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Permit File Number / Parent
Number

Address



0 MONROE ST S

CP79-021

Location

Approval Date

South east corner of S Winchester
Blvd and Stevens Creek Blvd
(Town and Country Center)



PD Zoning File Number

6/30/98

Tracking APN

Doc Type

Sub Doc Type



27736003

Environmental Review

ENVIRONMENTAL REVIEW

ENVIRONMENTAL REVIEW

97 - 03 6

PARKING DEMAND ANALYSIS
TOWN AND COUNTRY SHOPPING CENTER
SAN JOSE, CALIFORNIA

97 - 036

WELLS & ASSOCIATES, LLC

PLANNING, TRANSPORTATION, and PUBLIC CONSULTANTS

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PLANNING DEPARTMENT

PARKING DEMAND ANALYSIS
TOWN AND COUNTRY SHOPPING CENTER
SAN JOSE, CALIFORNIA

Prepared for:

Federal Realty Investment Trust
Rockville, Maryland

Prepared by:

Wells & Associates, LLC.
McLean, Virginia

April 21, 1998

97 - 036



WELLS & ASSOCIATES, LLC

TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

TOWN & COUNTRY SHOPPING CENTER EXECUTIVE SUMMARY

by Wells & Associates, LLC, McLean, Virginia

The following report presents a parking demand analysis for the proposed redevelopment of the Town and Country Shopping Center located in the City of San Jose, California. The site is currently occupied by a 285,000 S.F. retail center and an automobile dealership, and is located in the southeast quadrant of the Winchester Boulevard/Stevens Creek Boulevard intersection.

Federal Realty Investment Trust intends to create a multi-use project that will include approximately 600,000 S.F. of commercial area that will include retail space, restaurants, and cinemas. Two (2) hotels providing 100 rooms each will also be constructed. In the event the automobile dealership use leaves the site open, an additional 50,000 S.F. of retail use may be added to the site.

Several sets of parking demand analyses were conducted to identify the appropriate amount of parking spaces that will be necessary to serve the site. These include: a shared parking analysis based on the recommendations outlined by the Urban Land Institute (ULI) accounting for hourly variations and the effects of synergy between uses; a parking demand analysis based on the Institute of Transportation Engineers (ITE) rates; and a code parking calculation based on the City of San Jose Municipal Code. These studies indicate the following:

1. The Urban Land Institute shared parking analysis, accounting for the sharing of spaces and effects of synergy between uses, revealed that the commercial portion of the project would realize a peak parking demand of 2,946 spaces on a weekday occurring at 8:00 PM, and 3,017 spaces on Saturday occurring at 1:00 PM. Based on 600,000 S.F. of commercial uses, this condition results in a commercial parking ratio of 4.91 spaces per 1,000 square feet on a weekday and 5.03 spaces per 1,000 square feet of space on Saturday. The hotel component of the Town and Country Project will require 225 spaces, or a parking ratio of 1.25 spaces per room.

2. The parking analysis conducted utilizing the Institute of Transportation Engineers methodology revealed that the commercial portion of the project would realize a peak parking demand of 2,265 spaces on a weekday and 2,724 spaces on Saturday. This results in a commercial parking ratio of 3.78 spaces per 1,000 square feet on a weekday and 4.54 spaces per 1,000 square feet of space on Saturday. On a weekday, 102 spaces would be required for the hotel portion of the project, with 206 spaces required on Saturday.
3. The results of the parking analysis utilizing the City of San Jose Municipal Code results in a parking demand of 4,257 vehicles during peak conditions. This analysis does not reflect any sharing of parking spaces between uses or the synergy (or capture rates) that will be realized with the presence of multiple uses within the project. This results in a commercial parking ratio of 7.10 spaces per 1,000 square feet of space, based on a commercial area of 600,000 S.F. The hotel component of the Town and Country project would require 210 parking spaces to meet the code requirement.

RECOMMENDATION

Based on the findings presented in this report it is recommended that the commercial portion of the site will be adequately served by supplying 5.0 spaces per 1,000 S.F. of space. This parking supply will allow the project to function efficiently during the peak Saturday time periods, and along with the hotel parking supply, will accommodate the parking demand for the Town and Country project during the peak parking design hour of the year.

PARKING DEMAND ANALYSIS
TOWN AND COUNTRY SHOPPING CENTER
SAN JOSE, CALIFORNIA

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PARKING DEMAND ANALYSIS
TOWN AND COUNTRY SHOPPING CENTER
SAN JOSE, CALIFORNIA

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PARKING DEMAND ANALYSIS
TOWN AND COUNTRY SHOPPING CENTER
SAN JOSE, CALIFORNIA

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Prepared by Gorove/Slade Associates, Inc.
June, 1989
- C Patron Survey Results Summary
Prepared by Wells & Associates, LLC
June, 1997
- D Summary of Recommendations from "Parking Generation,
2nd Edition, published by the Urban Land Institute
- E "Comparison of Parking Ratios for Shopping Centers"
prepared by Wells & Associates, LLC
March, 1995
- F "Parking Study for Neighborhood & Community Shopping
Centers" prepared by Callow Associates, Inc.
October, 1989

INTRODUCTION

This report presents a parking demand analysis for the proposed redevelopment of the existing Town and Country shopping center site located in San Jose, California. The site is proposed to ultimately consist of approximately 600,000 square feet of Gross Building Area (GBA) of shopping center uses and two (2) hotels containing 100 rooms each. This report documents hourly parking demand for the various land use components that are proposed to be part of the multi-use Town and Country project. The residential parking is assumed to be dedicated and should be separately analyzed based on the proposed unit type, size, and bedroom count.

The project area is located in the southeast quadrant of the Winchester Boulevard/Stevens Creek Boulevard intersection, west of the Interstate 880 freeway, and is currently occupied by a 285,000 square foot shopping center and an automobile dealership. The site location is shown in Figure 1.

The Town and Country development is anticipated to contain multiple land uses, creating a village setting for its patrons and residents. The site will contain various street front shops that will create a destination shopping base, with second level residential units creating a community shopping base. The internal road network of the project will provide medians, landscaped islands, and curb parking. Five structured parking decks will serve the patrons and residents of the development.

The components that were analyzed as part of this study include general retail, restaurants, cinema, and hotel. Estimates were made to identify the interaction or synergy between the various uses, the peak hour of parking demand, and the hourly parking demand during the peak retail parking periods. The existing car dealership was not analyzed and was assumed to operate with separately dedicated parking facilities.

Parking rates were estimated for a sixteen hour time period for a typical Friday and Saturday. Tasks undertaken as part of this

study include:

1. A review of national data sources and independent studies to determine captive market rates (synergy) for the retail, cinema and restaurant land uses.
2. A shared parking calculation for the various portions of the Town and Country site, utilizing the methodology as recommended by the Urban Land Institute (ULI), and assuming synergy occurs between land uses.
3. An estimate of parking demand for the project based on the information published by The Institute of Transportation Engineers (ITE).
4. An estimate of parking demand for the site based on the City of San Jose Municipal Code.

Sources of data used as a basis for this study include: the Urban Land Institute publication "Shared Parking", the Institute of Transportation Engineers publication "Parking Generation, 2nd Edition", Town and Country site plans produced by Cooper Carry, studies conducted by Gorove/Slade & Associates and Callow & Associates, the surveys and files of Wells & Associates, LLC, and Federal Realty Investment Trust.

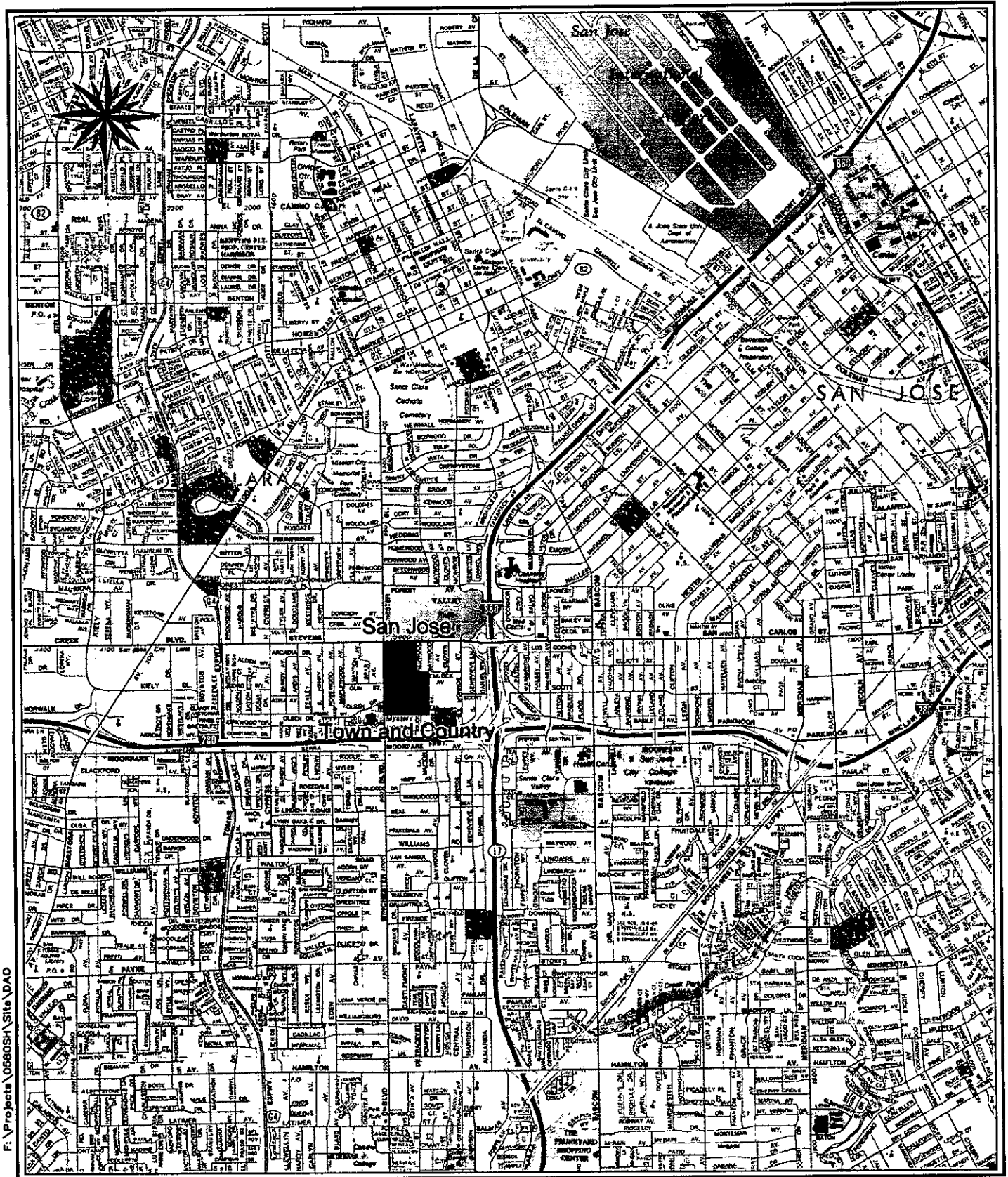


Figure 1
Site Location



San Jose Town and Country
San Jose, California

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BACKGROUND DATA

The Town and Country project is planned to be redeveloped as a multi-use facility consisting of retail stores, shops, restaurants, two hotels, a multi-screen cinema, and residential land uses. The commercial portion of the Town and Country project is expected to total 600,000 square feet of gross building area (GBA) upon completion of the current development plan. The parking calculations used in this analysis are based on a detailed delineation of the various land uses and square footage. An auto dealership is located in the northwest portion of the property, but the use is expected to remain in its current location, and is not part of this analysis¹. A summary of the land uses is shown in a detailed site plan for the project, and is illustrated in Figure 2.

The parking demand analyses were conducted based on the following conditions: (1) a shared parking demand analysis based on data published by the Urban Land Institute that assumes synergy between land uses and augmented with data collected by Wells & Associates of similar developments throughout the Country, (2) a peak parking assessment based on the proposed GLA of the project and the information published by the Institute of Transportation Engineers; and, (3) the parking required for the project based on the City of San Jose Municipal Code.

The ULI analysis with synergy between uses provides an accurate interpretation of actual operating conditions that are expected to occur within the Town and Country site. This scenario assumes that the residential portion of the project would be self parked and would not share parking with any other use. However, it should be noted that people living in the residential units would patronize

¹ In the event that the automobile dealership use leaves the site open, an additional 50,000 S.F. of shopping center uses could be added to the project. However, this area would operate independently and would not affect the conclusions of this report.

Site would have up to 650,000⁴
if Courtesy goes

the commercial components and would reduce the overall parking demand within the entire development by walking to the local amenities provided within the project. This type of usage is accounted for in the shared parking portion of this document.

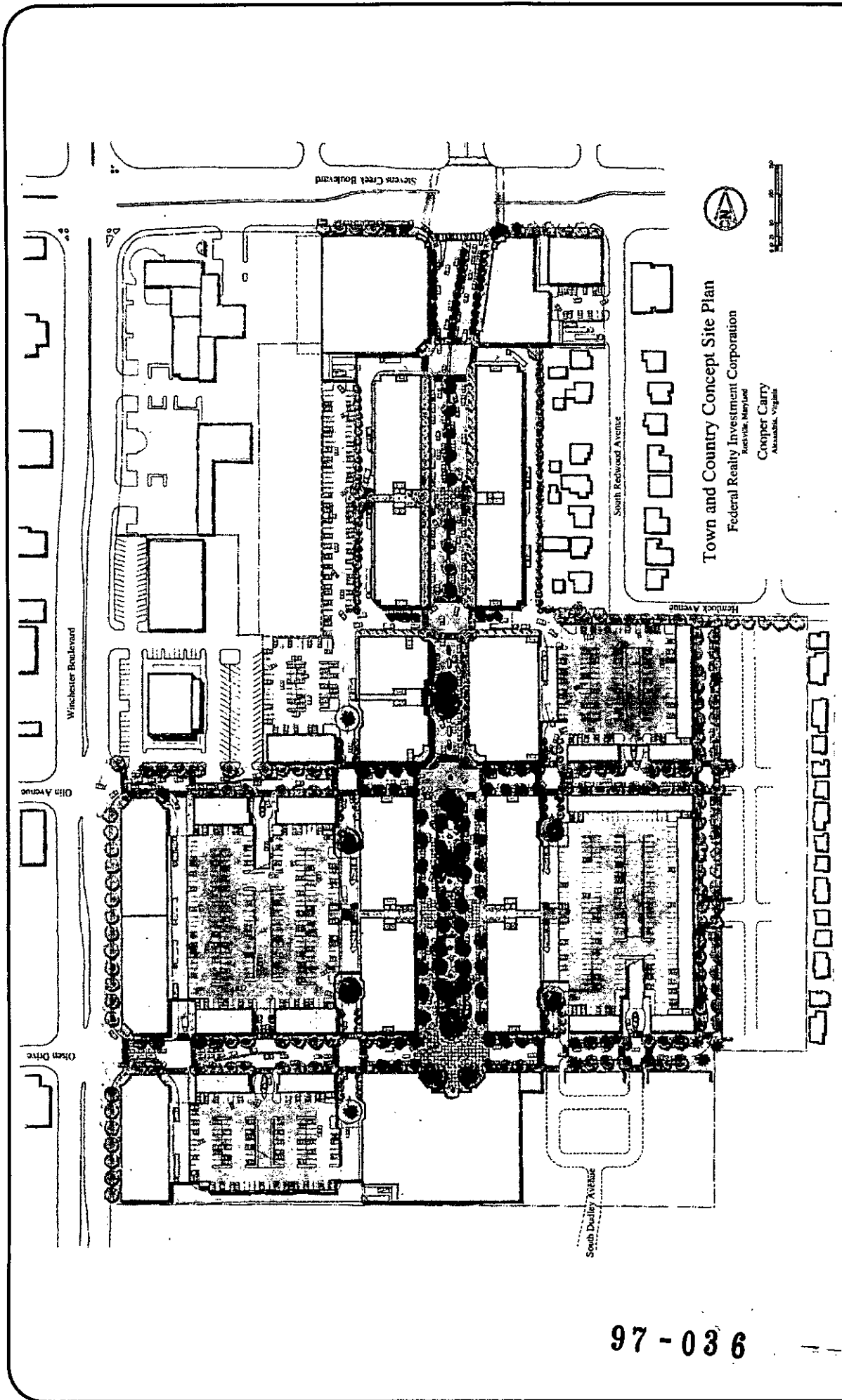


Figure 2
San Jose Town and Country
San Jose, California

Site Layout Provided By
Cooper Carry and Associates, Inc.

Scale:
Schematic

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San Jose Town and Country
San Jose, California

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SHARED PARKING ANALYSIS

Shared Parking Concept

According to ULI "shared parking is defined as a parking space that can be used to serve two or more individual land uses without conflict or encroachment." ULI further indicates that "The opportunity to implement shared parking is the result of two conditions: 1) Variations in the peak accumulation of parking vehicles as the result of different activity patterns of adjacent nearby land uses (by hour, by day, by season); and 2) Relationships among land use activities that result in peoples' attraction to two or more land uses on a single auto trip to a given area or development."

This type of shared use will occur both by the hour of the day and by the attraction to two or more trips by patrons in a single parked auto as illustrated in the following analyses.

The City of San Jose does not currently have a provision for shared parking or hourly parking distributions for multi-use developments. The City parking standards are for individual land uses, and reflect the differences in parking demand under peak conditions of the individual use. They do not consider the fact that when the retail uses are experiencing a peak, the restaurants or the cinema may be generating at a point less than their individual peaks. The total combined demand in a shared parking situation would be considerably less than if calculated separately without any considerations to the relationships that occur between uses.

An extensive study of multi-use developments has been conducted by ULI in an effort to understand the parking characteristics of these types of developments, and provide an accurate parking demand estimate for design purposes.

The ULI methodology has established recommended parking indices for various land uses, and hourly accumulations in parking for those uses throughout the day. This was accomplished through studies of

161 development projects in downtown and suburban areas of the United States. A summary of the representative hourly parking accumulations by percentage of peak hour is summarized in Table 1.

This technique identifies the use of hourly demand and adjustments for captive market support (the patrons that visit more than one use during a single auto trip) interaction between to estimate peak parking demand requirements when land uses are combined. The following sections present shared parking analyses for the Town and Country project based on the ULI methodology discussed above, and the anticipated development program for the site with the redevelopment of the property.

A summary of the recommendations related to shared parking and the Urban Land Institute methodology are contained in Appendix A of this report.

Table 1

Town & Country Shopping Center Shared Parking Analysis
 Representative Hourly Accumulation by Percentage of Peak Hour

Hour of the Day	<u>Restaurant</u>		<u>Cinema</u>	<u>Standard Retail</u>		<u>Hotel</u>	
	Weekday	Saturday	Daily	Weekday	Saturday	Weekday	Saturday
6:00 AM	0%	0%	0%	0%	0%	100%	90%
7:00 AM	2%	2%	0%	8%	3%	85%	70%
8:00 AM	5%	3%	0%	18%	10%	65%	60%
9:00 AM	10%	6%	0%	42%	30%	55%	50%
10:00 AM	20%	8%	0%	68%	45%	45%	40%
11:00 AM	30%	10%	0%	87%	73%	35%	35%
12:00 PM	50%	30%	30%	97%	85%	30%	30%
1:00 PM	70%	45%	70%	100%	95%	30%	30%
2:00 PM	60%	45%	70%	97%	100%	35%	35%
3:00 PM	60%	45%	70%	95%	100%	35%	40%
4:00 PM	50%	45%	70%	87%	90%	45%	50%
5:00 PM	70%	60%	70%	79%	75%	60%	60%
6:00 PM	90%	90%	80%	82%	65%	70%	70%
7:00 PM	100%	95%	90%	89%	60%	75%	80%
8:00 PM	100%	100%	100%	87%	55%	90%	90%
9:00 PM	100%	100%	100%	61%	40%	95%	95%
10:00 PM	90%	95%	100%	32%	38%	100%	100%
11:00 PM	70%	85%	80%	13%	13%	100%	100%
Midnight	50%	70%	70%	0%	0%	100%	100%

Source: "Shared Parking", Urban Land Institute 1983, page 46.

SHARED PARKING ANALYSIS

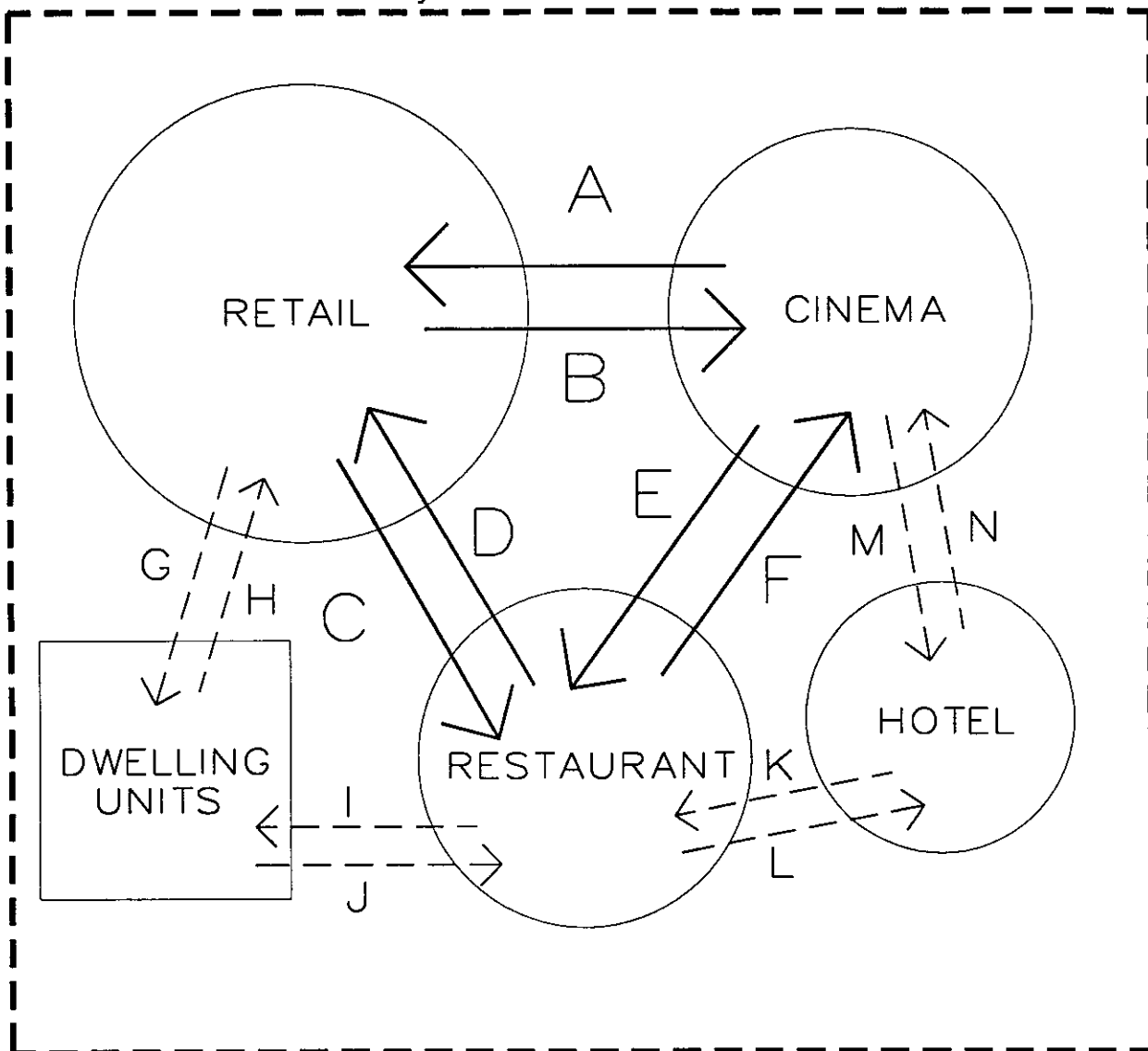
A shared parking analysis for the Town and Country project was prepared to account for the synergy that will naturally occur between the land uses that are proposed as part of the redevelopment project. This accounts for cinema patrons that go to dinner before or after a movie, retail customers that also patronize the restaurants, or the restaurant customer that shops at the retail stores before or after dinner.

As recommended by ULI, and to provide an accurate shared parking assessment, it was necessary to understand the characteristics of the proposed land uses as they relate to parking generation, length of stay, and peaking characteristics. In addition, as recommended by ULI, a methodology for forecasting future conditions taking into account the interactions (synergy) that are expected to occur between each use is also necessary when estimating shared parking for different land uses.

Reductions in parking demand due to synergy will occur for the retail, restaurant and cinema uses, but only minor reductions were assumed for the hotel or residential uses. This adjustment is recommended within the ULI Shared Parking methodology (Adjustment for Captive Market). In addition, this phenomena is known to occur when a cinema is located inside or within walking distance of shopping center uses, and has been documented and utilized in this analysis. Further, adjustments to the retail and restaurant parking demands were made through the use of independent studies of multi-use developments by Wells & Associates.

The relationship of synergy between uses is somewhat complex, and is illustrated in Figure 3. This diagram depicts the Town and Country development area, and the retail, cinema, restaurant, hotel and residential components. As shown, each land use captures patrons from the other land uses on-site. This results in the reductions for synergy that are discussed in detail in the following section.

The Town and Country Development Area



A through F = Primary synergy or capture rate between uses
 G through N = Secondary synergy or capture rate between uses

Figure 3
 Shared Parking Synergy Relationships

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Discussion of Synergy Factors

In order to identify the appropriate parking demand for the various portions of the Town and Country project, synergy factors were developed by Wells & Associates through a study of two (2) existing multi-use developments. The projects selected were The Village at Shirlington, located in Alexandria, Virginia and The Reston Town Center, located in Fairfax, Virginia. Both of these projects are located within the Metropolitan Washington, D.C. area, and contain office, retail, restaurant, cinema and hotel land uses. Wells & Associates conducted surveys of patrons on typical Fridays and Saturdays in June and July of 1997. The surveys focused primarily on the activities of cinema, restaurant, and shopping patrons, although samples of all patrons were randomly collected on-site. Where applicable, the survey results were averaged between the two sources of data.

The Village at Shirlington and the Reston Town Center projects display similar characteristics as those anticipated to occur at the Town and Country site. Both of the surveyed sites are located in a setting that contains similar land uses and area characteristics, provide both on-street and off-street parking facilities, and provide a physical integration of the various project components. For these reasons, the synergy experienced at these projects will be similar to that of the Town and Country site, and is appropriate for use in this analysis. An illustration depicting the Village at Shirlington site plan is shown in Figure 4.

The Mizner Park project, located in Boca Raton, Florida, is also an example of a mixed-use project that is similar to that proposed for the Town and Country site. This development, shown in Figure 5, contains various retail, restaurant, cinema, and specialty retail uses. In addition, office and residential units are also contained on-site. This combination of land uses promotes multi-purpose trips, with patrons visiting several uses in proximity to each other.

It should be noted that both the Village at Shirlington and the

Reston Town Center are bordered by a significant number of residential units within walking distance of the project, but do not contain dwellings on-site. Therefore, while the surveys conducted at each facility identify home-based trips, they do not delineate on-site and off-site residents.

The synergy reductions presented in this report make assumptions related to the presence of on-site hotel patrons. The ULI data related to hotel patrons indicates that in a survey of 14 hotels, eight (8) sites reported that 73 to 100 percent of the guests also patronized retail and/or restaurant uses. The remaining six (6) hotels reported a range of 80 to 90 percent patronage of hotel guests to retail/restaurant uses. Therefore, it is reasonable to assume that a significant portion of hotel patrons within the project would patronize the amenities provided on-site, thereby reducing the parking demand of the uses that they visit.

The following summarizes the results of the surveys and the factors incorporated into the shared parking analyses contained in this report. A detailed summary is contained in Appendices B and C.

