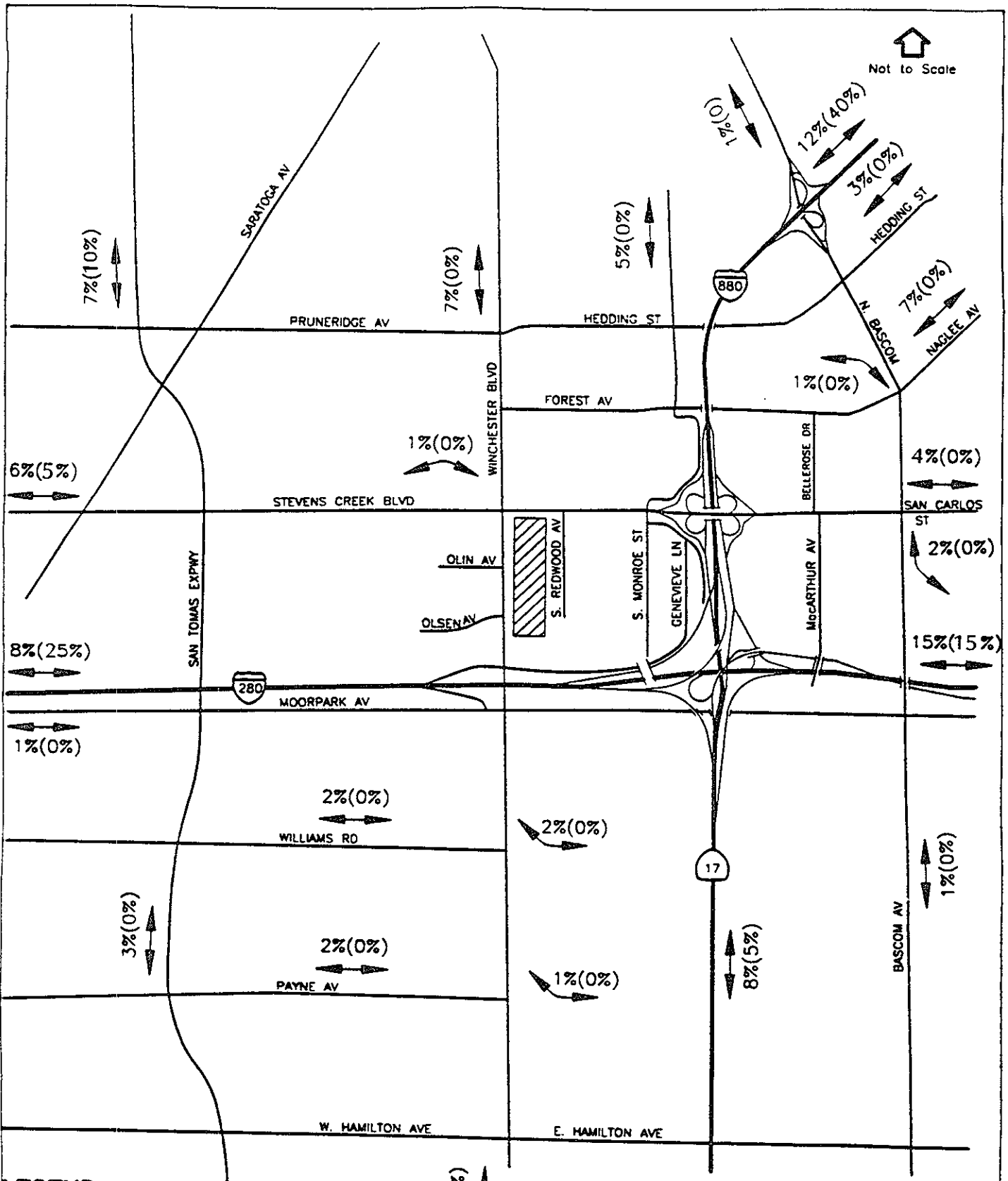
### **Project Intersection Levels of Service**

The peak-hour assignments for the proposed development were added to the background traffic volumes to achieve traffic volumes for project conditions. Intersection level of service calculations were conducted to evaluate the impacts of the proposed project. Background conditions served as a base from which the impacts were evaluated. The peak-hour trip assignments for the proposed development were added to the background volumes to yield project volumes. The estimated background plus project traffic volumes are presented in Appendix A. The results of the intersection level of service calculations are summarized in Table 13. The level of service calculation sheets are included in Appendix A.

### ***City of San Jose Methodology***


With the addition of project traffic, five of the study intersections would operate at an unacceptable LOS E or worse during at least one of the peak-hours under project conditions. With the exception of the intersections of Moorpark Avenue/Winchester Boulevard, and Stevens Creek Boulevard/Winchester Boulevard, the project will not add one percent or more to the critical movement volume and will not, therefore, have a significant adverse impact.

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↑  
Not to Scale

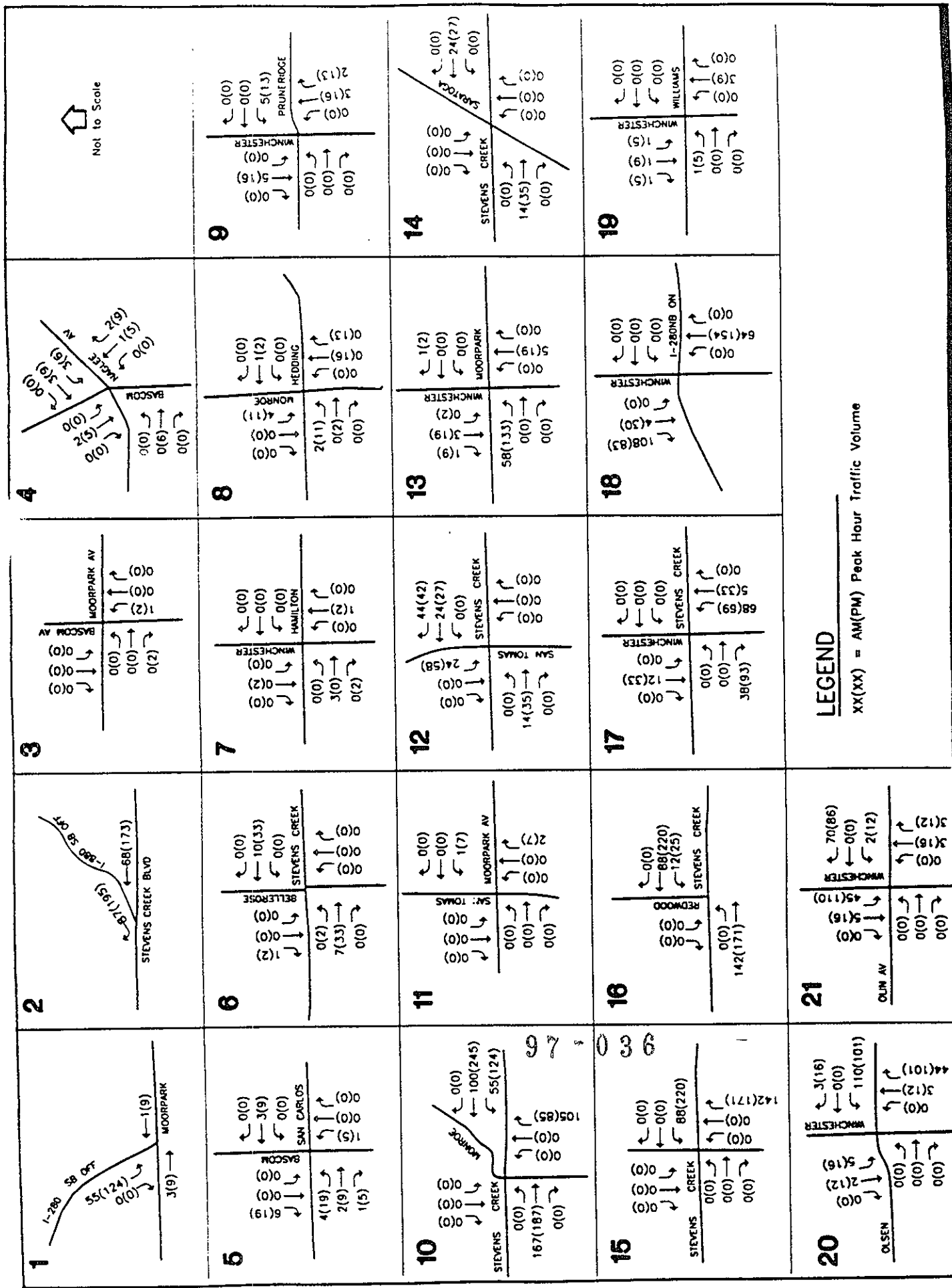
**LEGEND**

- XX(XX) = SHOPPING CENTER (RESIDENTIAL \ HOTEL)
-  = PROJECT SITE

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PROJECT TRIP DISTRIBUTION

FIGURE 12

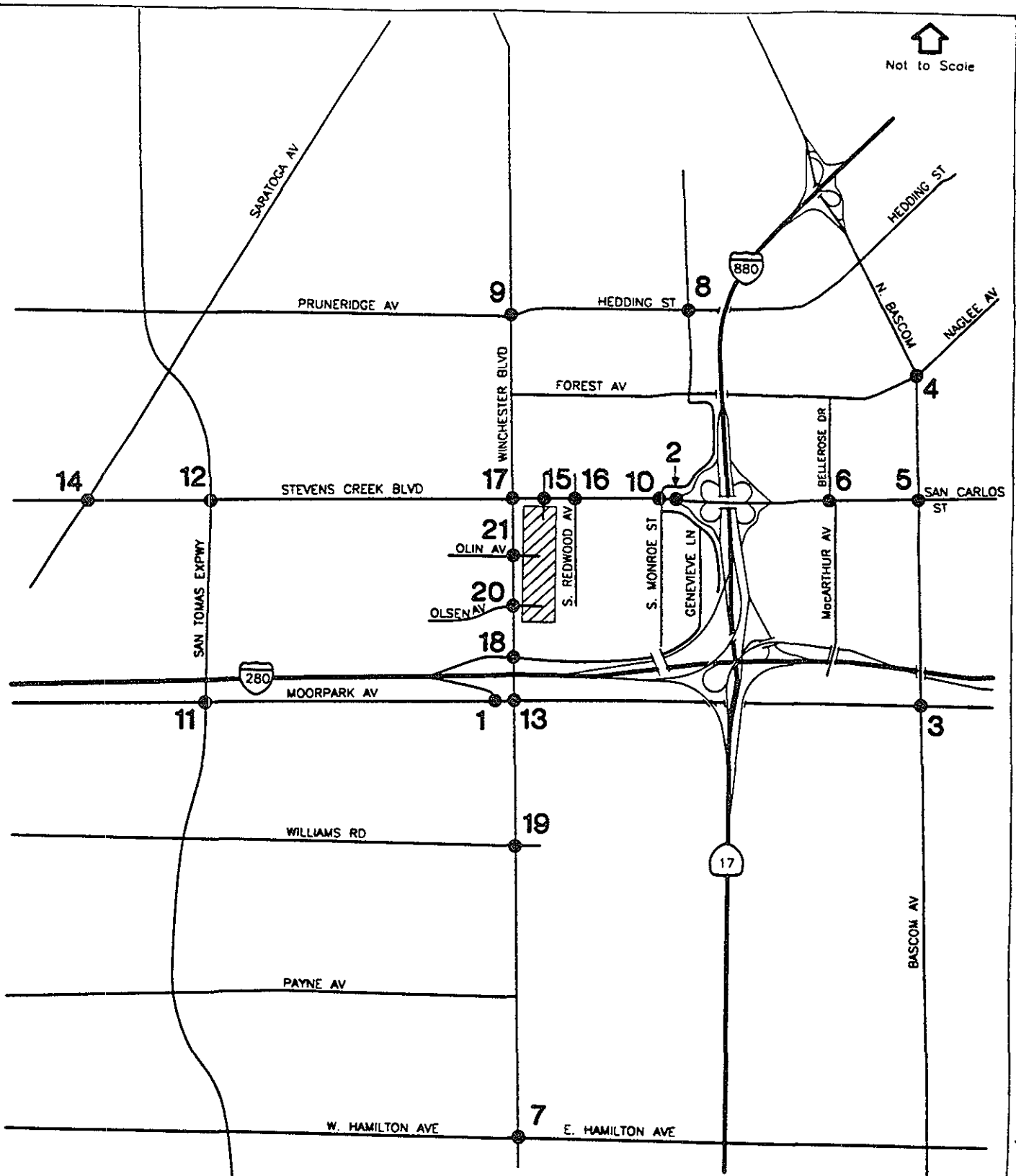


Not to Scale

FIGURE 13

PROJECT TRIP ASSIGNMENTS

↑  
Not to Scale



**LEGEND**

- = STUDY INTERSECTION
- ▨ = PROJECT SITE

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**STUDY INTERSECTION LOCATIONS**

**FIGURE 14**

The intersection of Moorpark /Winchester Boulevard will operate at LOS E during the AM peak hour under background conditions. With the addition of project-generated traffic, the critical movement delay at the intersection will increase by one percent or more during the AM peak hour.

The intersection of Stevens Creek Boulevard/Winchester Boulevard was evaluated as operating at LOS D during the PM peak hour under background conditions. With the addition of project generated traffic, the level of service at this intersection will drop to LOS E during the PM peak hour, as shown in Table 13.

- **Development of the project will cause one City of San Jose intersection to operate below LOS D during the AM peak hour, and will increase the critical movement delay at another intersection already operating below LOS D by one percent or more during both AM and PM peak hours. (Significant Impact)**

#### *CAPSSI-11 Methodology*

The results of the project conditions analysis using the CAPSSI-11 method are shown in Table 14. The results show that all of the CAPSSI-11 study intersections would operate at an acceptable LOS E or better during both peak-hours under project conditions. The intersection level of service calculation sheets for the CAPSSI-11 method are included in Appendix A.

- **The project will not cause any regional intersection in Santa Clara to deteriorate to LOS F, and does not add four-seconds increase delay to any intersection already at LOS F. (Less Than Significant Impact)**

#### **Project Freeway Analysis**

Project traffic conditions were analyzed for the 16 previously identified freeway segments. Project traffic volumes were estimated by adding to the base model forecasts the estimated freeway trips from the Town & Country redevelopment project. The freeway traffic volumes are included in Appendix A.

As described previously, the assumed freeway capacity is 2,000 vehicles per hour per lane (vphpl), as prescribed by the CMP. The results of the project freeway analysis are summarized in Table 15. The results show that on 10 of the 16 freeway segments the mixed-flow lanes would operate at an unacceptable LOS F during at least one of the peak hours under project conditions. The results also show that on 6 of these 10 study segments the volume of project traffic would constitute at least one percent of freeway capacity. The following freeway segments would operate at an unacceptable level with the addition of one percent or more of the project traffic:

I-280 southbound from Lawrence Expressway to Saratoga Avenue  
I-280 southbound from Saratoga Avenue to Winchester Boulevard  
I-280 northbound from Winchester Boulevard to Saratoga Avenue

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**Table 13**  
**Weekday Project Intersection Levels of Service-City of San Jose Method**

Intersection	Peak Hour	Background		Project Conditions		
		V/C	LOS	V/C	LOS	% INC.
I-280/Moorpark	AM	0.363	A	0.379	A	4.52
	PM	0.457	A	0.493	A	8.26
I-880/Stevens Creek	AM	0.254	A	0.269	A	5.91
	PM	0.386	A	0.421	A	9.00
Bascom/Moorpark	AM	0.804	D	0.804	D	0.11
	PM	0.747	C	0.747	C	0.00
Bascom/Naglee	AM	0.804	D	0.803	D	0.17
	PM	0.646	B	0.654	B	1.12
Bascom/San Carlos	AM	0.861	D	0.865	D	0.28
	PM	0.827	D	0.835	D	0.72
Bellerose/Stevens Creek	AM	0.454	A	0.457	A	1.00
	PM	0.628	B	0.641	B	2.29
Hamilton/Winchester	AM	0.740	C	0.740	C	0.04
	PM	0.913	E	0.913	E	0.06
Hedding/Monroe	AM	0.486	A	0.487	A	0.24
	PM	0.532	A	0.545	A	2.24
Hedding/Winchester	AM	0.536	A	0.540	A	0.53
	PM	0.647	B	0.660	B	1.69
Monroe/Stevens Creek	AM	0.467	A	0.528	A	14.44
	PM	0.819	D	0.899	D	10.76
Moorpark/San Tomas	AM	0.914	E	0.914	E	0.00
	PM	1.033	F	1.036	F	0.22
San Tomas/Stevens Creek	AM	0.831	D	0.842	D	1.31
	PM	1.035	F	1.040	F	0.98
Moorpark/Winchester	AM	0.909	E	<b>0.924</b>	<b>E</b>	<b>1.68</b>
	PM	0.798	C	0.832	D	4.63
Saratoga/Stevens Creek	AM	0.606	B	0.613	B	1.23
	PM	0.813	D	0.822	D	1.48
Stevens Creek/Emporium	AM	0.420	A	0.420	A	0.00
	PM	0.519	A	0.589	A	11.78
Stevens Creek/Redwood	AM	0.396	A	0.416	A	5.39
	PM	0.546	A	0.596	A	9.37
Stevens Creek/Winchester	AM	0.651	B	0.654	B	0.25
	PM	0.860	D	<b>0.915</b>	<b>E</b>	<b>3.41</b>
Tisch/Winchester	AM	0.414	A	0.447	A	9.14
	PM	0.718	C	0.745	C	4.60
Williams/Winchester	AM	0.752	C	0.754	C	0.26
	PM	0.502	A	0.507	A	0.84
Winchester/Olsen	AM	0.428	A	0.490	A	11.23
	PM	0.480	A	0.529	A	6.67
	PM	0.444	A	0.435	A	0.00

\*Note: Significant impacts indicated in **bold**.

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**Table 14**  
**Weekday Project Intersection Level of Service-CMP Method**

Intersection	Peak Hour	Background		Project Conditions		
		Average Intersection Delay <sup>a</sup>	LOS	Average Intersection Delay <sup>a</sup>	LOS	Increase in Critical Movement <sup>b</sup>
I-280/Moorpark	AM	16	C	16	C	0
	PM	17	C	17	C	0
I-880/Stevens Creek	AM	16	C	17	C	1
	PM	17	C	19	C	2
San Tomas/Stevens Creek	AM	37	D	38	D	1
	PM	54	E	55	E	2
San Tomas/Moorpark	AM	37	D	37	D	0
	PM	37	D	37	D	0
Logan/Stevens Creek	AM	32	D	32	D	0
	PM	36	D	36	D	0
Stevens Creek/Winchester	AM	29	D	29	D	0
	PM	40	D	41	E	8

<sup>a</sup>Whole intersection average delay expressed in seconds per vehicle.  
<sup>b</sup>Increase in critical movement delay.