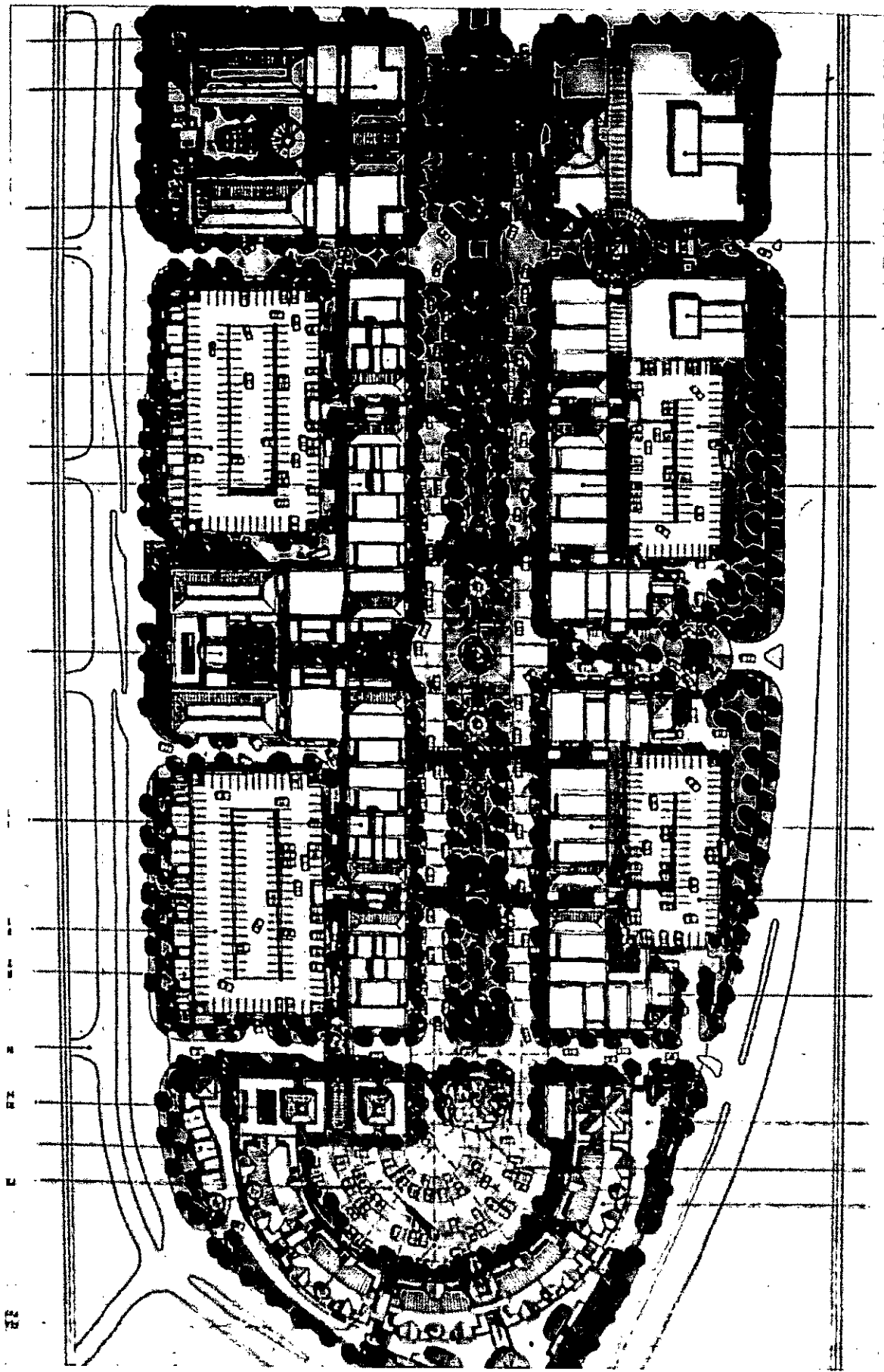


Figure 5
Mizner Park Site Layout
Boca Raton, Florida

Site Layout Provided By
Cooper Carry and Associates, Inc.

Scale:
Schematic

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San Jose Town and Country
San Jose, California

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Retail

The reduction in retail shoppers is associated with retail patrons that originate from the cinema, and restaurant uses (ULI studies have indicated a significant amount of hotel patrons will also patronize the amenities within a development. However this reduction was not assumed in this analysis to remain conservative). Based on these surveys and additional assumptions related to the presence of residential uses, the retail parking demands were reduced on weekdays by 0 percent in the morning (9:00 AM to 11:00 AM), 10 percent during the midday hours (11:00 AM to 2:00 PM), 20 percent during the afternoon hours (2:00 PM to 3:30 PM), 16 percent during the evening hours (3:30 PM to 7:00 PM), and 17 percent during the nighttime hours (7:00 PM to 12:00 AM). The retail parking demands were reduced on Saturdays by 0 percent in the morning, 5 percent during the midday hours, 9 percent during the afternoon, 8.5 percent in the evening, and 10 percent during the nighttime hours. *Reduced retail parking demand by time/day*

Restaurant

According to ULI, the peak parking rate for a typical Friday and Saturday is 20.00 spaces per 1,000 square feet for sit-down restaurants. The peak hours are from 7:00 PM to 9:00 PM on a Friday and from 8:00 PM and 9:00 PM on a Saturday. The demand during the peak hour of retail activity (2:00 to 3:00 PM) is approximately 60 percent of the total peak demand of a restaurant on a Friday and 45 percent of the total peak demand on a Saturday.

Based on the restaurant survey data collected at Shirlington and Reston Town Center, the parking demands of the restaurant uses (assuming some patrons originate from the retail and cinema uses) were reduced on weekdays by 0 percent in the morning (9:00 AM to 11:00 AM), 5 percent during the midday hours (11:00 AM to 2:00 PM), 15.5 percent during the afternoon hours (2:00 PM to 3:30 PM), 21 percent during the evening hours (3:30 PM to 7:00 PM), and 13.5 percent during the nighttime hours (7:00 PM to 12:00 AM). The restaurant parking demands were reduced on Saturdays by 0 percent

in the morning, 19 percent during the midday hours, 22 percent during the afternoon, 11 percent in the evening, and 11 percent during the nighttime hours.

The 5 percent reduction reported for the midday hours on a weekday is based on a restaurant patron survey conducted at the Reston Town Center from 12:00 noon to 1:30 PM on a typical weekday. The results revealed that 1 percent of the patrons arrived from the retail uses and 4 percent originated at the hotel. It should be noted that a total of 39 percent (18 percent from the offices located with the Reston Town Center project and 21 percent walking from adjacent office buildings in proximity to the site) was realized during this time period.

- Data Sources: The Village at Shirlington Shared Parking Analysis, prepared by Wells & Associates, LLC, June, 1997, and patron surveys at the Reston Town Center, conducted in July, 1997.

Shared Parking, ULI, 1983, and Trip Generation, 5th Edition, ITE, 1991.

Cinema

A number of studies have been conducted on the operating characteristics of a cinema within a large shopping center. The recommended parking rate for a cinema is 0.25 spaces per seat on a typical Friday, and 0.30 spaces per seat on a typical Saturday. The peak hours of parking demand generally occur from 8:00 PM to 10:00 PM for both design days. The demand during the peak hour of retail activity (2:00 to 3:00 PM) is approximately 70 percent of total peak demand.

Based on the survey data, the cinema parking demands (assuming some patrons originate from the retail and restaurant uses) were reduced on weekdays by 0 percent in the morning (9:00 AM to 11:00 AM), 20 percent during the midday hours (11:00 AM to 2:00 PM), 13.5 percent

during the afternoon hours (2:00 PM to 3:30 PM), 26 percent during the evening hours (3:30 PM to 7:00 PM), and 22.5 percent during the nighttime hours (7:00 PM to 12:00 AM). The cinema parking demands were reduced on Saturdays by 0 percent in the morning, 16 percent during the midday hours, 25 percent during the afternoon, 9.5 percent in the evening, and 17 percent during the nighttime hours.

The 20 percent reduction reported for the midday hours on a weekday is based on a survey of cinema patrons conducted at the Potomac Mills Mall in June, 1989. A detailed summary of the survey results are summarized in Appendix B.

- Data Sources: Shared Parking, Urban Land Institute (ULI), 1983;
- Western Entertainment Centers Parking Analysis, prepared by Gorove/Slade Associates, June, 1989.

Hotel

As previously mentioned, it is anticipated that a significant portion of hotel guests (approximately 75 percent or greater) will patronize the amenities provided within the Town and Country project. In an effort to account for this phenomena, reductions in parking demand for the adjacent commercial uses were incorporated into this analysis during the evening and nighttime hours for both weekday and Saturday conditions when hotel guests are likely to be present. However, to remain conservative, a 65 percent hotel guest patronage of these adjacent uses was assumed.

- Data Source: Shared Parking, Urban Land Institute (ULI), 1983;

As previously mentioned, no reductions or sharing of parking spaces were assumed for the residential component of the Town and Country project.

The capture rate assumptions for the Town and Country project are illustrated in Table 2, and a detailed summary of the survey results capture rate diagrams for weekdays and Saturdays are contained in Appendix C of this report.

Shared Parking Estimates for Weekdays and Saturdays

The peak parking demand for both weekdays and Saturdays was derived for the Town and Country project based on the Gross Leasable Area (GLA) of the commercial uses, (retail, restaurant, and cinema) and the hotel space. The analysis assumed that the residential portion of the Town and Country project would be separate and have reserved parking throughout all the hours of the day.

The proposed land use program for the analysis and the representative peak parking demand factors for both weekdays and Saturdays as specified in the Shared Parking publication are summarized in Tables 3 and 4.

Based on the GLA estimates for the project, the hourly parking accumulations for each use (shown in Table 1), the synergy factors shown in Table 2, and the peak parking rates, the effective parking rates were derived for both typical weekdays and Saturdays and are illustrated in Tables 5 and 6.

Table 2

Town & Country Shopping Center Shared Parking Analysis
 Capture Rate (synergy) Assumptions (1)

<u>Capture Rate Summary</u>						
Land Use	Units	Morning	Midday	Afternoon	Evening	Night
		9:00 AM-11:00 AM	11:00 AM-2:00 PM	2:00 PM-3:30 PM	3:30 PM-7:00 PM	7:00 PM-12:00 AM
<u>Friday Capture Rates</u>						
Retail	S.F.	0.0%	10% (2)	20.0%	20.0%	21.0%
Restaurant	S.F.	0.0%	5.0%	15.5%	26.0%	18.5%
Cinema	Seats	0.0%	20.0%	13.5%	28.0%	24.5%
Hotel	rooms	0.0%	0.0%	0.0%	0.0%	0.0%
<u>Saturday Capture Rates</u>						
Retail	S.F.	0.0%	5% (2)	9.0%	12.5%	10% (2)
Restaurant	S.F.	0.0%	19.0%	22.0%	16.0%	16.0%
Cinema	Seats	0.0%	16.0%	25.0%	11.5%	12.0%
Hotel	rooms	0.0%	0.0%	0.0%	0.0%	0.0%

(1) Synergy rates based on studies of multi-use developments by Wells & Associates, LLC., refer to Appendix B.

(2) Assumed rate based on proximity of other various land uses contained on-site.

Table 3

Town & Country Shopping Center Shared Parking Analysis
Proposed Land Use Program

Land Use	Amount	Units
Retail	484,000	S.F. (GLA)
Restaurant <i>13.33% of total</i>	80,000	S.F. (GLA)
Cinema	36,000	S.F. (GLA)
Hotel	200	Rooms
Total (includes cinema)	600,000	S.F. (GLA)
Cinema (36,000 S.F.)	2,000	seats

Table 4

Town & Country Shopping Center Shared Parking Analysis
Representative Peak Parking Demand Factors (1)

Land Use	Units	Parking Demand Factors	
		Typical Friday	Typical Saturday
Retail (< 600K)	S.F.	3.80	5.00
Restaurant	S.F.	20.00	20.00
Cinema	seats	0.25	0.30
Hotel	S.F.	1.25	1.25

(1) "Shared Parking", Urban Land Institute 1983, page 45.

Table 5

Town & Country Shopping Center Shared Parking Analysis

Effective Hourly Parking Accumulation by Hour of the Day - Typical Weekday Conditions (with adjustments for Synergy)

Hour of the Day	Land Use			
	Standard Retail	Restaurant	Cinema	Hotel
9:00 AM	1.60	2.00	0.00	0.69
10:00 AM	2.58	4.00	0.00	0.56
11:00 AM	2.98	5.70	0.00	0.44
Noon	3.32	9.50	0.06	0.38
1:00 PM	3.42	13.30	0.14	0.38
2:00 PM	2.95	10.14	0.15	0.44
3:00 PM	2.89	10.14	0.15	0.44
4:00 PM	2.64	7.40	0.13	0.56
5:00 PM	2.40	10.36	0.13	0.75
6:00 PM	2.46	13.32	0.14	0.88
7:00 PM	2.67	16.30	0.17	0.94
8:00 PM	2.61	16.30	0.19	1.13
9:00 PM	1.83	16.30	0.19	1.19
10:00 PM	0.96	14.67	0.19	1.25
11:00 PM	0.39	11.41	0.15	1.25
Midnight	0.00	8.15	0.13	1.25

Note: (1) Rates are per 1,000 S.F., except for cinema which are per seat.

Table 6

Town & Country Shopping Center Shared Parking Analysis

Effective Hourly Parking Accumulation by Hour of the Day - Typical Saturday Conditions (with adjustments for Synergy)

Hour of the Day	Land Use			
	Standard Retail	Restaurant	Cinema	Hotel
9:00 AM	1.50	1.20	0.00	0.63
10:00 AM	2.25	1.60	0.00	0.50
11:00 AM	3.47	1.62	0.00	0.44
Noon	4.04	4.86	0.08	0.38
1:00 PM	4.51	7.29	0.18	0.38
2:00 PM	4.55	7.02	0.16	0.44
3:00 PM	4.55	7.02	0.16	0.50
4:00 PM	3.94	7.56	0.19	0.63
5:00 PM	3.28	10.08	0.19	0.75
6:00 PM	2.84	15.12	0.21	0.88
7:00 PM	2.58	15.96	0.24	1.00
8:00 PM	2.37	16.80	0.26	1.13
9:00 PM	1.72	16.80	0.26	1.19
10:00 PM	1.63	15.96	0.26	1.25
11:00 PM	0.56	14.28	0.21	1.25
Midnight	0.00	11.76	0.18	1.25

Note: (1) Rates are per 1,000 S.F., except for cinema which are per seat.

Shared Parking Analysis Results

The peak parking demand for the Town and Country project for a typical weekday and Saturday were estimated by multiplying the quantity of land use by the effective parking demand, and incorporating the synergy factors discussed previously. This produces a parking demand for each land use for the various hours of the day. The results of the shared parking analysis for The Town and Country site (assuming synergy) revealed that a peak parking demand of 3,171 spaces is realized on a typical weekday occurring at 8:00 PM and 3,242 spaces on Saturday, occurring at 8:00 PM. These results are summarized in Tables 7 and 8.

Based on the square footage for the commercial portion of the project, (600,000 S.F.), the retail, restaurant, cinema land uses would require 2,946 parking spaces on a weekday and 3,071 spaces on Saturday. Under this condition, the overall parking ratio derived for the commercial area would be 4.91 spaces per 1,000 S.F. of space on a weekday and 5.03 spaces per 1,000 S.F. of space on Saturday.

Table 7

Town & Country Shopping Center Shared Parking Analysis

Hourly Parking Accumulation by Peak Hour of the Day - Typical Weekday Conditions (ULI Analysis with Synergy)

Hour of the Day	Land Use				Totals
	Standard Retail	Restaurant	Cinema	Hotel	
Development Program	484,000 S.F. (GLA)	80,000 S.F. (GLA)	2,000 seats	200 Rooms	
Max Parking Rate (1)	3.80	20.00	0.25	1.25	
Max Non-Shared Parking Demand	1,839	1,600	500	250	4,189
<u>Reduction due to Synergy</u>					
Morning (9:00 AM - 11:00 AM)	0.0%	0.0%	0.0%	0.0%	
Midday (11:00 AM - 2:00 PM)	10.0%	5.0%	20.0%	0.0%	
Afternoon (2:00 PM - 3:30 PM)	20.0%	15.5%	13.5%	0.0%	
Evening (3:30 PM - 7:00 PM)	20.0%	26.0%	28.0%	0.0%	
Night (7:00 PM - Midnight)	21.0%	18.5%	24.5%	0.0%	
9:00 AM	772	160	0	138	1,070
10:00 AM	1,251	320	0	113	1,683
11:00 AM	1,440	456	0	88	1,984
Noon	1,606	760	120	75	2,561
1:00 PM	1,655	1,064	280	75	3,074
2:00 PM	1,427	811	303	88	2,629
3:00 PM	1,398	811	303	88	2,599
4:00 PM	1,280	592	252	113	2,237
5:00 PM	1,162	829	252	150	2,393
6:00 PM	1,191	1,066	288	175	2,720
7:00 PM	1,293	1,304	340	188	3,124
8:00 PM	1,264	1,304	378	225	3,171
9:00 PM	886	1,304	378	238	2,805
10:00 PM	465	1,174	378	250	2,266
11:00 PM	189	913	302	250	1,654
Midnight	0	652	264	250	1,166
Total Town & Country Shopping Center Parking Demand					3,171
Maximum Non-Shared Parking Demand					4,189
Savings due to shared parking					1,019
Percent Savings					24.3%
Effective Parking Rate per 1,000 S.F. of Retail Space					2.61
Effective Parking Rate per 1,000 S.F. of Restaurant Space					16.30
Effective Parking Rate Rate per Seat of Cinema					0.19
Effective Parking Rate per Room of Hotel					1.13

Notes: (1) Rates are per 1,000 S.F., except for cinema which are per seat.

Table 8

Town & Country Shopping Center Shared Parking Analysis

Hourly Parking Accumulation by Peak Hour of the Day - Typical Saturday Conditions (ULI Analysis with Synergy)

Hour of the Day	Land Use				Totals
	Standard Retail	Restaurant	Cinema	Hotel	
Development Program	484,000 S.F. (GLA)	80,000 S.F. (GLA)	2,000 seats	200 Rooms	
Max Parking Rate (1)	5.00	20.00	0.30	1.25	
Max Non-Shared Parking Demand	2,420	1,600	600	250	4,870
<u>Reduction due to Synergy</u>					
Morning (9:00 AM - 11:00 AM)	0.0%	0.0%	0.0%	0.0%	
Midday (11:00 AM - 2:00 PM)	5.0%	19.0%	16.0%	0.0%	
Afternoon (2:00 PM - 3:30 PM)	9.0%	22.0%	25.0%	0.0%	
Evening (3:30 PM - 7:00 PM)	12.5%	16.0%	11.5%	0.0%	
Night (7:00 PM - Midnight)	14.0%	16.0%	12.0%	0.0%	
9:00 AM	726	96	0	125	947
10:00 AM	1,089	128	0	100	1,317
11:00 AM	1,678	130	0	88	1,895
Noon	1,954	389	151	75	2,569
1:00 PM	2,184	583	353	75	3,195
2:00 PM	2,202	562	315	88	3,166
3:00 PM	2,202	562	315	100	3,179
4:00 PM	1,906	605	372	125	3,007
5:00 PM	1,588	806	372	150	2,916
6:00 PM	1,376	1,210	425	175	3,186
7:00 PM	1,249	1,277	475	200	3,201
8:00 PM	1,145	1,344	528	225	3,242
9:00 PM	832	1,344	528	238	2,942
10:00 PM	791	1,277	528	250	2,846
11:00 PM	271	1,142	422	250	2,085
Midnight	0	941	370	250	1,560
Total Town & Country Shopping Center Parking Demand					3,242
Maximum Non-Shared Parking Demand					4,870
Savings due to shared parking					1,628
Percent Savings					33.4%
Effective Parking Rate per 1,000 S.F. of Retail Space					2.37
Effective Parking Rate per 1,000 S.F. of Restaurant Space					16.80
Effective Parking Rate Rate per Seat of Cinema					0.26
Effective Parking Rate per Room of Hotel					1.13

Notes: (1) Rates are per 1,000 S.F., except for cinema which are per seat.

INSTITUTE OF TRANSPORTATION ENGINEERS PARKING ANALYSIS

The parking demand of the Town and Country project was calculated based on the methodology published in the Parking Generation, 2nd Edition, prepared by the Institute of Transportation Engineers. This publication is a summary of empirical data and parking accumulation counts collected at various land uses throughout the United States.

The ITE report presents recommendations for parking demand at shopping centers containing various combinations of retail, food service, and cinema land uses, and utilizes information collected at approximately 140 to 180 locations.

The non-convention hotel land use category was used to identify weekday parking demand for the hotel space to reflect limited services planned for this use. However, due to an absence in data, the convention hotel land use was utilized for Saturday conditions.

The ITE publication also specifies parking demand for cinemas based on studies of facilities containing between 750 and 3,150 seats. The Town and Country project will contain 2,000 cinema seats. A summary of these recommendations are contained in Appendix D of this report.

The above-mentioned methodology was used to calculate the parking demand for the retail, restaurant, and cinema portions of the Town and Country project.

Results

The results are summarized in Table 9, and indicate that a total of 2,367 spaces would be necessary to effectively serve the Town and Country project on a weekday and 2,930 spaces would be necessary on Saturday based on the recommendations published by the Institute of Transportation Engineers.

Based on the square footage for the commercial portion of the project, (600,000 S.F.), the retail, restaurant, cinema land uses would require 2,265 parking spaces on a weekday and 2,724 spaces on Saturday. Under this condition, the overall parking ratio derived for the commercial area would be 3.78 spaces per 1,000 S.F. of space on a weekday and 4.54 spaces per 1,000 S.F. of space on Saturday.

Table 9

Town & Country Shopping Center Parking Demand Analysis based on ITE Methodology (1)

		Parking Demand Equation (2)	Peak Parking Demand
Weekday Analysis			
Total Retail Space (GLA) (excludes cinema space)	564,000 S.F.	$\ln(P) = 1.173 \ln(X) + 0.064$	1,799 spaces
Hotel Rooms (41,400 S.F.)	200 rooms	$P = 0.33 (X) + 36.0$ (3)	102 spaces
Cinema (36,000 S.F.)	2,000 seats	$P = 0.32 (X) - 174.0$	466 spaces
TOTAL PARKING REQUIRED BASED ON ITE METHODOLOGY FOR WEEKDAY			2,367 spaces

Saturday Analysis

Total Retail Space (GLA) (excludes cinema space)	564,000 S.F.	$\ln(P) = 1.261 \ln(X) - 0365$	2,046 spaces
Hotel Rooms (41,400 S.F.)	200 rooms	Average Rate = 1.03 spaces/room (4)	206 spaces
Cinema (36,000 S.F.)	2,000 seats	$P = 0.50 (X) - 322.0$	678 spaces
TOTAL PARKING REQUIRED BASED ON ITE METHODOLOGY FOR SATURDAY			2,930 spaces

Source: (1) "Parking Generation, 2nd Edition," The Institute of Transportation Engineers, 1987.

(2) P = Parking Spaces, X = square footage for retail, rooms for hotel, and seats for cinema.

(3) Based on Non-Convention Hotel Rate.

(4) Convention Hotel Rate for Saturday. Non-Convention Hotel Rate not available.

CODE PARKING REQUIREMENTS

For comparison purposes, an analysis was conducted for the redevelopment of the Town and Country site to determine the amount of parking necessary to support the site based on the parking requirements outlined in the City of San Jose Municipal Code, Section 20.12.215. This analysis assumed no shared parking would occur between uses for comparative purposes.

Based on the anticipated land uses and square footage proposed for the project, the amount of parking necessary based on Net Building Area, (assumed to be 85 percent of Gross Building Area (GBA) and current code requirements assuming no shared use of parking spaces was prepared.

The analyses assumed that the ^{Does not match Table 10, p. 32} total commercial area of the project consists of 600,000 S.F., with 30,000 (or 5 percent) of restaurant space, 36,000 S.F. of cinema space (2,000 seats), and 200 hotel rooms.

Results

The results are summarized in Table 10, and indicate that a total of 4,467 total parking spaces would be necessary to meet code requirements for the Town and Country project based on the current parking code, and under the assumption that no sharing of spaces would occur. It should be noted that as part of the hotel parking demand this analysis assumed that an additional 10 spaces would be necessary to accommodate employees during the peak shift.

Based on the net square footage for the commercial portion of the project, (600,000 S.F.), including retail, restaurant, cinema land uses would require 4,257 parking spaces. Under this condition, the overall parking ratio derived for the commercial area would be 7.10 spaces per 1,000 S.F. of space.

The City code demand analysis is not considered an accurate

estimation of parking for the Town and Country project due to the nature of the site, and the integration of uses that will realize sharing of parking spaces throughout the day and the synergy that will naturally occur. The code parking indices assume that each land use operates independently.

Table 10

Town & Country Shopping Center Parking Demand Analysis Based on City Code

		Parking Demand Factor	Peak Parking Demand
<u>City of San Jose Parking Calculation (1)</u>			
Total Commercial Gross Building Area	600,000 S.F.		
Proposed Gross Restaurant Space	80,000 S.F. 13-3390		
Proposed Gross Cinema Space	36,000 S.F.	2,000 seats	
Retail Gross Building Area	484,000 S.F.		
Net Retail Space (2)	411,400 S.F.	5.00 spaces/1,000 S.F.	2,057 spaces
Gross Restaurant Building Area	80,000 S.F.		
Net Restaurant Space (2)	68,000 S.F.	25.00 spaces/1,000 S.F.	1,700 spaces
Hotel Rooms (41,400 S.F.)	200 rooms	1.00 room	200 spaces
Employees (5% of total)	10	1.00 employee	10 spaces
Cinema Gross Building Area	36,000		
Net Cinema Space (2)	30,600		
Total Cinema Seats	2,000 seats	0.25 spaces/seat	500 spaces
TOTAL PARKING REQUIRED BASED ON CITY PARKING CODE			4,467 spaces

Source: (1) City of San Jose Municipal Code Section 20.12.215.

(2) Net space assumed to 85% of Gross Square Footage.

COMMUNITY SHOPPING CENTER PARKING ANALYSIS

A number of studies have been conducted by Wells & Associates of Federal Realty Investment Trust properties throughout the eastern United States including Maryland, Pennsylvania, and New Jersey to determine peak parking demand characteristics and compare the results to national standards. This was accomplished by obtaining aerial photographs of these shopping centers during the peak times and days of activity occurring in November, December, and the Friday after Thanksgiving.

The results of the analyses indicate that the parking demands during the peak shopping Friday after Thanksgiving revealed parking demands between 2.48 spaces and 2.87 spaces per 1,000 square feet of GLA were realized. During the month of November, the parking demand was calculated to be less than 3.77 spaces per 1,000 square feet of GLA on a Saturday and 2.44 spaces per 1,000 square feet of GLA on a Friday.

In addition to this analysis, nationally recognized standards for shopping center parking ratios and other independent studies were researched and analyzed. These studies include ULI analyses, data published by the Institute of Transportation Engineers (ITE), studies of community shopping centers in the Washington, D.C. area by Callow & Associates, and a parking ratio comparison study conducted by Gorove/Slade Associates.

The results of the Federal Realty Investment Trust parking analysis were compared to the above-mentioned studies and were found to be consistent with ULI and ITE national parking generation rates.

The results of these studies indicate that a parking ratio of 4.0 spaces per 1,000 square feet of GLA would be adequate to accommodate the peak parking demand for community shopping centers under 400,000 S.F. in size. A complete copy of this information is contained in Appendices E and F of this report, and includes the aerial photographs, analyses and conclusions of this study.

→ not applicable to project 33

TOWN AND COUNTRY PARKING DEMAND SUMMARY

A summary of the parking demand estimates for the Town and Country project based on the shared parking analysis, the ITE estimates, and the City of San Jose code parking demand are summarized in Table 11.

The results of the shared parking demand analysis, accounting for hourly variations in parking and synergy between land uses, revealed that a peak parking demand of 3,171 spaces is realized on a typical weekday occurring at 8:00 PM and 3,242 spaces on Saturday, occurring at 8:00 PM. Based on the commercial portion of the project, (600,000 S.F.), a peak parking demand of 2,946 spaces on a weekday and 3,017 spaces on Saturday would be realized. Under this condition, the overall parking ratio derived for the commercial area would be 4.91 spaces per 1,000 S.F. of space on a weekday and 5.03 spaces per 1,000 S.F. of space on Saturday. The hotel component of the Town and Country Project will require 225 spaces, or a parking ratio of 1.25 spaces per room.

The ITE parking analysis indicates that a peak parking demand of 2,367 spaces will be realized on a weekday and 2,930 spaces will be realized on Saturday. Based on the square footage for the commercial portion of the project (600,000 S.F.), the retail, restaurant, cinema land uses would require 2,265 parking spaces on a weekday and 2,724 spaces on Saturday. Under this condition the overall parking ratio derived for the commercial area would be 3.78 spaces per 1,000 S.F. of space on a weekday and 4.54 spaces per 1,000 S.F. of space on Saturday. On a weekday, 102 spaces would be required for the hotel portion of the project, with 206 spaces required on Saturday.

The results of the City of San Jose Code analysis indicate that the Town and Country project would require a total of 4,467 spaces to meet the code requirement. This parking calculation assumes that all of the land uses will operate independently of each other, and that no sharing of spaces will occur. Based on the net square footage for the commercial portion of the project, (600,000 S.F.),

a peak parking demand of 4,257 parking spaces would be realized. Under this condition, the overall parking ratio derived for the commercial area would be 7.10 spaces per 1,000 S.F. of space. The hotel component of the Town and Country project would require 210 parking spaces to meet the code requirement.

Matches ULI/Shared parking

The results of the parking analyses indicate that the commercial portion of the site will be adequately served by providing a commercial parking ratio of 5.0 spaces per 1,000 S.F. of space during the peak Saturday time periods. This parking supply along with the hotel parking supply of approximately 210 to 225 spaces, will accommodate the parking demand for the project during the peak parking design hour of the year.