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I-280 northbound from Saratoga Avenue to Lawrence Expressway  
I-880 southbound from Bascom Avenue to Stevens Creek Boulevard  
I-880 northbound from Stevens Creek Boulevard to Bascom Avenue

- **Project traffic will add more than one percent of segment capacity to six freeway segments predicted to operate below LOS E. (Significant Impact)**

#### **Project Interchange Ramp Analysis**

Ramp volumes under project conditions were estimated by adding trips from the Town & Country redevelopment project to background ramp volumes. The ramp volumes are included in Appendix A. The results of the ramp analysis are summarized in Table 16. The analysis conducted for the ramps, as for all of the transportation facilities, was on traffic volumes during an average weekday peak hour. In addition to mechanical counts, the ramps were observed by the traffic consultants. During the peak hour period, there can be temporary backups, but all traffic cleared during the counting period, so the volumes represented by these counts are accurate representations of the volume of traffic using the ramp during that peak hour. The results show that all ten freeway ramps analyzed would operate at an acceptable LOS D or better during all peak hours.

- **The addition of project traffic will not deteriorate the operation of any of the ten freeway ramps analyzed to below LOS D. (Less than Significant Impact)**

#### **Saturday Peak-Hour Conditions**

The purpose of a traffic analysis is to identify any potential impacts on traffic conditions that would be created by the project. The analysis generally focuses on the weekday AM and PM peak hours because the highest background, or ambient, traffic levels occur during the commute periods. The Town & Country redevelopment project would generate slightly more (one to two percent more) trips during the Saturday peak hour than during the weekday PM peak hour. Furthermore, the Valley Fair expansion, which contributes to traffic under cumulative conditions, would generate approximately 25 percent more trips during the Saturday peak hour than during the weekday PM peak hour. The highest combined (ambient plus project) traffic levels could occur during either the weekday peak hour or the Saturday peak hour.

Traffic counts were conducted at certain study intersections and on nearby freeway ramps during the Saturday peak period. The peak traffic volumes on Saturday were found to occur between approximately 2:30 and 3:30 PM. In addition to mechanical counts, the ramps were observed by the traffic consultants. During the peak hour period, there can be temporary backups, but all traffic cleared during the counting period, so the volumes represented by these counts are accurate representations of the volume of traffic using the ramp during that peak hour.

As shown on Table 17, with the addition of project traffic, one intersection will deteriorate to an unacceptable level using the City of San Jose methodology. The intersection of Monroe Avenue and Stevens Creek Boulevard was evaluated as operating at LOS D during the Saturday peak-hour under background conditions. With the addition of project traffic, this intersection would deteriorate to a LOS E during the Saturday peak-hour.

- **The development of the proposed project will cause a City of San Jose intersection to operate below LOS D during the Saturday peak-hour. (Significant Impact)**

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Table 15  
Project Freeway Segment Level of Service  
Background With Project

Segment	Direction	Peak Hour	Mixed-Flow Lane Traffic Volumes				HOV Lane Traffic Volumes				Town & Country Project Traffic				
			Capacity	Volume	V/C	LOS	Capacity	Volume	V/C	LOS	Total Volume	Mixed-Flow Lane %	Volume	HOV Lane %	
			Volume	Capacity	LOS	V/C	Volume	Capacity	LOS	V/C	Volume	Capacity	Volume	Capacity	
Lawrence to Saratoga	SB	AM	7,000	7,009	1.00	F	2,000	460	0.23	A	55	52	0.7%	3	0.0%
		PM	7,533	7,533	1.08	F	2,000	782	0.39	B	124	112	1.6%	12	0.0%
Saratoga to Winchester	SB	AM	7,000	7,208	1.03	F	2,000	399	0.20	A	55	52	0.7%	3	0.0%
		PM	7,366	7,366	1.05	F	2,000	648	0.32	A	124	114	1.6%	10	0.0%
Winchester to I-880	SB	AM	6,000	4,251	0.71	C	2,000	336	0.17	A	0	0	0.0%	0	0.0%
		PM	4,284	4,284	0.71	C	2,000	564	0.28	A	0	0	0.0%	0	0.0%
I-880 to Bascom	SB	AM	8,000	6,942	0.87	D	2,000	480	0.24	A	69	65	0.8%	4	0.0%
		PM	7,233	7,233	0.90	D	2,000	669	0.33	A	73	67	0.8%	6	0.0%
Bascom to Meridian	SB	AM	8,000	7,425	0.93	D	N/A	0	N/A	N/A	69	69	0.9%	N/A	N/A
		PM	7,902	7,902	0.99	E	2,000	0	N/A	N/A	73	73	0.9%	N/A	N/A
Meridian to Bascom	NB	AM	9,000	7,753	0.86	D	N/A	0	N/A	N/A	40	40	0.4%	N/A	N/A
		PM	7,367	7,367	0.82	D	2,000	0	N/A	N/A	97	97	1.1%	N/A	N/A
Bascom to I-880	NB	AM	9,000	8,473	0.94	E	2,000	441	0.22	A	40	38	0.4%	2	0.0%
		PM	7,985	7,985	0.89	D	2,000	512	0.26	A	97	91	1.0%	6	0.0%
I-880 to Winchester	NB	AM	6,000	5,572	0.93	D	2,000	465	0.23	A	0	0	0.0%	0	0.0%
		PM	5,059	5,059	0.84	D	2,000	580	0.29	A	0	0	0.0%	0	0.0%
Winchester to Saratoga	NB	AM	7,000	7,632	1.09	F	2,000	495	0.25	A	108	101	1.4%	7	0.0%
		PM	7,283	7,283	1.04	F	2,000	524	0.26	A	83	77	1.1%	6	0.0%
Saratoga to Lawrence	NB	AM	7,000	7,141	1.02	F	2,000	472	0.24	A	108	101	1.4%	7	0.0%
		PM	6,794	6,794	0.97	E	2,000	506	0.25	A	83	77	1.1%	6	0.0%
Bascom to Stevens Creek	SB	AM	7,000	5,057	0.72	C	N/A	N/A	N/A	N/A	87	87	1.2%	N/A	N/A
		PM	7,672	7,672	1.10	F	N/A	N/A	N/A	N/A	96	96	1.4%	N/A	N/A
Stevens Creek to I-280	SB	AM	6,000	3,474	0.58	C	N/A	N/A	N/A	N/A	25	25	0.4%	N/A	N/A
		PM	6,140	6,140	1.02	F	N/A	N/A	N/A	N/A	31	31	0.5%	N/A	N/A
I-280 to Hamilton	SB	AM	8,000	5,258	0.66	C	N/A	N/A	N/A	N/A	25	25	0.3%	N/A	N/A
		PM	8,539	8,539	1.07	F	N/A	N/A	N/A	N/A	31	31	0.4%	N/A	N/A
Hamilton to I-280	NB	AM	7,000	7,536	1.08	F	N/A	N/A	N/A	N/A	16	16	0.2%	N/A	N/A
		PM	5,369	5,369	0.77	C	N/A	N/A	N/A	N/A	39	39	0.6%	N/A	N/A
I-280 to Stevens Creek	NB	AM	6,000	6,013	1.00	F	N/A	N/A	N/A	N/A	16	16	0.3%	N/A	N/A
		PM	3,665	3,665	0.61	C	N/A	N/A	N/A	N/A	39	39	0.7%	N/A	N/A
Stevens Creek to Bascom	NB	AM	7,000	7,059	1.01	F	N/A	N/A	N/A	N/A	171	171	2.4%	N/A	N/A
		PM	5,226	5,226	0.75	C	N/A	N/A	N/A	N/A	131	131	1.9%	N/A	N/A

Background traffic volumes and HOVL proportions are based on 2010 CUA model projections.

**Table 16  
Project Interchange Ramp Level of Service**

Interchange	Ramp	Type	Capacity	Period	Background Conditions			Project Conditions		
					Volume	V/C	LOS	Volume	V/C	LOS
I-880/Stevens Creek	SB to WB	Diagonal	2,000	AM	639	0.320	A	726	0.363	A
				PM	682	0.341	A	878	0.439	A
				Sat	904	0.452	A	1,100	0.550	A
I-880/Stevens Creek	SB to EB	Loop	1,800	AM	136	0.076	A	136	0.076	A
				PM	168	0.093	A	168	0.093	A
				Sat	179	0.099	A	179	0.099	A
I-880/Stevens Creek	WB to NB	Diagonal	2,000	AM	218	0.109	A	218	0.109	A
				PM	179	0.090	A	179	0.090	A
				Sat	234	0.117	A	234	0.117	A
I-880/Stevens Creek	WB to SB	Loop	1,800	AM	160	0.089	A	160	0.089	A
				PM	354	0.197	A	354	0.197	A
				Sat	270	0.150	A	270	0.150	A
I-880/Stevens Creek	NB to EB	Diagonal	2,000	AM	272	0.136	A	272	0.136	A
				PM	272	0.136	A	272	0.136	A
				Sat	501	0.251	A	501	0.251	A
I-880/Stevens Creek	NB to WB	Loop	1,800	AM	1,101	0.612	B	1,157	0.643	B
				PM	1,144	0.636	B	1,280	0.711	C
				Sat	1,338	0.743	C	1,474	0.819	D
I-880/Stevens Creek	EB to SB	Diagonal	2,000	AM	527	0.264	A	621	0.311	A
				PM	1,513	0.757	C	1,617	0.809	D
				Sat	1,503	0.752	C	1,607	0.804	D
I-880/Stevens Creek	EB to NB	Loop	1,800	AM	318	0.177	A	489	0.272	A
				PM	531	0.295	A	662	0.368	A
				Sat	777	0.432	A	908	0.504	A
I-280/Winchester	to NB	Diagonal	2,000	AM	757	0.379	A	865	0.433	A
				PM	768	0.384	A	851	0.426	A
				Sat	728	0.364	A	811	0.406	A
I-280/Winchester	from SB	Diagonal	2,000	AM	785	0.393	A	840	0.420	A
				PM	1,080	0.540	A	1,204	0.602	B
				Sat	877	0.439	A	1,001	0.501	A

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**Table 17**  
**Saturday Peak-Hour Intersection Levels of Service—SJ Method**

Intersection	Existing		Background		Project Conditions		
	V/C	LOS	V/C	LOS	V/C	LOS	% INC.
Monroe/Stevens Creek	0.815	D	0.870	D	<b>0.950</b>	<b>E</b>	<b>10.00</b>
Stevens Creek/Winchester	0.818	D	0.826	D	0.884	D	3.78
Stevens Creek/Redwood	0.513	A	0.585	A	0.636	B	8.84
Stevens Creek/Emporium	0.627	B	0.647	B	0.676	B	5.25
Winchester/Olin	0.517	A	0.530	A	0.600	B	8.85
Winchester/Olsen	0.586	A	0.599	A	0.703	C	14.36
Winchester Tisch	0.569	A	0.610	B	0.637	B	5.24

\*Note: Significant impacts indicated in **bold**.

**Site Access Analysis**

The following evaluation of traffic conditions at the site access locations focuses on the Saturday peak hour, when traffic volumes into and out of the site would be highest. The site access analysis includes an evaluation of the site access as proposed, and an evaluation of three site access alternatives which are also allowed by the proposed Planned Development zoning.

*Site Access Alternatives*

The previous discussion assumed that access would occur only at the existing site access locations—the signalized intersections at Winchester and Olsen, Winchester and Olin, Stevens Creek and Emporium/Town & Country, and the unsignalized right-turn-only driveway on Winchester north of Olin—plus the proposed unsignalized driveway at Redwood Avenue and Hemlock Avenue. For the purpose of the following discussion, this will be called the “proposed project access.”<sup>1</sup> The potential traffic impacts of three access alternatives are considered in this section. The access alternatives are as follows: (1) existing access (described above) only, (2) existing access plus secondary access to Dudley Avenue, and (3) existing access plus secondary access to both Redwood Avenue and Dudley Avenue.

<sup>1</sup>The proposed Planned Development rezoning would also allow the additional access to Dudley and Redwood, although they are not shown on the plans at this time.

For the purposes of this CEQA analysis, the potential impacts of these access alternatives were evaluated in two ways. Existing ADT volumes on the local streets adjacent to the site were compared with the expected increase in ADT on these streets, and traffic conditions at the existing signalized intersections adjacent to the site were evaluated on the basis of level of service.

#### *Assignment of Project Traffic with Access Alternatives*

With different site access available, the assignment of project trips will differ from the project trip assignment assumed previously. This difference in trip assignment would apply only to the intersections located in the immediate vicinity of the site. The project trip assignments for three access alternatives are shown in Appendix A.

#### Volumes on Local Streets

The local streets adjacent to the site include Redwood Avenue, Hemlock Avenue, Dudley Avenue, and South Baywood Avenue. Counts were conducted on these streets, and the existing ADT volumes are shown in Table 18. The table shows existing volumes are approximately 1,050 daily vehicles on Redwood Avenue just south of Stevens Creek, 1,650 daily vehicles on Hemlock Avenue just west of Monroe Street, 2,000 daily vehicles on South Baywood Avenue just north of Tisch Way, and 450 daily vehicles on Dudley Avenue just north of Tisch Way.

Table 18 also shows that, with the proposed secondary project access to Redwood Avenue, an estimated 410 daily project trips would be added to Redwood Avenue and an estimated 2,090 daily project trips would be added to Hemlock Avenue. No project trips would be added to South Baywood Avenue or Dudley Avenue. With the existing access to the site and no secondary access provided, the project would add no appreciable volume of traffic to Redwood Avenue, Hemlock Avenue, South Baywood Avenue, or Dudley Avenue.

With secondary project access to Dudley Avenue, an estimated 2,130 daily project trips would be added to Dudley Avenue. No project trips would be added to South Baywood Avenue, Redwood Avenue or Hemlock Avenue.

With secondary project access to both Redwood Avenue and Dudley Avenue, an estimated 410 daily project trips would be added to Redwood Avenue, an estimated 810 daily project trips would be added to Hemlock Avenue, and an estimated 2,130 daily project trips would be added to Dudley Avenue. No project trips would be added to South Baywood Avenue.

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**Table 18**  
**Average Daily Trips (ADT) on Local Streets**

Street	Existing	Proposed Project Access		Secondary Access at Dudley Only		Secondary Access at Redwood & Dudley	
		Project	Existing +	Project	Existing +	Project	Existing +
			Project		Project		Project
Redwood Avenue	1,050	410	1,460	0	1,050	410	1,460
Hemlock Avenue	1,637	2,090	3,727	0	1,637	810	2,447
Baywood Avenue	1,999	0	1,999	0	1,999	0	1,999
Dudley Avenue	451	0	451	2,130	2,581	2,130	2,581

Note: Based on weekday counts and weekday project trip estimates.

*Intersection Level of Service with Alternative Access*

The effects of alternative access on level of service at the surrounding intersections was also evaluated. The City of San Jose intersection level of service method was used to evaluate project conditions and cumulative conditions during the Saturday peak-hour at the following five intersections: Stevens Creek Boulevard and Monroe Street, Stevens Creek Boulevard and Redwood Avenue, Stevens Creek Boulevard and Emporium/Town & Country, Winchester Boulevard and Olsen Drive, and Winchester Boulevard and Tisch Way. The intersection of Winchester Boulevard and Stevens Creek Boulevard and the intersection of Winchester Boulevard and Olin Avenue were excluded from this analysis because conditions at these intersections would be unaffected by the site access alternatives under consideration. The level of service results under the various access alternatives are summarized in Table 19. The level of service calculations can be found in Appendix A.

The results show that, with the existing site access and a secondary access provided, level of service would improve slightly at Stevens Creek and Monroe, level of service would worsen slightly at Stevens Creek and Redwood and at Stevens Creek and Emporium/Town & Country, and level of service would be unchanged at Winchester and Olsen and at Winchester and Tisch.

With secondary access to Dudley Avenue only, level of service would improve slightly at Stevens Creek and Monroe, Winchester and Olsen, and Stevens Creek and Redwood, but level of service would worsen slightly at Winchester and Tisch, and at Stevens Creek and Emporium/Town & Country.

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With secondary access to both Redwood Avenue and Dudley Avenue, level of service would improve slightly at Winchester and Olsen, but would worsen slightly at Winchester and Tisch.

As in the earlier analysis, the intersection of Stevens Creek and Monroe would operate at an unacceptable LOS E during the Saturday peak hour under project conditions with the proposed project access. For all three site access alternatives, traffic conditions at Monroe and Stevens Creek would be an equal or better LOS E. The other four signalized intersections analyzed would operate at an acceptable LOS D or better for all site access alternatives considered.

**Table 19**  
**Alternative Access Intersection Levels of Service**  
**Saturday Peak-Hour - SJ Method**

Intersection	Proposed Project Access		Existing Site Access		Access at Dudley Only		Access at Redwood & Dudley	
	Project Conditions		Project Conditions		Project Conditions		Project Conditions	
	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS
Monroe/Stevens Creek	0.950	E	0.926	E	0.939	E	0.950	E
Stevens Creek/Redwood	0.636	B	0.645	B	0.634	B	0.636	B
Stevens Creek/Emporium	0.676	B	0.726	C	0.700	C	0.676	B
Winchester/Olsen	0.703	C	0.703	C	0.671	B	0.671	B
Winchester/Tisch	0.637	B	0.637	B	0.640	B	0.640	B

### 3. Traffic Mitigation Measures

The results of the level of service analyses indicate that the project will have a significant impact on three intersections of local streets, and on six freeway segments. The project proposes mitigation measures for the three local intersections.

#### **Mitigation Measures Proposed by the Project**

In this section, the mitigation measures that are proposed by the project to reduce the impacts of the project on the surrounding roadway system are discussed.

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*Moorpark Avenue and Winchester Boulevard*

- **Improve the west leg of the intersection of Moorpark Avenue and Winchester Boulevard to include the addition of a second exclusive left-turn lane and the conversion of the existing shared through-left turn lane to an exclusive through lane.**

With the implementation of this improvement, the intersection operations would be restored to LOS D. **(Less Than Significant Impact With Mitigation)**

*Stevens Creek Boulevard and Monroe Street*

- **Improve the intersection of Stevens Creek Boulevard and Monroe Street to include the addition of a fourth eastbound through lane.**

This improvement cannot be accommodated within the existing curb-to-curb width. The implementation of this improvement would entail the removal and reconstruction of the curb, gutter, and sidewalk, repaving and restriping of the west and east approaches in the eastbound direction, and acquisition of 10 feet of right-of-way along the southerly edge of Stevens Creek Boulevard over a distance of 600 feet from Monroe Street to the southbound on-ramp to I-880. The additional eastbound through lane will transition into the second lane of the existing single-lane southbound on-ramp to I-880. The southbound on-ramp will need to be widened from one lane to two. Striping and signage should be installed that warns drivers of the transition of the eastbound shoulder lane to the southbound on-ramp to I-880.