Meets SJ Code
based on use

$$650,000 \text{ SF} = 3,250$$

Site Plan max. parking: 4,150

Table 11
Town & Country Shopping Center Shared Parking Analysis
Parking Analysis Summary

Day	Condition	Calculated Total Peak Parking Demand (1)	Calculated Hotel Parking Demand	Calculated Commercial Parking Demand	Net Commercial Square Footage (2)	Calculated Commercial Parking Ratio (2)
Urban Land Institute Shared Parking Analysis, with Synergy						
Friday	ULI Estimate, with Synergy	3,171	225	2,946	600,000	4.91 spaces/1,000 S.F.
Saturday	ULI Estimate, with Synergy	3,242	225	3,017	600,000	5.03 spaces/1,000 S.F.
Institute of Transportation Engineers Analysis						
Friday	ITE Estimate	2,367	102	2,265	600,000	3.78 spaces/1,000 S.F.
Saturday	ITE Estimate	2,930	206	2,724	600,000	4.54 spaces/1,000 S.F.
City of San Jose Code Analysis						
Peak Day	City Code, based on GLA	4,467	210	4,257	600,000	7.10 spaces/1,000 S.F.

Notes: (1) Total peak parking demand estimate based on full development program and all proposed land uses of the project.
(2) Commercial parking ratio includes Net Retail, Restaurant, and Cinema square footages.

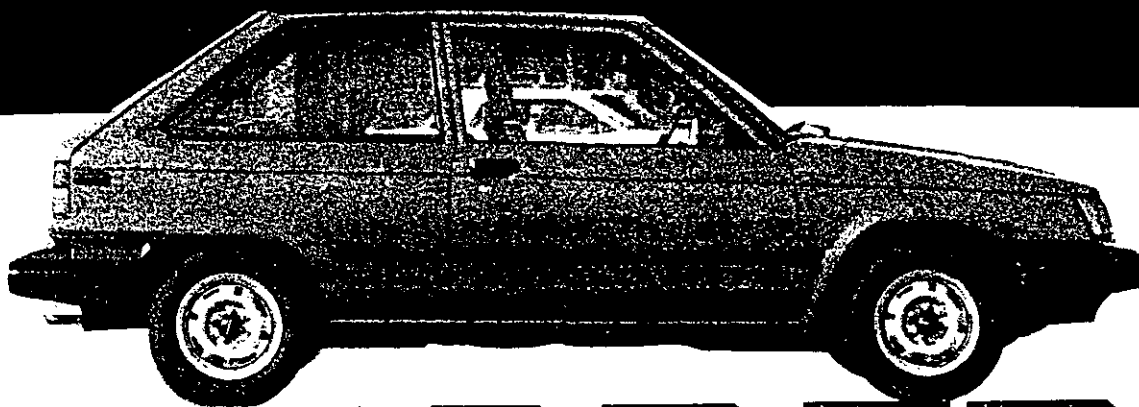
97 - 036

CONCLUSIONS

The purpose of this report has been to discuss the results of a parking demand analysis for the Town and Country project located in San Jose, California. The conclusions are listed as follows:

1. The Urban Land Institute shared parking analysis, accounting for the sharing of spaces and effects of synergy between uses, revealed that the commercial portion of the project would realize a peak parking demand of 2,946 spaces on a weekday occurring at 8:00 PM, and 3,017 spaces on Saturday occurring at 1:00 PM. Based on 600,000 S.F. of commercial uses, this condition results in a commercial parking ratio of 4.91 spaces per 1,000 square feet on a weekday and 5.03 spaces per 1,000 square feet of space on Saturday. The hotel component of the Town and Country Project will require 225 spaces, or a parking ratio of 1.25 spaces per room.
2. The parking analysis conducted utilizing the Institute of Transportation Engineers methodology revealed that the commercial portion of the project would realize a peak parking demand of 2,265 spaces on a weekday and 2,724 spaces on Saturday. This results in a commercial parking ratio of 3.78 spaces per 1,000 square feet on a weekday and 4.54 spaces per 1,000 square feet of space on Saturday. On a weekday, 102 spaces would be required for the hotel portion of the project, with 206 spaces required on Saturday.
3. The results of the parking analysis utilizing the City of San Jose Municipal Code results in a parking demand of 4,257 vehicles during peak conditions. This analysis does not reflect any sharing of parking spaces between uses or the synergy (or capture rates) that will be realized with the presence of multiple uses within the project. This results in a commercial parking ratio of 7.10 spaces per 1,000 square feet of space, based on a commercial area of 600,000 S.F. The hotel component of the Town and Country project would require 210 parking spaces to meet the code requirement.

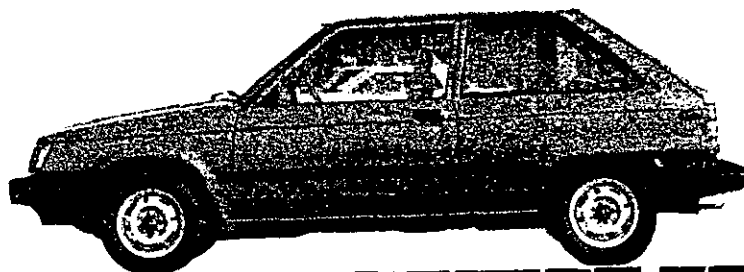
Appendix A
Summary of Recommendations from
"Shared Parking"
published by The Urban Land Institute



SHARED PARKING



97-036



EXECUTIVE SUMMARY



This study has examined the concept of shared parking with the objective of explaining how it works and developing a methodology to estimate its magnitude at locations throughout the United States.

The significance of shared parking is related to growth in mixed-use development across the United States. Experience indicates that combining land uses results in a demand for parking space that is less than the demand generated by separate freestanding developments of similar size and character.

For the purpose of this study, shared parking data were collected for 161 development projects in several urban areas throughout the nation. These projects were selected to represent five basic types and six combinations of land use in downtowns and suburban areas. All had varying amounts of floor space.

For the analysis of shared parking, peak parking ratios and hourly parking accumulations were determined for single developments in freestanding situations with maximum use of the auto as transportation. These characteristics provide the means to estimate the impact on peak parking space requirements when land uses are combined.

TECHNICAL FINDINGS

- Peak parking demand factors determined for single land uses were:
 - Offices: 3.0 spaces per 1,000 square feet (GLA-occupied), weekday
0.5 space per 1,000 square feet (GLA-occupied), Saturday
 - Retail: 5.0 spaces per 1,000 square feet (GLA-occupied), Saturday
3.8 spaces per 1,000 square feet (GLA-occupied), weekday
 - Restaurants: 20.0 spaces per 1,000 square feet (GLA-occupied), weekday or Saturday
 - Cinemas: 0.30 space per seat, Saturday
0.25 space per seat, weekday
 - Residential: 1.0 space per dwelling unit (per rate of auto ownership)
 - Hotel rooms: 1.25 spaces per occupied room.

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- Hourly accumulation of parked vehicles was significantly different among land uses. These differences in time provide an opportunity to share the use of parking facilities. The typical overall pattern was as follows:

- Offices: midday peak, evening periods at less than 10 percent of peak
- Retail: midday peak, evening periods less than 70 percent of peak
- Restaurants: evening peak, midday at 50 percent of peak
- Cinemas: evening peak, midday at 70 percent of peak
- Residential: evening peak, midday at 60 to 85 percent of peak
- Hotel guests: evening peak, midday at 30 percent of peak.

- Seasonal variations represent another form of time differential. These differences can be used to achieve multiple use of parking facilities. In general, occupancy of retail and office facilities peaks in fall or winter, while restaurants, hotels, and cinemas experience peak occupancy in the summer.

- Parking demand was not found to be sensitive to regional factors or city size. However, site-specific factors such as transit were more directly related to parking demand.

- The analysis of existing multiuse projects indicated that reductions in parking space requirements resulting from shared parking have occurred. An analysis indicates the following factors:

- * Actual peak parking occupancy was consistently lower than a gross parking demand estimate using single land use peak parking demands added together.
- Estimates of shared parking demand using time differentials will, if properly constructed, be more reliable than estimates of gross parking demand.
- Captive market effects (e.g., on-site markets such as office employees who also shop within the same development) often significantly reduced requirements for shared parking. For downtown mixed-use projects, these effects averaged about 60 percent, but they varied substantially. The variables affecting captive market activity were too site-specific to generalize a value.
- The design and implementation of shared parking entail no fundamental conditions that preclude the practical operation and management of shared parking facilities.

Combining land uses results in a demand for parking space that is less than the demand generated by separate freestanding developments of similar size and character.

RECOMMENDATIONS

- To estimate shared parking, a four-step method is recommended:
 - Step 1: initial project review
 - Step 2: adjustment for peak parking factor
 - Step 3: analysis of hourly accumulation
 - Step 4: estimate of shared parking.
- The methodology can be used for any project. The results of the research can be used, or different parking factors or accumulation data can be inserted if reliable local information is available.
- The methodology can be used in project planning. It is possible to identify an optimal mix of land uses to achieve maximum efficiency in providing parking space.

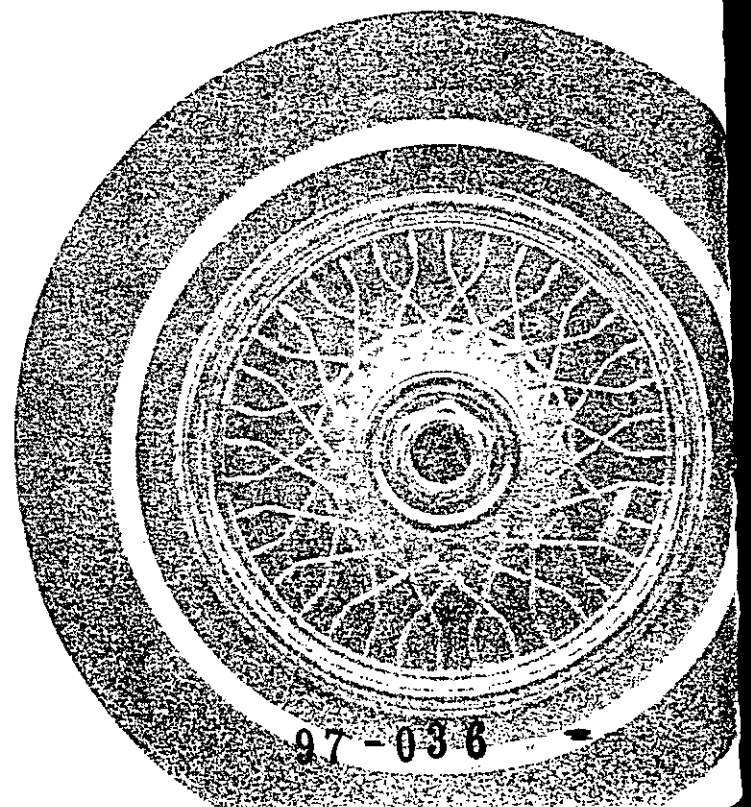


EXHIBIT 28 REPRESENTATIVE HOURLY ACCUMULATION BY PERCENTAGE OF PEAK HOUR

Hour of Day	Office		Retail		Restaurant		Cinema	Residential (non-CBD)		Residential (CBD)	Hotel		Restaurant/Lounge		Conference Room	Convention Area
							Daily			Daily					Daily	Daily
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday		Weekday	Saturday		Weekday	Saturday	Weekday	Saturday		
6:00 a.m.	3%	—	—	—	—	—	—	100%	100%	100%	100%	90%	20%	20%	—	—
7:00 a.m.	20	20%	8%	3%	2%	2%	—	87	95	95	85	70	20	20	—	—
8:00 a.m.	63	60	18	10	5	3	—	79	88	90	65	60	20	20	50%	50%
9:00 a.m.	93	80	42	30	10	6	—	73	81	87	55	50	20	20	100	100
10:00 a.m.	100	80	68	45	20	8	—	68	74	85	45	40	20	20	100	100
11:00 a.m.	100	100	87	73	30	10	—	59	71	85	35	35	30	30	100	100
12:00 Noon	90	100	97	85	50	30	30%	60	71	85	30	30	50	30	100	100
1:00 p.m.	90	80	100	95	70	45	70	59	70	85	30	30	70	45	100	100
2:00 p.m.	97	60	97	100	60	45	70	60	71	85	35	35	60	45	100	100
3:00 p.m.	93	40	95	100	60	45	70	61	73	85	35	40	55	45	100	100
4:00 p.m.	77	40	87	90	50	45	70	60	75	87	45	50	50	45	100	100
5:00 p.m.	47	20	79	75	70	60	70	77	81	90	60	60	70	60	100	100
6:00 p.m.	23	20	82	65	90	90	80	85	85	92	70	70	90	90	100	100
7:00 p.m.	7	20	89	60	100	95	90	94	87	94	75	80	100	95	100	100
8:00 p.m.	7	20	87	55	100	100	100	96	92	96	90	90	100	100	100	100
9:00 p.m.	3	—	61	40	100	100	100	98	95	98	95	100	100	100	100	100
10:00 p.m.	3	—	32	38	90	95	100	99	96	99	100	100	90	95	50	50
11:00 p.m.	—	—	13	13	70	85	80	100	98	100	100	100	70	85	—	—
12:00 Mid-night	—	—	—	—	50	70	70	100	100	100	100	100	50	70	—	—

involving office, regional retail, and residential facilities (see exhibit 28). Nonroom-related hotel activities and entertainment uses varied significantly, however. If site-specific data are not available for these two land uses, survey results could be used.

Accumulation curves are then estimated for each land use, based on the selected hourly values described in terms of the percent of maximum design-day parking demand expected at every hour during the day. The parking demand factor (step 2) multiplied by quantity of land use (step 1) produces an estimate of peak parking demand. This value multiplied by each hourly percentage produces an estimate of parking demand for every land use component by hour of day.

STEP 4: ESTIMATE OF SHARED PARKING

The hourly parking demand for each land use is merged to estimate overall shared parking demand for a proposed project. This step is simply the hour-by-hour addition of parking demand for each use to estimate the aggregate accumulation. As noted previously, the method described above should be used for weekday and Saturday conditions to test for the controlling value.

SAMPLE USE OF THE METHODOLOGY

The following sample situation has been devised to demonstrate the use of the recommended methodology.

- Objective:** To estimate the peak parking requirements for a proposed mixed-use development.
- Plan:** The proposed development has the following components:
 - Office = 400,000 square feet GLA
 - Retail = 300,000 square feet GLA
 - Hotel = 500 rooms plus 5,000 square feet of restaurant and conference facilities with 200-seat capacity.
- Location:** The project will be located in the downtown of a medium-size urban community whose regional population is approximately 1.5 million.
- Mode split:**¹⁷ Based on surveys conducted at existing developments in the downtown, it is estimated that 75 percent of employees and patrons and 50 percent of hotel guests will use autos. The number of persons per auto is assumed to be typical (1.2 for employees, 1.8 for patrons, 1.4 for hotel guests).

¹⁷"Mode split" refers to the percentage of people at a site who use a particular mode of transportation, with the total of all modes equaling 100 percent.

STEP 2: ADJUSTMENT FOR PEAK PARKING FACTOR

This step produces an appropriate set of peak parking demand factors. They represent the number of parking spaces needed per unit of land use or other parameter. To determine the factors, the following subtasks are necessary.

Verification of Land Use and Selection of Parking Parameters. The land uses described for the project in step 1 define the specific set of peak parking factors needed for the analysis of parking demand. The parameter for each factor should be verified. Generally, square feet of floor space or rooms or dwelling units would be used; however, other variables might be more appropriate for certain unique activities.

Specifically, the following information must be verified:

- Verify that occupied GLA is to be used, including or excluding common areas.
- Convert convention facilities to equivalent square feet if capacity per person is used in the building program (15 square feet per person may be used if another density factor is not available).

Selection of Parking Factors. A preliminary value should be selected or determined for the set of peak parking factors. Information could be drawn from three sources: (1) parking factors suggested by the study (see exhibit 26), (2) validated experience of the

developer or other local authorities, or (3) new parking field surveys. It is essential to know what season or time of year and mode of travel are represented in the specific source for factors. This information should be described in terms of month of year (by land use) and approximate percent of nonauto use (that is, percent of person-trips made by modes other than auto).

Adjustment for Season. For demand analyses, all parking factors need to reflect the same "design condition." Typically, the 30th highest hour has been used for highway projects. Similarly, for development analyses, the appropriate design period must be selected; that is, the peak season for each land use must be determined, based on developer's data, another source, or study results (see exhibit 27).

However, because the design month frequently is different for each land use in a multiuse development, trial and error may be required to determine which month produces the maximum aggregate parking demand. The intent of the exercise is to recognize the "aggregate effects" of seasonality. This concept is the same as that used to determine the impact of daily peaks.

Using the quantity for each land use, test calculations (parking demand factor multiplied by floor space) are made to identify the controlling land use. On this basis, a design month can be selected. Each

EXHIBIT 26
REPRESENTATIVE PEAK PARKING DEMAND FACTORS

Land Use	Unit	Weekday	Saturday
Office	Parking spaces per 1,000 sq. ft. GLA	3.00	0.50
Retail (400,000 sq. ft.)	Parking spaces per 1,000 sq. ft. GLA	3.80	4.00
Retail (600,000 sq. ft.)	Parking spaces per 1,000 sq. ft. GLA	3.80	5.00
Restaurant	Parking spaces per 1,000 sq. ft. GLA	20.00	20.00
Cinema	Parking spaces per seat	0.25	0.30
Residential	Parking spaces per dwelling unit ^a	1.00	1.00
Hotel			
Guest room	Parking spaces per room	1.25 ^b	1.25 ^b
Restaurant/lounge	Parking spaces per 1,000 sq. ft. GLA	10.00	10.00
Conference rooms	Parking spaces per seat ^c	0.50	0.50
Convention area	Parking spaces per 1,000 sq. ft. GLA ^c	30.00	30.00

^aPer one auto owned per dwelling unit.

^bFactored up to 100 percent auto use from the 80 percent auto use indicated in exhibit 13.

^cUsed by nonguests; the given rates thus are upper bounds, which are very rarely achieved.

EFFECT OF THE CAPTIVE MARKET

As suggested by the preceding discussion, certain land use relationships in mixed-use projects might produce greater reductions in parking demand, exceeding those accounted for by different peak periods. These relationships are referred to here as the "effects of the captive market."

Two major types of effects, or "market synergy," are possible in mixed-use or multiuse developments:

1. on-site market support (like office employees who also shop within the development)
2. improved market image and penetration (associated with the unique or prestigious environment of the development).¹⁶

The effect of market synergy is to create a market demand exceeding that which would occur in developments with a single land use. Market synergism, however, does not necessarily translate into a corresponding increase in parking requirements; it may result in a reduction because of the reduced demand for parking spaces per unit of land use as the result of land uses within walking distance of each other, which allows individuals to patronize more than one destination on a single trip.

Therefore, whether or not the net effect of market synergy is to increase or decrease parking requirements depends upon whether or not the market support from complementary sources (for example, office employees supporting retail space, retail patrons supporting entertainment space) are included in the market analysis of each type of land use.

If the additional market supports within a mixed-use development are included in a market analysis,

¹⁶Witherspoon, Abbett, and Gladstone, op. cit.

The captive market effects at mixed-use/multiuse projects significantly reduce parking demand.

they will be translated into additional floor space requirements for each land use component that translates into larger peak parking demands. Because the land use components are within walking distance of each other, however, the additional market supports within the development do not create an additional parking demand, even though they may have created an additional requirement for floor space. *In other words, to accurately define parking requirements in a mixed-use development, the parking demand ratios of a component land use should be factored downward in proportion to the amount of market support received from an adjacent land use.*

Thus, the effect of the captive market on parking demand at a particular mixed-use development depends upon specific market conditions. The range of possible market conditions was reflected in the data obtained from survey questionnaires. Aggregate results of employees surveyed indicated that the percentage of all employees who are also patrons at a particular development ranged from 0 to 85 percent. On the average, however, employee-patrons in CBD developments and in combined-use developments increased significantly relative to CBD developments and single-use developments, respectively. These results are summarized in exhibit 23.

EXHIBIT 23 EFFECTS OF CAPTIVE MARKET—PERCENTAGE OF EMPLOYEES WHO ARE ALSO PATRONS IN SAME OR NEARBY DEVELOPMENT

	CBD Site		Non-CBD Site	
	Average	Range	Average	Range
Single-use sites	29%	0-76%	19%	0-78%
Mixed-use sites	61%	22-85%	28%	0-83%
All sites	43%	0-85%	24%	0-83%

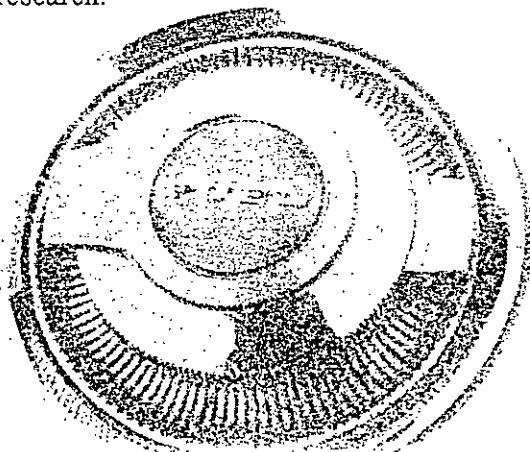
The combined-use developments in the CBD had the largest average percentage of employee-patrons (61 percent), apparently twice as great as single-use downtown projects. For nondowntown sites, however, the same relationship was not true. Employees in mixed-use sites reported only about 50 percent more links with other land uses (outside their place of employment).

The difference between downtown and nondowntown mixed-use sites was also large—more than twice as great. For single-use sites, the difference was substantially smaller.

For hotel guests, the potential for market synergy appears stronger. Even though the number of hotels included in the survey was limited, the questionnaire data indicated strong links between hotel guests and nearby restaurant or retail land uses (within or adjacent to the hotel). For eight hotels, 73 to 100 percent of the guests indicated they were also patrons of retail establishments and/or restaurants. Results for six hotels indicated a smaller range, 80 to 90 percent. These results appeared to be consistent for both downtown and suburban hotels.

The amount of data was not sufficient to isolate specific relationships. It seems clear, however, that hotel guests demonstrate a greater propensity for being captive patrons of a mixed-use development than do employees, who are more likely to be captive patrons of the entire downtown. Walking distance or proximity is a major influence on the captive relationship. The sensitive distance is affected by local factors, including climate, the safety and convenience of pedestrian paths (for example, the amount of conflict with vehicles), and the general environment. Further, in some of the projects surveyed, the sites were somewhat remote from other commercial development, and developers had provided food services (restaurants, cafeterias, vending machine centers) to encourage employees to remain in the building.

Overall, the effects of the captive market are potentially significant. But they are very site specific. They should be reflected in demand analyses through more detailed research.



THE DOCUMENTATION OF REDUCED PARKING

To demonstrate the potential magnitude of the effects of shared parking, the findings for parking demand for individual land uses were used to estimate demand for mixed-use developments. These results were compared to the actual peak parking accumulation counts to identify the difference. This test involved three steps:

1. *The computation of gross peak parking demand.* Using the size (square footage, number of rooms, etc.) for each land use component of the test case mixed-use developments and the single-use peak parking factors, parking demand was estimated. These results were added to estimate overall demand (in effect, it was assumed that peaks occur simultaneously).
2. *The computation of shared parking demand.* Using the same dimensions for each land use as used in step 1, parking demand was computed for midday and evening periods separately. This exercise used the appropriate value of the parking demand factor for each land use by hour of day, as discussed previously.
3. *Comparison of the results to actual parking demand.* The results of steps 1 and 2 were compared to the actual parking accumulation observed for the test cases. The actual parking data represent measurements taken during October to December 1982.

Exhibit 24 summarizes the results of the test. Column (4) compared to column (1) indicates that actual parking accumulations are significantly lower than would be traditionally estimated. Column (2) indicates the parking requirement using typical zoning code provisions. Column (3) compared to column (1) indicates that estimated shared parking demand would be lower than that indicated by traditional methods. Column (3) reflects the site conditions for the 17 projects

Estimating the overall parking demand for a mixed-use/multiuse development simply by adding the peak parking demand for individual land uses produces an estimate that is too high.

Appendix B
Western Entertainment Centers Parking Analysis
Cinema Survey Results Section
Prepared by Gorove/Slade Associates, Inc.
June 1989



GOROVE-SLADE ASSOCIATES, Inc.

Suite 1200 / 1140 Connecticut Ave, NW / Washington, DC 20036

MEMORANDUM

TO: Mr. Tim Hindret
FROM: Edward R. Stollof
DATE: February 8, 1989
RE: Potomac Mills Theater Survey

INTRODUCTION

A survey of 1,229 Potomac Mills Theater patrons was conducted throughout the period commencing on Thursday, December 8, 1988 and concluding on Sunday, December 12, 1988. Exhibit A (attached) provides a copy of the questionnaire that was used for the survey. As shown, four questions were asked of each patron or group of patrons. These questions relate to: 1) The individual or groups' primary trip purpose; 2) the extent to which the theater patrons shopped at the mall in addition to going to the movies; 3) adult vehicle occupancy and 4) the zip code of origin for the individual or group. The result of each survey question is discussed below:

1) What is the primary purpose of your trip to the mall today?

Approximately 86.2% of the respondents indicated that the primary purpose of their trip was to patronize the theater. Just over seven (7.3) percent of the respondents indicated that shopping was their primary trip purpose. This means that the trip to the movies may have been an "after thought" or secondary trip purpose for this segment of the survey population. Approximately 6.5% of the respondents indicated "other" for their primary trip purpose. It has been determined that this response was prevalent among employees of the entire Potomac Mall retail center. The typical pattern was for employees to patronize the theater either before or after their work shifts. Also, many of the tour bus drivers patronize the theater during the time when the tour groups were shopping in the mall.

2) If the purpose of your trip was "movies" did you also shop at the mall?

Overall 44.3% of the respondents responded "yes" to this question, which indicates that their trip to the mall was, in fact, a multi-purpose trip (See Table 1). Correspondingly, 55.7% of the respondents indicated that they did not shop at the mall, and therefore, their trip must be considered a singular recreational trip. When question (2) is analyzed in conjunction with question (1) we find that over half (51.4%) of those individuals that indicated "movies" as their primary trip purpose, also patronized the mall.

As shown in Table 2, the responses to this question were stratified by day of week. The percentage of respondents answering "yes" to the multi-trip purpose question ranged from 38.6% (which occurred on a Friday) to 48.8% (which occurred on a Saturday). Table 3 shows an analysis of the multi-purpose trip question by time-of-day. Three time periods were selected for the purposes of analysis: 12 PM to 3 PM; 3 PM to 7 PM and 7 PM to closing. The data reveal that a higher proportion of multi-purpose trips occur during the 12 PM to 3 PM period followed by the 3 PM to 7 PM period, and finally after 7 PM. Approximately 54%, 46% and 39% of the respondents, indicated that their trip was a multi-purpose trip during the 12 PM to 3 PM, 3 PM to 7 PM, and 7 PM to closing time periods, respectively.

3) Number of individuals who traveled in the same car?

Data collection personnel recorded the number of adults and children in each "ticket buying group" as one way to determine adult vehicle occupancies. The average adult vehicle occupancy for the four day survey period was 2.04 adults per vehicle. The Sunday survey reveals the lowest vehicle occupancy rate of 1.85 adults per vehicle while the Saturday survey reveals the highest vehicle occupancy rate of 2.27 adults per vehicle.

4) Zip code of origin?

The respondents zip code origin was requested in an effort to obtain direction of approach. Table 5 shows the proportional origins of all respondents in the survey. Approximately 95% of all respondents had their origin within a 50 mile radius of the Washington D.C. metropolitan area. The remaining plus or minus 5% of the respondents can be considered visitors to the area. Approximately 70% of the local respondents had their origins within Prince William County. In addition, approximately 9.2% of the survey respondents resided at the Quantico Marine Base. Only three other major distribution clusters are apparent: 6.3% in Stafford County, 1.18% in the city of Alexandria, and 2.50% in Fairfax County.