The implementation of these improvements would restore the intersection operation to LOS D for the daily peak and Saturday peak hour conditions and for all three site access alternatives. **(Less Than Significant Impact With Mitigation)**

*Winchester Boulevard and Stevens Creek Boulevard*

- **Improve the north leg of the intersection of Winchester Boulevard and Stevens Creek Boulevard to include the addition of a second southbound left-turn, and improve the south leg of this intersection to include the addition of a second northbound left-turn lane.**

These improvements cannot be accommodated within the existing curb-to-curb width. The implementation of these improvements would entail the removal and reconstruction of the curb, gutter, and sidewalk, and repaving and restriping in both directions of each of the south and north approaches, acquisition of seven-feet of right-of-way along the west edge of the north approach over a distance of 400 feet, and the loss of approximately 20 parking spaces along the west side of the south approach.

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The implementation of these improvements would restore the intersection operation to LOS D. These improvements are physically possible, however, the Winchester/Stevens Creek northbound left turn lane addition is not located in the jurisdiction of the City of San Jose. Therefore, this mitigation cannot be imposed as a project condition. **(Significant Unavoidable Impact)**

*Interstate 280 and 880*

The project is estimated to have a significant impact on six freeway segments on I-280 and I-880. The improvements necessary to mitigate the project's impacts on these freeway segments would be the widening of these facilities. These freeway improvements are considered infeasible for implementation by a single project. **(Significant Unavoidable Impact)**

**Significant Unavoidable Impacts**

There is no feasible mitigation which could be reasonably imposed on the project to mitigate the project's impact on the six freeway segments, or at the Stevens Creek/Winchester intersection. These impacts, therefore, are considered to be significant and unavoidable.

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## C. AIR QUALITY

The following discussion is based on an analysis of air quality impacts from the proposed project, prepared by *Donald Ballanti, Certified Consulting Meteorologist*. A copy of that report is included in Appendix B.

### 1. Existing Setting

#### Air Pollution Climatology

The amount of a given pollutant in the atmosphere is determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and, for photochemical pollutants, sunshine.

Northwest winds and northerly winds are most common in the project area, reflecting the orientation of the Bay and the San Francisco Peninsula. Winds from these directions carry pollutants released by autos and factories from upwind areas of the Peninsula toward San Jose, particularly during the summer months. Winds are lightest on the average in fall and winter. Every year in fall and winter there are periods of several days when winds are very light and local pollutants can build up.

Pollutants can be diluted by mixing in the atmosphere both vertically and horizontally. Vertical mixing and dilution of pollutants are often suppressed by inversion conditions, when a warm layer of air drops cooler air close to the surface. During the summer, inversions are generally elevated above ground level, but are present over 90 percent of the time in both the morning and afternoon. In winter, surface-based inversions dominate in the morning hours, but frequently dissipate by afternoon.

Topography can restrict horizontal dilution and mixing of pollutants by creating a barrier to air movement. The South Bay has significant terrain features that affect air quality. The Santa Cruz Mountains and Hayward Hills on either side of the South Bay restrict horizontal dilution, and this alignment of the terrain also channels winds from the north to south, carrying pollution from the northern Peninsula toward San Jose.

The combined effects of moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restrict horizontal dilution give San Jose a relatively high atmospheric potential for pollution compared to other parts of the San Francisco Bay Air Basin.

#### Ambient Air Quality Standards

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants which represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each

pollutant are described in criteria documents. Table 20 identifies the major criteria pollutants, characteristics, health effects and typical sources.

The federal and California state ambient air quality standards are summarized in Table 21 for important pollutants. The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and PM-10.

The U.S. Environmental Protection Agency has recently announced new national air quality standards for ground-level ozone and for fine Particulate Matter. The existing 1-hour ozone standard of 0.12 PPM will be phased out and replaced by an 8-hour standard of 0.08 PPM. New national standards for fine Particulate Matter (diameter 2.5 microns or less) have also been established for 24-hour and annual averaging periods.

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**Table 20**  
**Major Criteria Pollutants**

Pollutant	Characteristics	Health Effects	Major Sources
Ozone	A highly reactive photochemical pollutant created by the action of sunshine on ozone precursors (primarily reactive hydrocarbons and oxides of nitrogen. Often called photochemical smog.	<ul style="list-style-type: none"> <li>● Eye Irritation</li> <li>● Respiratory function impairment.</li> </ul>	The major sources ozone precursors are combustion sources such as factories and automobiles, and evaporation of solvents and fuels.
Carbon Monoxide	Carbon monoxide is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels.	<ul style="list-style-type: none"> <li>● Impairment of oxygen transport in the bloodstream.</li> <li>● Aggravation of cardiovascular disease.</li> <li>● Fatigue, headache, confusion, dizziness.</li> <li>● Can be fatal in the case of very high concentrations.</li> </ul>	Automobile exhaust, combustion of fuels, combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide	Reddish-brown gas that discolors the air, formed during combustion.	<ul style="list-style-type: none"> <li>● Increased risk of acute and chronic respiratory disease.</li> </ul>	Automobile and diesel truck exhaust, industrial processes, fossil-fueled power plants.
Sulfur Dioxide	Sulfur dioxide is a colorless gas with a pungent, irritating odor.	<ul style="list-style-type: none"> <li>● Aggravation of chronic obstruction lung disease.</li> <li>● Increased risk of acute and chronic respiratory disease.</li> </ul>	Diesel vehicle exhaust, oil-powered power plants, industrial processes.
PM-10	Solid and liquid particles of dust, soot, aerosols and other matter which are small enough to remain suspended in the air for a long period of time.	<ul style="list-style-type: none"> <li>● Aggravation of chronic disease and heart/lung disease symptoms.</li> </ul>	Combustion, automobiles, field burning, factories and unpaved roads. Also a result of photochemical processes.

**Table 21  
Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Primary Standard	State Standard
Ozone	1-Hour	0.12 PPM	0.09 PPM
Carbon Monoxide	8-Hour	9.0 PPM	9.0 PPM
	1-Hour	35.0 PPM	20.0 PPM
Nitrogen Dioxide	Annual Average	0.05 PPM	--
	1-Hour	--	0.25 PPM
Sulfur Dioxide	Annual Average	0.03 PPM	--
	24-Hour	0.14 PPM	0.05 PPM
	1-Hour	--	0.25 PPM
PM <sub>10</sub>	Annual Average	50 µg/m <sup>3</sup>	30 µg/m <sup>3</sup>
	24-Hour	150 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>
PM <sub>2.5</sub>	Annual	15 µg/m <sup>3</sup>	--
	24-Hour	65 µg/m <sup>3</sup>	--
Lead	30-Day Avg.	--	1.5 µg/m <sup>3</sup>
	Month Avg.	1.5 µg/m <sup>3</sup>	--

PPM = Parts per Million  
µg/m<sup>3</sup> = Micrograms per Cubic Meter

### Ambient Air Quality

The Bay Area Air Quality Management District (BAAQMD) monitors air quality at several locations within the San Francisco Bay Air Basin. The monitoring site closest to the project site is in downtown San Jose. Table 22 summarizes exceedances of State and Federal standards at the downtown San Jose monitoring site during the period 1994-1996. Table 22 shows that ozone and PM-10 exceed the state standards in the project area. Violations of the carbon monoxide standards had been recorded at the downtown San Jose site prior to 1992.

Of the three pollutants known to at times exceed the state and federal standards in the project area, two are regional pollutants. Both ozone and PM-10 are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. Thus, the data shown in Table 22 for ozone and PM-10 provide a good characterization of levels of these pollutants on the project site.

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Carbon monoxide is a local pollutant, i.e., high concentrations are normally only found very near sources. The major source of carbon monoxide, a colorless, odorless, poisonous gas, is automobile traffic. Elevated concentrations, therefore, are usually only found near areas of high traffic volumes.

The data shown in Table 22 for carbon monoxide are not necessarily representative of concentrations that would be found near the proposed project site. For this reason, concentrations of carbon monoxide have been estimated using a computer simulation model that predicts concentrations based on roadway locations, traffic volumes and traffic conditions.

Table 22 Summary of Air Quality Data for Downtown San Jose <sup>2,3,4</sup>				
Pollutant	Standard	Days Exceeding Standard in:		
		1994	1995	1996
Ozone	Federal 1-Hour	0	1	0
Ozone	State 1-Hour	3	14	5
Carbon Monoxide	State/Federal 8-Hour	0	0	0
PM-10	Federal 24-Hour	0	0	0
PM-10	State 24-Hour	10	4	2

#### Attainment Status and Regional Air Quality Plans

The federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the State where the federal or state ambient air quality standards are not met as "nonattainment areas". Because of the differences between the national and state standards, the designation of nonattainment areas is different under the federal and state legislation.

<sup>2</sup> Bay Area Air Quality Management District, *BAAQMD CEQA Guidelines*, 1996

<sup>3</sup> California Air Resources Board, *California Air Quality Data, Annual Summaries, 1994-1995*.

<sup>4</sup> Bay Area Air Quality Management District, *Air Currents*, April 1997.

### *Federal Air Quality Program*

The Bay Area is currently a nonattainment area only for carbon monoxide. However, the U.S. Environmental Protection Agency has proposed reclassifying the Bay Area from "maintenance area" to nonattainment for ozone also, based on recent violations of the federal standards at several locations in the air basin. This would reverse the air basin's reclassification to "maintenance area" for ozone in 1995. Reclassification would require an update to the region's federal air quality plan.

The revisions to the national ambient standards for ozone and Particulate Matter have no immediate effect on nonattainment planning. Existing ozone and Particulate Matter designations will remain in effect until U.S. E.P.A. establishes new designations based on any new ozone or Particulate Matter standard. Final promulgation of guidance for development of nonattainment plans for any new ozone or Particulate Matter standard is scheduled for June of 1999.

### *State Air Quality Program*

Under the California Clean Air Act, Santa Clara County is a nonattainment area for ozone and PM-10. The County is either attainment or unclassified for other pollutants.

The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans. These plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or if not, provide for adoption of "all feasible measures on an expeditious schedule".

The current area-wide plan required by the California Clean Air Act was adopted in October 1994.<sup>5</sup> The Plan proposes the imposition of controls on stationary sources (factories, power plants, industrial sources, etc.) and Transportation Control Measures designed to reduce emissions from automobiles. Since the Plan does not provide for a 5% annual reduction in emissions, it proposes the adoption of "all feasible measures on an expeditious schedule".

### **Sensitive Receptors**

The Bay Area Air Quality Management District defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, schools playgrounds, child care centers, retirement homes, convalescent homes, hospitals and medical clinics. Existing residential areas northeast and east of the site along Redwood Avenue and Hemlock Avenue and new residential areas under construction east of the site represent the closest sensitive receptors to the project site. The proposed project itself would contain residential uses that would be new sensitive receptors.

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<sup>5</sup> Bay Area Air Quality Management District, Bay Area '94 Clean Air Plan (CAP), 1994.



## 2. Air Quality Impacts

### Thresholds of Significance

For the purposes of this project, an air quality impact is considered significant if it will:

- Violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations; or
- Result in substantial emissions or deterioration of ambient air quality. The significance thresholds recommended by the Bay Area Air Quality Management District are considered to represent "substantial" emissions. The thresholds are 80 pounds per day for all regional air quality pollutants except carbon monoxide. The significance threshold for carbon monoxide is 550 pounds per day. However, exceedance of this threshold only triggers the need for estimates of carbon monoxide and significant impacts would be defined as an increase in an existing violation of greater than 0.1 parts per million, based on the accuracy of the monitoring instruments; or
- Create objectionable odors; or
- Alter air movement, moisture, or temperature, or result in any change in climate, either locally or regionally.

### Local Impacts

On the local scale, the project would change traffic on the local street network and within the site's internal roads and parking areas. Carbon monoxide levels along roadways used by project traffic would also be changed. Carbon monoxide is an odorless, colorless poisonous gas whose primary source in the Bay Area is automobiles. Concentrations of this gas are generally highest near intersections of major roads because of the amount of idling, acceleration and deceleration occurring.

As described in Appendix B of this EIR, the CALINE-4 computer simulation model was applied to eight intersections near the project site. These intersections were selected on the basis of PM peak hour LOS. All would operate at LOS D or worse for one or more of the traffic scenarios. The model results were used to predict the maximum 1- and 8-hour concentrations, corresponding to the 1- and 8-hour averaging times specified in the state and federal ambient air quality standards for carbon monoxide.

Table 23 shows the results of the CALINE-4 analysis for the peak 1-hour and 8-hour traffic periods in parts per million (PPM). The 1-hour values are to be compared to the federal 1-hour standard of 35 PPM and the state standard of 20 PPM. The 8-hour values in Table 23 are to be compared to the state and federal standard of 9 PPM. Table 23 shows that existing 1-hour averaged concentrations exceed the 1-hour ambient standards at three of the eight intersections modeled. The 8-hour averaged concentrations at all eight intersections exceed the state/federal ambient air quality standards.

Future concentrations at study intersections would be influenced by two opposing trends: increasing traffic volumes and declining emission rates from vehicles. As shown on Table 23, concentrations would be lower than existing concentrations at all intersections even with the addition of background and project traffic. No exceedances of the 1-hour or 8-hour standards are predicted.

Table 23 Predicted Worst-Case Monoxide Concentrations at Selected Intersections, in Parts Per Million <sup>6</sup>						
Intersection	Existing (1997)		Existing + Approved (2002)		Existing + Approved+ Project (2002)	
	1-Hour	8-Hour	1-Hour	8-Hour	1-Hour	8-Hour
Bascom/ San Carlos	16.7	<u>9.6</u>	12.6	7.1	12.7	7.2
Hamilton/ Winchester	<u>21.2</u>	<u>12.8</u>	15.2	9.0	15.2	9.0
Monroe/ Stevens Creek	18.1	<u>10.6</u>	14.1	8.2	14.8	8.7
Moorpark/ San Tomas	18.2	<u>10.7</u>	13.4	7.7	13.4	7.7
Moorpark/ Winchester	18.6	<u>11.0</u>	13.9	8.1	14.0	8.1
Winchester/ Stevens Creek	19.2	<u>11.4</u>	14.3	8.3	14.5	8.5
Stevens Creek/ Saratoga	17.3	<u>10.0</u>	12.9	7.4	13.0	7.4
San Tomas/ Stevens Creek	<u>20.1</u>	<u>12.0</u>	14.7	8.6	14.8	8.7

The addition of proposed project traffic would increase both 1-hour and 8-hour averaged concentrations. Project traffic would increase 1-hour and 8-hour concentrations by as much as 0.7 PPM. This increase would not create any new exceedances of the 1-hour or 8-hour standards, nor would the project "contribute substantially to an existing or projected violation" of the standards. Therefore, the project impacts on local carbon monoxide concentrations are considered to be less than significant.

<sup>6</sup>Concentrations exceeding state or federal standards are underlined. 97 - 036

- The proposed project would not create any new exceedances of the 1-hour or 8-hour standards, nor would the project “contribute substantially to an existing or projected violation” of the standards. Thus, the project impacts on local carbon monoxide concentrations are considered to be less than significant. (Less than Significant Impact)

### Regional Impacts

Trips to and from the project would result in air pollutant emissions affecting the entire San Francisco Bay air basin. Regional emissions associated with project vehicle use have been calculated using the URBEMIS-5 computer program. The URBEMIS-5 program and the assumptions made in its use are described in Appendix B.

The estimated incremental daily emissions associated with new traffic generated by the proposed project are shown in Table 24 below for Reactive Organic Gases and Nitrogen Oxides (two precursors of ozone) and PM-10. Emissions associated with current use of the site has been similarly calculated.

Guidelines for the evaluation of project impacts issued by the Bay Area Air Quality Management District consider emission increases to be significant if they exceed 80 lbs per day for any regional pollutant.<sup>7</sup> Proposed new project emissions shown in Table 24 would exceed this criterion for NOx and PM-10, so the proposed project would have a significant effect on regional air quality.

- Total project emissions of regional pollutants exceed BAAQMD thresholds and would have a significant impact on regional air quality. (Significant Impact)

Table 24 Regional Emissions in Pounds Per Day			
Source	Reactive Organic Gases	Nitrogen Oxides	PM-10
Project Emissions	189.6	237.8	273.0
Emissions from Uses Eliminated	- 76.1	- 105.5	- 128.2
Net Change	113.5	132.3	144.8
BAAQMD Significance Threshold	80.0	80.0	80.0

<sup>7</sup> Bay Area Air Quality Management District, BAAQMD CEQA Guidelines, 1996.

## Construction Impacts

Construction activities such as demolition, excavation and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality.

Demolition and site preparation activities would be the greatest source of air pollutant emissions during project construction. Removal of buildings and pavement materials and site grading would generate relatively large amounts of dust and PM-10 and lesser amounts of equipment exhaust gases such as reactive organic gases, oxides of nitrogen and carbon monoxide.

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when, and if, underlying soils are exposed to the atmosphere.

The local effects of construction activities would include increased dustfall and locally elevated levels of PM-10 downwind of construction activity. Depending on the weather, soil conditions, the amount of activity taking place and nature of dust control efforts these impacts could extend beyond the site boundaries. This impact is considered to be significant.

- **Air quality impacts resulting from construction, particularly generation of construction dust, could cause significant adverse effects to the adjacent land uses. (Significant Impact)**

### 3. Mitigation Measures for Air Quality Impacts

#### Mitigation Measures Proposed by the Project

##### *Regional Impact Mitigation*

- **Provision of secure and convenient residential and non-residential bicycle parking.**
- **Transit facilities such as bus turnouts, benches and shelters along public streets, and information kiosks on site.**

**Conclusion:** The above mitigation measures would be expected to reduce project trip generation by 1-5%. Since a reduction in trips of 42% would be necessary to reduce project regional impacts to a level that is not significant, the project impacts would remain significant. **(Significant Impact with Mitigation)**

##### *Construction Impact Mitigation*

- **Whenever possible, dust-proof chutes will be used for loading construction debris onto trucks.**

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- Watering will be used to control dust generation during demolition of structures and break-up of pavement.
- All trucks removing debris from the site will be covered.
- Internal haul roads will be paved, sealed or stabilized to control dust from truck traffic. Paved haul roads would be regularly swept or cleaned to remove accumulated dust.
- The recycling of demolition materials will be considered, as it would reduce the number of truck trips to the site during construction. It is possible that materials from the demolition of the shopping center buildings and pavement could be recycled after being crushed on site. The use of a crusher on the site would be subject to regulation by the Bay Area Air Quality Management District.