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EXHIBIT A

POTOMAC MILLS THEATRE QUESTIONNAIRE

DATE _____ DAY _____ TIME: FROM _____ TO _____ SURVEYOR _____

What is primary purpose of your trip to Mall today? If purpose is movies, did you also shop at the Mall? Number of individuals who traveled in the same car? Zip Code?

movies shopping other | yes no | adults children | _____

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GUY/CLASE ASSOCIATES, INC. WDC
 TEEN ENTERTAINMENT CENTERS
 PROJECT NO: 1012-86

TABLE 1
 DEPENDENT PRIMARY TRIP PURPOSE BY DAY-OF-WEEK

	THURSDAY		FRIDAY		SATURDAY		SUNDAY		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
PRIMARY TRIP PURPOSE										
TEEN	78	88.7%	410	89.1%	421	88.3%	140	90.3%	1050	88.2%
SHOPPING	7	10.0%	19	4.1%	52	9.8%	10	6.5%	90	7.3%
OTHER	3	3.3%	31	6.7%	41	7.9%	5	3.2%	80	6.5%
	90	100.0%	450	100.0%	524	100.0%	155	100.0%	1220	100.0%

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PLC 2
PERCENT PRIMARY TRIP PURPOSE BY TIME-OF-DAY

	12PM-3PM		3PM-7PM		7PM-CLOSE		TOTAL	
PRIMARY TRIP PURPOSE	NO.	%	NO.	%	NO.	%	NO.	%
MOVIES	179	80.6%	416	85.1%	464	86.7%	1059	86.2%
SHOPPING	31	14.0%	30	6.4%	29	5.4%	90	7.3%
OTHER	12	5.4%	26	5.5%	42	7.9%	80	6.5%
TOTAL	222	100.0%	492	100.0%	535	100.0%	1229	100.0%

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PAGE 3
 TRIP PURPOSE 9- DAY-OF-WEEK

	THURSDAY		FRIDAY		SATURDAY		SUNDAY		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
UNUSUAL TRIP PURPOSE	37	49.1%	167	39.6%	230	48.6%	89	44.5%	503	44.3%
REGULAR TRIP PURPOSE	40	51.9%	269	61.4%	241	51.2%	96	55.5%	566	55.7%
TOTAL	77	100.0%	436	100.0%	471	100.0%	185	100.0%	1069	100.0%

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TRIP PURPOSE BY TIME-OF-DAY

	12PM-3PM		3PM-7PM		7PM-CLOSE		TOTAL	
	NO.	%	NO.	%	NO.	%	NO.	%
LIU-TRIP								
289 E								
	113	54.1%	202	45.7%	190	33.8%	505	44.3%
	96	45.9%	240	54.3%	200	31.3%	536	55.7%
	209	100.0%	442	100.0%	490	100.0%	1141	100.0%

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TABLE 5
ORIGIN OF THEATRE-PATRONS BY CITY/COUNTY

PERCENTAGE
DISTRIBUTION

BY CITY

WASHINGTON, DC	0.74%
CHARLES COUNTY, MD.	0.35%
PRINCE GEORGES CO., MD.	0.34%
MONTGOMERY CO., MD.	0.75%
BALTIMORE CITY	0.34%
WASHINGTON CO., MD.	0.05%
FAIRFAX CO., VA.	2.50%
CITY OF FAIRFAX VA.	1.12%
PRINCE WILLIAM CO., VA.	70.17%
QUANTICO MARINE BASE	9.20%
STUAR CO., VA.	0.15%
LOUDOUN CO., VA.	0.10%
CITY OF ALEXANDRIA	1.90%
CITY OF FALLS CHURCH	0.15%
FREDERICK CO., MD.	0.03%
CITY OF FREDERICKSBURG	0.65%
ST. GEORGE COUNTY	0.10%
ST. GEORGE CO., VA.	0.10%
STAFFORD CO., VA.	6.37%
CITY OF RICHMOND, VA.	0.30%

LOCAL SUBTOTAL	95.50%
WINDSOR SUBTOTAL	4.41%
TOTAL	100.00%

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Appendix C
Patron Survey Results Summary
Prepared by Wells & Associates, LLC.
June 1997

TABLE 1
SUMMARY OF RESTAURANT PATRON SURVEY DATA
THE VILLAGE AT SHIRLINGTON, FRIDAY, JUNE 20, 1997

Table A
 Summary of Restaurant Patron Survey Data (2:00 PM - 3:30 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	3%	0%	13%	36%	28%	20%	100%	39
Percentages going to other uses:	3%	0%	8%	28%	55%	6%	100%	40
Percentages visiting other uses:	11%	9%	22%	2%	9%	47%	100%	45
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	98%	0%	2%	0%	0%	0%	100%	40
Total Number of Interviews	40							

Table B
 Summary of Restaurant Patron Survey Data (3:30 PM - 7:00 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	0%	0%	29%	55%	16%	100%	69
Percentages going to other uses:	7%	3%	2%	2%	72%	14%	100%	60
Percentages visiting other uses:	15%	15%	13%	0%	0%	57%	100%	67
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	87%	0%	5%	2%	0%	0%	93%	61
Total Number of Interviews	61							

Table C
 Summary of Restaurant Patron Survey Data (7:00 PM - 10:00 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	10%	9%	14%	63%	4%	100%	70
Percentages going to other uses:	13%	0%	1%	0%	74%	12%	100%	70
Percentages visiting other uses:	21%	16%	16%	0%	0%	47%	100%	81
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	93%	1%	4%	0%	0%	2%	100%	71
Total Number of Interviews	71							

TABLE 1A
SUMMARY OF RESTAURANT PATRON SURVEY DATA
RESTON TOWN CENTER, FRIDAY JULY 18, 1997

Table A
 Summary of Restaurant Patron Survey Data (2:00 PM - 3:30 PM)
 Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	20%	12%	20%	48%	0%	0%	100%	33
Percentages going to other uses:	0%	3%	9%	12%	70%	0%	6%	100%	33
Percentages visiting other uses:	21%	16%	20%	2%	5%	9%	27%	100%	56

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	88%	0%	9%	0%	3%	0%	100%	32

Total Number of Interviews 33

Table B
 Summary of Restaurant Patron Survey Data (3:30 PM - 7:00 PM)
 Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	29%	21%	7%	29%	0%	14%	100%	14
Percentages going to other uses:	9%	0%	18%	0%	64%	0%	9%	100%	11
Percentages visiting other uses:	21%	16%	16%	0%	0%	11%	36%	100%	19

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	92%	0%	0%	0%	8%	0%	100%	12

Total Number of Interviews 12

Table C
 Summary of Restaurant Patron Survey Data (7:00 PM - 10:00 PM)
 Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	53%	18%	6%	18%	5%	0%	100%	17
Percentages going to other uses:	0%	0%	6%	0%	75%	6%	13%	100%	16
Percentages visiting other uses:	0%	0%	0%	0%	13%	75%	12%	100%	16

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	94%	0%	6%	0%	0%	0%	100%	17

Total Number of Interviews 17

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TABLE 2
SUMMARY OF RESTAURANT PATRON SURVEY DATA
THE VILLAGE AT SHIRLINGTON, SATURDAY, JUNE 21, 1997

Table A
 Summary of Restaurant Patron Survey Data (11:00 AM - 2:00 PM)
 The Village at Shirlington, Saturday, June 21, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	5%	0%	14%	5%	59%	17%	100%	22
Percentages going to other uses:	0%	0%	9%	9%	73%	9%	100%	22
Percentages visiting other uses:	4%	0%	8%	0%	4%	84%	100%	24
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	82%	0%	5%	9%	0%	4%	100%	22
Total Number of Interviews	22							

Table B
 Summary of Restaurant Patron Survey Data (2:00 PM - 3:30 PM)
 The Village at Shirlington, Saturday, June 21, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	11%	0%	11%	0%	78%	0%	100%	9
Percentages going to other uses:	11%	0%	11%	0%	78%	0%	100%	9
Percentages visiting other uses:	0%	0%	11%	0%	0%	89%	100%	9
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	89%	0%	0%	11%	0%	0%	100%	9
Total Number of Interviews	9							

Table C
 Summary of Restaurant Patron Survey Data (3:30 PM - 7:00 PM)
 The Village at Shirlington, Saturday, June 21, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	2%	4%	0%	78%	16%	100%	51
Percentages going to other uses:	40%	6%	8%	2%	38%	6%	100%	53
Percentages visiting other uses:	0%	2%	6%	0%	4%	88%	100%	51
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	94%	0%	4%	0%	0%	2%	100%	51
Total Number of Interviews	51							

Table D
 Summary of Restaurant Patron Survey Data (7:00 PM - 10:00 PM)
 The Village at Shirlington, Saturday, June 21, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	3%	0%	3%	0%	81%	13%	100%	32
Percentages going to other uses:	19%	3%	3%	0%	69%	6%	100%	32
Percentages visiting other uses:	9%	0%	3%	0%	0%	88%	100%	32
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	88%	0%	9%	3%	0%	0%	100%	32
Total Number of Interviews	32							

TABLE 2A
SUMMARY OF RESTAURANT PATRON SURVEY DATA
RESTON TOWN CENTER, SATURDAY, JULY 26, 1997

Table A
 Summary of Restaurant Patron Survey Data (4:00 PM - 7:00 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	5%	13%	8%	0%	53%		0%	21%	100%	38
Percentages going to other uses:	16%	3%	11%	0%	45%		0%	25%	100%	38
Percentages visiting other uses:	14%	10%	31%	0%	0%		0%	45%	100%	51
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	95%	3%	2%	0%	0%		0%	100%		38
Total Number of Interviews	38									

Table B
 Summary of Restaurant Patron Survey Data (7:00 PM - 9:30 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	36%	13%	3%	36%		3%	9%	100%	39
Percentages going to other uses:	5%	5%	15%	0%	38%		18%	19%	100%	40
Percentages visiting other uses:	7%	11%	16%	0%	0%		7%	59%	100%	57
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	100%	0%	0%	0%	0%		0%	100%		39
Total Number of Interviews	39									

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Table 1

Summary of Restaurant Patron Survey Data (12:00 N- 1:30 PM)
The Reston Town Center, Fairfax County, Virginia

	RTC Office	Other Office	Home	Shopping	Movies	Hotel	Other	Totals	Total Responses
Percentages from other uses:	18%	70%	1%	1%	0%	4%	6%	100%	141
Percentages going to other uses:	19%	68%	2%	1%	2%	4%	3%	99%	141
Modal Split Distribution:	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Bike</u>	<u>Other</u>				
	79%	0%	21%	0%	0%			100%	141
Total Number of Responses	141								

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TABLE 3
SUMMARY OF CINEMA PATRON SURVEY DATA
THE VILLAGE AT SHIRLINGTON, FRIDAY, JUNE 20, 1997

Table A
 Summary of Cinema Patron Survey Data (2:00 PM - 3:30 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal Responses
Percentages from other uses:	0%	7%	7%	7%	58%	21%	100%	14
Percentages going to other uses:	20%	7%	7%	0%	60%	6%	100%	15
Percentages visiting other uses:	14%	41%	32%	0%	5%	8%	100%	22
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	86%	0%	7%	0%	0%	7%	100%	14
Total Number of Interviews	15							

Table B
 Summary of Cinema Patron Survey Data
 The Village at Shirlington, Friday, June 20, 1997 (3:30 PM - 7:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal Responses
Percentages from other uses:	2%	4%	0%	25%	68%	1%	100%	56
Percentages going to other uses:	5%	23%	2%	4%	61%	5%	100%	57
Percentages visiting other uses:	12%	32%	12%	0%	0%	44%	100%	59
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	93%	0%	7%	0%	0%	0%	100%	55
Total Number of Responses	55							

Table C
 Summary of Cinema Patron Survey Data
 The Village at Shirlington, Friday, June 20, 1997 (7:00 PM - 10:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal Responses
Percentages from other uses:	17%	13%	3%	3%	64%	0%	100%	97
Percentages going to other uses:	5%	17%	1%	0%	74%	3%	100%	96
Percentages visiting other uses:	8%	13%	7%	0%	0%	72%	100%	107
	<u>Car</u>	<u>Bus</u>	<u>Walk</u>	<u>Metro/Walk</u>	<u>Bike</u>	<u>Other</u>		
Modal Split Distribution:	100%	0%	0%	0%	0%	0%	100%	96
Total Number of Responses	96							

TABLE 3A
SUMMARY OF CINEMA PATRON SURVEY DATA
RESTON TOWN CENTER, FRIDAY JULY 18, 1997

Table A

Summary of Cinema Patron Survey Data (2:00 PM - 3:30 PM)
Reston Town Center, Friday, July 18, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainmen	Other	Total	otal Responses
Percentages from other u	12%	6%	0%	6%	76%	0%	0%	0%	100%	17
Percentages going to oth	6%	31%	6%	0%	56%	0%	0%	1%	100%	16
Percentages visiting oth	21%	26%	21%	0%	6%	18%	8%	8%	100%	34
	Car	Bus	Walk	Metro/Walk	Bike	Other				
Modal Split Distribution	94%	0%	6%	0%	0%	0%			100%	17
Total Number of Response	17									

Table B

Summary of Cinema Patron Survey Data
Reston Town Center, Friday, July 18, 1997 (3:30 PM - 7:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainmen	Other	Total	otal Responses
Percentages from other u	19%	16%	16%	10%	32%	0%	0%	7%	100%	31
Percentages going to oth	4%	36%	7%	0%	43%	7%	3%	3%	100%	28
Percentages visiting oth	12%	23%	23%	0%	2%	9%	31%	31%	100%	43
	Car	Bus	Walk	Metro/Walk	Bike	Other				
Modal Split Distribution	93%	0%	7%	0%	0%	0%			100%	28
Total Number of Response	28									

Table C

Summary of Cinema Patron Survey Data
Reston Town Center, Friday, July 18, 1997 (7:00 PM - 10:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainmen	Other	Total	otal Responses
Percentages from other u	11%	22%	7%	7%	48%	5%	0%	0%	100%	27
Percentages going to oth	19%	8%	4%	0%	54%	8%	7%	7%	100%	26
Percentages visiting oth	0%	4%	16%	0%	4%	40%	36%	36%	100%	25
	Car	Bus	Walk	Metro/Walk	Bike	Other				
Modal Split Distribution	100%	0%	0%	0%	0%	0%			100%	26
Total Number of Response	26									

TABLE 4

SUMMARY OF CINEMA PATRON SURVEY DATA

THE VILLAGE AT SHIRLINGTON, SATURDAY, JUNE 21, 1997

Table A

Summary of Cinema Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (11:00 AM - 2:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	11%	5%	0%	74%	10%	100%	19
Percentages going to other uses:	5%	25%	5%	0%	40%	25%	100%	20
Percentages visiting other uses:	0%	0%	0%	0%	5%	95%	100%	19
	Car	Bus	Walk	Metro/Walk	Bike	Other		
Modal Split Distribution:	100%	0%	0%	0%	0%	0%	100%	19
Total Number of Interviews	19							

Table B

Summary of Cinema Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (2:00 PM - 3:30 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	5%	22%	3%	0%	68%	2%	100%	37
Percentages going to other uses:	0%	21%	8%	0%	55%	16%	100%	38
Percentages visiting other uses:	0%	3%	5%	0%	0%	92%	100%	37
	Car	Bus	Walk	Metro/Walk	Bike	Other		
Modal Split Distribution:	97%	0%	0%	0%	0%	3%	100%	37
Total Number of Responses	37							

Table C

Summary of Cinema Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (3:30 PM - 7:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	4%	6%	4%	0%	80%	6%	100%	170
Percentages going to other uses:	9%	43%	6%	0%	38%	4%	100%	176
Percentages visiting other uses:	2%	5%	9%	0%	1%	83%	100%	175
	Car	Bus	Walk	Metro/Walk	Bike	Other		
Modal Split Distribution:	97%	1%	2%	0%	0%	0%	100%	170
Total Number of Responses	170							

Table D

Summary of Cinema Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (7:00 PM - 10:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	3%	0%	1%	93%	3%	100%	160
Percentages going to other uses:	4%	27%	1%	0%	63%	5%	100%	162
Percentages visiting other uses:	0%	1%	1%	0%	0%	98%	100%	160
	Car	Bus	Walk	Metro/Walk	Bike	Other		
Modal Split Distribution:	94%	0%	3%	1%	0%	2%	100%	160
Total Number of Responses	160							

TABLE 4A
SUMMARY OF CINEMA PATRON SURVEY DATA
RESTON TOWN CENTER, SATURDAY, JULY 26, 1997

Table A
 Summary of Cinema Patron Survey Data (4:00 PM - 7:00 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	8%	4%	5%	0%	69%		0%	14%	100%	74
Percentages going to other uses:	1%	24%	7%	0%	47%		1%	20%	100%	75
Percentages visiting other uses:	14%	25%	13%	0%	0%		2%	46%	100%	104
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	99%	0%	0%	0%	1%			100%		74
Total Number of Interviews	74									

Table B
 Summary of Cinema Patron Survey Data (7:00 PM - 9:30 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	6%	11%	3%	0%	60%		0%	20%	100%	64
Percentages going to other uses:	2%	13%	2%	0%	67%		3%	14%	100%	64
Percentages visiting other uses:	11%	18%	15%	0%	0%		2%	54%	100%	89
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	100%	0%	0%	0%	0%		0%	100%		64
Total Number of Interviews	64									

TABLE 5
SUMMARY OF SHOPPER PATRON SURVEY DATA
THE VILLAGE AT SHIRLINGTON, FRIDAY, JUNE 20, 1997

Table A
 Summary of Shopper Patron Survey Data (2:00 PM - 3:30 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	0%	0%	42%	58%	0%	100%	12
Percentages going to other uses:	0%	0%	0%	0%	80%	20%	100%	11
Percentages visiting other uses:	18%	29%	12%	12%	0%	29%	100%	17
Modal Split Distribution:	Car 100%	Bus 0%	Walk 0%	Metro/Walk 0%	Bike 0%	Other 0%	100%	12
Total Number of Interviews	12							

Table B
 Summary of Shopper Patron Survey Data (3:30 PM - 7:00 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	0%	0%	39%	57%	4%	100%	23
Percentages going to other uses:	4%	4%	17%	0%	57%	18%	100%	23
Percentages visiting other uses:	0%	8%	29%	0%	4%	59%	100%	24
Modal Split Distribution:	Car 74%	Bus 4%	Walk 22%	Metro/Walk 0%	Bike 0%	Other 0%	100%	23
Total Number of Interviews	23							

Table C
 Summary of Shopper Patron Survey Data (7:00 PM - 10:00 PM)
 The Village at Shirlington, Friday, June 20, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	Total Responses
Percentages from other uses:	0%	0%	22%	0%	78%	0%	100%	9
Percentages going to other uses:	0%	0%	0%	0%	89%	11%	100%	9
Percentages visiting other uses:	11%	0%	0%	0%	11%	78%	100%	9
Modal Split Distribution:	Car 89%	Bus 0%	Walk 11%	Metro/Walk 0%	Bike 0%	Other 0%	100%	9
Total Number of Interviews	9							

TABLE 5A
SUMMARY OF SHOPPER PATRON SURVEY DATA
RESTON TOWN CENTER, FRIDAY JULY 18, 1997

Table A
 Summary of Restaurant Patron Survey Data (2:00 PM - 3:30 PM)
 The Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	20%	13%	10%	57%		0%	0%	100%	30
Percentages going to other uses:	3%	0%	13%	10%	60%		0%	14%	100%	30
Percentages visiting other uses:	23%	21%	21%	4%	2%		9%	20%	100%	53

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	87%	3%	7%	0%	3%	0%	100%	30

Total Number of Interviews 34

Table B
 Summary of Shopper Patron Survey Data (3:30 PM - 7:00 PM)
 The Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	5%	11%	37%	21%	21%		0%	5%	100%	19
Percentages going to other uses:	0%	0%	6%	0%	76%		0%	18%	100%	17
Percentages visiting other uses:	17%	21%	8%	0%	0%		8%	46%	100%	24

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	94%	0%	6%	0%	0%	0%	100%	17

Total Number of Interviews 17

Table C
 Summary of Shopper Patron Survey Data (7:00 PM - 10:00 PM)
 The Reston Town Center, Friday, July 18, 1997

	Movies	Restauran	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	17%	33%	17%	33%		0%	0%	100%	6
Percentages going to other uses:	0%	0%	0%	0%	100%		0%	0%	100%	6
Percentages visiting other uses:	0%	0%	0%	0%	0%		83%	17%	100%	6

	Car	Bus	Walk	Metro/Walk	Bike	Other	Total	Total Responses
Modal Split Distribution:	100%	0%	0%	0%	0%	0%	100%	6

Total Number of Interviews 6

TABLE 6
SUMMARY OF SHOPPER PATRON SURVEY DATA
THE VILLAGE AT SHIRLINGTON, SATURDAY, JUNE 21, 1997

Table A

Summary of Shopper Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (11:00 AM - 2:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal	Responses
Percentages from other uses:	0%	0%	0%	7%	79%	14%	100%		14
Percentages going to other uses:	0%	7%	7%	0%	50%	36%	100%		14
Percentages visiting other uses:	0%	7%	0%	0%	0%	93%	100%		14
	Car	Bus	Walk	Metro/Walk	Bike	Other			
Modal Split Distribution:	72%	0%	0%	7%	21%	0%	100%		14
Total Number of Interviews	14								

Table B

Summary of Shopper Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (2:00 PM - 3:30 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal	Responses
Percentages from other uses:	0%	9%	0%	0%	64%	27%	100%		11
Percentages going to other uses:	0%	18%	0%	0%	64%	18%	100%		11
Percentages visiting other uses:	0%	0%	0%	0%	0%	100%	100%		11
	Car	Bus	Walk	Metro/Walk	Bike	Other			
Modal Split Distribution:	100%	0%	0%	0%	0%	0%	100%		11
Total Number of Responses	11								

Table C

Summary of Shopper Patron Survey Data

The Village at Shirlington, Saturday, June 21, 1997 (3:30 PM - 7:00 PM)

	Movies	Restaurant	Shopping	Work/Office	Home	Other	Total	otal	Responses
Percentages from other uses:	0%	5%	0%	0%	86%	9%	100%		22
Percentages going to other uses:	9%	9%	5%	0%	59%	18%	100%		22
Percentages visiting other uses:	4%	4%	13%	0%	0%	79%	100%		23
	Car	Bus	Walk	Metro/Walk	Bike	Other			
Modal Split Distribution:	100%	0%	0%	0%	0%	0%	100%		22
Total Number of Responses	22								

TABLE 6A
SUMMARY OF SHOPPER PATRON SURVEY DATA
RESTON TOWN CENTER, SATURDAY JULY 26, 1997

Table A
 Summary of Shopping Patron Survey Data (4:00 PM - 7:00 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	12%	46%	0%	31%		0%	11%	100%	26
Percentages going to other uses:	0%	23%	35%	0%	35%		0%	7%	100%	26
Percentages visiting other uses:	9%	18%	18%	0%	0%		0%	55%	100%	34
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	100%	0%	0%	0%	0%		0%	100%		26
Total Number of Interviews	26									

Table B
 Summary of Shopping Patron Survey Data (7:00 PM - 9:30 PM)
 The Reston Town Center, Saturday, July 26, 1997

	Movies	Restaurant	Shopping	Work/Office	Home	Outdoor	Entertainment	Other	Total	Total Responses
Percentages from other uses:	0%	0%	43%	0%	43%		0%	14%	100%	7
Percentages going to other uses:	14%	14%	0%	0%	57%		0%	15%	100%	7
Percentages visiting other uses:	0%	11%	22%	0%	0%		0%	67%	100%	9
	Car	Bus	Walk	Metro/Walk	Bike		Other	Total		
Modal Split Distribution:	100%	0%	0%	0%	0%		0%	100%		7
Total Number of Interviews	7									

Appendix D
Summary of Recommendations from
"Parking Generation, 2nd Edition",
published by the Institute of Transportation Engineers

2nd Edition

Parking Generation

ite 

INSTITUTE OF TRANSPORTATION ENGINEERS

97 - 036

NON-CONVENTION HOTEL (312)

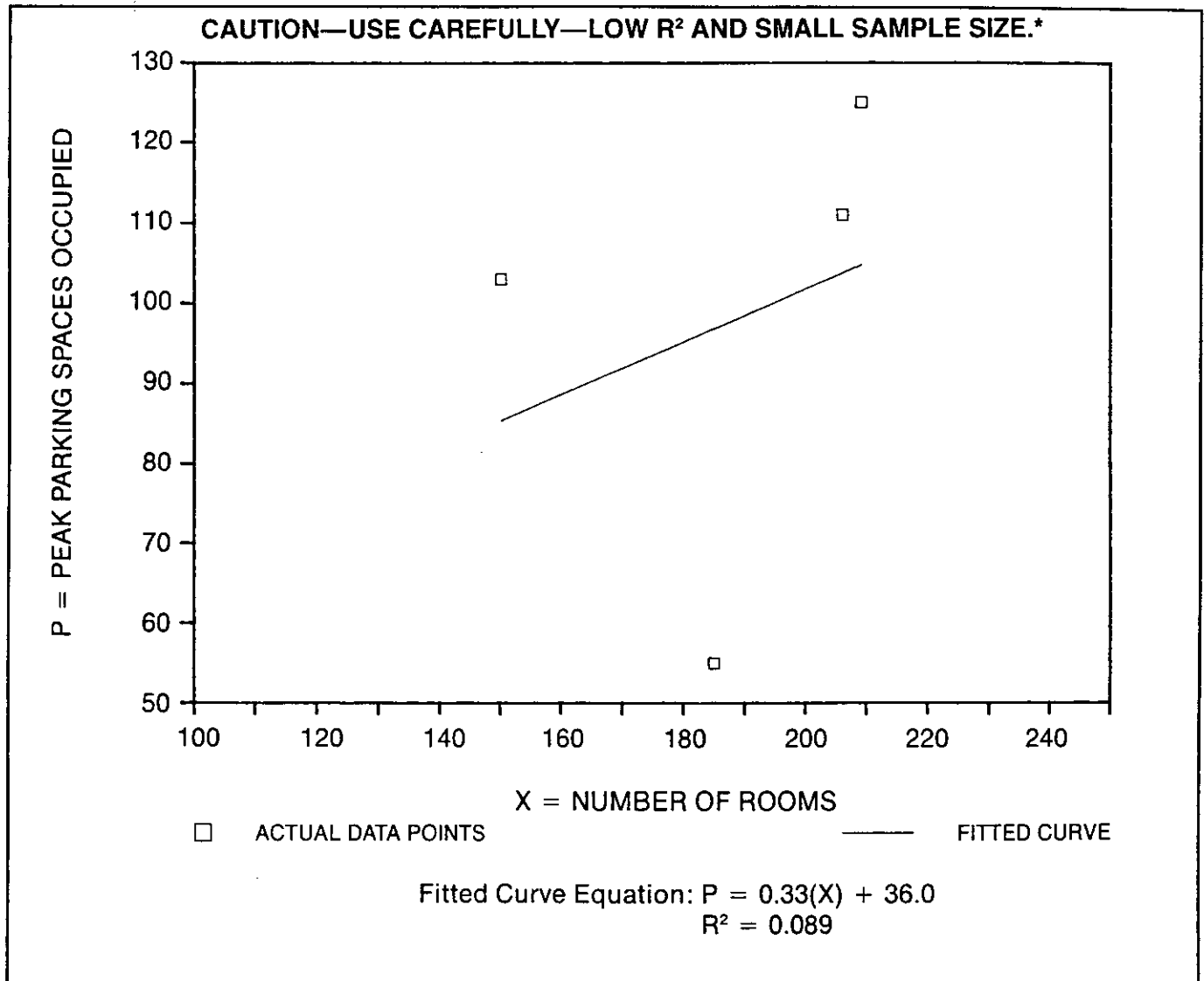
Peak Parking Spaces Occupied vs: **ROOMS**

On a: **WEEKDAY**

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average Number of Rooms
0.52	0.29-0.68	*	4	188

DATA PLOT AND EQUATION



CONVENTION HOTEL (311)

Peak Parking Spaces Occupied vs: ROOMS
On a: **SATURDAY**

PARKING GENERATION RATES

<i>Average Rate</i>	<i>Range of Rates</i>	<i>Standard Deviation</i>	<i>Number of Studies</i>	<i>Average Number of Rooms</i>
1.03	0.73–1.33	*	2	435

CAUTION—USE CAREFULLY—SMALL SAMPLE SIZE.