The Bay Area Air Quality Management District considers the following feasible control measures appropriate for large construction sites:

- Water all active construction areas at least twice daily, or as necessary to prevent dust emissions.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites, or as necessary to keep of dirt and debris.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets, or as necessary to keep of dirt and debris.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for ten days or more.
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
- Limit traffic speeds on unpaved roads to 15 mph.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

- **Replant vegetation in disturbed areas as quickly as possible.**

**Conclusion:** Implementation of these construction mitigation measures will reduce the potential air quality impacts from construction activities to a less than significant level. **(Less than Significant Impact with Mitigation)**

### **Significant Unavoidable Impacts**

**Conclusion:** There is no mitigation available that will completely avoid or reduce the significant regional air quality impacts, should the project be developed as proposed. The regional air quality impact would remain a significant unavoidable impact.

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D. NOISE

A noise analysis was prepared by *Illingworth & Rodkin, Inc.* in July, 1997, and is included in Appendix C of this EIR.

1. Existing Setting

**Noise Guidelines**

The Noise Element of the City of San Jose General Plan contains noise guidelines for various land uses within the City, and identifies acceptable noise exposure levels for those uses in terms of the Day-Night Level ( $L_{dn}$ )<sup>8</sup> 24-hour descriptor. The General Plan guidelines identify 45  $L_{dn}$  as an acceptable interior noise level for virtually all land uses, including residential, office, and commercial. An exterior noise level of 60  $L_{dn}$  is considered acceptable for commercial uses if design measures to maintain a 45  $L_{dn}$  interior noise level are provided. The General Plan also specifies that certain land uses cannot cause noise levels to exceed specified limits at their property line, particularly if the property line adjoins sensitive uses such as residential. The guideline for commercial uses is 55  $L_{dn}$  at the property line. The project site is located adjacent to residential land uses to the east and northeasterly boundaries of the site.

Title 24 of the California Building Code contains uniform minimum noise insulation performance standards to protect individuals within multi-family dwelling units, hotels, motels, dormitories, and long-term care facilities. The Building Code requires that where exterior noise levels exceed 60 dB  $L_{dn}$ , the interior levels for multi-family dwelling units must not exceed 45 dB.

**Existing Noise Conditions**

The project site is bounded by Stevens Creek Boulevard to the north, and Winchester Boulevard to the west, office buildings are located to the south, a Pacific Bell facility is located to the southeast, and residential is located to the east and northeast. In 1992, a noise survey conducted on a larger site that included all the existing boundaries of the current project site, identified the noise from the traffic on Stevens Creek Boulevard, Winchester Boulevard, and the nearby freeways as the most significant noise sources. In addition, the mechanical equipment at the Pacific Bell facility was also identified as a potential noise source. A 1997 survey included noise measurements to confirm the noise levels identified in 1992, and provided analysis for the current project.

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<sup>8</sup> The Day-Night Level (DNL) used in Appendix C is equivalent to the term  $L_{dn}$ . The City of San Jose General Plan discusses noise impacts and guidelines in terms of  $L_{dn}$ .

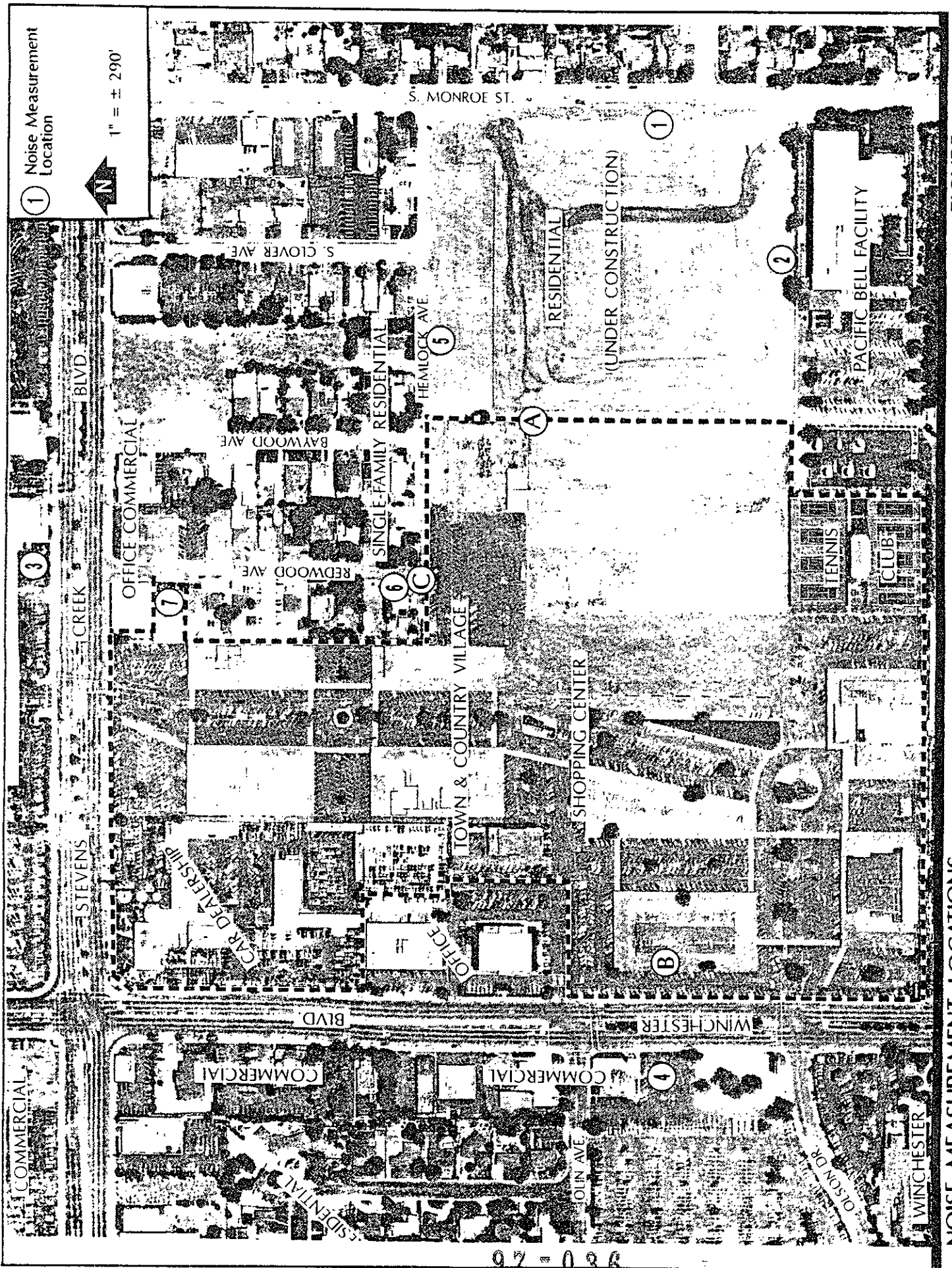


FIGURE 15

NOISE MEASUREMENT LOCATIONS

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### *1992 Survey*

During the 1992 survey, one 24-hour and seven 15-minute measurements were taken on the project site. The measurement locations are shown on Figure 15. Most of the short-term measurement locations were visited twice. The measurements taken at Locations A, 3, 4, 6, and 7 are included within the current site boundary. The other measurement locations are no longer part of the project site. A summary of the noise levels measured at these locations is provided below.

#### Location A

A 24-hour monitor was placed along the eastern property boundary approximately 220 feet from Hemlock Avenue. The noise data collected at this location indicated an  $L_{dn}$  of 58 dB with the significant noise sources due to traffic on Stevens Creek Boulevard, Winchester Boulevard, and surrounding freeways.

#### Location 3

Measurements at this location were taken approximately 70 feet from the centerline of Stevens Creek Boulevard. The noise data collected at this location indicated an  $L_{dn}$  of 72 dB with the significant noise source being traffic on Stevens Creek Boulevard.

#### Location 4

Measurements at this location were taken approximately 80 feet from the centerline of Winchester Boulevard. The noise data collected at this location indicated an  $L_{dn}$  of 69 dB with the significant noise source being traffic on Winchester Boulevard.

#### Location 6

Measurements at this location were taken approximately 30 feet from the centerline of Hemlock Avenue. The noise data collected at this location indicated an  $L_{dn}$  between 55 and 58 dB with the significant noise source being traffic on Stevens Creek Boulevard.

#### Location 7

Measurements at this location were taken approximately 25 feet from the centerline of Redwood Avenue, approximately 125 feet south of Stevens Creek Boulevard. The noise data collected at this location indicated an  $L_{dn}$  between 63 and 65 dB with the significant noise source being traffic on Stevens Creek Boulevard.

### *1997 Survey*

During the 1997 survey, two measurements were taken on the project site since the purpose of these measurements was to confirm the previous data from the 1992 survey. The measurement locations are shown on Figure 15.

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### Location B

Measurements at this location were taken approximately 90 feet from the centerline of Winchester Boulevard at the location of the potential residential development in Section 5 at the southwest corner of the site. The noise data collected from this location indicated an  $L_{dn}$  of 67 dB. This measurement confirms the previous data from the 1992 survey.

### Location C

Measurements taken at this location were taken at the intersection of Redwood Avenue and Hemlock Avenue. The noise data collected from this location indicated an  $L_{dn}$  of 60 dB with the significant noise source being traffic on Redwood Avenue, Hemlock Avenue, and Stevens Creek Boulevard. This measurement confirms the previous data from the 1992 survey.

## 2. Noise Impacts

### **Thresholds of Significance**

For the purposes of this project, a noise impact is considered significant if the project will:

- result in a substantial increase in the ambient noise levels; or
- generate construction noise levels exceeding 60 dBA during the daytime or 55 dBA during the nighttime (10 p.m.-7 a.m.) near a sensitive receptor; or
- expose people to noise levels in excess of established State or City standards.

### **Impacts to the Project**

#### ***Stevens Creek Boulevard***

The project proposes commercial development on Stevens Creek Boulevard along the northern boundary of the site. In addition, residential development may be proposed on some part of the Courtesy Chevrolet portion of the site in future. The exterior noise exposure along Stevens Creek Boulevard is an  $L_{dn}$  of 72 dB at 70 feet from the centerline. The noise exposure would be up to 12 dB in excess of the City of San Jose guideline for commercial and residential uses. No outdoor uses are planned along Stevens Creek Boulevard and, therefore, exterior noise exposure is not an issue. However, since the exterior noise levels exceed the 60 dB  $L_{dn}$  guidelines, special building practices may be required to reduce the interior noise levels to 45 dBL $_{dn}$  or less. Interior noise levels would need to be reduced to 45 dB  $L_{dn}$  or less to meet the City of San Jose guidelines.

- **Exterior noise levels along Stevens Creek Boulevard would exceed the 60 dB  $L_{dn}$  guidelines. (Significant Impact)**

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### *Winchester Boulevard*

The proposed project includes multi-family residential development, commercial development, and a hotel on Winchester Boulevard along the western boundary of the site. The exterior noise exposure along Winchester Boulevard is an  $L_{dn}$  between 67 and 70 dB at the proposed setback. The noise exposure would be up to 10 dB in excess of the City of San Jose guidelines and the Title 24 criterion, and would exceed the City of San Jose Guidelines for balconies and patios. However, the City of San Jose recognizes that it may not be possible to achieve an exterior noise level of 60 dB  $L_{dn}$  for residential uses along major roadways. In addition, no outdoor uses are planned as part of the commercial development along Winchester Boulevard and, therefore, exterior noise exposure is not an issue for commercial uses. However, since the exterior noise levels exceed the 60 dB  $L_{dn}$  guidelines, special building practices may be required to reduce the interior noise levels to 45 dB  $L_{dn}$  or less. Interior noise levels for both the residential and commercial uses need to be reduced to 45 dB  $L_{dn}$  or less to meet the City of San Jose guideline and Title 24.

- **Exterior noise levels along Winchester Boulevard would exceed the 60 dB  $L_{dn}$  guidelines. (Significant Impact)**

### *Redwood Avenue/Hemlock Avenue*

The proposed project includes multi-family residential development adjacent to the intersection of Redwood Avenue and Hemlock Avenue at the easterly site boundary. The exterior noise exposure at the intersection of Redwood Avenue and Hemlock Avenue is an  $L_{dn}$  of 60 dB. The noise exposure of 60 dB would be within the City of San Jose guideline and the Title 24 criterion for residential uses.

- **The exterior noise levels near Redwood Avenue and Hemlock Avenue would not exceed 60 dB, and the interior noise levels would not exceed the City of San Jose guidelines or Title 24 criterion for residential uses. (Less than Significant Impact)**

### *Pacific Bell Facility*

The proposed project includes multi-family residential development at the southeasterly corner of the site near the Pacific Bell facility. The exterior noise exposure from the Pacific Bell facility is an  $L_{dn}$  of 60 dB at the proposed residential building setback. The exterior noise exposure of 60 dB would be within the City of San Jose guideline and the Title 24 criterion for residential uses.

- **Since the exterior noise levels at the building setback in the southeasterly corner of the site would not exceed 60 dB, the interior noise levels would not exceed the City of San Jose guidelines or Title 24 criterion for residential uses. (Less than Significant)**

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## Impacts from the Project

As identified above, the primary noise source within the project vicinity is traffic on the surrounding roadway network. The addition of the project traffic along Hemlock Avenue would not increase the noise levels in the project area by 3 dB or more<sup>9</sup>, thus, the project would not have a significant impact on the surrounding noise environment.

- **The addition of project traffic to the existing roadway network would not create a perceptible increase in noise levels on existing streets. (Less than Significant Impact)**

### *Construction Impacts*

The project would demolish existing buildings on the site and construct new buildings and parking structures. Noise impacts resulting from the demolition and construction are primarily the result of noise generated by various pieces of construction equipment and may vary, depending on the timing and length of noise-generating activities, and the distance between construction activities and the nearby sensitive receptors. Construction activities are typically carried out in stages. During each stage of demolition and construction, there will be a different mix of equipment operating. Construction noise levels, therefore, vary by stage and vary within each stage depending upon the number and types of equipment operating.

Most demolition and construction noise is in the range of 80 to 90 dBA at a distance of 50 feet. The nearest existing residences and businesses to the project site are along Redwood Avenue, Hemlock Avenue, and Monroe Avenue at typical setbacks of 50 to 100 feet. When construction on the site occurs near these residences and businesses, noise levels would be elevated and would interfere with speech communication and other everyday activities. Average noise levels at 100 feet from the center of the construction activity would typically range from 70 to 80 dBA during busy periods of construction. Piledriving may be required for the larger buildings proposed in the center of the site. Such noise levels occurring near the center of the site would result in noise levels of 85 to 90 dBA at the nearest residences within 300 to 600 feet. Construction noise elevates background noise levels for these residences and businesses adjacent to the site between 15 and 25 dBA. As the development of the site progresses and construction activities move away from nearby residences and businesses, the effects of the construction would lessen.

- **Construction of the project would create significant noise impacts on the adjacent residences and businesses. (Significant Impact)**

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<sup>9</sup>3 dB is the minimum increase generally perceptible to the human ear.

3. Mitigation Measures for Noise Impacts

The project proposes the following mitigation measures to reduce or avoid noise impacts associated with its development.

*Exterior Noise Mitigation*

- Common outdoor use areas for the multi-family residences will be provided at locations set back and/or shielded by buildings from traffic noise produced by Winchester Boulevard and from the mechanical equipment associated with the Pacific Bell facility.
- Outdoor balconies and patios on residential units facing Winchester Boulevard will be minimized.
- Most private outdoor areas will not be oriented toward public streets

*Interior Noise Mitigation*

- Prior to approval of the PD Permits for specific building designs, a detailed acoustical analysis will be prepared and the recommendations for noise attenuation will be incorporated into the design of the commercial and residential structures proposed on the project site to reduce the interior noise levels to 45 dBA. The design features which could provide noise attenuation include sound rated windows, forced air mechanical ventilation so windows could be kept closed, and special building construction techniques such as insulation and soundproofing.

Given the density of the proposed residential development and the number of streets bordering the site, it is assumed that some of the private outdoor areas (patios and balconies) will be subject to noise levels in excess of the 60 L<sub>dn</sub> identified as acceptable in the City's General Plan. These noise levels would not create risks to human health. For an urban development, slightly elevated noise levels would not be considered a significant impact.

*Construction Noise Mitigation*

- The project proponent proposes to limit demolition and construction activities to daytime hours of 7:00 a.m. to 5:00 on weekdays, and non-holidays for on and off-site construction within 500 feet of residential development.
- All internal combustion engines for construction equipment used on the site shall be properly muffled and maintained.
- All stationary noise-generating construction equipment, such as air compressors and portable power generators, will be located as far as practical from existing residences and businesses.

- Residential neighbors and the Director of Planning, Building and Code Enforcement will be notified of the construction schedule in writing at least seven days prior to the start of construction.
- A noise disturbance coordinator, responsible for responding to complaints about noise will be hired during the construction phase. The telephone number of the noise disturbance coordinator will be posted on the project and be provided to adjacent residential neighbors and the Director of Planning, Building and Code Enforcement.

**Conclusion:** The implementation of the identified mitigation measures would reduce the noise impacts to a less than significant level.

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## E. SOILS AND GEOLOGY

### 1. Existing Setting

#### Geology

The project site is located in the Santa Clara Valley between the base of the western foothills of the Hamilton-Diablo Mountain Range and the northeasterly foothills of the Santa Cruz Mountains in the Coast Range Geomorphic Province of Central California. Bedrock in this area is generally of the Franciscan Complex consisting of igneous, sedimentary and metamorphic rocks of the Upper Jurassic to Cretaceous age (70 to 140 million years old). These formations are part of the northwesterly material found along the east side of the San Andreas Fault.

The Franciscan rocks are overlain by marine and non-marine sediments of Cretaceous to Plio-Pleistocene age which are 80 to two million years old. Overlain by the Cretaceous to Plio-Pleistocene age are alluvial, fluvial, lacustrine and bay deposits of Pleistocene to Holocene age generally consists of fluvial deposits of Holocene age which are generally less than two million years old. The stratigraphy in the vicinity of the project area generally consists of fluvial deposits of Holocene age that are approximately 11,000 years old or less. These deposits consist of alternating layers of silts, sands, clays, and sandy gravels, which were likely deposited in the old flood plains heading towards southern San Francisco Bay. The topography slopes gently toward the northeast.