NO PLOT OR EQUATION AVAILABLE—INSUFFICIENT DATA*

MOVIE THEATER (443)

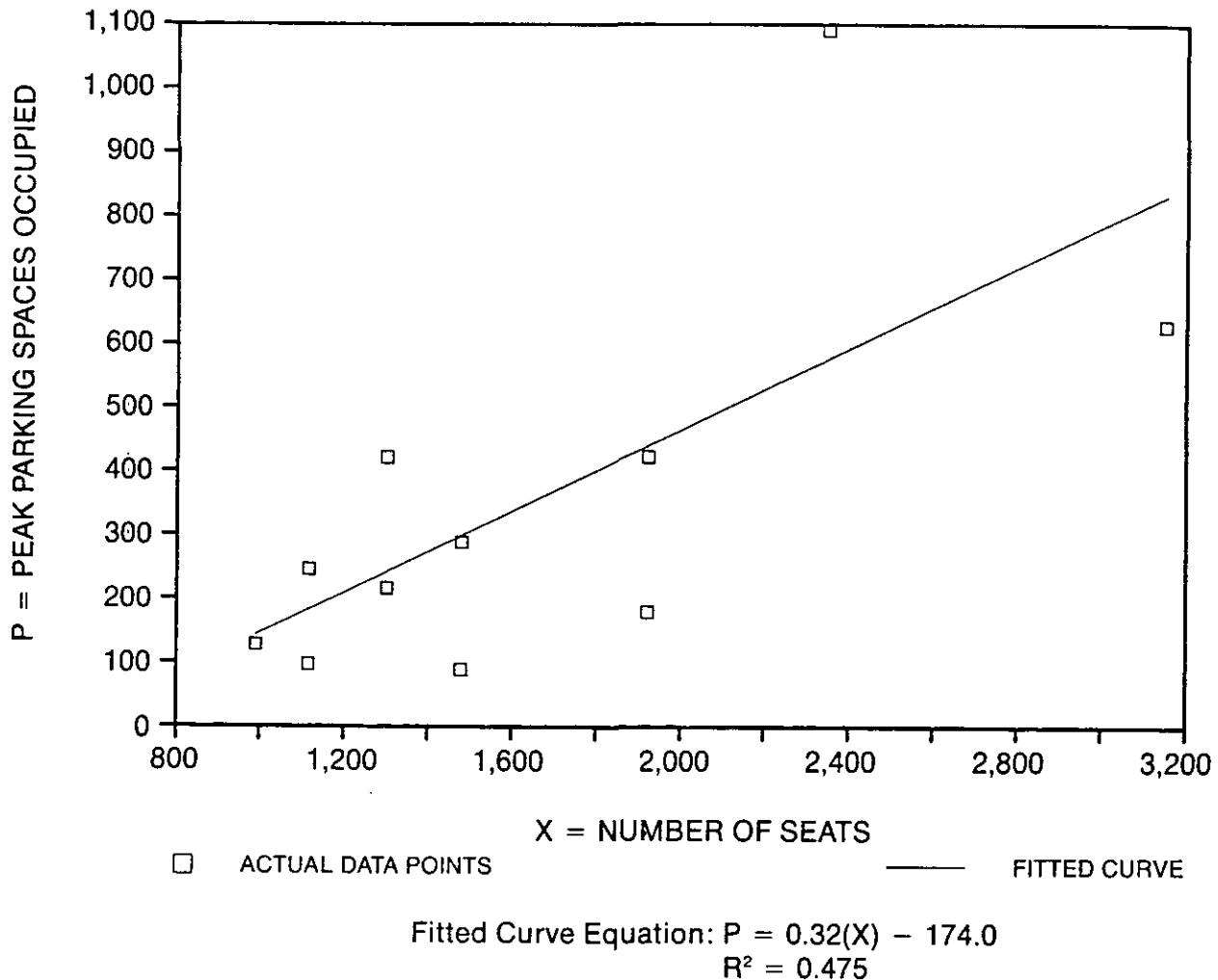
Peak Parking Spaces Occupied vs: **SEATS**
On a: **WEEKDAY**

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average Number of Seats
0.19	0.06-0.46	0.11	11	1646

DATA PLOT AND EQUATION

CAUTION—USE CAREFULLY—LOW R^2 .



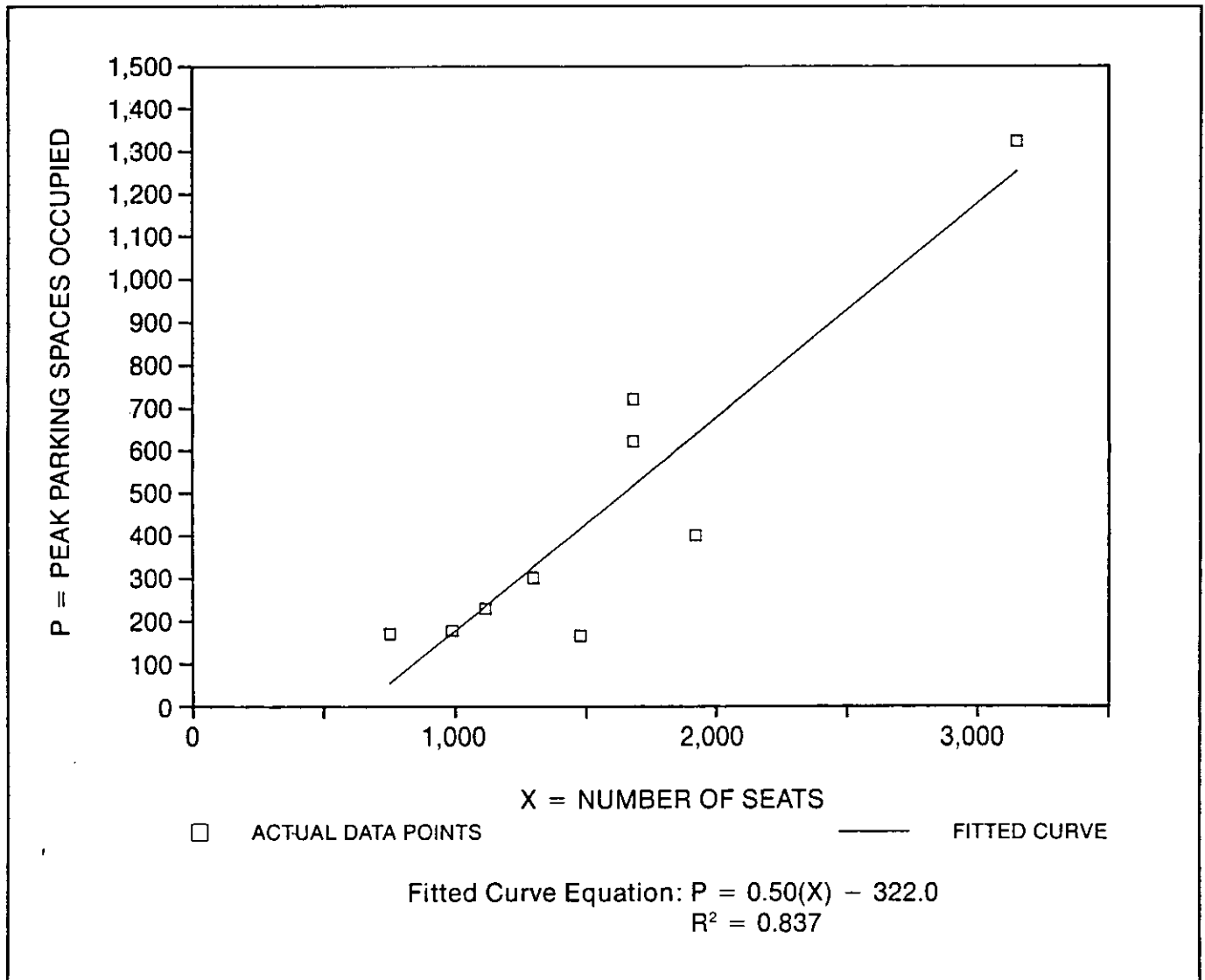
MOVIE THEATER (443)

Peak Parking Spaces Occupied vs: **SEATS**
On a: **SATURDAY**

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average Number of Seats
0.26	0.11–0.42	0.11	9	1562

DATA PLOT AND EQUATION



SHOPPING CENTER (820-828)

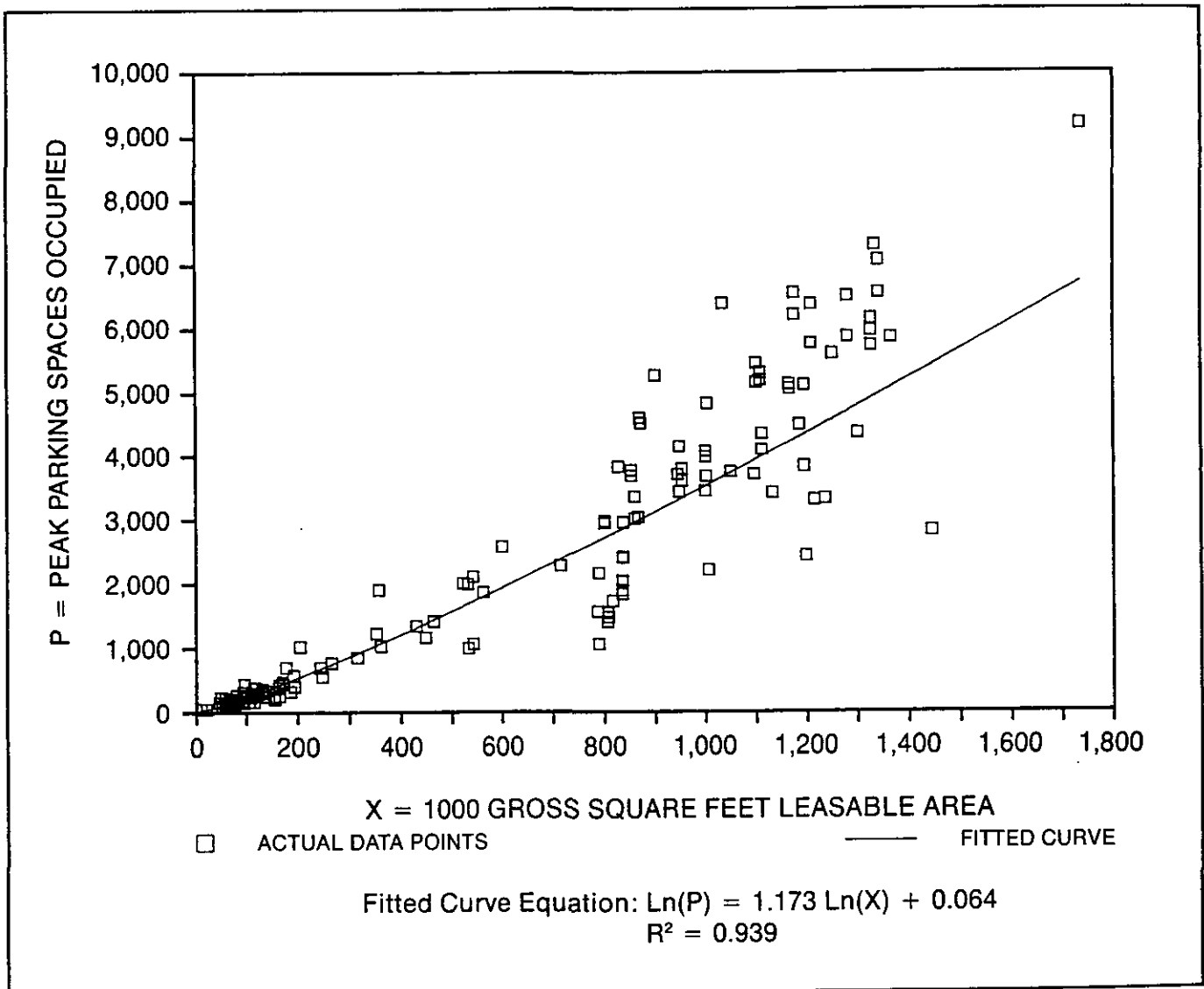
Peak Parking Spaces Occupied vs: 1,000 GROSS SQUARE FEET
LEASABLE AREA

On a: WEEKDAY

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average 1,000 Square Feet GLA
3.23	1.02-6.17	1.20	141	635

DATA PLOT AND EQUATION



SHOPPING CENTER (820-828)

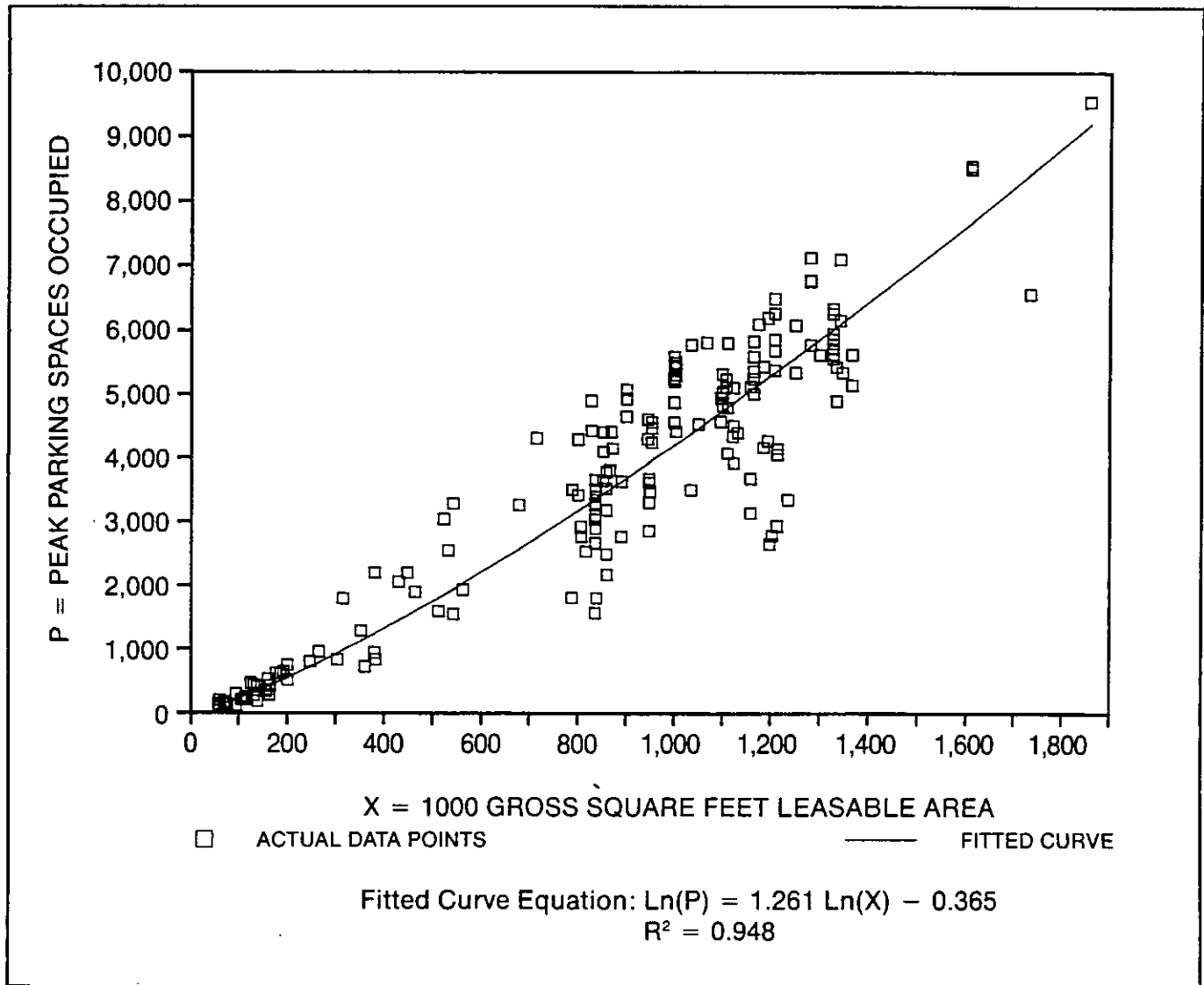
Peak Parking Spaces Occupied vs: 1,000 GROSS SQUARE FEET
LEASABLE AREA

On a: SATURDAY

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average 1,000 Square Feet GLA
3.97	1.11-6.06	1.13	178	838

DATA PLOT AND EQUATION



Appendix E
"Comparison of Parking Ratios for Shopping Centers"
Prepared by Wells & Associates, LLC
March, 1995

COMPARISON OF PARKING
RATIOS FOR SHOPPING CENTERS

Prepared for:
Federal Realty Investment Trust
Bethesda, Maryland

Prepared By:
Wells & Associates, Inc.
McLean, Virginia

March, 1995

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COMPARISON OF PARKING
RATIOS FOR SHOPPING CENTERS
Federal Realty Investment Trust

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Introduction

This report provides a comparison of nationally published studies, standards, and recommendations of parking ratios for shopping center uses with actual field data obtained at ten retail centers operated by Federal Realty Investment Trust.

The information presented in this study was obtained from various professional sources including The Institute of Transportation Engineers (ITE), The Urban Land Institute (ULI), The National Parking Association (NPA), the International Council of Shopping Centers (ICSC), Callow & Associates, and parking accumulation counts conducted by Wells & Associates.

As part of planned redevelopment and expansion studies, aerial photographs were taken at various shopping centers owned by Federal Realty Investment Trust during the peak periods of retail activity. In general the photographs were taken on the Friday after Thanksgiving, and Saturdays during November and December between 1991 and 1994. A set of the aerial photographs used in this analysis are contained in the Appendix of this report.

Parking Ratio Analysis

A review of the nationwide standards for parking ratio requirements for retail centers concluded that the major professional organizations such as the ICSC and the NPA use the recommendations outlined in the 1982 ULI publication entitled "Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report".

This publication was based on a ongoing study specifically targeted to ascertain parking recommendations for shopping centers. The ULI study uses the 20th highest hour as the design standard of the parking supply. Use of this design standard will result in an adequate supply of parking for more than 3,000 hours a year or more than 99% of the time that the center is operating.

The ULI study recommends a ratio of 4.0 spaces per 1,000 square feet of GLA for centers ranging from 25,000 to 400,000 square feet of GLA, and a parking ratio ranging from 4.0 to 5.0 spaces per 1,000 square feet for shopping centers ranging in size from 400,000 to 600,000 square feet of GLA.

The following is a discussion of the articles researched as part of this report:

- The 1982 ULI study found that the recommended parking ratios of 4.0 spaces per 1000 square feet of GLA will have a surplus of spaces to serve patrons and employees of the Center for all but 19 hours of the typical 3,000 hours an average Shopping Center is open during the year. It should be noted that these 19 hours are distributed over 10 peak shopping days and will typically result in some patrons not being able to find a space when they first enter a center and will need to circulate within the parking area until they find a space.

It should be noted that the ULI study recommendations also indicate that 5 percent of the retail space can be dedicated to food services and up to 750 movie theater seats can be accommodated with the 4.0 parking ratio.

- The ITE publication "Parking Generation" Second Edition, published in 1987 conducted 141 parking studies on a weekday and 178 parking studies on a Saturday of various

size Shopping Centers throughout the country. The result of these studies is a Fitted Curve Equation that calculates a recommendation of the number of parking spaces that should be supplied for different size Shopping Centers to be calculated. The results of the parking demand resulting from the equations for retail centers of various sizes is illustrated in Table 1.

Table 1
ITE Parking Requirements

SIZE	WEEKDAY	WEEKEND
100,000 Square Feet	2.36	2.31
150,000 Square Feet	2.54	2.57
200,000 Square Feet	2.67	2.77
250,000 Square Feet	2.77	2.93
300,000 Square Feet	2.86	3.08
350,000 Square Feet	2.94	3.20
400,000 Square Feet	3.01	3.32

As shown in Table 1, the parking demand for retail centers according to the ITE equations range from 2.36 spaces per 1,000 square feet of GLA for the smaller centers to 3.32 spaces per 1,000 square feet of GLA for centers of 400,000 square feet. The peaks according to the ITE demand for smaller centers occur during the weekday and the peaks for the larger centers (centers over 150,000 square feet) occur on a weekend. However, the parking demands for shopping centers under 400,000 are under the 4.0 ratio recommended in the 1982 ULI study.

A parking study by Callow Associates, Inc. in October, 1989 entitled "Parking Study for Neighborhood & Community Shopping Centers" was conducted for 30 Shopping Centers throughout Fairfax County, Virginia. Callow & Associates, Inc. was retained by a number of owners of retail centers in the Northern Virginia area to determine the typical parking demands of neighborhood and community centers less than 400,000 square feet of GLA. The analysis was

conducted at the shopping centers during the months of June, October and December in order to obtain data from the peak shopping periods. The study compared the parking characteristics at centers according to size, type of anchor store, amount of restaurants, and the presence of freestanding buildings.

The results of this study indicates that a 4.0 space per 1,000 square feet of GLA would be adequate for all centers up to 400,000 square feet of GLA regardless of the factors involved provided that the centers did not contain more than 15 percent of dedicated restaurant use. The study showed that centers with higher amounts of restaurant use exceeded the 4.0 space ratio during the peak shopping days, usually on Saturday between 1:00 - 2:00 PM in December. These findings are similar to those illustrated in the 1982 ULI study for parking generations at Shopping Centers. Typically, during these time periods, which only occur less than one percent of the time during the year, patrons will not find a space immediately as they enter the center and will have to circulate in the parking lot to find a space.

~ A parking study conducted by Gorove/Slade Associates in 1993 for Federal Realty Investment Trust was conducted to compare standards recommended in national studies with the City of Rockville, Maryland. This study (illustrated in the Appendix) concluded that 4.0 spaces per 1,000 square feet of gross leasable area would adequately serve a shopping center under 400,000 square feet.

In order to determine the parking demand of Federal Realty Investment Trust shopping centers and to corroborate the ITE, ULI, Callow & Associates, and Gorove/Slade Associates findings, an occupancy study was conducted by Wells & Associates of shopping centers Maryland, Pennsylvania, and New Jersey. The study was conducted by obtaining aerial photographs of the shopping centers during the typical days of peak shopping center activity in November, December, and the Friday after Thanksgiving. The results of this study are illustrated in Table 2.

It should be noted that typically, Federal Realty Investment Trust shopping centers have been reported to be over 95% occupied over the past several years. In instances that a higher than five percent vacancy was experienced at the shopping centers studied, the net leasable area at the time of the survey was used. This occurred during the surveys of Federal Plaza and Congressional Plaza.

The study of the parking demands during the peak shopping Friday after Thanksgiving revealed parking demands between 2.48 spaces and 2.87 spaces per 1,000 square feet of GLA. During the month of November, the parking demand was calculated to be less than 3.77 spaces per 1,000 square feet of GLA on a Saturday and less than 2.44 spaces per 1,000 square feet of GLA on a Friday.

Table 2
Parking Ratios for Federal Realty Shopping Centers

Center	Day	Date	GLA (sq.ft.)	Parking Ratio
Federal Plaza	Friday	11/06/92	227,034	1.86
	Saturday	11/07/92		3.77
	Friday	11/27/92		3.72
Congressional Plaza	Friday	11/06/92	213,462	1.85
	Saturday	11/07/92		2.95
	Friday	11/27/92		3.08
Mid-Pike	Friday	11/06/92	307,186	2.44
	Saturday	11/07/92		2.62
	Friday	11/27/92		3.20
Laurel Shopping Center	Saturday	11/30/91	379,584	3.42
Brainard Village Shopping Center	Saturday	11/30/93	215,721	1.33
Clifton Shopping Center	Friday	11/26/93	80,341	2.48
Troy Shopping Center	Friday	11/26/93	207,866	2.83
Flourtown (w K-Mart)	Saturday	12/24/93	192,503	2.35
Feasterville	Saturday	12/24/94	110,339	2.19
Langhorne	Friday	11/25/94	244,093	2.87

This study was conducted for shopping centers during the peak retail shopping time periods in the mid-afternoon (1:00 - 3:00 PM) on Saturday and the Friday after Thanksgiving and early evening (3:00 - 6:00 PM) for the peak Friday. It should be noted that the peak or "design day" retail activity generally occurs between Thanksgiving and Christmas during Friday evenings and early Saturday afternoon. The Friday after Thanksgiving is considered the most active day of the year. The results indicate that for every hour studied, parking demands were well below the 4.0 spaces per 1,000 square feet of GLA recommended by ULI. Table 3 summarizes the studies researched and conducted as part of this report.

Table 3
Summary of Design Ratio Recommendations
Based on Peak Hours of Retail Operations

<u>STUDY</u>	<u>CENTER SIZE</u>	<u>RATIO</u>
ULI	25,000 TO 400,000	4.0
ITE	100,000 TO 400,000	2.31 TO 3.32
CALLOW & ASSOCIATES	Less than 400,000	4.0
GOROVE/SLADE	Less than 400,000	4.0
WELLS & ASSOCIATES	100,000 to 400,000	4.0

Summary

The major professional transportation planning and parking organizations concur with the data and the recommended parking ratios presented in the ULI "Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report". This report recommends 4.0 spaces per 1,000 square feet of GLA for shopping centers with a mix of uses of 25,000 to 400,000 square feet of gross leasable area. This study is supported by the 1989 Callow Study of shopping centers in Fairfax County, Virginia, the ITE recommendations, the Gorove/Slade study, and the parking occupancy studies conducted by Wells & Associates on existing Federal Realty Investment Trust shopping centers.

APPENDIX A
GOROVE/SLADE ASSOCIATE STUDY

Parking Ratio Study For Shopping Centers

Prepared for:
Federal Realty Investment Trust
Bethesda, Maryland

Prepared by:
Gorove/Slade Associates, Inc.
Washington, DC

March, 1993

97 - 036

PARKING RATIO STUDY FOR SHOPPING CENTERS

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EXECUTIVE SUMMARY

This document summarizes the results of a study conducted at the request of Federal Realty Investment Trust (FRIT) to compare the parking requirements of the City of Rockville, Maryland for shopping center uses with nationwide standards. This effort also reviewed a number of recent parking studies conducted by national land use and transportation organizations which dealt with this topic.

The findings and conclusions of this analysis are believed to be generally applicable to similar situations throughout the United States and Canada. The recommendations developed through the course of this study address the aspect of this issue dealing with the number of parking spaces required for each 1,000 square feet of commercial development.

The principal recommendation developed through the course of this work is that for shopping centers containing less than 400,000 square feet of gross leasable area (GLA), a parking ratio of 4.0 spaces per 1,000 square feet of GLA is recommended.

INTRODUCTION

This report presents the results of a study undertaken to develop technical recommendations relative to a proposed zoning code amendment with respect to the current parking space ratio requirements for shopping centers within the City of Rockville, Maryland. This report is based on a compilation of nationally published studies, standards, and recommendations for parking space dimensions and parking ratios for shopping center uses. These recommended parking space ratio revisions were developed through the review of a variety of studies conducted by the traffic, transportation and parking profession on a national basis which are discussed in more detail later in this report.

The current edition of the City of Rockville's Zoning Code requires a parking ratio of one (1.0) parking space for each 200 square feet of gross leasable area for retail establishments containing over 10,000 square feet of gross leasable area (GLA).¹ This is equivalent to a parking space ratio of 5.0 spaces per 1,000 square feet of GLA. As defined by the same section of the City of Rockville Zoning and Planning Code, "Gross Leasable Area (GLA)" is:

"...the total floor area designed for tenant occupancy and use, including cellars or basements, mezzanines and upper floors if any, expressed in square feet measured from the centerline of joint partitions and the exteriors of outside walls."²

As a result of this study, a parking ratio of 4.0 spaces per 1000 square feet of GLA is recommended for shopping centers under 400,000 square feet of GLA in size.

ANALYSIS METHODOLOGY:

The information presented in this study was obtained from a number of professional sources. These included, but were not limited to: The Institute of Transportation Engineers (ITE), The Urban Land Institute (ULI), The National Parking Association (NPA), the International Council of Shopping Centers (ICSC), the technical library and data files of Gorove/Slade Associates, Inc., and a telephone survey of several local municipalities in the Washington, D.C. and Baltimore, Maryland metropolitan areas.

The following paragraphs briefly summarize the conclusions obtained from a review of the various documents and publications researched in connection with this study. A

¹ Ibid.; Page 2045, Section 25-395, Paragraph (a),(30).

² Ibid.; Page 2045, Section 25-395, Paragraph (a),(30).

bibliography listing the documents which were reviewed is contained at the conclusion of this report.

Parking Ratio Analysis:

A review of the nationwide parking ratio requirements for suburban retail centers concluded that the standard references and guidelines published by the major professional organizations such as the ICSC and the NPA follow the general recommendations outlined in the 1982 ULI publication "Parking Requirements for Shopping Centers."³

The findings reported in this publication were based on an ongoing study of approximately 300 shopping centers of various sizes and tenant mix across the United States. These centers were specifically targeted to ascertain parking recommendations for shopping centers. This study recommended the use of a ratio of 4.0 parking spaces per 1,000 square feet of Gross Leasable Area (GLA) for shopping centers ranging in size from 25,000 to 400,000 square feet, and a parking ratio ranging from 4.0 to 5.0 spaces per 1,000 square feet of GLA for shopping centers ranging in size from 400,000 to 600,000 square feet.

It was particularly noted, moreover, that the presence of offices, cinemas, and food service establishments may require additional attention to the determination of peak parking demands. These "case by case" exceptions are frequently the rationale for the provision of shared parking facilities, whereby the same parking space may serve very different uses (e.g., office employees and visitors, retail shoppers, and cinema patrons) over the course of a given day.

The key findings and recommendations of the various articles and publications reviewed as part of this research activity are briefly summarized below:

"Parking Requirements for Shopping Centers"

This 1982 ULI study found that use of the recommended parking ratio of 4.0 parking spaces per 1,000 square feet of GLA for shopping centers containing between 25,000 and 400,000 square feet of GLA would result in a surplus of parking spaces to serve patrons and employees of the center for all but about 19 hours of the typical 3,000 hours that an average shopping center is open during the year. It should be noted that these 19 "peak demand" hours are typically distributed over the 10 peak shopping days between Thanksgiving and Christmas and will typically result in some patrons not being

³ "Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report"; The Urban Land Institute; Washington, DC; 1982.

able to find a parking space when they first enter a center and being required to circulate within the parking area until they find a space.

"Parking Generation: Second Edition":⁴

This document, published by the Institute of Transportation Engineers (ITE) reported on the summary findings from some 141 weekday parking studies and 178 Saturday parking studies at various size shopping centers throughout the country. The compilation of the data obtained through these studies was used to develop mathematical relationships between the size of the shopping center and the required number of parking spaces to accommodate peak (non-Christmas shopping period) demands. The resulting recommended parking space requirements for retail centers of various sizes generated through the application of these relationships are illustrated in Table 1.

As shown in Table 1, the peak parking demands estimated for retail centers using the ITE relationships range from 2.36 spaces per 1,000 square feet of GLA for smaller centers (i.e., those less than 150,000 square feet of GLA) to 3.69 spaces per 1,000 square feet of GLA for shopping centers up to 600,000 square feet in size. The ITE data also indicates that the peak parking demand at the smaller shopping centers occurs during weekday periods, while the peak demands for larger shopping areas (e.g., those in excess of 150,000 square feet GLA) occur on weekends. Moreover, these mathematically derived peak parking demand ratios for shopping centers less than 600,000 square feet GLA in size are appreciably less than the 4.0 spaces per 1,000 square feet of GLA ratio recommended in the 1982 ULI study.

"Parking Study for Neighborhood and Community Shopping Centers"⁵

This parking utilization study was conducted to determine the typical parking demands at some 30 neighborhood and community scale shopping centers (e.g., those less than 400,000 square feet of GLA) throughout Fairfax County, Virginia. The utilization surveys were conducted at the shopping centers during the months of June, October and December in order to obtain data for the peak summer, fall and winter shopping periods. This study

⁴ Parking Generation, Second Edition; Institute of Transportation Engineers; Washington, DC; 1987.

⁵ Parking Study for Neighborhood and Community Shopping Centers; Prepared for The Neighborhood and Community Shopping Centers Ad Hoc Committee; Fairfax County, Virginia; Prepared by Callow Associates, Inc., Reston, VA; October, 1989.

Table 1

Parking Generation Ratios for Varios Sizes of Retail Land Use

SIZE	WEEKDAY	WEEKEND
100,000 Square Feet	2.36	2.31
150,000 Square Feet	2.54	2.57
200,000 Square Feet	2.67	2.77
250,000 Square Feet	2.77	2.93
300,000 Square Feet	2.86	3.08
350,000 Square Feet	2.94	3.20
400,000 Square Feet	3.01	3.32
450,000 Square Feet	3.07	3.42
500,000 Square Feet	3.12	3.51
550,000 Square Feet	3.18	3.60
600,000 Square Feet	3.22	3.69

compared the parking characteristics at the centers according to size, type of anchor store(s), amount of restaurant space, and the presence of freestanding buildings such as drive-in banks.

The results of this study indicated that a parking ratio of 4.0 spaces per 1,000 square feet of GLA would be adequate for all of the centers surveyed, regardless of the other factors involved, provided, however, that the centers did not contain more than 15 percent of dedicated restaurant use. The Callow Associates study determined that at those shopping centers with this higher amount of restaurant use the 4.0 spaces per 1,000 square foot ratio was exceeded during the peak annual shopping days, typically on Saturdays between the hours of 1:00 PM and 2:00 PM in the month of December.

These findings are quite similar to those described in the 1982 ULI study for parking generation rates at neighborhood and community type shopping centers. Typically, during these peak utilization time periods, which only occur less than one percent of the time during the year that a shopping center is generally open for business, patrons will not be able to find a parking space immediately after they enter the center and will thus have to circulate in the parking lot to find a space.

Survey of Local Jurisdictions:

Contacts were also made with representatives of those local jurisdictions in the Washington metropolitan area whose zoning ordinances allow for a parking ratio of 4.0 spaces per 1,000 square feet of GLA for retail centers of less than 400,000 square feet. The jurisdictions contacted were Prince George's County, Maryland; and Arlington County and the City of Falls Church, Virginia.

The purpose of this survey was to determine if those local agencies responsible for the administration of parking regulations were aware of any parking problems at those shopping centers where this lower parking space ratio had been implemented. None of the agencies contacted reported any problems at the subject shopping centers.

Parking Ratio Summary:

The generally accepted technical reference documents and guidelines published by major professional organizations such as ITE and NPA all basically concur with the use of the data and the recommended parking ratios presented in the ULI Report "Parking Requirements for Shopping Centers". This report recommends the use of a parking ratio of 4.0 spaces per 1,000 square feet of GLA for shopping centers of between 25,000 and 400,000 square feet, and a ratio of 4.0 to 5.0 spaces per 1,000 GLA for shopping centers

ranging from 400,000 to 600,000 square feet.

The findings of the ULI study are further supported by the more recent 1989 Callow Associates study of neighborhood and community shopping centers in Fairfax County, Virginia. Finally, the use of a parking space ratio of 4.0 per 1,000 square feet of GLA for shopping centers of less than 400,000 square feet in size substantially exceeds the peak parking requirements values generated through application of the equations presented in the 1987 ITE "Parking Generation" Manual (Second Edition).

It is thus recommended that a peak parking ratio of 4.0 spaces per 1,000 square feet of GLA be used in conjunction with the proposed shopping center redevelopment project in the City of Rockville, Maryland.

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BIBLIOGRAPHY LISTING

- "Wards Automotive Yearbook", Wards communication, Inc. Detroit M.I., 1987.
- "Recommended Guidelines for Parking Geometrics" Parking Consultants Council, National Parking Association, Washington, D.C. 1989.
- "The Dimensions of Parking, Second Edition" Urban Land Institute and the National Parking Association, Washington, D.C. 1987.
- Box, P.C., Kenig, N.S., "Parking Layout Dimension Guidelines", Institute of Transportation Engineers Journal, Washington, D.C. April, 1984.
- Hekimian and Smith, "Parking Requirements for Local Zoning Ordinance", Institute of Transportation Engineers Journal, Washington, D.C. September, 1985.
- "Parking Generation - Second Edition", Institute of Transportation Engineers, Washington, D.C., 1987.
- "Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report", The Urban Land Institute, Washington, D.C., 1982.
- "Parking study for Neighborhood & Community Shopping Centers", Callow Associate, Inc., Tysons Corner, V.A., 1989.

Parking Ratio
Technical Appendix



Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report

ULI—the Urban Land Institute

Recommended Parking Indices

Shopping center parking demand is best described as a function of GLA. The parking index varies with center size, over selected ranges (Figure 1) and is summarized in the following requirements.

- Design hour parking demands at smaller centers with GLA between 25,000 and 400,000 square feet, which exhibit less peaking during the Thanksgiving and pre-Christmas shopping seasons and where parking durations are shorter, require 4.0 spaces per 1,000 square feet of GLA.
- At centers with 400,000 to 600,000 square feet of GLA, the parking demand index increases from 4.0 to 5.0 spaces in a linear progression as size increases, with an average index of 4.5 spaces per 1,000 square feet of GLA.
- Centers larger than 600,000 square feet require 5.0 spaces per 1,000 square feet of GLA. At centers having over 1.2 million square feet of GLA, the number of required spaces declines from 5.0 spaces per 1,000 square feet of GLA. The number of centers with over 1.2 million square feet of GLA participating in the study was insufficient to quantify this reduction in demand, thus, it is suggested that the demand for these centers be addressed on a case by case basis.

These values were developed through analysis of design hour parking demands at over 135 centers, as shown in Figure 5, and are adequate to serve the needs of all patrons, visitors, and employees during the 20th busiest hour of the year except where modifications are required for offices, cinemas, and food services which need special consideration.

3rd Edition

Parking Generation

LAND USES: 820-828

SHOPPING CENTER

820—Less Than 50,000 Gross Square Feet Leasable Area

821—50,000-99,999 Gross Square Feet Leasable Area

822—100,000-199,999 Gross Square Feet Leasable Area

823—200,000-299,999 Gross Square Feet Leasable Area

824—300,000-399,999 Gross Square Feet Leasable Area

825—400,000-499,999 Gross Square Feet Leasable Area

826—500,000-999,999 Gross Square Feet Leasable Area

827—1,000,000-1,250,000 Gross Square Feet Leasable Area

828—Greater Than 1,250,000 Gross Square Feet Leasable Area

DESCRIPTION

A shopping center is an integrated group of commercial establishments which is planned, developed, owned, and managed as a unit. It is related to its market area in terms of size, location, and type of store. Off-site parking facilities are provided.

Nearly all of the facilities surveyed were located in suburban areas. Many were served by transit. The shopping centers surveyed range in size from 10,479 to 1,858,000 square feet gross leasable area.

PARKING CHARACTERISTICS AND DATA LIMITATIONS

Much of the data contained herein is for average business periods. Shopping center parking is usually designed to accommodate peak season demand rather than average demand. Hence, the data contained in this report should not be used to determine design day shopping center parking supply.

Peak parking occurred during the mid-day hours for shopping centers smaller than 50,000 square feet, and during the lunchtime and late afternoon and early evening hours for shopping centers between 50,000 and 99,999 square feet.

It would be desirable to obtain additional data in order to better determine the peak rates.

SHOPPING CENTER (820-828)

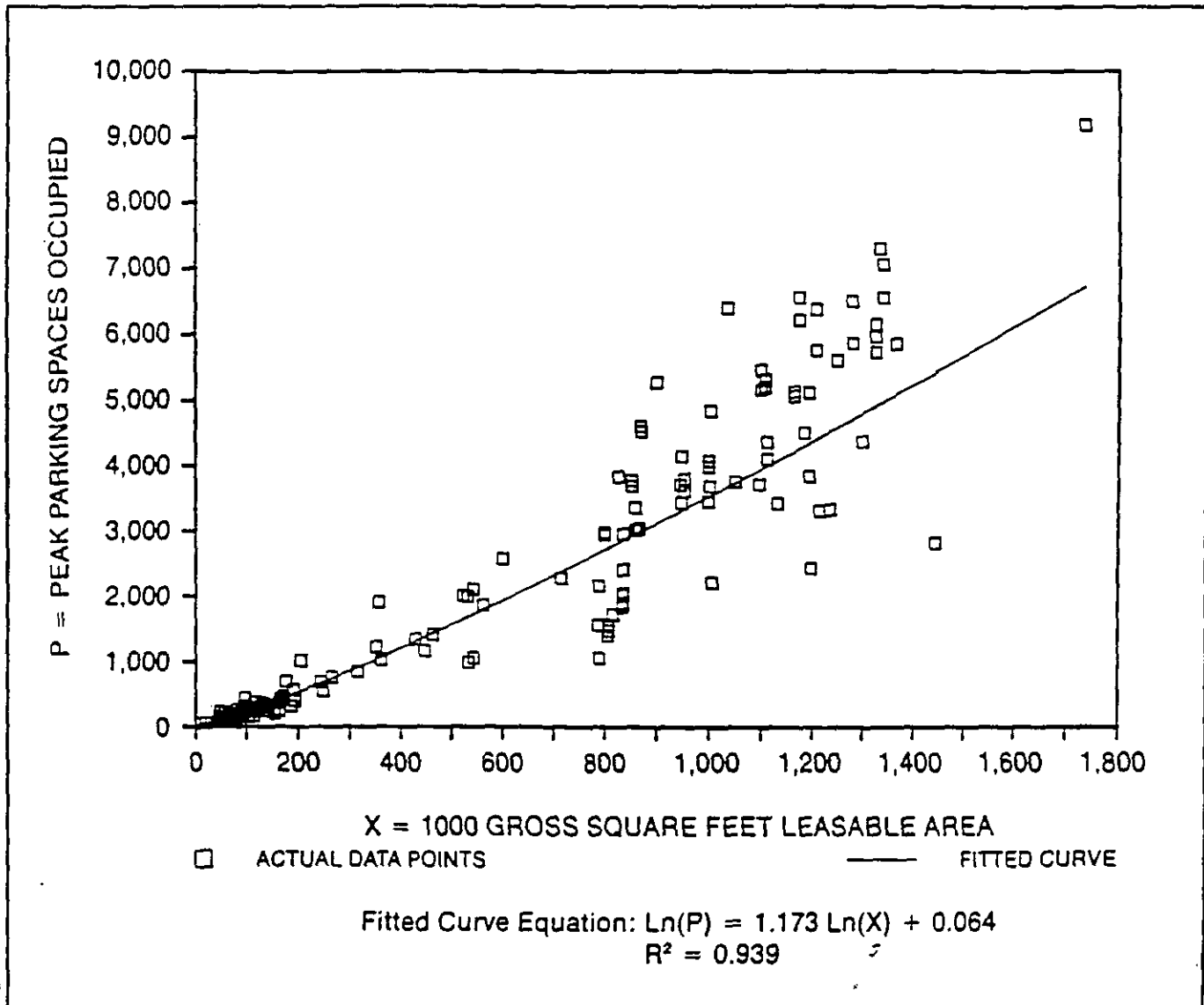
Peak Parking Spaces Occupied vs: 1,000 GROSS SQUARE FEET
LEASABLE AREA

On a: WEEKDAY

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average 1,000 Square Feet GLA
3.23	1.02-6.17	1.20	141	635

DATA PLOT AND EQUATION



SHOPPING CENTER (820-828)

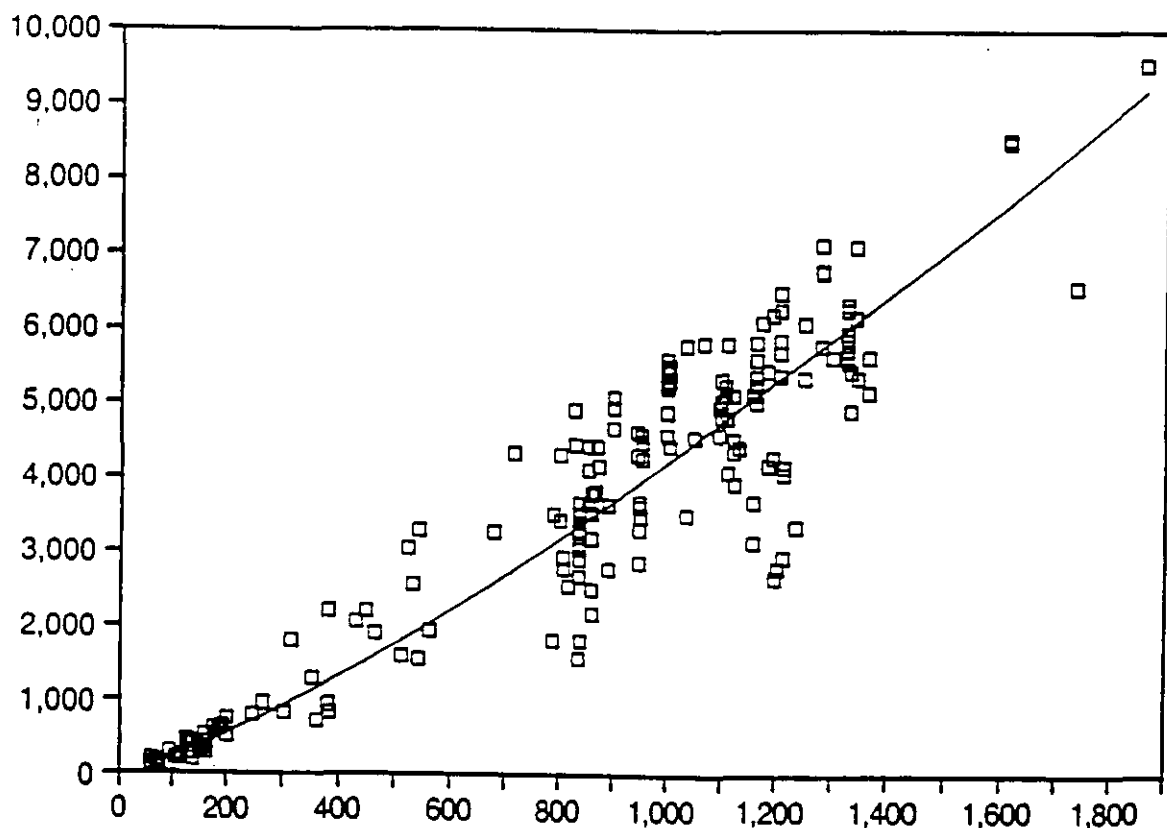
Peak Parking Spaces Occupied vs: 1,000 GROSS SQUARE FEET
LEASABLE AREA

On a: SATURDAY

PARKING GENERATION RATES

Average Rate	Range of Rates	Standard Deviation	Number of Studies	Average 1,000 Square Feet GLA
3.97	1.11-6.06	1.13	178	838

DATA PLOT AND EQUATION



X = 1000 GROSS SQUARE FEET LEASABLE AREA

□ ACTUAL DATA POINTS

— FITTED CURVE

Fitted Curve Equation: $\ln(P) = 1.261 \ln(X) - 0.365$
 $R^2 = 0.948$

97-036

PARKING STUDY
FOR
NEIGHBORHOOD & COMMUNITY
SHOPPING CENTERS

Prepared For:
The Neighborhood and Community
Shopping Centers AD HOC Committee

by:



CALLOW ASSOCIATES, INC.

October 1989

97 - 036

EXECUTIVE SUMMARY AND RECOMMENDATIONS

This report provides a detailed, comprehensive assessment of parking demand for local-serving, neighborhood and community shopping centers in Fairfax County, Virginia. Undertaken in cooperation with the Fairfax County staff, this study is provided to assist the County in the development of a reasonable, accurate, and easily implemented parking standard for neighborhood and community retail centers. The study is sponsored by the Neighborhood and Community Shopping Center Ad Hoc Committee, consisting of local-serving shopping center owners and managers, who own and manage over 10 million square feet of local-serving retail uses contained in approximately 90 shopping center properties in Northern Virginia.

Neighborhood and community shopping centers differ from regional shopping centers because they are primarily smaller (less than 400,000 gross leasable square feet) and contain local-serving retail facilities such as supermarkets, drug stores, and personal and business services. They typically do not contain major retail anchor stores, but a community shopping center may have a junior department store or variety as an anchor store.

As a basis for this study, parking survey data were collected on weekdays and Saturdays during June, October, and December at more than 30 neighborhood and community shopping centers throughout Fairfax County. In total, over 2,000 hourly observations of parking demand were taken at these study centers. The analysis compared the peak parking rates at these centers with the following characteristics: the center size, the type of anchor store, the amount of use devoted to restaurants, and the presence of freestanding buildings. Both the amount and the duration of peak parking demand were considered in the development of the recommendations.

The results indicated that a parking rate of 4.0 spaces per 1,000 square feet of occupied gross leasable area (OGLA) would provide adequate parking throughout the year at almost all neighborhood and community shopping centers; regardless of most of the factors studied. The consistent exception to the 4.0 spaces per 1,000 square feet of OGLA standard occurred at centers where more than 15 percent of their OGLA was devoted to restaurant uses.

It was also observed that a few centers containing 15 percent or less of OGLA for restaurant uses exceed the 4.0 spaces per 1,000 square feet of OGLA standard only for their yearly peak hour(s) during the seasonal Christmas shopping period. For centers experiencing this seasonal peak, the demand rate of 4.0 spaces per 1,000 square feet of OGLA was typically exceeded for one hour on Saturday around 1:00 - 2:00 in the afternoon. These isolated incidents represent less than two percent of our total observations. Extrapolating this data on the few hour(s) exceeding the 4.0 spaces per 1,000 square feet of OGLA indicates that the standard would be exceeded for less than one-half of one percent of the total operating hours of the "worst-case" center. None of these centers experienced this peaking for more than two consecutive hours and most only experienced it for one. Based upon this finding, it is recommended that the base rate not be adjusted to reflect this minor occurrence. Finally, this study found no justification for determining the parking requirements for freestanding buildings separately from the local-serving shopping center base rate proposed.

This report recommends the following be used as an ordinance standard to regulate parking at neighborhood and community shopping centers:

For centers of 400,000 square feet or less of gross floor area (GFA),¹ four (4.0) spaces per 1,000 square feet of GFA, plus additional parking spaces for the amount of eating establishment and fast food restaurant uses which in aggregate exceed 15 percent of the GFA of the entire center, plus additional stacking spaces for drive-in windows as applicable.²

For this purpose, GFA shall not include common areas, which are areas that are not designed for exclusive use by tenant and their clientele. Common areas include parking, malls, public toilets, sidewalks, yards, truck and service facilities and the like.³ GFA shall include areas leased by a tenant to perform functions associated with the use such as a cafe with seats and tables located outdoors or within a mall.

¹/Neighborhood and community shopping centers for this purpose shall be defined in general accordance with the Urban Land Institute (ULI), and the proposed Fairfax County Zoning Ordinance Amendment definitions, and the size of the centers studied herein. For simplicity of implementation it is suggested that only centers of 400,000 square feet or less of total gross floor area including all freestanding buildings be included in the definition. See Appendix 1 for details.

²/Only one of the centers surveyed contained a movie theatre. The aggregate square footage of eating establishments and fast food uses and theatre uses were less than 15 percent of the total square feet of GFA. The percent of the uses equalled 11 percent of the total in this case. This center's parking demand is covered adequately by 4.0 spaces per 1,000 square feet of GFA. Because of our experience with this center, i.e., the peak parking demand for the theatre use was, typically off peak, in relationship to the restaurant uses, the study could not justify a change in the ordinance based upon theatre uses.

³/Because most local-service centers lack malls, the difference between gross leasable floor area (GLA) and gross floor area (GFA) is negligible for the purposes of establishing a parking standard in most cases. Because of the ready availability of the GFA factor, it is suggested that GFA be used where no significant common areas such as a mall exist. Where a mall is planned or exists, a factor to reduce the total square footage of GFA should be provided.

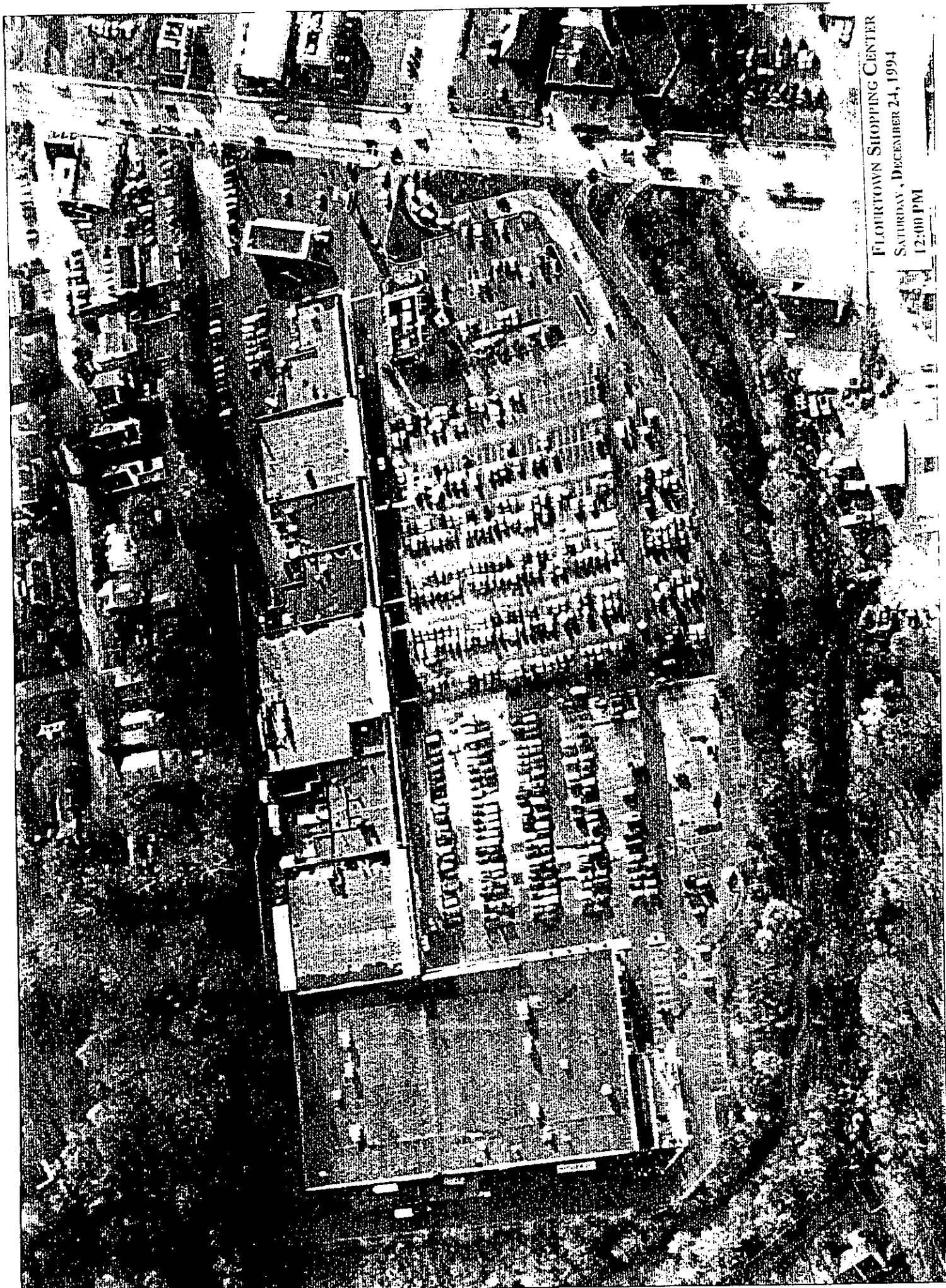
It is recommended that the individual use rate required by the County for parking eating establishments and fast food uses be applied to that incremental amount of restaurant use over the 15 percent of the total GFA. It is recommended that this standard become immediately applicable, once adopted by the Board of Supervisors, to all planned and existing neighborhood and community retail centers. It is further recommended that due to differences in the basic character of local-serving centers and regional centers and their parking demand patterns, regional shopping centers should be studied separately and an appropriate standard developed to accommodate parking demand at these centers.

These recommendations accomplish the study's stated purpose by providing a reasonable, accurate, and easily implemented parking standard. Additionally, the proposed standard provides the industry with the flexibility to modify tenant mix to meet changing market conditions without having to undergo unnecessary, lengthy, and complicated governmental reviews.

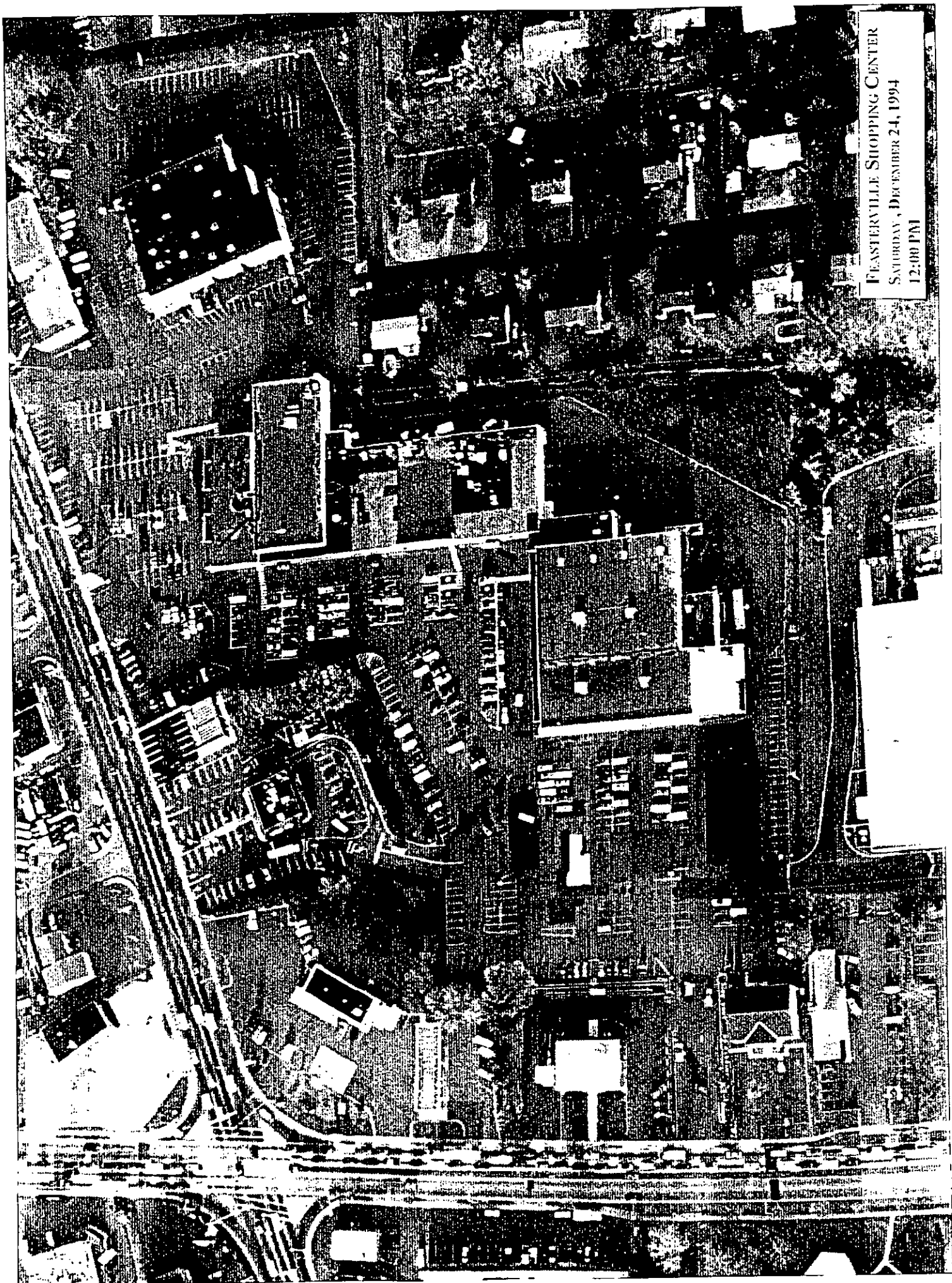
It should be noted that this study's proposed base parking rate of 4.0 spaces per 1,000 square feet of GFA is lower than Fairfax County's existing rate and lower than its proposed rate of 5.0 spaces per 1,000 square feet of gross leasable area (GLA) for centers under 750,000 square feet of GLA. Examination of the county's justification for a higher rate revealed that it was based on data not specific to local-serving, neighborhood and community shopping centers. The County's own data on these particular types of shopping centers, as well as their consultants findings, are, in fact, consistent with this report's conclusions that a base parking requirement of 4.0 spaces per 1,000 square feet of OGLA would provide adequate parking at almost all neighborhood and community shopping centers throughout the year.