#### Soils

The project site is underlain by soils of the Zamora Pleasanton and Yolo-Esparto associations as classified by the United States Department of Agriculture, Soil Conservation Service. Zamora clay loam (ZbA), Pleasanton gravelly (PpA), and Yolo loam (YeA) are located on the project site.

Zamora clay loam is characterized by a dark grayish, massive, hard neutral surface layer 12-20 inches thick; good drainage; moderately slow subsoil permeability; very slow surface runoff; no erosion hazard; high inherent fertility (Class I); and a moderate shrink swell capacity.

Pleasanton gravelly is characterized by a brown, massive, hard slightly acidic surface layer 16 to 20 inches thick; good drainage; moderately slow subsoil permeability; very slow surface runoff; no erosion hazard; moderate inherent fertility (Class II); and a moderate shrink swell capacity.

Yolo loam is characterized by a grayish brown, massive, hard mildly slightly alkaline surface layer approximately 26 to 32 inches thick; good drainage; moderately slow subsoil permeability; very slow surface runoff, no erosion hazard; high inherent fertility (Class I, III), and a moderate shrink swell capacity.

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According to Cooper-Clark and Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a least landslide susceptibility, weak soil layers and lenses occurring at random locations and depths, moderately expansive soils, and no erosion potential.

### Seismic Conditions

The project site is located in a seismically active part of northern California. Earthquakes are generated on strike-slip faults of the San Andreas fault system as the Pacific and North American Plates slide past each other. Earthquakes may also occur on low angle thrust faults in the Coast Range. The Alquist-Priolo Special Studies Zones Act (1973) requires that faults which have been active since the Holocene times (within approximately 11,000 years) be mapped to prevent structures occupied by humans from being located on them. No known active or potentially active faults traverse the project site. Therefore, there is no potential for fault rupture. However, the San Andreas Fault is located approximately 8.7 miles to the west of the project site, and the Hayward Fault traverses approximately 8.7 miles to the east. Major earthquakes are likely to occur on either fault during the life of the project.

The site is located in an area of alluvium underlain by bedrock at depths of 1,000 feet or more. In the event of a major earthquake, maximum ground surface acceleration will be between 0.30 and 0.35 g with a fundamental period of ground shaking between 4.5 and 5.5 seconds.<sup>10</sup>

According to Cooper-Clark Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a moderately high liquefaction potential.

## 2. Soils and Geology Impacts

### Thresholds of Significance

For the purposes of this project, a geologic impact is considered significant if the project will:

- be located on a site with geologic features which pose a substantial hazard to property and/or human life (*i.e.*, an active fault, active landslide); or
- expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety design techniques.

### Soils and Geologic Hazards

The future redevelopment of the site would not result in significant soils and geologic impacts. A design-level geotechnical investigation will be prepared and will include specific foundation design standards for the buildings that will make up the proposed project. There are no conditions on the site that cannot be accommodated by standard engineering design.

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<sup>10</sup>Cooper Clark, Geotechnical Investigation for the City of San Jose Sphere of Influence, 1974.



## Seismic Hazards

The site is within the seismically active San Francisco Bay Area and severe ground shaking is probable during the anticipated life of future mixed use development on the project site. Additionally, the site includes areas classified as having a moderately high potential for seismically-induced liquefaction. However, these conditions are not unique to the site. Severe groundshaking is expected throughout the entire Bay Area, and the presence of some soils with liquefaction potential is not unique, nor a substantial site constraint. Compliance with the provisions of the Uniform Building Code and the recommendations for an design level geotechnical report will account for these conditions as a matter of standard practice.

- **A design level geotechnical investigation for the project site will be completed to address potential geologic hazards on the site, including liquefaction-induced settlement and lateral spreading. The geotechnical investigation for individual buildings will be completed to the satisfaction of the Director of Public Works prior to the issuance of a Public Works Clearance for that phase of the project. The investigation will include recommendations for proper foundation design, site preparation, and grading, which will be incorporated into the project design at the permit stage.**
- **Seismic hazards to the proposed project will be addressed by utilizing construction practices in accordance with Seismic Zone 4 building criteria, as described in the San Jose Building Code.**

***Conclusion:*** Development of the project as proposed would not expose structures and occupants to significant seismic impacts that cannot be mitigated through standard engineering design. The implementation of the standard design techniques described above and included in the proposed project will ensure that no significant geologic impacts occur. **(Less than Significant Impact with Mitigation)**

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## F. HYDROLOGY

### 1. Existing Setting

#### Hydrology and Flooding

There are no natural waterways located on or within one half mile of the project site. The nearest creek, Los Gatos Creek, is located over two miles to the east of the project site. Regionally, Los Gatos Creek is one of five major streams that descend from the Santa Cruz Mountains.

The project site is located in Zone "D" of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the City of San Jose, which indicates that the site is not located within a 100-year floodplain. The site is located in an area of undetermined, but possible flood hazards.

#### *Storm Drainage Facilities*

Approximately 34 acres of the project site are covered with impervious surfaces, while 5 acres of the site are vacant and pervious. Storm drainage lines are located near the intersection of Stevens Creek Boulevard and Monroe Street. One catch basin, located at the southwest corner of the 5 acre vacant lot, carries water from the southern end of Monroe Street north. Another catch basin exists behind the materials storage yard at the northeastern corner of the lot. In addition, a storm drain catch basin is located in the Town & Country Village parking lot with a 21 inch main.

### 2. Hydrology Impacts

#### Thresholds of Significance

- substantially degrade or deplete groundwater resources; or
- increase the potential for flood related property loss or hazard to human life; or
- significantly increase peak stormwater runoff; or
- significantly increase stormwater pollution discharges to stormwater systems; or
- substantially degrade water quality.

#### Hydrology and Flooding

The project site is located in Zone "D" of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the City of San Jose, which indicates that the site is not located within a 100-year floodplain. The site is located in an area of undetermined, but possible flood hazards.

- **The site is not located within the 100 year floodplain; therefore, the potential for significant flooding on this site is unlikely. (Less than Significant Impact)**

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### *Storm Drainage*

The majority of the project site is already covered with impervious surface. The addition of impervious surfaces to the remaining 5 acres of vacant land would not substantially increase the volume of storm water draining from the site. The existing storm water system is adequate to serve the proposed project.

- **Development of the project site will minimally increase the amount of storm water runoff from the site. There is adequate storm water capacity in the existing system to accommodate the increased volume of storm water. (Less than Significant Impact)**

### *Water Quality*

Long term effects on the water quality of the surface runoff from the project would occur during and after project construction as a result of the installation of additional paved driveways and parking on five acres of land that is now vacant. Runoff from graded surfaces and soil accumulations in streets and driveways would increase sedimentation in storm water. Petroleum derivatives from parked cars and asphalt could contaminate surface runoff. Landscape maintenance activities could also result in potential surface water contamination if pesticides, herbicides or chemical fertilizers are used on the site and are allowed to come in contact with runoff.

- **Development of the site could significantly increase the amount of contamination of storm water runoff. (Significant Impact)**

### **3. Mitigation Measures for Hydrologic Impacts**

The following measures would provide mitigation for potentially significant water quality impacts:

- **The project would be required to comply with the NPDES General Construction Activity Storm Water Permit administered by the Regional Water Quality Control Board. Prior to construction grading the applicant will file a "Notice of Intent" (NOI) to comply with the General Permit and prepare a Storm Water Pollutant Prevention Plan (SWPPP) which addresses measures that would be included in the project to minimize and control construction and post-construction runoff. The SWPPP will be reviewed and approved by the City of San Jose Department of Environmental Services.**
- **The project will include post-construction structural controls including Best Management Practice (BMP) for reducing contamination in stormwater runoff such as swales, drop inlets, etc. (i.e. permanent features of the project).**

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- Construction practices will include use of erosion control devices, including hay bales and/or Petromat, and on-site retention to minimize contamination of stormwater runoff.
- Whenever possible, dust-proof chutes will be used for loading construction debris onto trucks.
- All trucks removing debris from the site will be covered.
- Internal haul roads will be paved, sealed or stabilized to control dust from truck traffic. Paved haul roads would be regularly swept or cleaned to remove accumulated dust.
- The recycling of demolition materials will be considered, as it would reduce the number of truck trips to the site during construction. It is possible that materials from the demolition of the shopping center buildings and pavement could be recycled after being crushed on site. The use of a crusher on the site would be subject to regulation by the Bay Area Air Quality Management District.
- As part of the mitigation for post-construction runoff impacts addressed in the SWPPP, the project will implement regular maintenance activities including sweeping, cleaning stormwater inlets, and litter control at the site to prevent soil, grease, and litter from accumulation on the project site and contamination of surface runoff. Stormwater catch basins will be stenciled to discourage illegal dumping.

**Conclusion:** With the implementation of the mitigation measures listed above, the water quality impacts will be reduced to a less than significant impact. **(Less Than Significant with Mitigation)**

## G. BIOLOGICAL RESOURCES

A vegetation and wildlife survey was conducted on the site in January, 1993, and a tree survey was prepared in August, 1992. The tree survey was updated in July, 1997. The results of these surveys are summarized below. A burrowing owl survey was conducted on the site by *H.T. Harvey and Associates* in October, 1997. A copy of this survey is contained in Appendix D.

### 1. Existing Setting

#### Vegetation

Vegetation and wildlife habitat within the existing Town and Country Village consists of mostly developed areas that include urban landscaping, paved surfaces, and buildings. An approximately five-acre vacant field is located adjacent to the eastern property boundary. There are no natural communities within the project area.

Landscaped areas support trees, shrubs, and bedding plants in planting strips adjacent to buildings and parking areas. There are a total of 40 trees on the site. The trees include coast live oak (*Quercus agrifolia*), Canary Island pine (*Pinus canariensis*), palms (*Phoenix* sp. And *Washington* sp.), and Lombardy poplar (*Populus nigra*). Some of the large coast oaks on the site are located adjacent to and within existing buildings where roofs have been constructed around them. A summary table of the results of the tree survey follows. The table lists the trees by common name, the number surveyed, and the ranges of their diameter and general.

<i>Species of Trees</i>	Number Surveyed	Dia. (in.) Range	General Condition
Coast Live Oak*	25	15" to 35"	Fair to Good
Blue Spruce	1	14"	Fair
Juniper	2	9" to 14"	Good
Canary Island Pine*	2	16" to 30"	Fair to Good
Silk Oak*	1	21"	Fair
Privet	1	8", 8", 8", 9"	Poor
Poplar*	2	21" to 40"	Fair
Washington Fan Palm*	1	23"	Good
Date Palm*	4	25" to 31"	Good
	<b>40</b>		

\*Includes Ordinance size trees (more than 18 inches in diameter).

The five-acre vacant field supports low growing, ruderal (weedy) vegetation such as bull mallow (*Malva nicaeensis*), wild oat (*Avena sp.*), riggut grass (*Bromus rigidus*), filaree (*Erodium sp.*), Russian thistle (*Salsola Kali* var. *Tenuifolia*) and sow thistle (*Sonchus sp.*). Vegetation is removed on a regular basis by discing and mowing.

### Wildlife

The project site provides habitat for wildlife species commonly associated with urban areas. Landscape trees within the project area provide cover and perch sites for birds such as mourning dove (*Zenaida macroura*), house sparrow (*Passer domesticus*), Anna's hummingbird (*Calypte anna*), Northern mockingbird (*Mimus polyglottos*), American crow (*Corvus brachyrhynchos*) and Brewer's blackbird (*Euphagus cyanocephalus*). Burrowing animals such as California ground squirrel (*Spermophilus beecheyi*) and Botta's pocket gopher (*Thomomys bottae*) use the open field area but are limited in areas covered with pavement and buildings. Most of the site has low habitat value for mammals, lizards, and snakes. Other wildlife that may be found in the vicinity of the project site include fox squirrel (*Sciurus niger*), raccoon (*Procyon lotor*), and opossum (*Didelphis virginiana*).

### *Special Status Animal Species of the Site*

Several special-status animals have been identified as historically or currently occurring in the vicinity of the project site. The majority of special-status animal species occurring in the South Bay area breed and forage in habitat types that are not present within or adjacent to the project site.

Burrowing owls (*Speotyto cunicularia*) The Burrowing Owl is a California Species of Special Concern. Nesting owls are protected under the Migratory Bird Treaty Act and the State of California Fish and Game Code. The Burrowing Owl is a small, terrestrial owl that occurs in annual and perennial grasslands, deserts, and scrublands with low-growing vegetation. Suitable owl habitat may also include trees and shrubs if the canopy does not cover more than 30% of the ground surface. Burrows, which provide protection, shelter, and nests for Burrowing Owls, represent an essential component of this species's habitat. Burrowing Owls typically use burrows made by burrowing mammals, such as ground squirrels or badgers, but they will also use man-made structures such as culverts, or openings beneath cement, asphalt paving, or debris piles. Burrowing Owls use such sites for breeding, wintering, foraging, and migration stopovers.

The vacant parcel located along the eastern property boundary was surveyed for the presence of Burrowing Owls. Four separate surveys were conducted on the site by walking successive transects at roughly 10 meter intervals. No Burrowing Owls were found during the surveys. However, since the original surveys, up to three Burrowing Owls have been observed foraging on the project site. Two of the birds habitually roost on the roof of the existing shopping center.

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## Trees

A tree survey was conducted on the site in August, 1992, and updated in July, 1997. A total of 40 trees having a trunk diameter of 9 inches or greater, or having multiple trunks were evaluated. Thirty-two trees equal or exceed 18 inches in diameter and would be protected under the City's Tree Ordinance<sup>11</sup>.

### 2. Biological Impacts

#### Thresholds of Significance

For the purposes of this project, a biological resources impact is considered significant if the project will:

- directly affect species under provisions of the Migratory Bird Treaty Act (*e.g.*, burrowing owls); or
- result in the removal of ordinance sized trees.

Other than possible impacts to Burrowing Owls, development of the project will not result in the loss of wildlife habitat, since the site will continue to be landscaped urban environment.

#### Burrowing Owls

The development of the project site will have no effect on the breeding success of the Burrowing Owl, although it may result in a small reduction in habitat available to them. The vacant portion of the site is approximately 4.5 -5 acres of weedy ground, closely bordered by paved surfaces and buildings. The vacant area does not meet the definition of what is considered by the State Department of Fish and Game to be a minimum amount of habitat to support one or a pair of Burrowing Owls (6.5 acres). In addition, its location in close proximity to urban development, including a new residential project, means the site is subject to heavy predation from cats and other sources. While there are currently owls on the property, two of them appear to spend most of their time in the shopping center, which is not considered habitat. The development of the vacant ground would not constitute a significant loss of burrowing owl habitat.

- **Development of the project site would not result in a significant loss of wildlife habitat. (Less than Significant Impact)**

Future construction which destroyed birds and/or nests containing eggs or birds, would negatively impact individual members of the species.

- **The project could impact Burrowing Owls. Should the owls be present on the site prior to the start of grading, individual birds and /or their eggs could be destroyed. (Significant Impact)**

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<sup>11</sup> City of San Jose Civil Code (13.32.020)

## Impacts to Ordinance Trees

Construction activities would require the removal of all 40 trees on the project site. Thirty-two (32) of the trees equal or exceed 18 inches in diameter and come under the review of the City's Tree Ordinance, which requires a permit for the removal of any tree with an 18-inch diameter or greater.

- **Development of the site would result in the removal of 32 ordinance sized trees. (Significant Impact)**

### 3. Mitigation Measures

The following measures are proposed as part of the project to avoid or minimize impacts biological resources:

#### Burrowing Owls

- **In conformance with federal and state regulations regarding the protection of raptors, a preconstruction survey for Burrowing Owls will be completed in conformance with appropriate protocols, no more than 30 days prior to the start of construction for any phase of construction on the vacant portion of the site. If no Burrowing Owls are located during these surveys, then no additional action would be warranted. However, if breeding or resident owls are located on or immediately adjacent to the site, a construction-free buffer zone around the active burrow would be established as determined by the ornithologist, in consultation with CDFG. No construction activities would proceed that would disturb breeding owls.**
- **If resident or breeding owls are located on the site during pre-construction surveys, a site-specific mitigation plan would be prepared. This plan could include: performing any construction in the vicinity of the nests outside the breeding season; or alternatively, establishing a construction-free buffer zone around the nest. Construction would only proceed after owl chicks have fledged and are independent of any immediate nesting area. No construction activities would proceed that would disturb breeding owls.**
- **If it is necessary to relocate one or more owls off the site outside of the breeding season, either passive or active relocation would be performed in conformance with a site-specific memorandum of understanding approved by CDFG.**
- **Any relocation site(s) would be monitored at least three times during the breeding season for a period of three years following relocation. Monitoring results would be provided to the CDFG and USFWS as part of permit requirements.**

Ordinance Trees

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- A permit will be obtained for the removal of any tree with a diameter of 18 inches or greater.
- Any trees that are removed will be replaced by new trees at the following ratios:
  - $\geq$  18-inch diameter                      4        24-inch box
  - 12 to 17-inches diameter                      2        24-inch box
  - < 12-inches diameter                      1        15 gallon

**Conclusion:** With the implementation of the above mitigation measures, the potentially significant biological impacts will be avoided and/or reduced to a less than significant level. (Less than Significant Impact with Mitigation)

## H. HAZARDOUS MATERIALS

This section is based on an Environmental Site Assessment and a Site Characterization Report prepared by *Emcon* in January, 1997 and March, 1997, respectively, which are included in Appendix E of this EIR. The reports included a review of previous work conducted on the site, a review of aerial photographs, summary of personal interviews, and the analysis of soil and groundwater samples.

### 1. Existing Setting

#### Potential On-Site Sources of Contamination

##### *Former Dry Cleaner*

A dry cleaning operation was located in Building 9, Unit 906 of the Town and Country Village shopping center. Building 9 is located in the southeasterly corner of the site, adjacent to the existing tennis courts. Previous environmental work conducted on the project site included vapor and soil sampling from two boring holes. Tetrachloroethene (PCE) was detected in the vapor and soil samples. The concentrations of PCE ranged from 0.018 to 0.031 parts per million (ppm).