APPENDIX B

AERIAL PHOTOGRAPHS OF
FEDERAL REALTY INVESTMENT TRUST
EXISTING SHOPPING CENTERS



FLOURTOWN SHOPPING CENTER
SATURDAY, DECEMBER 24, 1994
12:00 PM



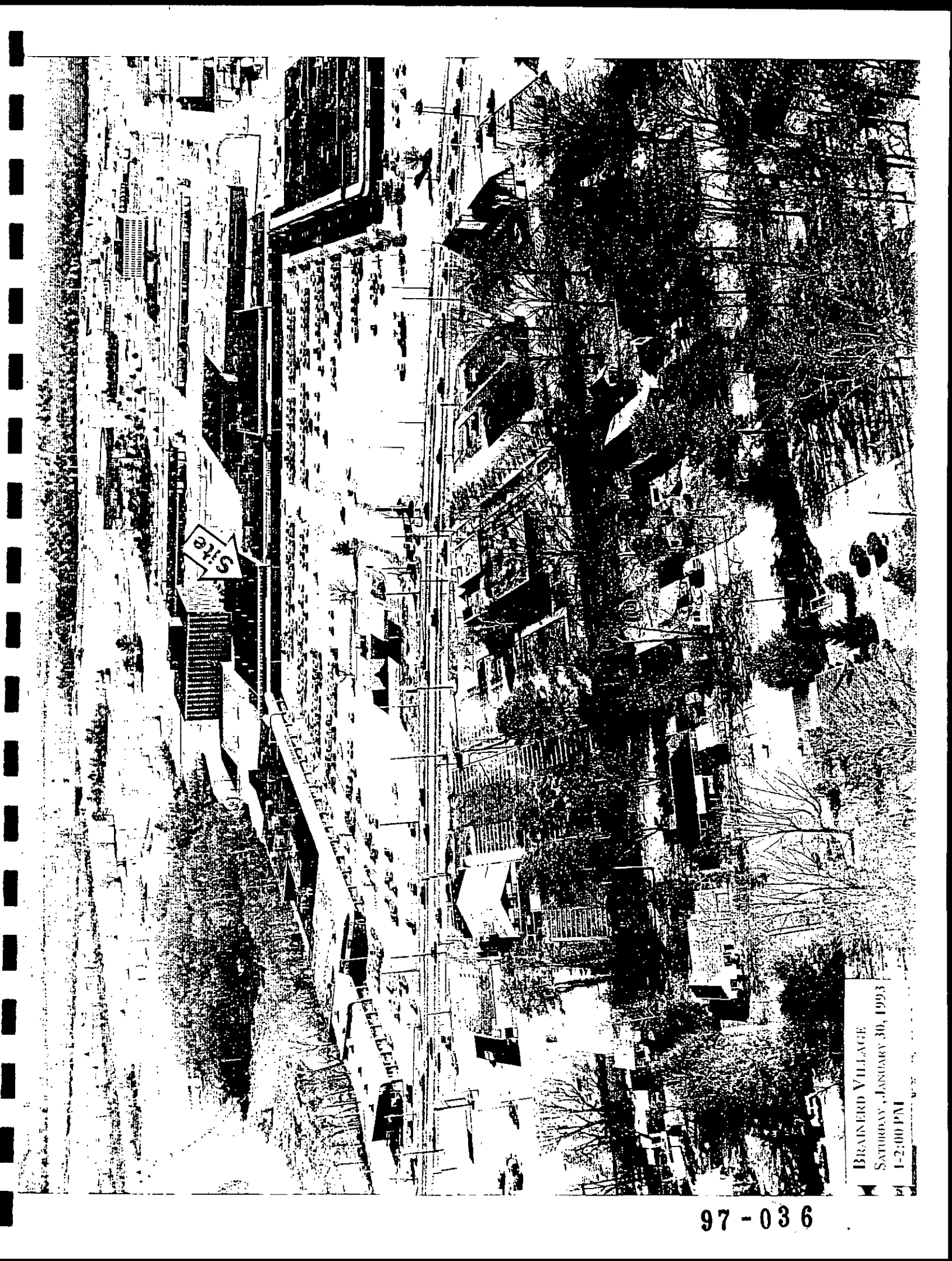
FEASTERVILLE SHOPPING CENTER
SATURDAY, DECEMBER 24, 1994
12:00 PM

97-086

FEDERAL PLAZA
SATURDAY, NOVEMBER 7, 1992
1-3:00 PM

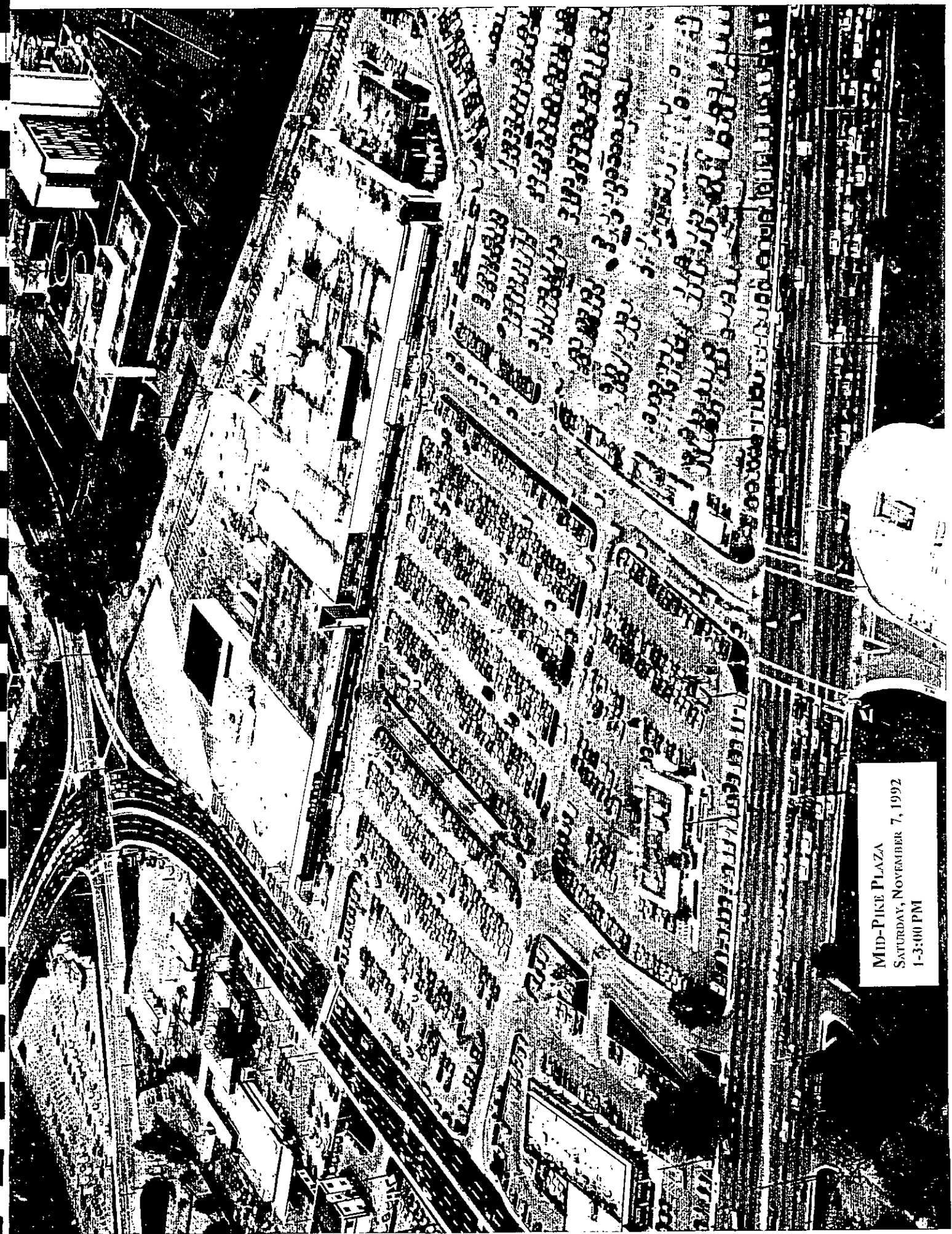


97-036

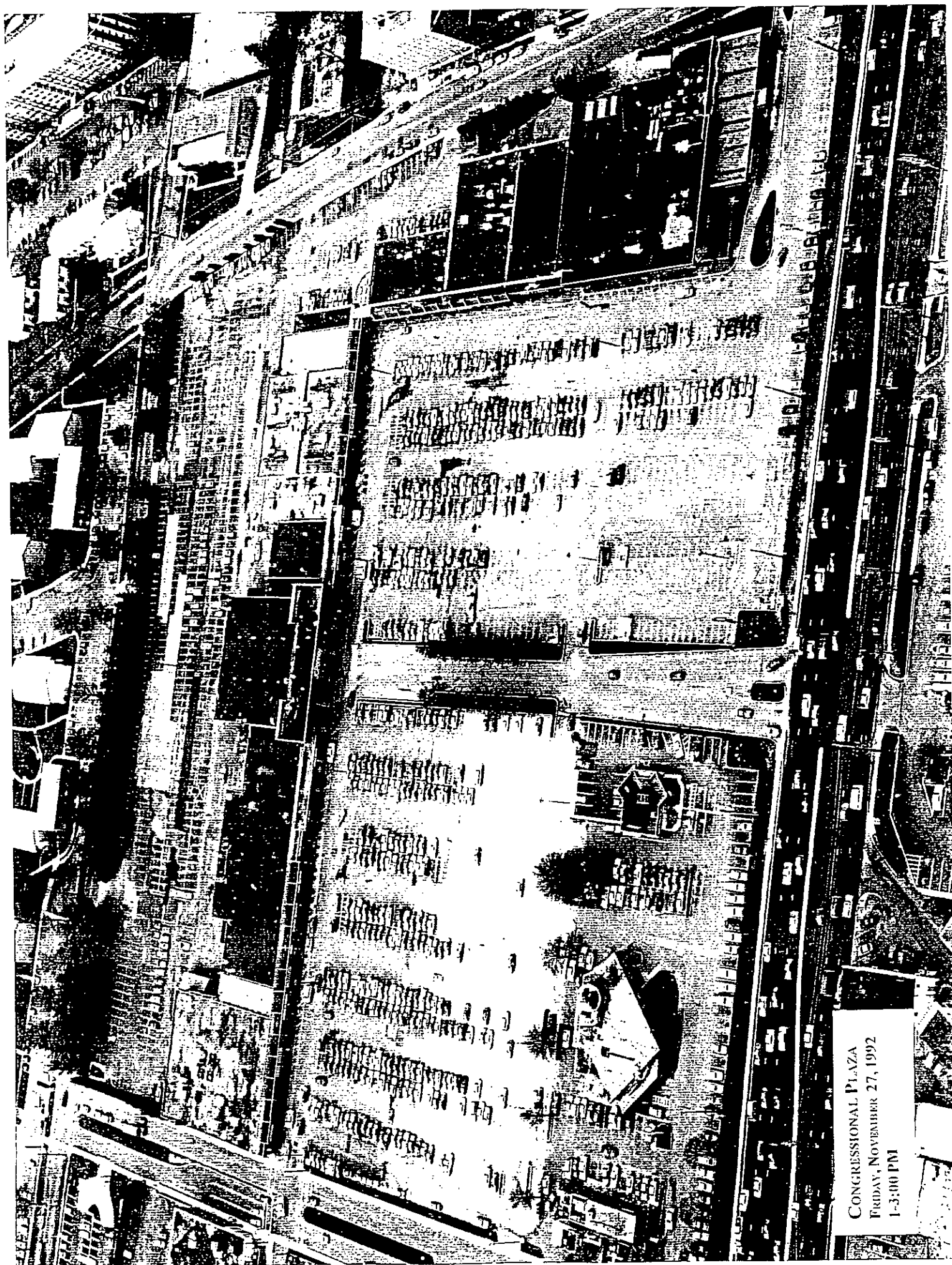


BRainerd VILLAGE
SATURDAY, JANUARY 30, 1993
1-2:00 PM

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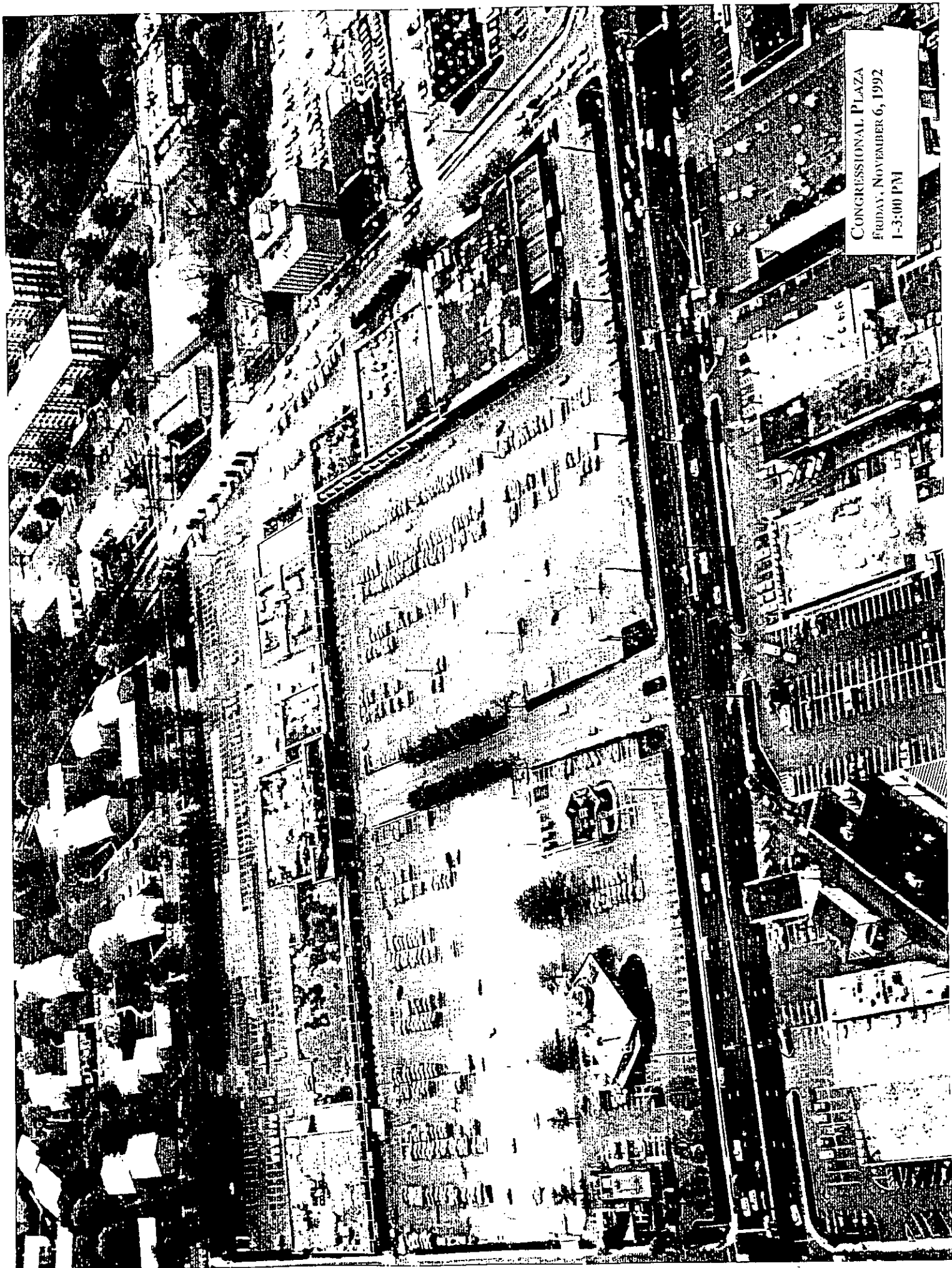
MID-PIKE PLAZA
SATURDAY, NOVEMBER 7, 1992
1-3:40 PM



CONGRESSIONAL PLAZA
FRIDAY, NOVEMBER 27, 1992
1-3:00 PM

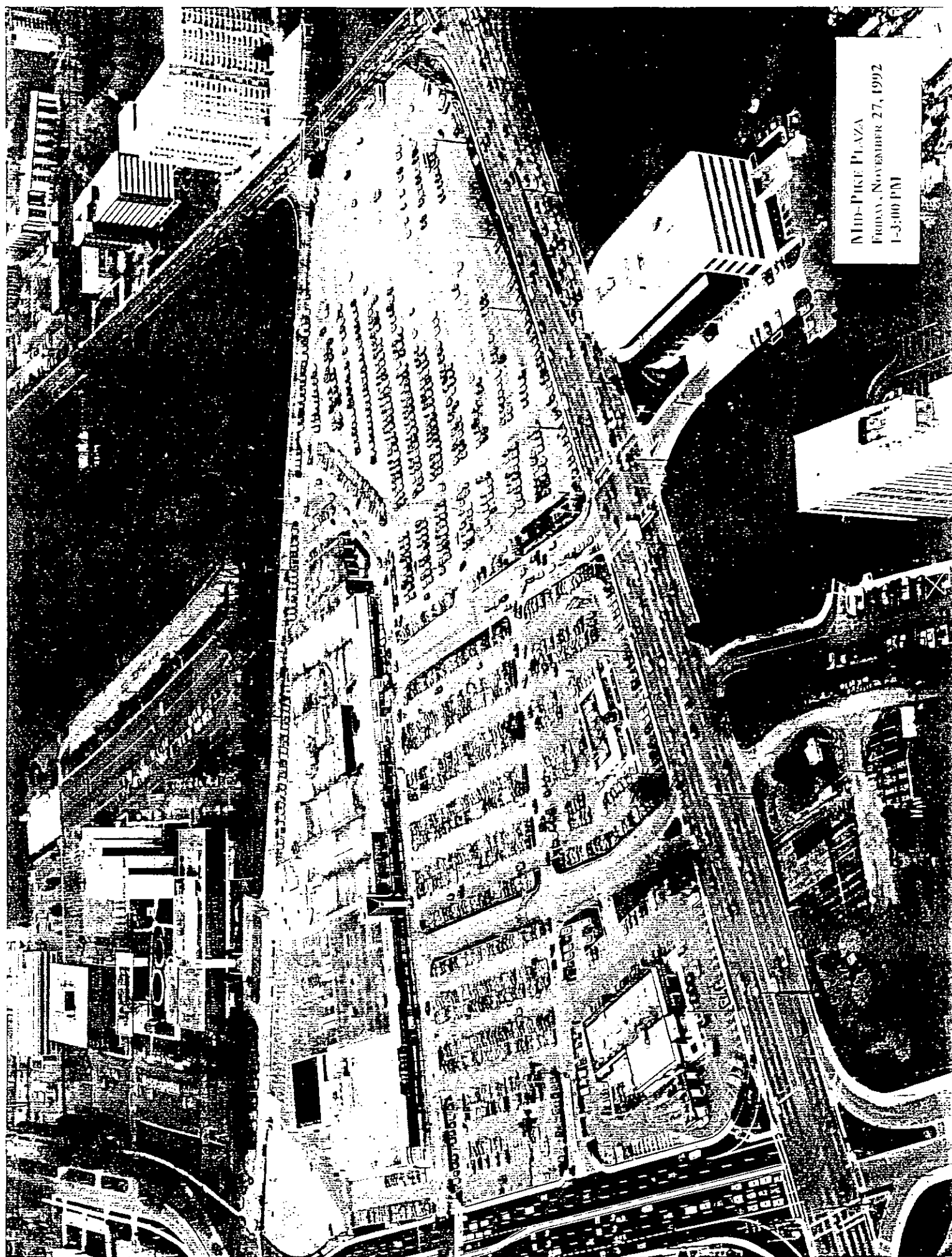
CONGRESSIONAL PLAZA
SATURDAY, NOVEMBER 7, 1992
1-3:00 PM



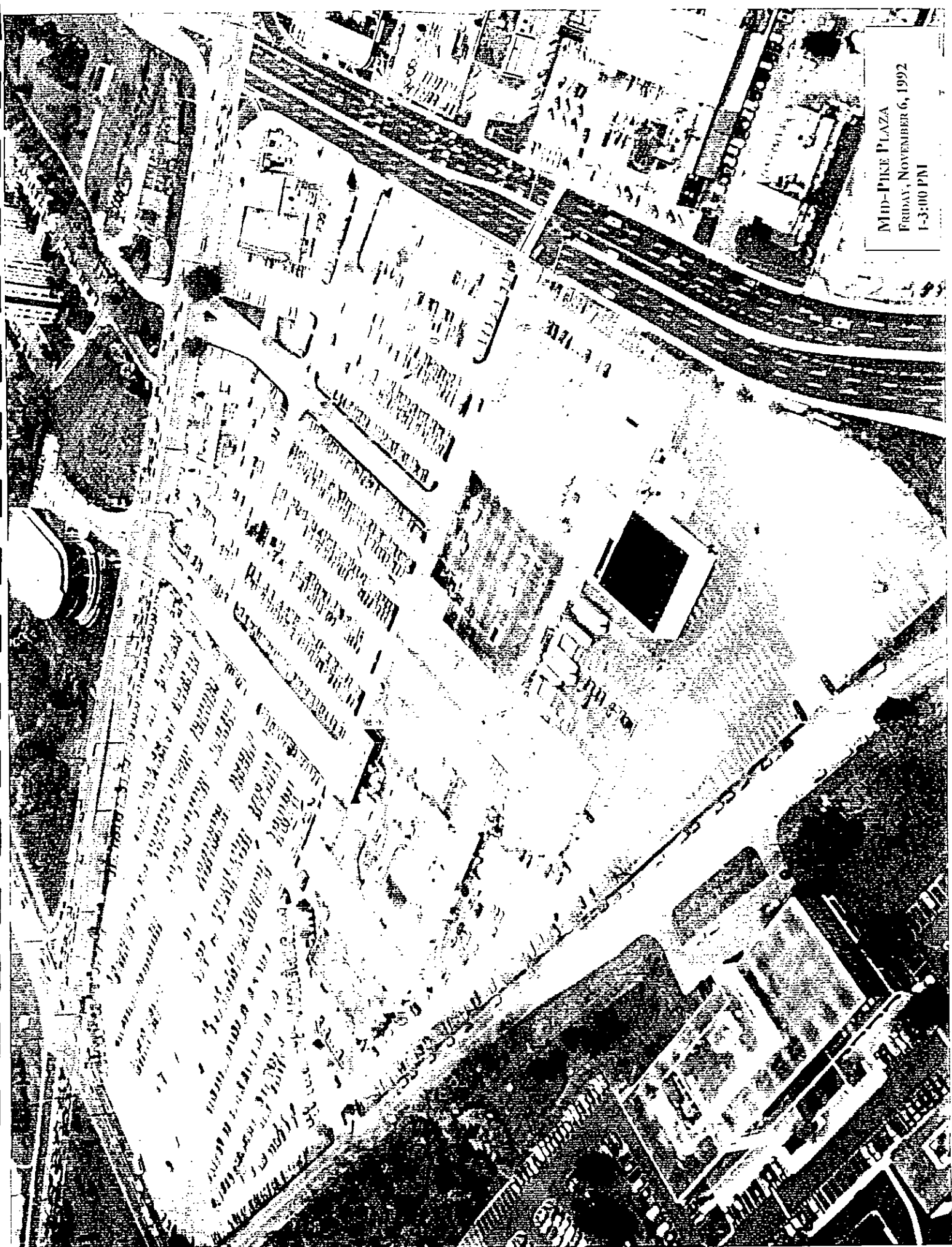


CONGRESSIONAL PLAZA
FRIDAY, NOVEMBER 6, 1992
1-3:00 PM

MID-PICE PLAZA
FRIDAY, NOVEMBER 27, 1992
1-3:00 PM

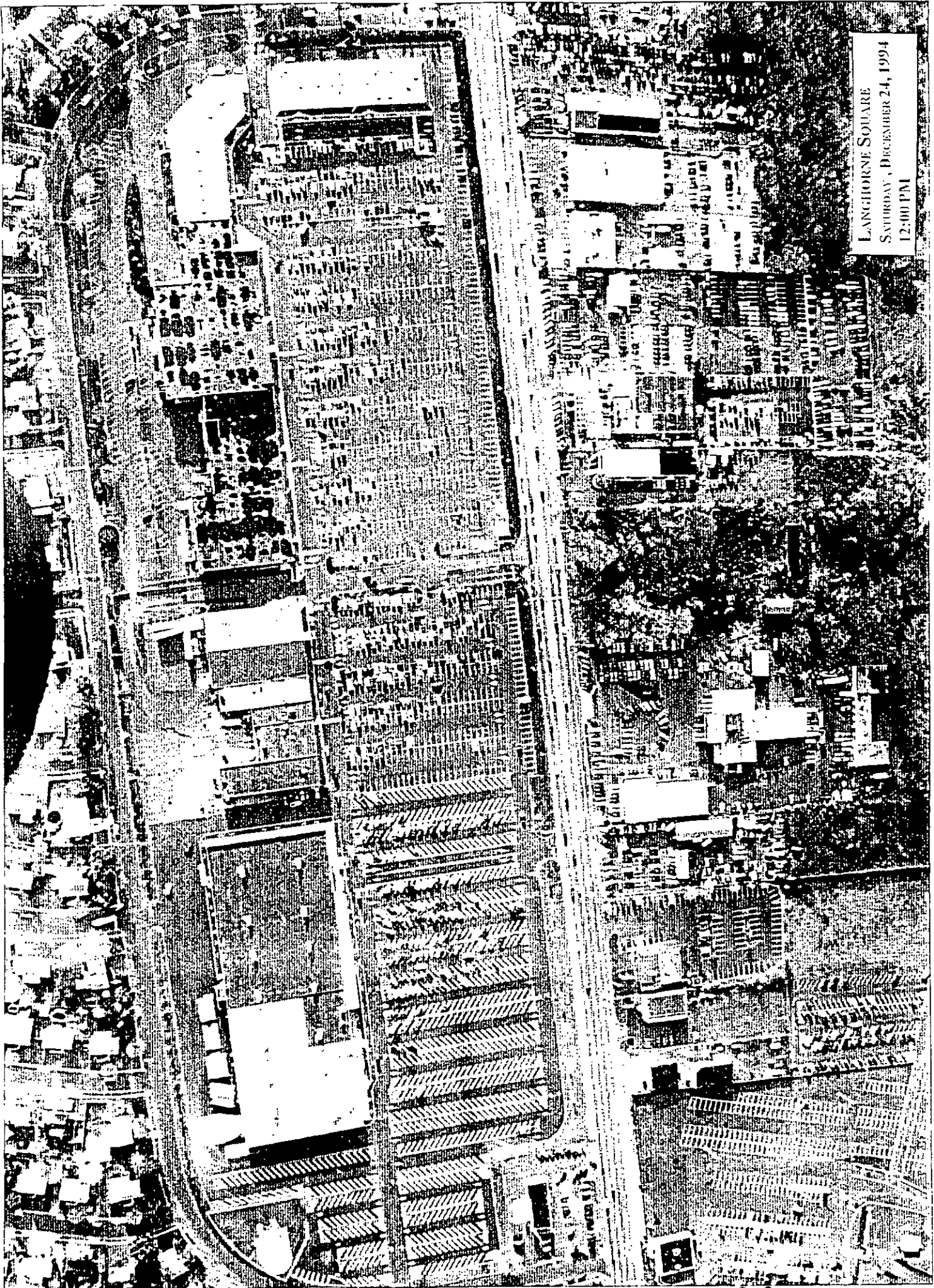


MID-PIKE PLAZA
FRIDAY, NOVEMBER 6, 1992
1:30 PM



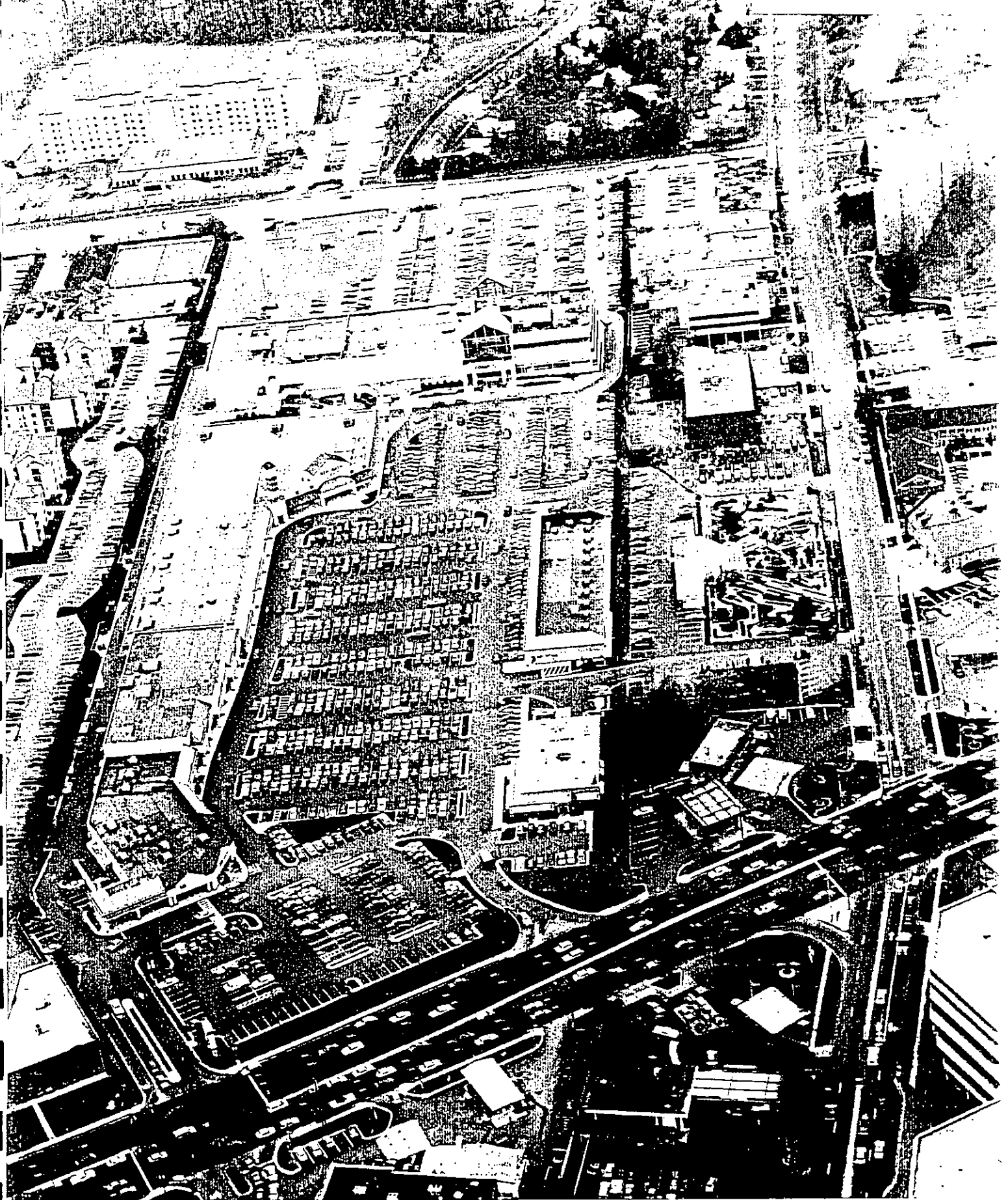
FEDERAL PLAZA
FRIDAY, NOVEMBER 6, 1992
1-3:00 PM