The dry cleaner was no longer in operation during the site reconnaissance in January, 1997. The building unit is currently used for storage. Staining was observed on the floor in the southeastern corner of the unit where the former dry cleaning machine was located. Miscellaneous pipes were observed throughout the ceiling of the unit, much of which was wrapped with potentially asbestos-containing insulation. A closet in the back of the unit contained some partially full cans of paint, motor oil, gear oil, and paint thinner. Four additional soil samples were collected during the site reconnaissance. Low concentrations of PCE were detected in all four soil samples. The concentrations ranged from 0.07 to 0.31 mg/kg, and were consistent with the concentrations detected in the soil samples previously collected.

At the request of the Department of Toxic Substances Control (DTSC), additional soil samples were collected in February, 1997. The results of these samples detected a maximum soil concentration of 1.2 mg/kg of PCE at 3.5 feet below the ground surface (bgs).

In addition, an analysis was conducted in October 1997 to determine whether the plume of PCE would reach the groundwater table (approximately 50 feet below the surface). The modeling analysis showed that the PCE would not reach the water table after 99 years.

##### *Courtesy Chevrolet*

In March 1994, four underground storage tanks (UST) and the associated impacted soil were removed from the northwestern corner of the project site. A subsequent subsurface investigation of the area within and adjacent to the previous location of the USTs determined the levels of TPHG, benzene, toluene, ethylbenzene, and xylene (BTEX) were below

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detection limits. In November, 1996, the Santa Clara Valley Water District determined no further action would be required.

During the site reconnaissance in January, 1997, the following environmental concerns were identified.

#### *Service Bay Drain Line*

Approximately 950 feet of open grated drainline is located in front of the service bays. The drain line may pass through an oil separator prior to connection with the storm drain. This drain collects storm water run-off from the surrounding parking areas and the service bays.

#### *Oil Water Separator*

An oil/water separator is located in front of the car wash. This separator collects water from the car wash and possibly water from the drain line prior to connection with the storm drain. The separator is located underground and constructed of concrete.

#### *Hydraulic Lifts*

Approximately ten hydraulic lifts are present within the service bays. Some of the bays are no longer in service but the associated components exist.

#### *Waste Coolant and Waste Oil Tanks*

Two above ground storage tanks (ASTs), one for waste coolant and one for waste oil, were observed in the service bays on concrete floors. Staining was present around the ASTs which indicates that some spillage has occurred.

#### *Oil Tanks Enclosure*

An enclosure on the southern side of the Courtesy Chevrolet office building contains three oil ASTs and an air compressor. The concrete floor near the ASTs was covered by approximately one inch of oily water. Staining was also noted under the air compressor.

#### *Service Bay*

One of the service bays on the western side of the facility has a concrete floor that is approximately four feet lower than the surrounding bays. The concrete floor in the depressed area was stained black from oil.

Detailed testing of this area will be required prior to any change in land use on this portion of the project site.

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### *Former Agricultural Uses*

Previous environmental review on the project site identified concentrations of organochlorine pesticides (DDT, DDE, and DDD), organophosphate pesticides, carbamate and urea pesticides due to former agricultural uses on the site.

Ten soil samples were taken on the site. Pesticides were detected in six of the ten samples. DDT, DDE, and DDD concentrations ranged from 0.03 mg/kg to a high of 7.6 mg/kg. These concentrations of pesticides are consistent with concentrations detected during previous investigations. Four borings contained total pesticide concentrations exceeding 1 mg/kg. Three of the four borings were located on the vacant portion of the site along the easterly property boundary.

Arsenic and lead were detected in six of the ten samples. The arsenic concentrations ranged from 25 to 860 mg/kg and the lead concentrations ranged from 6 to 1,500 mg/kg. The highest concentrations for arsenic (860 mg/kg) and lead (1,500 mg/kg) were detected in a single sample at a depth of three feet below the ground surface (bgs). This sample exceeds the total threshold limit concentrations (TTL) for arsenic (500 mg/kg) and lead (1,000 mg/kg) which means that this soil would be classified as a hazardous material if it were removed from the site.

### *Storage Area*

At the time of the site reconnaissance, the asphalt storage area located near the easterly site boundary contained two small sheds and one larger storage building. The smaller sheds were filled with paint cans of various sizes. The larger storage building contained lumber, vacuums, and rolls of asphalt roofing paper. The eastern side of the storage building contained three empty compressed gas cylinders, seven 55-gallon drums, four of which were open and were full of unknown liquids. In addition, three 55-gallon drums full of soil from the previous soil investigation were noted within this area. No staining was observed.

Since the time of the site reconnaissance, the seven 55-gallon drums were removed from the site in accordance with local, state, and federal regulations.

## **Off-Site Sources of Contamination**

### *Groundwater*

Three monitoring wells were drilled on the project site in December, 1996 ranging in depth from 71.5 to 75 feet bgs. The groundwater level ranges in depth from 49 to 53 feet bgs. Groundwater samples detected low concentrations of TPHD (diesel fuel) and of heavy oil. No TPHG, BTEX, MTBE, pesticides, and VOCs were detected within the samples. These low concentrations of TPHD were identified in areas that are down- and cross-gradient from the areas proposed for residential development on the project site.

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## 2. Hazardous Material Impacts

### Thresholds of Significance

For the purposes of this project, a hazardous impact is considered significant if the approval of the project will:

- expose people to a significant risk associated with the storage, use, production or disposal of hazardous materials on the site or from existing hazardous materials contamination on the site; or
- pose a hazard to people or animal or plant populations; or
- create a public health hazard.

### Potential Sources of On-Site Impacts

#### *Courtesy Chevrolet*

A number of potential environmental hazards have been identified on the Courtesy Chevrolet portion of the project site. Since the auto dealership may remain in operation, no testing has been conducted on this portion of the site.

- **The extent of the environmental hazards identified on the Courtesy Chevrolet portion of the project site has not been determined and may create a health hazard, particularly if residential uses are developed on this portion of the site. (Significant Impact)**

#### *Human Health Screening Evaluation*

A Human Health Screening Evaluation (HHSE) was conducted as part of the environmental site assessment and was updated during the site characterization. The HHSE focuses on estimating the potential threat to public health posed by recognized environmental conditions at the project site. The purpose of the HHSE is to assist in assessing the need for and extent of site remediation to protect human health. The HHSE consisted of an evaluation of arsenic, lead, PCE, and organochlorine pesticides, to determine if the measured concentrations of these compounds are within the range of acceptable criteria as defined by the regulatory community. The results of the HHSE indicate that the levels for noncarcinogenic risks were below the established regulatory limits. The potential exposure to pesticides and arsenic in some areas of the site exceeds the target cancer risk for these compounds. The potential exposure to PCE, lead, and petroleum hydrocarbons, do not exceed the cancer risk level.

- **Development of the project site as proposed may result in the exposure of future project residents to significant risks to human health and safety. (Significant Impact)**

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### 3. Mitigation for Hazardous Materials Impacts

The project proposes the following mitigation measures to reduce the hazardous materials impacts associated with its development.

- A detailed environmental site assessment will be conducted on the Courtesy Chevrolet portion of the site prior to the issuance of a PD Permit for this portion of the site. The proposed project will identify and implement remediation measures as necessary to reduce any potential health risks in conformance with local, state, and federal regulations.
- Prior to issuance of a PD Permit for development of either (1) the Courtesy Chevrolet portion of the property, (2) the Building 9 area of the vacant former dry cleaner operation, or 3) the former agricultural area, a Removal Action Workplan (RAW) will be developed in conjunction with the Department of Toxic Substances Control and the City of San Jose requirements. The RAW will describe the specific measures that will be implemented to reduce or/avoid the potential exposure of future residents, workers, and users of the site to hazardous materials, if it is determined that such measures are necessary. The Workplan is expected to include proposed remedial measures such as capping the contaminated soil with buildings or pavement and/or removing all or a portion of the contaminated soil for off-site treatment or disposal at an appropriate disposal site. Once implemented, the RAW will reduce the levels of contamination within the areas designated for residential uses to acceptable threshold levels as established by local, state, and federal regulatory agencies.

**Conclusion:** With the implementation of the above mitigation measures, the potentially significant hazardous materials impacts will be reduced to a less than significant level and will not result in exposure of future project residents or construction workers to significant risks to human health and safety. **(Less than Significant Impact with Mitigation)**

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## I. VISUAL AND AESTHETIC QUALITY

### 1. Existing Setting

#### Visual and Aesthetic Character of the Project Site

The project site is located in an urban center dominated by commercial and retail land uses. The majority of the 39-acre project site is currently developed. The existing Town and Country Village shopping center contains approximately 140 business suites in ten, one- to two-story buildings totaling 285,000 square feet, and covers the majority of the site. These buildings are occupied by various types of retail uses, specialty stores, boutiques, restaurants, and small offices. Courtesy Chevrolet car dealership which contains 40,000 square feet of buildings and a car display lot, is located on the northwesterly corner of the site. The Town and Country Tennis Club, which includes eight tennis courts and a two story clubhouse, is located on the southeasterly corner of the site. Approximately five acres of the site along the easterly boundary is vacant grassland.

#### Visual and Aesthetic Character of the Surrounding Area

The project site is located in an urban center of mixed commercial and residential development, including very large buildings and extensive parking lots. Valley Fair Shopping Center is located to the north of the project site. The Winchester Mystery House, a movie theater complex, and various commercial uses are located along the westerly site boundary across Winchester Boulevard. The Town and Country Village and Courtesy Chevrolet facilities surround an existing two-story commercial building and a three story office building along the easterly site boundary adjacent to Winchester Boulevard. Two six- and ten-story office buildings are located on Tisch Way, adjacent to the southwesterly site boundary. The Pacific Bell Telephone office building which is approximately 30 feet tall, is located adjacent to the southeasterly site boundary. New two-story single family residences are currently under construction along the easterly site boundary. A mixture of small-scale commercial and retail uses located in former residential structures, single family residences and duplexes are located along Hemlock Avenue and Redwood Avenue, adjacent to the northeasterly site boundary. In addition, a two story office building is on Stevens Creek Boulevard adjacent to the northeasterly corner of the site.

### 2. Visual Impacts

#### Thresholds of Significance

For the purposes of this project, an aesthetic or visual impact is considered significant if the project will:

- substantially block existing views of scenic vistas or resources; or
- produce substantial light or glare, such that it poses a hazard or nuisance; or
- introduce new development which will substantially detract from the integrity, character and/or aesthetic environment of this neighborhood.

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### Impacts from the Project Development

Aesthetic values are largely subjective. Individual taste may vary significantly, particularly with regard to architectural style. The redevelopment of the site would change the visual appearance of the site from an older one- to two-story shopping center to a more intense, urban mixed use development with buildings up to seven-stories in height. The site is located within a highly urbanized area. As shown in the aerial photograph of the area (Figure 10) and the Plan Sections and Typical Elevations (Figures 5, 6 and 7) of the proposed project, the increased land use intensity on the site would remain similar to that of the surrounding land uses.

- **Visual and aesthetic changes resulting from development of the project as proposed will not constitute a significant environmental impact. (Less Than Significant Impact)**

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## J. CULTURAL RESOURCES

Holman & Associates conducted an archaeological investigation of the project site, in May, 1988 and February, 1992. These investigations included a literature search and a site reconnaissance. Because the reports themselves discuss the location of specific archaeological sites, they are considered administratively confidential and are not included in this EIR. The reports are on file with the City of San Jose, at the office of the Planning Division, and are available for review during normal office hours.

### 1. Existing Setting

#### Literature Review

Prior to field inspections of the project site, Holman & Associates reviewed the records on file at the Northwest Information Center at Sonoma State University to identify any recorded prehistoric or historic sites on the project site or within the immediate vicinity. No recorded prehistoric or historic sites were identified on the site. The Winchester Mystery House was identified as an off-site historic resource. The Winchester Mystery House is located southwest of the project site across Winchester Boulevard. No other recorded historic or prehistoric resources were identified.

#### Field Inspection

A site reconnaissance was conducted during both investigations of the project site. The May, 1988 site reconnaissance included the 5-acre vacant portion of the project site. No evidence of historic or prehistoric resources were found on the site. The February, 1992 site reconnaissance included an inspection of the entire project site. However, the only native soils exposed to be inspected was located in the 5-acre vacant portion of the project site. Possible indicators of cultural resources would include, but are not limited to, darker than surrounding soils, concentrations of stone, bone, or shellfish remains, any artifacts of these materials, ash, charcoal, or fire altered rock. No evidence of historic or prehistoric resource were found on the site.

### 2. Cultural Resource Impacts

#### Thresholds of Significance

For the purposes of this project, a cultural resource impact is considered significant if the project will:

- cause a substantial adverse change in the significance of a historic resource; or
- disrupt or adversely effect an important archaeological resource.

No indications of historic use or prehistoric occupation or use of the area were discovered during the field inspections. Based upon the literature review and field investigation, there is a low potential for impacting cultural resources. However, visual inspection of the ground surface over the majority of the project site was impossible due to the presence of pavement

and buildings. While the potential for the presence of cultural materials is low, it is possible that future earthmoving activities could uncover some evidence of prehistoric occupation.

- **Development of the proposed project may uncover buried cultural resources. (Significant Impact)**

### 3. Mitigation Measures

The following mitigation measures would reduce or minimize impacts to cultural resources.

- **In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find would be halted, the Director of Planning, Building and Code Enforcement would be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.**
- **If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner would determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his authority, he would notify the Native American Heritage Commission, who would attempt to identify descendants of the deceased Native American.**
- **If the Director of Planning, Building and Code Enforcement finds that the archaeological find is not a significant resource, work would resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted. Provisions for identifying descendants of a deceased Native American and for reburial would follow the protocol set forth in Appendix K of the CEQA Guidelines. If the site is found to be a significant archaeological site, a mitigation program will be prepared and submitted to the Director of Planning, Building and Code Enforcement for consideration and approval, in conformance with the protocol set forth in Appendix K of the CEQA Guidelines.**
- **A final report would be prepared when a find is determined to be a significant archaeological site, and/or when Native American remains are found on the site. The final report would include background information on the completed work, a description and list of identified resources, the disposition and curation of these resources, any testing, other recovered information, and conclusions.**

**Conclusion:** With the inclusion of the mitigation program described above, potential impacts to subsurface archaeological resources would be reduced to a less than significant level.  
**(Less than Significant Impact with Mitigation)**

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K. ENERGY

This section was prepared pursuant to CEQA Guidelines Section 15126(c), which requires that EIRs include a discussion of the appropriate mitigation for reducing energy impacts.

Development of the project would result in the consumption of energy in three forms: 1) the fuel energy consumed by construction vehicles; 2) bound energy in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as milled lumber and glass; and 3) operational use of energy by future site residents for transportation and utilities.

The project would be subject to the provisions of Title 24 of the California Administrative Code, which sets energy efficient design standards for non-residential buildings. Development of the project would have an indirect influence on the energy consumed in automobile travel. By redeveloping an existing shopping center site adjacent to major roadways and nearby transit, it would make most efficient use of existing City utilities and services and may serve to minimize residents' commutes to work and/or shopping.

- **The project would use a typical amount of energy consumption for the redevelopment of a typical residential/commercial project. (Less than Significant Impact)**

*Conclusion:* Although development of the project would contribute incrementally to the use of energy for development and ongoing maintenance, the impact is considered less than significant.

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## L. UTILITIES AND SERVICE SYSTEMS

### 1. Existing Setting

The project is located within the City of San Jose Urban Service Area.

#### **Sanitary Sewer/Wastewater Treatment**

The sanitary sewer system that serves the existing development primarily consists of small laterals from the site that are connected to the City mains in Stevens Creek and Winchester Boulevard. A six-inch sanitary sewer main extends along Winchester Boulevard adjacent to the westerly site boundary, and an eight inch main extends along Stevens Creek, adjacent to the northerly site boundary. A six-inch sanitary sewer line is located in Hemlock Avenue adjacent to the eastern site boundary.

Wastewater treatment service for the area is provided by the City of San Jose. The Water Pollution Control Plant (WPCP) is located in Alviso, and owned by the Cities of San Jose and Santa Clara. The WPCP provides primary, secondary, and tertiary treatment of wastewater. The City's level of service goal for sewage is 167 million gallons per day (mgd). The WPCP currently processes an estimated 134 mgd of effluent (dry weather peak). There is no anticipated increase in capacity planned for the next 10 to 15 years.

The WPCP is currently operating under a 120 mgd (dry weather) flow trigger. This requirement is based upon the State Water Resources Board and the Regional Water Quality Control Board (RWQCB) concerns over the effects of additional freshwater discharges from the WPCP on saltwater marsh habitat, and pollutant loading to the Bay from the WPCP. In response to these issues, the City of San Jose has prepared the South Bay Action Plan, to prevent degradation of the salt water marshland habitat and study the discharge of metals from the WPCP in excess of RWQCB standards. In addition, a Clean Bay Strategy has been developed by the City of San Jose and the agencies tributary to the WPCP, to address water conservation and the pollutant loading to the Bay. The Clean Bay Strategy has identified numerous programs and projects in the areas of increased education and awareness, pollutant source detection, and greater regulatory requirements to reduce pollutant levels. The imposition of additional regulatory requirements as a result of the flow trigger has not yet occurred. However, the RWQCB may require additional control measures to be implemented at any time it deems necessary.

#### **Water Service**

The project area is located within the limits of the San Jose Water Company service area. The existing facilities are adequate to meet the current fire flow and domestic service requirements within the area. The primary water mains extend along Stevens Creek Boulevard, adjacent to the northerly site boundary, and along Winchester Boulevard, adjacent to the westerly site boundary. Additional water lines are located in Monroe Street and Hemlock Avenue, which provide service to the residents and businesses.

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## Electricity and Natural Gas

Electric and gas service is provided by Pacific Gas and Electric (PG&E). Existing facilities currently extend on to the project site and serve the Town and Country Village shopping center.

## Solid Waste

Commercial solid waste collection in San Jose is provided by a number of non-exclusive service providers, and the waste may be disposed of at any of the four privately owned landfills in San Jose. The existing disposal facilities in San Jose include the Newby Island Sanitary Landfill, Guadalupe Mines Rubbish Disposal Site, Kirby Canyon Sanitary Landfill, and Zanker Road Disposal and Recycling Center.

Collection of waste and recyclables from attached residential developments is provided by the Green Team, under an exclusive franchise with City of San Jose. Disposal of residential waste occurs at Newby Island Landfill, where the City has secured capacity for the next 22 years.

According to the Source Reduction and Recycling Element prepared for the City of San Jose and the County-wide Integrated Waste Management Plan, there is sufficient landfill capacity for Santa Clara County needs for at least 30 more years. Recycling services are available to most businesses from private recyclers. The City of San Jose Environmental Services Department also offers information and assistance to businesses wishing to recycle, or to expand their recycling activities.

## 2. Impacts to Utilities and Service Systems

### Thresholds of Significance

For the purposes of this project, a utilities and service system impact is considered significant if the project will:

- breach published national, state, or local standards relating to solid waste or litter control; or
- adversely affect a major utility line or facility; or
- result in a substantial increase in the demand for public services; or
- use fuel, water, or energy in a wasteful manner; or
- extend a sewer trunk line with capacity to serve new development.

### Sanitary Sewer/Wastewater Treatment

The existing commercial uses on the project site generate approximately 80,000 gallons per day, based upon the City's sewage generation rates. The proposed project would generate approximately 700,000 gallons per day of sewage, based upon the City's sewage generation rates. The proposed project would increase the sewage generated from the project site by approximately 620,000 gallons per day. Several existing City of San Jose sanitary sewer

lines are located adjacent to the site; however, it has not been determined whether the existing lines are adequate to serve the project. The minimum performance standard for sanitary sewer lines is level of service D. Level of service D is defined as restricted flow during peak flow conditions. The increase in demand for sanitary sewer capacity from the proposed project is considered a significant impact.

### **Water Service**

The existing commercial uses on the project site generate a demand for approximately 24,309 gallons per day, based upon the City's water use generation rates. The proposed project will use approximately 90,000 gallons per day of water, based upon the City's water use generation rates. The proposed project would increase the demand for water use on the site by approximately 65,691 gallons per day. The project will require standard connections from existing water facilities adjacent to the project site. There is sufficient capacity to provide water for the proposed project; therefore, the increase in water demand is considered a less than significant impact.

### **Electricity and Natural Gas**

The project will require standard connections from existing electric and gas facilities in the area. The increase in demand for electric and gas services is considered a less than significant impact.

### **Solid Waste**

The existing commercial uses on the site generate approximately 8,250 pounds of solid waste per day, based upon the City's solid waste generation rates. Development of the proposed project would result in the generation of approximately 27,000 pounds of solid waste per day, based upon the City's solid waste generation rates. The proposed project would increase the solid waste generated on the site by approximately 18,750 pounds per day. Approximately half of the waste generated from the site would be diverted from landfill disposal to recycling, assuming the current diversion rates being achieved in San Jose. Given the capacity for landfill disposal in the City of San Jose, the project would result in less than significant solid waste impacts.

- **Based on preliminary Public Works analysis, there may be insufficient capacity within the existing sanitary sewer system to serve the proposed project. (Significant Impact)**

### **3. Mitigation Measures for Utility and Services Impacts**

#### **Sanitary Sewer System**

Should it be determined prior to issuance of a PD Permit that the existing sanitary sewer system does not contain sufficient capacity to serve the project, the project would implement some or all of the following mitigation measures, as required.

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- Upsize the existing 8-inch sanitary sewer that runs from Stevens Creek Boulevard to the existing 10-inch sewer line in Valley Fair.
- The proposed project may be redesigned to sewer from both the 10-inch in Valley Fair, and the existing 6-inch line which runs under Route 280 from Dudley Avenue to Moorpark Avenue.
- Upsize the existing 10-inch line sanitary sewer line that runs through Valley Fair from Stevens Creek Boulevard to Forest Avenue.
- Construct a new sanitary sewer line along Winchester Boulevard from the project site to Forest Avenue.

**Conclusion:** With the implementation of the above measures, as required, the significant impact to the sanitary sewer system would be reduced to a less than significant level. (**Less than Significant Impact with Mitigation**)

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### III. AVAILABILITY OF PUBLIC SYSTEMS

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Unlike utilities, public services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The resource base for delivery of the services, including the physical service delivery mechanisms, are financed on a community-wide basis, usually from a unified or integrated financial system. The service delivery agency can be a city, county, service or other special district. Usually new development will create an incremental increase in the demand for these services; the amount of the demand will vary widely, depending on both the nature of the development (residential vs. industrial, for instance) and the type of service, as well as on the specific characteristics of the development (such as senior housing vs. family housing). The impacts of a particular project on public services will, therefore, generally be a fiscal impact. By increasing the demand for a service, a project could potentially cause an eventual increase in the cost of providing the service. CEQA does not require an analysis of fiscal impacts.

CEQA analysis is required if the increased demand is of sufficient size to trigger the need for a new facility (such as a school or fire station), since the new facility would have a physical impact on the environment.

While not required by CEQA, discussion of fiscal impacts is permitted in an EIR where the issue may result in an environmental impact. The City of San Jose, therefore, includes a discussion of potential impacts on public services in EIRs prepared for land use and development projects.

#### 1. Fire Protection

Fire protection for the project site is provided by the San Jose Fire Department. The San Jose Fire Department responds to all fires, hazardous material spills, and medical emergencies (including injury accidents) in the project area. The fire stations that would respond to emergency calls at the project and their response times are as follows:

	<u>Station Location</u>	<u>Response Time</u>	<u>Standard</u>
First Due	Station 10, 511 S. Monroe Street	1 minute	4 minutes
Second Due	Station 4, 710 Leigh Avenue	4 minutes	6 minutes
Ladder Truck	Station 4, 710 Leigh Avenue	4 minutes	6 minutes

All response times will be within the recommended limits.

#### 2. Police Protection

Police protection services are provided to the site by the City of San Jose Police Department (SJPD). Officers patrolling the project area are dispatched from police headquarters, located at 201 West Mission Street. The SJPD presently consists of approximately 1,250 sworn officers and 425 civilian employees.

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The project site is located within Beat No. N-2 of the SJPD's service area. Beat N-2 services an area of 1.53 square miles and contains approximately 12,645 residents. In 1995, Beat N-2 had a total of 1,704 crimes, consisting of 1,102 misdemeanors and 602 felonies. The most frequent misdemeanors were petty theft, malicious mischief, and car clout. The most frequent felonies were grand theft, patrolable auto theft, and aggravated assault. Beat N-2 had approximately 135 crimes per 1,000 population.

### 3. Schools

The project site is located within the Campbell Union Elementary School District (K-8) and the Campbell Union High School District. The district consists of five open schools, including one high school and four elementary and middle schools. All Campbell Union Elementary schools and the Campbell Union High School are currently at or near capacity.

The project will add additional students to the Campbell Union Elementary School District and the Campbell Union High School District. Based on a student generation factor of 0.17 students per dwelling unit, the project could generate approximately 204 students that would attend schools in the Campbell Union Elementary School District and Campbell Union High School District.

State law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect on the adequacy of school facilities as the payment of school impact fees prior to issuance of a building permit. The school district is responsible for implementing the measures specified by Government Code 65996 that would partially offset project-related increases in student enrollment.

### 4. Parks

Santana Park, which is located approximately 600 feet from the southeasterly corner of the site, is the closest public park and recreational facility to the project site. Santana Park is a 5 acre park which serves the existing populations in the area. It contains a turf field, a baseball diamond, and picnic tables.

The project area is currently deficient in public park resources.<sup>12</sup> The project proponent attempted to purchase some of the land which separates the project from Santana Park (at the northerly terminus of Baywood Avenue), and was told the property was not for sale. While the land is not intensively developed (it contains an antenna farm and parking), it is owned by Pacific Bell, who indicated that they did not intend to sell it. That would be the most feasible location for an expansion of the park, should such an expansion be proposed. The project was therefore unable to include an expansion of existing public park facilities.

The proposed project would contribute to an increase in the existing park resources deficiency. The proposed project would provide on-site recreational areas and open spaces through the project. This would not offset the project related increases in demand for park

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<sup>12</sup>Personal communication with Joel Slavit, 1995.

resources. The projected new dwelling units could result in the need for up to 9.6 acres of public neighborhood/community serving parkland, based on the General Plan benchmark of 3.5 acres of parkland per 1,000 population.

As discussed in Section I(E). Consistency With Relevant Plans and Policies, the City's parks and Recreation Level of Service Policy is implemented through application of the City's Park Impact Fee and Parkland Dedication ordinances. The standards set forth in Section 19.38.050 of the Municipal Code are .003 acres/dwelling unit, with an occupancy rate for multi-family development of 2.029. Credit is given for both private open space and recreation improvements provided by a project, and for public park and recreation improvements. This project will be conditioned to meet the requirements of these ordinances.

**Conclusion:** The project as proposed will provide insufficient park or open space resources to serve the proposed residential development based on the General Plan goal.

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#### IV. ALTERNATIVES TO THE PROPOSED PROJECT

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CEQA requires that an EIR identify alternatives to a project as proposed. The CEQA Guidelines specify that the EIR identify alternatives which "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project". The purpose of this section is to ascertain whether there are alternatives of design, scope or location which would substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive.

An alternative location for this mixed-use project would need to consist of a similarly sized piece of property designated for regional commercial uses. There is no alternative site known to the City of San Jose that would be appropriate for this project. Even if such an alternative location could be identified, development of the project as proposed would have similar regional impacts, and if such an alternative location did not have immediate access to the same amount of regional infrastructure as the project site, the alternative location could have significant localized impacts that were worse than the proposed project.

An all residential alternative for this site was not evaluated because the site is designated by the General Plan for regional commercial uses and development of the site with all residential uses would not conform to the General Plan.

Consideration of a "No Project" alternative is mandatory. As part of the No Project alternative discussion below, there is a discussion of the option of remodeling the existing shopping center. The only significant unmitigated impacts identified from the proposed project is to traffic and air quality. An alternative which might reduce the air quality impact identified for the proposed project would include a reduced scale alternative. Each of these alternatives is discussed below.

##### A. NO PROJECT ALTERNATIVE

Under the "No Project" alternative, the project site would remain as a 285,000 square foot shopping center and a car dealership on 39 acres. This alternative would avoid the significant traffic impacts to the freeway network that occur as a result of project traffic. As a result, traffic-related increases in air pollutant emissions would not occur. Regional and cumulative air quality impacts would decrease under this alternative, since the additional project-related traffic levels would not occur. This alternative would also avoid any impacts to Burrowing Owls and their habitat.

The No Project alternative would result in traffic noise levels that are less than those resulting from the proposed project. This alternative would also have no construction noise impacts.

This alternative would reduce the potential exposure of residential populations to hazardous materials. This alternative would not result in an increase in surface runoff and nonpoint source pollution and would avoid the removal of the existing ordinance-sized trees

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The No Project alternative would not meet the primary objective of redeveloping the Town and Country Village site with additional leasable floor area and providing residential uses in a mixed use environment.

### Conclusion

This alternative is environmentally superior to the proposed project, since it avoids the impacts of the project. However, the No Project alternative does not meet the objectives of the project.

## **B. REDUCED SCALE ALTERNATIVE**

A design alternative to the project as presently proposed would be a smaller development, representing a less intense use of the site. A possible development scenario would be 487,500 square feet of commercial/retail uses, 900 multi-family residential units, and one 100-room hotel. This represents a reduction by approximately 25% of the proposed project size.

### Potential for Mitigating Significant Impacts

The extent to which this smaller project might reasonably be expected to result in lesser project impacts is discussed below for each of the areas of significant impact identified for the proposed project.

#### *Traffic Impacts*

The proposed project includes mitigation to reduce the potential traffic impacts to a less than significant level. Under the Reduced Scale alternative, the traffic generated by the project would be reduced proportionally. This alternative would also result in significant traffic impacts to the freeways in the area. Like the project, this alternative would have similar impacts to local intersections which would require intersection improvements to reduce the traffic impacts to less than significant level. Even a project half the size of the proposed project would cause 1% impacts to two of the local intersections (Stevens Creek/Monroe and Stevens Creek/Winchester), and would still require mitigation. Since one of the intersections, Stevens Creek/Winchester, is partly in another jurisdiction, the reduced scale alternative would also have a significant unmitigated impact on that intersection.

#### *Air Quality Impacts*

The Reduced Scale alternative would generate less traffic, as discussed above, which in turn would cause less of an air quality impact. The project would still create significant contributions to regional air pollution.

#### *Cumulative Impacts*

The development of a project that is reduced by 25% below the proposed project size would still contribute to cumulatively significant traffic impacts on the nearby freeways, to regional air quality impacts, and to the regionally significant loss of Burrowing Owl habitat.

### *Other Impacts*

Like the proposed project, this alternative would result in potential water quality impacts, possible impacts to Burrowing Owls, the removal of ordinance-sized trees, would expose humans to contaminated soils, and could potentially disturb undiscovered cultural resources. All of these impacts could be reduced to a less than significant level with mitigation measures similar to those included in the project.

### Conclusion

Since this alternative does not avoid the significant impacts associated with the project and reduces those impacts by only an incremental amount, this alternative is not environmentally superior to the project.

## **C. REMODELING COMMERCIAL/ADDITION OF RESIDENTIAL ALTERNATIVE**

Under this alternative, the project would involve updating and remodeling the existing shopping center, and development of residential uses on the vacant portion of the site. The existing uses, an auto dealership and retail commercial development that includes a theater, would remain for at least the short-term, with new uses allowed subject to the existing C-3 Regional Commercial zoning of the property. The remodel would involve the approximately 285,000 square feet of existing retail commercial uses, and development of a maximum of 250 multi-family dwelling units on approximately 9.5 acres.

### Potential for Mitigating Significant Impacts

The extent to which the above-described project may reasonably be expected to result in lesser project impacts is discussed below for each of the areas of significant impact identified for the proposed project.

### *Traffic Impacts*

Under this Remodel/Residential alternative, traffic from the remodeled commercial space would be at the same volume calculated for the existing shopping center, and would be substantially less than that expected from the proposed project's commercial and hotel components. An approximately 79% reduction in the number of residential units as proposed in this alternative could be expected to decrease projected traffic from the residential component of the proposed project proportionately. In total, an approximate 90% reduction in the number of additional daily trips, compared to the proposed project, is expected under this alternative.

With this alternative, all of the significant traffic impacts anticipated from the proposed project would be avoided, including the unmitigated impacted to area freeways and to the intersection of Stevens Creek/Winchester. Improvements to Stevens Creek/Monroe and Winchester/Moorpark would not be necessary because impacts to those intersections would also be less than significant.

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### *Air Quality Impacts*

As discussed above, the only major projected increase in traffic for this alternative would result from an addition of up to 250 dwelling units to the existing shopping center. The proposed project itself did not cause exceedances of the 1-hour or 8-hour standards for carbon monoxide, nor did it contribute substantially to such an exceedance. This alternative would, therefore, contribute substantially less to local carbon monoxide concentrations than the proposed project, also resulting in a less than significant effect.

The proposed project would have a significant unavoidable impact on regional air quality. The air quality analysis states that a decrease in traffic of 42% would be required to avoid this adverse impact. This alternative would decrease the additional daily trips by 90%, which would result in a less than significant impact on regional air quality.

Construction-related air quality impacts of this alternative would be less than those anticipated from the proposed project, particularly because demolition of the existing center would not occur. Similar mitigation measures for the remodeling and construction of the residential component would, however, be required for this alternative to reduce construction impacts to a less than significant level.

### *Cumulative Impacts*

The development of this alternative would still contribute incrementally to regionally significant traffic impacts on freeways, to cumulatively significant congestion at the intersection of Stevens Creek/Monroe, and to the cumulatively significant loss of Burrowing Owl habitat.

### *Other Impacts*

Like the proposed project, this alternative would result in water quality impacts, possible impacts to Burrowing Owls, and could disturb undiscovered cultural resources. Remodeling could require the removal of some of the ordinance size trees on the site. Construction of the residential portion of this alternative could result in exposure of humans to contaminated soils, but the likelihood is reduced compared to the proposed project. All of these impacts could be reduced to a less than significant level with mitigation measures similar to those included in the project.

### Conclusion

This alternative is environmentally superior to the project as proposed in that it would reduce traffic and air quality impacts to a less than significant level. The alternative would, however, contribute to cumulatively significant traffic congestion and Burrowing Owl habitat loss.

This alternative would not meet the primary project objectives, nor does it meet the Major Strategies, Economic Development and Urban Design goals and policies of the General Plan, as set forth in the section of this EIR entitled "Description of the Project."

## V. SIGNIFICANT UNAVOIDABLE IMPACTS

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If this project is implemented, it would result in significant unavoidable regional air quality impacts and significant increases in traffic congestion on six freeway segments and at one local intersection, Winchester/Stevens Creek. The proposed project, together with other pending and reasonably foreseeable growth in the area, would result in significant unavoidable cumulative air quality and traffic impacts. In addition, the project will contribute incrementally to a cumulatively significant loss of Burrowing Owl habitat in the region. All other impacts of the project could be reduced to a less than significant level with the identified mitigation measures, as described in the EIR.

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## VI. CUMULATIVE IMPACTS

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The CEQA Guidelines section 15130 states that an EIR should discuss cumulative impacts "when they are significant". The discussion does not need to be in as great detail as is necessary for project impacts, but is to be "guided by the standards of practicality and reasonableness". The purpose of the cumulative analysis is to allow decision makers to better understand the potential impacts which might result from approval of past, present and reasonably foreseeable future projects, in conjunction with the proposed project.

Based on the analysis in this EIR, the cumulative impacts identified as being significant are the project's traffic and air quality impacts. In addition, the project's contribution to loss of Burrowing Owl habitat regionally was evaluated.

To prepare the cumulative analysis, the City of Santa Clara was asked to provide lists of pending projects currently undergoing environmental analysis, and lists of projects which were approved but not yet built. The list was used together with similar information from the City of San Jose. The projects which were approved but not yet built were included in the "Background" conditions which were utilized as the base case against which the project traffic impacts were evaluated in Section II (B) of this EIR.

In order to meet the intent of the cumulative analysis requirement, the following discussion reflects the information available from the two cities as of the date of circulation of this EIR. In other words, all traffic analyses prepared for pending development that had been submitted to the respective cities and that would potentially impact the same area as the project addressed in this EIR is included in this cumulative analysis. The cumulative analysis includes the 261,000 square foot Valley Fair Mall expansion and a few small vacant parcels.

It should be noted that a cumulative impact analysis can only look at what is "reasonably foreseeable". Projects which are proposed now may actually be built in phases, or may not be built for many years. The actual date at which all of this development would be completed is unknown, but it is assumed for the purposes of this analysis to occur within the next three years (by the year 2000).

In the interest of ensuring that decision makers have an idea of what might be a worst case condition, the analysis below assumes that all of these projects would be built with no more than the infrastructure the projects themselves are proposing.

### Cumulative Traffic Impacts

The total traffic under cumulative with project conditions includes existing volumes, plus growth, plus traffic from approved but not yet constructed developments, plus projected increases in traffic from the Valley Fair expansion, plus projected increases in traffic from the Town & Country Village redevelopment.

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### *City of San Jose Methodology*

The analysis results for cumulative with project conditions using the San Jose method are shown in Table 26. The results show that six of the study intersections would operate at an unacceptable LOS E or worse during at least one of the peak hours under cumulative with project conditions. The intersection of Hamilton Avenue and Winchester Boulevard would operate at LOS E in the PM peak hour. The intersection of Monroe Street and Stevens Creek Boulevard would operate at LOS E in the PM peak hour. The intersection of Moorpark Avenue and San Tomas Expressway would operate at LOS E in the AM peak hour and at LOS F in the PM peak hour. The intersection of San Tomas Expressway and Stevens Creek Boulevard would operate at LOS F in the PM peak hour. The intersection of Moorpark Avenue and Winchester Boulevard would operate at LOS E in the AM peak hour. The intersection of Stevens Creek Boulevard and Winchester Boulevard would operate at LOS E in the PM peak hour. All other study intersections would operate at an acceptable LOS D or better in both of the peak hours under cumulative with project conditions. The intersection level of service calculation sheets for the San Jose method are included in Appendix A.

### *CAPSSI-11 Methodology*

The analysis results for cumulative with project conditions using the CAPSSI-11 method are shown in Table 27. The results show that all of the regional Santa Clara study intersections would operate at an acceptable LOS E or better during both peak hours under cumulative with project conditions. The intersection level of service calculation sheets for the CMP method are included in Appendix A.

### *Freeway Segments*

Cumulative traffic conditions were analyzed for the 16 previously identified freeway segments. Cumulative traffic volumes were estimated by adding to the base model forecasts the estimated freeway trips from the Valley Fair expansion, from the development of vacant parcels, and from the proposed Town & Country redevelopment project. The freeway traffic volumes are included in Appendix A.

The results of the cumulative freeway analysis are summarized in Table 28. The results show that on 10 of the 16 freeway segments the mixed-flow lanes would operate at an unacceptable LOS F during at least one of the peak hours under cumulative conditions. The results also show that on six of these 10 study segments the volume of project traffic would constitute at least one percent of freeway capacity.

### *Cumulative Interchange Ramp Analysis*

Ramp volumes under cumulative with project conditions were estimated by adding to existing volumes trips from approved projects, trips from the Valley Fair expansion, trips from the development of vacant parcels, and trips from the Town & Country redevelopment project. The ramp volumes are included in Appendix A. The results of the ramp analysis are summarized in Appendix A. The results show that all ten freeway ramps analyzed would operate at an acceptable LOS D or better during all peak hours.

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**Table 26  
Cumulative Project-San Jose Methodology**

Intersection	Peak Hour	Cumulative Without Project		Cumulative With Project		
		V/C	LOS	V/C	LOS	% INC.
I-280/Moorpark	AM	0.370	A	0.386	A	4.44
	PM	0.471	A	0.507	A	8.01
I-880/Stevens Creek	AM	0.266	A	0.281	A	5.63
	PM	0.411	A	0.446	A	8.45
Bascom/Moorpark	AM	0.808	D	0.808	D	0.11
	PM	0.752	C	0.752	C	0.00
Bascom/Naglee	AM	0.810	D	0.809	D	0.17
	PM	0.660	B	0.668	B	1.09
Bascom/San Carlos	AM	0.893	D	0.896	D	0.27
	PM	0.843	D	0.851	D	0.71
Bellerose/Stevens Creek	AM	0.490	A	0.495	A	0.93
	PM	0.654	B	0.664	B	2.19
Hamilton/Winchester	AM	0.749	C	0.749	C	0.04
	PM	0.932	E	0.933	E	0.06
Hedding/Monroe	AM	0.491	A	0.493	A	0.24
	PM	0.542	A	0.556	A	2.20
Hedding/Winchester	AM	0.547	A	0.550	A	0.52
	PM	0.670	B	0.684	B	1.63
Monroe/Stevens Creek	AM	0.494	A	0.556	A	13.67
	PM	0.870	D	<b>0.950</b>	<b>E</b>	<b>10.15</b>
Moorpark/San Tomas	AM	0.917	E	0.917	E	0.00
	PM	1.037	F	1.040	F	0.22
San Tomas/Stevens Creek	AM	0.836	D	0.848	D	1.30
	PM	1.044	F	1.050	F	0.97
Moorpark/Winchester	AM	0.924	E	<b>0.940</b>	<b>E</b>	<b>1.66</b>
	PM	0.817	D	0.852	D	4.52
Saratoga/Stevens Creek	AM	0.613	B	0.618	B	1.22
	PM	0.819	D	0.828	D	1.46
Stevens Creek/Emporium	AM	0.434	A	0.434	A	0.00
	PM	0.547	A	0.615	B	11.11
Stevens Creek/Redwood	AM	0.409	A	0.428	A	5.22
	PM	0.582	A	0.633	B	8.90
Stevens Creek/Winchester	AM	0.677	B	0.677	B	0.24
	PM	0.899	D	<b>0.954</b>	<b>E</b>	<b>22.51</b>
Tisch/Winchester	AM	0.434	A	0.469	A	8.72
	PM	0.740	C	0.767	C	4.48
Williams/Winchester	AM	0.765	C	0.766	C	0.26
	PM	0.520	A	0.524	A	0.82
Winchester/Olsen	AM	0.418	A	0.498	A	11.03
	PM	0.475	A	0.546	A	6.44
Winchester/Olin	AM	0.421	A	0.462	A	3.33
	PM	0.434	A	0.449	A	0.00

Note: Significant impacts indicated in bold.

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**Table 27**  
**Cumulative Intersection Levels of Service-CAPSSI-11**

Intersection	Peak Hour	Cumulative Without Project		Cumulative With Project		
		Average Intersection Delay <sup>a</sup>	LOS	Average Intersection Delay <sup>a</sup>	LOS	Increase in Critical Movement <sup>b</sup>
I-280/Moorpark	AM	16	C	16	C	0
	PM	17	C	17	C	0
I-880/Stevens Creek	AM	16	C	17	C	1
	PM	17	C	20	C	3
San Tomas/Stevens Creek	AM	37	D	38	D	2
	PM	55	E	57	E	1
San Tomas/Moorpark	AM	37	D	37	D	0
	PM	37	D	38	D	1
Saratoga/Stevens Creek	AM	32	D	32	D	0
	PM	36	D	36	D	0
Stevens Creek/Winchester	AM	29	D	30	D	0
	PM	43	E	46	E	13

Whole intersection average delay expressed in seconds per vehicle.  
Increase in critical movement delay.

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**Table 28  
Cumulative Freeway Segment-Level of Service**

Freeway Segment	Direction	Peak Hour	Mixed-Flow Lane Traffic Volumes				Cumulative With Project*				Town & Country Project Traffic				
			Mixed-Flow Lane Traffic Volumes		HOV Lane Traffic Volumes		Mixed-Flow Lane Traffic		HOV Lane Traffic		Mixed-Flow Lane		HOV Lane		
			Capacity	Volume	V/C	LOS	Capacity	Volume	V/C	LOS	Capacity	Volume	V/C	LOS	Capacity
I-280	Lawrence to Saratoga	AM	7,000	7,025	1.00	F	2,000	461	0.23	A	55	52	0.7%	3	0.0%
		PM	7,576	7,576	1.08	F	2,000	786	0.39	B	124	112	1.6%	12	0.0%
I-280	Saratoga to Winchester	AM	7,000	7,224	1.03	F	2,000	400	0.20	A	55	52	0.7%	3	0.0%
		PM	7,409	7,409	1.06	F	2,000	652	0.33	A	124	114	1.6%	10	0.0%
I-280	Winchester to I-880	AM	6,000	4,251	0.71	C	2,000	336	0.17	A	0	0	0.0%	0	0.0%
		PM	4,284	4,284	0.71	C	2,000	564	0.28	A	0	0	0.0%	0	0.0%
I-280	I-880 to Bascom	AM	8,000	6,977	0.87	D	2,000	483	0.24	A	69	65	0.8%	4	0.0%
		PM	7,301	7,301	0.91	D	N/A	675	0.34	A	73	67	0.8%	6	0.0%
I-280	Bascom to Meridian	AM	8,000	7,463	0.93	D	N/A	N/A	N/A	N/A	69	69	0.9%	N/A	N/A
		PM	7,976	7,976	1.00	E	N/A	N/A	N/A	N/A	73	73	0.9%	N/A	N/A
I-280	Meridian to Bascom	AM	9,000	7,793	0.87	D	N/A	N/A	N/A	N/A	40	40	0.4%	N/A	N/A
		PM	7,430	7,430	0.83	D	N/A	N/A	N/A	N/A	97	97	1.1%	N/A	N/A
I-280	Bascom to I-880	AM	9,000	8,511	0.95	E	2,000	443	0.22	A	40	38	0.4%	2	0.0%
		PM	8,044	8,044	0.89	D	2,000	516	0.26	A	97	91	1.0%	6	0.0%
I-280	I-880 to Winchester	AM	6,000	5,572	0.93	D	2,000	465	0.23	A	0	0	0.0%	0	0.0%
		PM	5,059	5,059	0.84	D	2,000	580	0.29	A	0	0	0.0%	0	0.0%
I-280	Winchester to Saratoga	AM	7,000	7,662	1.09	F	2,000	497	0.25	A	108	101	1.4%	7	0.0%
		PM	7,315	7,315	1.05	F	2,000	526	0.26	A	83	77	1.1%	6	0.0%
I-280	Saratoga to Lawrence	AM	7,000	7,171	1.02	F	2,000	474	0.24	A	108	101	1.4%	7	0.0%
		PM	6,826	6,826	0.98	E	N/A	508	0.25	A	83	77	1.1%	6	0.0%
I-880	Bascom to Stevens Creek	AM	7,000	5,118	0.73	C	N/A	N/A	N/A	N/A	87	87	1.2%	N/A	N/A
		PM	7,743	7,743	1.11	F	N/A	N/A	N/A	N/A	96	96	1.4%	N/A	N/A
I-880	Stevens Creek to I-280	AM	6,000	3,493	0.58	C	N/A	N/A	N/A	N/A	25	25	0.4%	N/A	N/A
		PM	6,177	6,177	1.03	F	N/A	N/A	N/A	N/A	31	31	0.5%	N/A	N/A
SR 17	I-280 to Hamilton	AM	8,000	5,277	0.66	C	N/A	N/A	N/A	N/A	25	25	0.3%	N/A	N/A
		PM	8,576	8,576	1.07	F	N/A	N/A	N/A	N/A	31	31	0.4%	N/A	N/A
SR 17	Hamilton to I-280	AM	7,000	7,557	1.08	F	N/A	N/A	N/A	N/A	16	16	0.2%	N/A	N/A
		PM	5,401	5,401	0.77	C	N/A	N/A	N/A	N/A	39	39	0.6%	N/A	N/A
I-880	I-280 to Stevens Creek	AM	6,000	6,034	1.01	F	N/A	N/A	N/A	N/A	16	16	0.3%	N/A	N/A
		PM	3,697	3,697	0.62	C	N/A	N/A	N/A	N/A	39	39	0.7%	N/A	N/A
I-880	Stevens Creek to Bascom	AM	7,000	7,111	1.02	F	N/A	N/A	N/A	N/A	171	171	2.4%	N/A	N/A
		PM	5,302	5,302	0.76	C	N/A	N/A	N/A	N/A	131	131	1.9%	N/A	N/A

## Cumulative Air Quality Impacts

The carbon monoxide analysis indicated that in the future carbon monoxide concentrations are expected to decline, despite project and cumulative traffic increases. The project, singularly or cumulatively, would not increase the number of violations of the carbon monoxide standards that are forecast, nor "contribute substantially to an existing or projected violation".

Project-related regional emissions do exceed the significance thresholds for ozone precursors (NO<sub>x</sub>) and PM<sub>10</sub>. BAAQMD guidance states that any proposed project that would individually have a significant air quality impact (based on BAAQMD thresholds of significance) would also be considered to have a significant cumulative air quality impact. Since the project would have a significant regional impact individually, it would also have a cumulatively significant regional air quality impact.

## Cumulative Loss of Burrowing Owl Habitat

The project level analysis determined the loss of approximately 4.5 acres of potential Burrowing Owl habitat to be a less than significant impact since the acreage is of marginal quality, and is less than the 6.5 acres CDFG considers necessary to support one or a pair of owls. The regional loss of Burrowing Owl habitat has been quite substantial in the past 10 years. Hundreds of acres of potential Burrowing Owl habitat have been developed within this time frame and development is pending or proposed on hundreds more acres countywide. With each loss of potential Burrowing Owl habitat, the value of the remaining habitat increases to the point where any loss is cumulatively significant. The project's approximate 4.5 acre impact of Burrowing Owl habitat would incrementally contribute to a cumulatively significant loss of Burrowing Owl habitat.

### 2. Mitigation for Cumulative Impacts

#### Traffic and Circulation

##### *Winchester Boulevard and Moorpark Avenue*

Intersection operations would be restored to LOS D with the addition of a second eastbound left-turn lane, the conversion of the existing eastbound shared through-left-turn lane to an exclusive through lane, and the addition of a second westbound left-turn lane. These improvements can be accommodated within the existing curb-to-curb width. This mitigation measure is the same as mitigation measure identified in the project level analysis.

##### *Winchester Boulevard and Stevens Creek Boulevard*

Intersection operations would be restored to LOS D or better with the addition of a second northbound left-turn lane and a second southbound left-turn lane. These improvements cannot be accommodated within the existing curb-to-curb width. Implementation of the

improvements would entail the removal and reconstruction of the curb, gutter, and sidewalk, repaving and restriping in both directions of each of the south and north approaches, acquisition of 7 feet of right-of-way along the west edge of the north approach over a distance of 400 feet, and the loss of approximately 20 parking spaces along the west side of the south approach. This mitigation measure is the same as mitigation measure identified in the project level analysis. Because part of the necessary improvements would be to Winchester Boulevard north of Stevens Creek Boulevard, which is in the City of Santa Clara, the improvement cannot be imposed by the City of San Jose.

#### **Stevens Creek Boulevard and Monroe Street**

Intersection operations would be restored to LOS D with the addition of a fourth eastbound through lane. This improvement cannot be accommodated within the existing curb-to-curb width. Implementation of the improvement would entail the removal and reconstruction of the curb, gutter, and sidewalk, repaving and restriping of the west and east approaches in the eastbound direction, and acquisition of 10 feet of right-of-way along the south edge of Stevens Creek Boulevard over a distance of 600 feet from Monroe Street to the southbound on-ramp to I-880. The additional eastbound through lane will transition into the second lane of the existing single-lane southbound on-ramp to I-880. The southbound on-ramp will need to be widened from one lane to two. Striping and signage should be installed that warns drivers of the transition of the eastbound shoulder lane to a southbound on-ramp to I-880. This mitigation measure is the same as the mitigation measure identified in the project level analysis.

#### ***I-280 and I-880***

Traffic congestion in Santa Clara County is a regional problem. Much of the congestion identified in this analysis is on freeways, and much of the existing congestion in the northern Santa Clara County area is the result of through traffic movements. The Santa Clara County Congestion Management Plan identifies preparation of deficiency plans as an appropriate response to significant impacts on regional facilities. The VTA Congestion Management Program is preparing a Countywide Deficiency Plan which will address many of the facilities in this area. Assuming that the Countywide Deficiency Plan will include a scenario for improving conditions on the regional facilities impacted by this cumulative traffic, participation in the implementation programs for these Deficiency Plans are the only mechanisms identified which might mitigate some of the traffic impacts identified on the freeways from cumulative development.

The CEQA Guidelines discuss the fact that mitigation for cumulative impacts may be different than for individual project-specific impacts. The Guidelines state that:

“...the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.” [Section 15030]

This implies that a programmatic approach to cumulative mitigation may be necessary. Participation in a Countywide Deficiency Plan would be a similar type of mitigation

program. The level of participation by the new developments could be assessed based on a reasonable relationship to the individual development's contribution to cumulative traffic impacts.

**Conclusion:** Since there is no mechanism in place to achieve mitigation of identified traffic impacts, this would be a significant unavoidable cumulative impact.

### Air Quality

Air quality impacts are primarily a result of traffic impacts in the area. Improvements to reduce pollution sources would ultimately result in conformance with air quality standards.

**Conclusion:** Approval of all proposed developments would contribute to near-term air quality standard exceedances. This would be a significant unavoidable impact. If some pending development is not assumed within the Bay Area Clean Air Plan, cumulative air quality impacts may delay attainment of long-term air quality standards. This would be a significant unavoidable cumulative impact.

### Burrowing Owl

Mitigation for the cumulative loss of Burrowing Owl habitat could in the future include the establishment of a County-wide program to set aside a large area(s) of publicly owned, permanent open space and improvement of this habitat for use by Burrowing Owls. Each individual project resulting in a loss of Burrowing Owl habitat could contribute to the improvement and maintenance of this permanent habitat through payment of an impact fee. The level of required participation by each new development project could be assessed, based on a reasonable relationship to the individual development's contribution to the cumulative loss of Burrowing Owl habitat. Through such a mitigation program, permanent, good quality habitat for Burrowing Owls could be retained in perpetuity. Even though there is not yet an established mechanism for preserving owl habitat to mitigate regional impacts, the City of San Jose could begin requiring financial contributions from developers such as the project applicant, to help offset their contribution to regional impacts. Putting money into a fund to pay for acquisition of habitat, upgrading of marginal habitat or maintenance of a regional habitat bank, would not reduce the project's cumulative impacts to a less than significant level, but might be considered to help offset the project's contribution to the cumulatively significant loss of burrowing owl habitat in the region.

The City of San Jose has begun a study of sites that might be acquired and/or protected for long term habitat replacement for burrowing owls in Santa Clara County. The City of San Jose could require that the applicant contribute financially to this habitat replacement program. Although, the City of San Jose has begun a study of the options for setting aside large open space areas as permanent Burrowing Owl breeding and foraging habitat, there is currently no established program.

While the project does result in an incremental loss of habitat, the location and value of the habitat lost makes it of marginal value. Even if the project were to be redesigned to preserve

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the 4.5 acres of potential habitat, it would not constitute a significant improvement in the regional status of the species or its available habitat.

**Conclusion:** Until there is a mechanism in place to achieve mitigation of identified impacts to Burrowing Owl foraging habitat, this would contribute incrementally to a significant unavoidable cumulative impact.



## VII. GROWTH INDUCING IMPACTS OF THE IMPACTS

The project site is surrounded by commercial, office, and residential land uses. The project does not include construction or extension or infrastructure which currently impedes growth, and therefore, the project is not expected to induce any growth beyond that which constitutes the project itself.

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