97-036



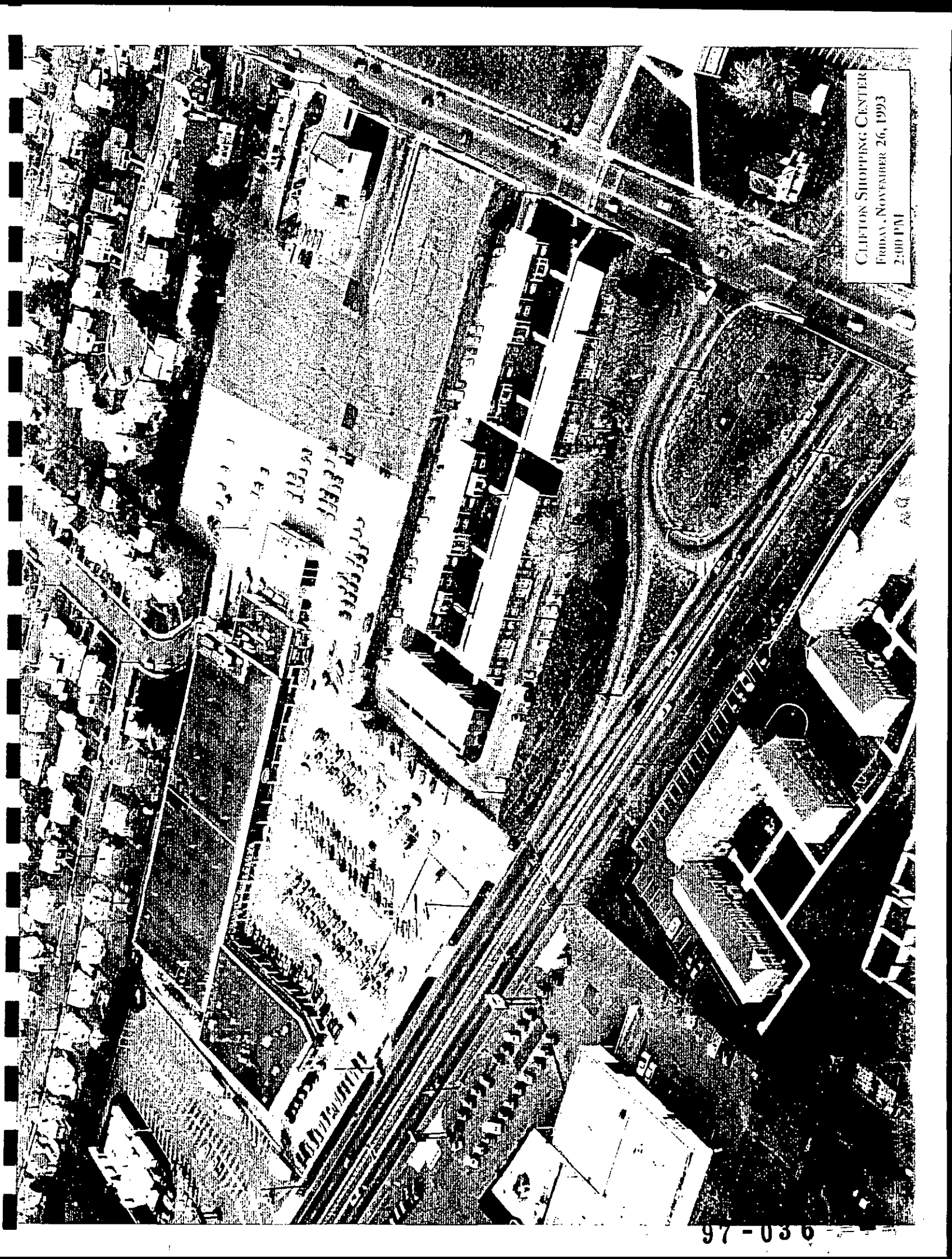
LANGHORNE SQUARE
SATURDAY, DECEMBER 24, 1994
12:00 PM

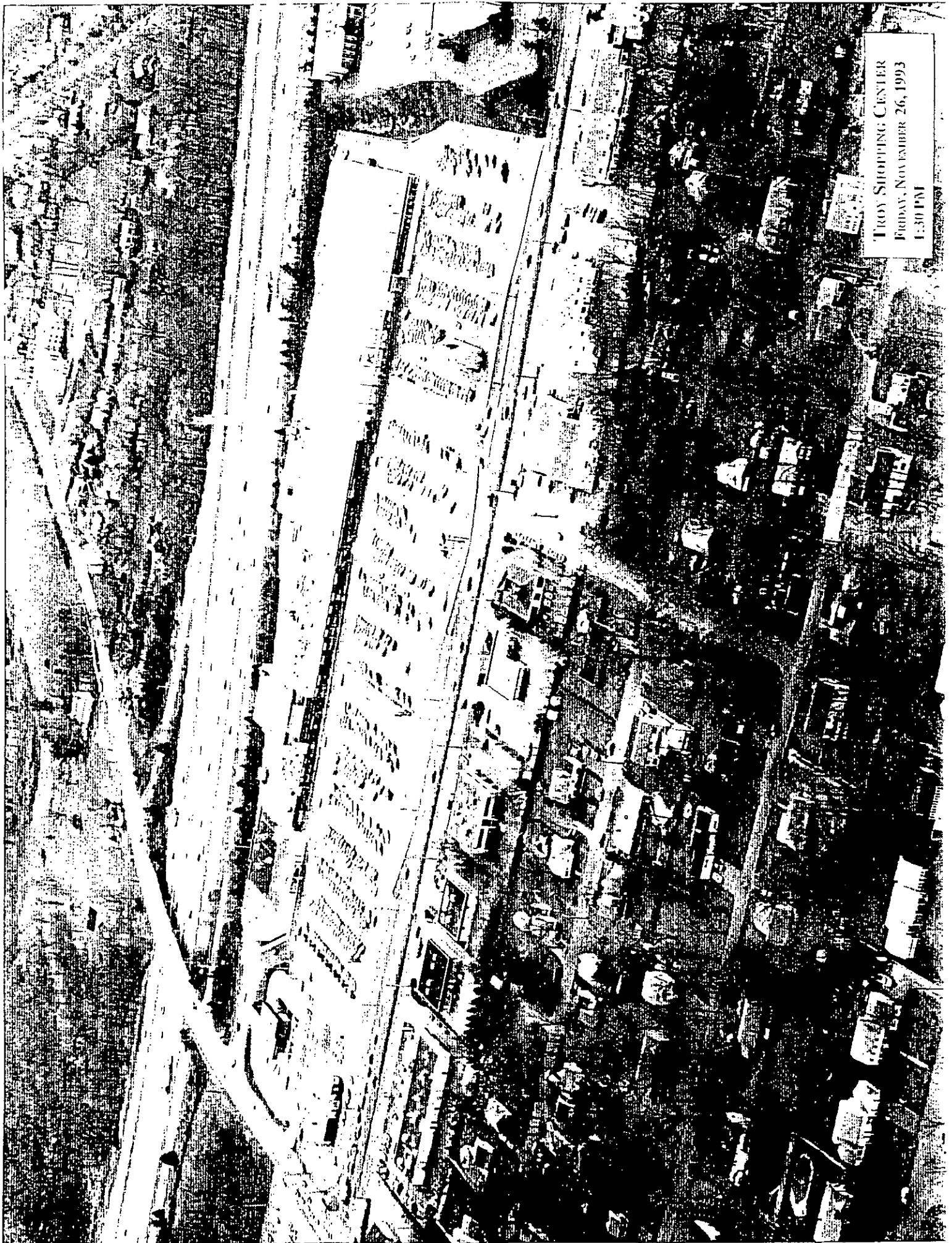
FEDERAL PLAZA
FRIDAY, NOVEMBER 27, 1992
1-3:00 PM



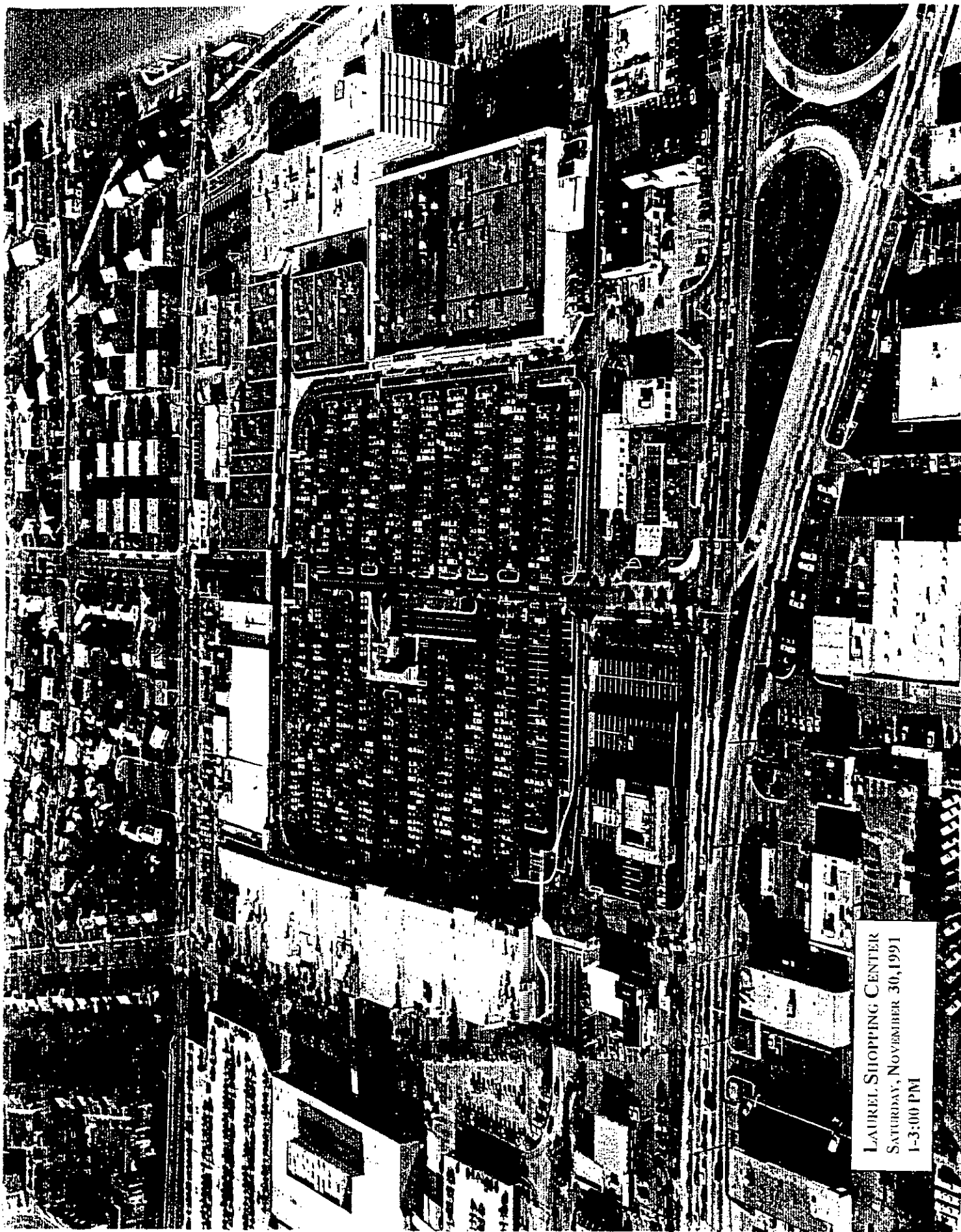
97-036

CLIFTON SHOPPING CENTER
FRIDAY, NOVEMBER 26, 1993
2:00 PM





TROY SHOPPING CENTER
FRIDAY, NOVEMBER 26, 1993
1:30 PM



LAUREL SHOPPING CENTER
SATURDAY, NOVEMBER 30, 1991
1-3:00 PM

LAUREL 11-30-91

Roll 40 799mc 2870

Appendix F
"Parking Study for Neighborhood & Community Shopping Centers"
Prepared by Callow & Associates, Inc.
October, 1989

PARKING STUDY
FOR
NEIGHBORHOOD & COMMUNITY
SHOPPING CENTERS

Prepared For:
The Neighborhood and Community
Shopping Centers AD HOC Committee

by:



CALLOW ASSOCIATES, INC.

October 1989

97 - 036

**PARKING STUDY FOR
NEIGHBORHOOD AND COMMUNITY SHOPPING CENTERS**

for

**THE NEIGHBORHOOD AND COMMUNITY SHOPPING CENTERS
AD HOC COMMITTEE**

by

**CALLOW ASSOCIATES, INC.
Howard S. Stein
12007 Sunrise Valley Drive
Suite 160
Reston, Virginia 22091**

October 25, 1989

97 - 036

ACKNOWLEDGEMENT

This study represents one of the most comprehensive studies of shopping center parking issues in Fairfax County and involved the dedicated effort of many members of the staff of Callow Associates, in particular Joan M. Lagasse and Marcus A. Rosson, as well as several other professionals. First, the author would like to acknowledge Roni Robins, Director of Planning and Development for A. J. Dwoskin & Associates, Inc., who served as Project Coordinator and was essential in guiding this study from its inception to its successful completion. Her assistance in preparing the final report was invaluable. Second, the author would like to acknowledge Gene Sieminski, President of Sieminski and Associates for organizing and conducting the field surveys. The author would also like to acknowledge William E. Donnelly III of Hazel, Thomas, Fiske, Beckhorn and Hanes who served as legal counsel in reviewing the report and developing the parking ordinance recommendations. Finally, the author would like to acknowledge the member organizations and individuals of the Neighborhood and Community Shopping Center Ad Hoc Committee who sponsored this study:

A.J. Dwoskin and Associates, Inc.
The Beatty Company
Combined Properties, Inc.
Federal Real Estate Investment Trust
Fried Companies, Inc.
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N.V. Retail
Pence-Friedel Developers
Richmarr Construction Company
Rucker Realty
Weaver Brothers, Inc.
West Group
The Young Group, Inc.
The Ziegler Companies

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

This report provides a detailed, comprehensive assessment of parking demand for local-serving, neighborhood and community shopping centers in Fairfax County, Virginia. Undertaken in cooperation with the Fairfax County staff, this study is provided to assist the County in the development of a reasonable, accurate, and easily implemented parking standard for neighborhood and community retail centers. The study is sponsored by the Neighborhood and Community Shopping Center Ad Hoc Committee, consisting of local-serving shopping center owners and managers, who own and manage over 10 million square feet of local-serving retail uses contained in approximately 90 shopping center properties in Northern Virginia.

Neighborhood and community shopping centers differ from regional shopping centers because they are primarily smaller (less than 400,000 gross leasable square feet) and contain local-serving retail facilities such as supermarkets, drug stores, and personal and business services. They typically do not contain major retail anchor stores, but a community shopping center may have a junior department store or variety as an anchor store.

As a basis for this study, parking survey data were collected on weekdays and Saturdays during June, October, and December at more than 30 neighborhood and community shopping centers throughout Fairfax County. In total, over 2,000 hourly observations of parking demand were taken at these study centers. The analysis compared the peak parking rates at these centers with the following characteristics: the center size, the type of anchor store, the amount of use devoted to restaurants, and the presence of freestanding buildings. Both the amount and the duration of peak parking demand were considered in the development of the recommendations.

For centers of 400,000 square feet or less of gross floor area (GFA),¹ four (4.0) spaces per 1,000 square feet of GFA, plus additional parking spaces for the amount of eating establishment and fast food restaurant uses which in aggregate exceed 15 percent of the GFA of the entire center, plus additional stacking spaces for drive-in windows as applicable.²

For this purpose, GFA shall not include common areas, which are areas that are not designed for exclusive use by tenant and their clientele. Common areas include parking, malls, public toilets, sidewalks, yards, truck and service facilities and the like.³ GFA shall include areas leased by a tenant to perform functions associated with the use such as a cafe with seats and tables located outdoors or within a mall.

¹/Neighborhood and community shopping centers for this purpose shall be defined in general accordance with the Urban Land Institute (ULI), and the proposed Fairfax County Zoning Ordinance Amendment definitions, and the size of the centers studied herein. For simplicity of implementation it is suggested that only centers of 400,000 square feet or less of total gross floor area including all freestanding buildings be included in the definition. See Appendix 1 for details.

²/Only one of the centers surveyed contained a movie theatre. The aggregate square footage of eating establishments and fast food uses and theatre uses were less than 15 percent of the total square feet of GFA. The percent of the uses equalled 11 percent of the total in this case. This center's parking demand is covered adequately by 4.0 spaces per 1,000 square feet of GPA. Because of our experience with this center, i.e., the peak parking demand for the theatre use was, typically off peak, in relationship to the restaurant uses, the study could not justify a change in the ordinance based upon theatre uses.

³/Because most local-service centers lack malls, the difference between gross leasable floor area (GLA) and gross floor area (GFA) is negligible for the purposes of establishing a parking standard in most cases. Because of the ready availability of the GFA factor, it is suggested that GFA be used where no significant common areas such as a mall exist. Where a mall is planned or exists, a factor to reduce the total square footage of gfa should be provided.

I. DEVELOPMENT OF FAIRFAX COUNTY'S PROPOSED PARKING ORDINANCE AMENDMENT

In 1985 the Fairfax County Board of Supervisors directed the county staff to initiate a comprehensive review of parking standards. JHK & Associates was hired to assist the staff in the analysis of actual parking demand and in the formulation of parking standard recommendations. In 1986 JHK & Associates published its study that, together with county staff analysis, provided the basis for the parking standard ordinance amendments first proposed in August 1987.

After the release of these proposed amendments, the Fairfax County Board of Supervisors established the Parking Committee to obtain public and industry representative input into the amendment process.

In late spring of 1988, a group of local-serving, retail center owners and managers began meeting to discuss concerns regarding parking regulations affecting their centers. This informal group later evolved into the Neighborhood and Community Shopping Center Ad Hoc Committee, the sponsor of this report. The present Ad Hoc Committee membership to date consists of representatives from 14 organizations owning or managing approximately 90 local serving center properties with over 10 million square feet of retail space in Northern Virginia.

After initial discussions, the Ad Hoc Committee hired Callow Associates, Inc. to update existing information on parking demand and the local regulation of parking for neighborhood and community centers. Finding that existing research lacked answers to many questions, the Ad Hoc Committee initiated an independent study on parking demand for local-serving centers in northern Virginia, and in particular in Fairfax County. The committee then hired Callow Associates, Inc., for study design and analysis; Sieminski and Associates for data collection; and Hazel, Thomas, Fiske, Beckhorn and Hanes for guidance in the formulation of study recommendations. County staff was consulted in the

II. ISSUES FOR ESTABLISHING PARKING STANDARDS FOR NEIGHBORHOOD AND COMMUNITY SHOPPING CENTERS

Our analyses and recommendations address several concerns that have been raised by the Fairfax County Board of Supervisors, the Planning Commission, the Parking Committee, and county staff regarding the establishment of a reasonable standard. These issues include:

- o Shopping centers are generally classified as neighborhood, community, or regional because of their size, their tenant mixes, and the different markets they serve (Exhibit II-1). Trips to these different types of centers occur for different purposes, at different times, and at varying rates of frequency. In the existing literature, parking demand data for shopping centers is general, and actual parking demand surveys contain a limited number of samples and sampling times. (See Section IV). Often, parking demand was measured only on a weekend during the Christmas shopping season. Thus, the data reflect only a small fraction of a center's operation time. Detailed data collection for neighborhood and community centers is necessary to determine the effect of the various factors on parking demand and, specifically, to determine whether one or more indicators should be developed to characterize parking demand observed at these diverse centers.
- o Fairfax County's current standards allow parking requirements to be calculated based either on an individual use rate or an overall shopping center retail rate (excluding offices, eating establishments, and theatres, which are calculated using their individual use rates). Confusion exists regarding which standard to use in which situation. Depending on the standard applied, the number of parking spaces required could vary significantly.

Exhibit II-1.

CHARACTERISTICS OF NEIGHBORHOOD, COMMUNITY
AND REGIONAL SHOPPING CENTERS BY TYPE⁴

<u>Center Type</u>	<u>Leading Tenant (Basis for Classification)</u>	<u>Typical GLA (Square Feet)</u>	<u>General Range In GLA (Square Feet)</u>
Neighborhood Centers	Supermarket	50,000	30,000- 100,000
Community Centers	Junior Department Store, Large Variety, Discount, or Department Store	150,000	100,000- 400,000
Regional Centers			
Regional Center	One or More Full- Line Department Store(s)	400,000	300,000- 900,000
Super Regional Center	Three or More Full-Line Department Store(s)	800,000	500,000- 1.5 million or more

⁴/From the Urban Land Institute

- o If the parking code is modified, one issue raised will be which circumstances require the application of new standards, such as a change of one shopping center tenant, the placement of one more chair in a restaurant, or the addition of one new student at an exercise class. Should the new standard(s) be applied to just the portion of the center for which a change is proposed or should the new provisions be applied to the entire center? (Unless special provisions are adopted for shopping centers, a recent amendment to section 11-101 of the Fairfax County Zoning Ordinance would appear to require the entire center to meet the new standards.) The impacts on existing development will differ if the standard is either increased or decreased.

In addition to these issues, shopping center developers and owners have other concerns. Fairfax County's decisions on these issues could have dramatic impact on neighborhood and community shopping centers. These centers, in particular, require flexibility to modify tenant mix to meet changing market demands from residents in the immediate vicinity of the center. Local-serving retail centers typically lack space to provide additional parking, and it is economically impractical to build structured parking for these low intensity uses.

These concerns also raise broader issues. In instances where additional parking would be required, but could not be provided on the ground surface, would existing tenant space at these centers have to remain vacant in order to ensure parking code compliance? What would be the impact on some older, marginal centers? Would tenants lease space in centers with vacant store fronts? Do these factors, combined with market pressures toward more intense development, have the potential to eliminate convenient neighborhood and community services in some areas? Lastly, a more restrictive change in the current parking standard could result in increased numbers of existing shopping centers that do not conform to ordinance requirements. The Zoning Ordinance imposes drastic restrictions on non-conforming uses, which could have a chilling effect on lenders: unless uses are brought into conformance, they cannot be expanded; structural alterations cannot be made;

III. SCOPE OF STUDY

This study provides a detailed, comprehensive assessment of parking demand for neighborhood and community shopping centers in Fairfax County, Virginia. Recommendations are made for consideration by the Fairfax County Board of Supervisors, the Planning Commission, the Parking Committee, and county technical staff to revise the current parking ordinance based on the results of this study. The recommendations are provided to establish reasonable, accurate, and easily implemented parking standards for the local-serving retail centers. These recommendations are based on the following:

- o Reviews of parking requirements of local jurisdictions in the metropolitan Washington D.C. area and of professionally accepted standards such as those established by the Institute of Transportation Engineers (ITE) and the Urban Land Institute (ULI).
- o Thorough surveys of actual parking demand during summer, fall, and holiday seasons at more than 30 local-serving centers in northern Virginia, most in Fairfax County.
- o Data analyses of the parking survey results at these 30 centers to establish reasonable indicators of their parking demand.

IV. BACKGROUND INFORMATION

This section reviews background information on shopping center parking ordinances for nearby metropolitan Washington, D.C., jurisdictions, and the results of parking-demand studies in these jurisdictions as well as elsewhere. The results of this review were significant in defining the scope of the present study. The studies reviewed focused neither on neighborhood and community centers; nor more particularly, on their size and their retail mix, and how their parking demand varies from that of regional shopping centers.

PARKING ORDINANCES

Appendix 2 contains a summary of the parking ordinance requirements for shopping centers and other land uses in jurisdictions throughout the metropolitan Washington area, including the current and proposed Fairfax County requirements. It should be noted that the existing parking requirements of 6.0 spaces per 1,000 square feet of net floor area (NFA) as well as the proposed 5.0 spaces per 1,000 square feet of gross leasable area (GLA) for shopping centers in Fairfax County are among the highest in the metropolitan area. Most jurisdictions require 4.0 spaces per 1,000 square feet of GLA. Notably, the shopping center parking requirements in Prince George's County have separate rates for shopping centers with 400,000 square feet of GLA or less versus over 400,000 square feet of GLA. The parking requirement for these smaller centers is 4.0 spaces per 1,000 square feet of GLA compared to 5.0 spaces per 1,000 square feet of GLA for larger centers.

PARKING STUDIES

The major sources of actual survey data on parking demand for shopping centers include the Institute of Transportation Engineers (ITE), the Urban Land Institute (ULI) and several special studies such as the one performed by JHK & Associates for Fairfax and Montgomery Counties.

- o Four (4.0) spaces per 1,000 square feet of GLA for centers having a GLA of 25,000 to 400,000 square feet.
- o From 4.0 to 5.0 spaces in a linear progression, with an average of 4.5 spaces per 1,000 square feet of GLA, for centers with 400,000 to 600,000 square feet.
- o Five (5.0) spaces per 1,000 square feet of GLA for centers with more than 600,000 square feet.

These recommendations were based on analyzing parking rates at shopping centers during their 20th busiest hour of the year. Thus, in all but 19 hours of the more than 3,000 hours during which a shopping center operates (99.4 percent of the time), shopping center patrons would have parking immediately available. Factors that the ULI study identified as significantly increasing parking demands, and as generally requiring additional parking, included dedication of a large percentage of shopping center space to office, theaters, and/or food establishment uses. The results of the ULI study addressed some of the shortcomings of the ITE report, but its analysis of differences between neighborhood and community centers versus regional shopping centers and the influence of shopping center characteristics and time of year on parking demand was limited. However, two important findings from this study regarding these types of smaller shopping centers were that these shopping centers exhibited less peak parking demand during the Thanksgiving to Christmas time period as compared with the rest of the year, and that the duration of their peak parking demand was shorter than that at larger shopping centers.

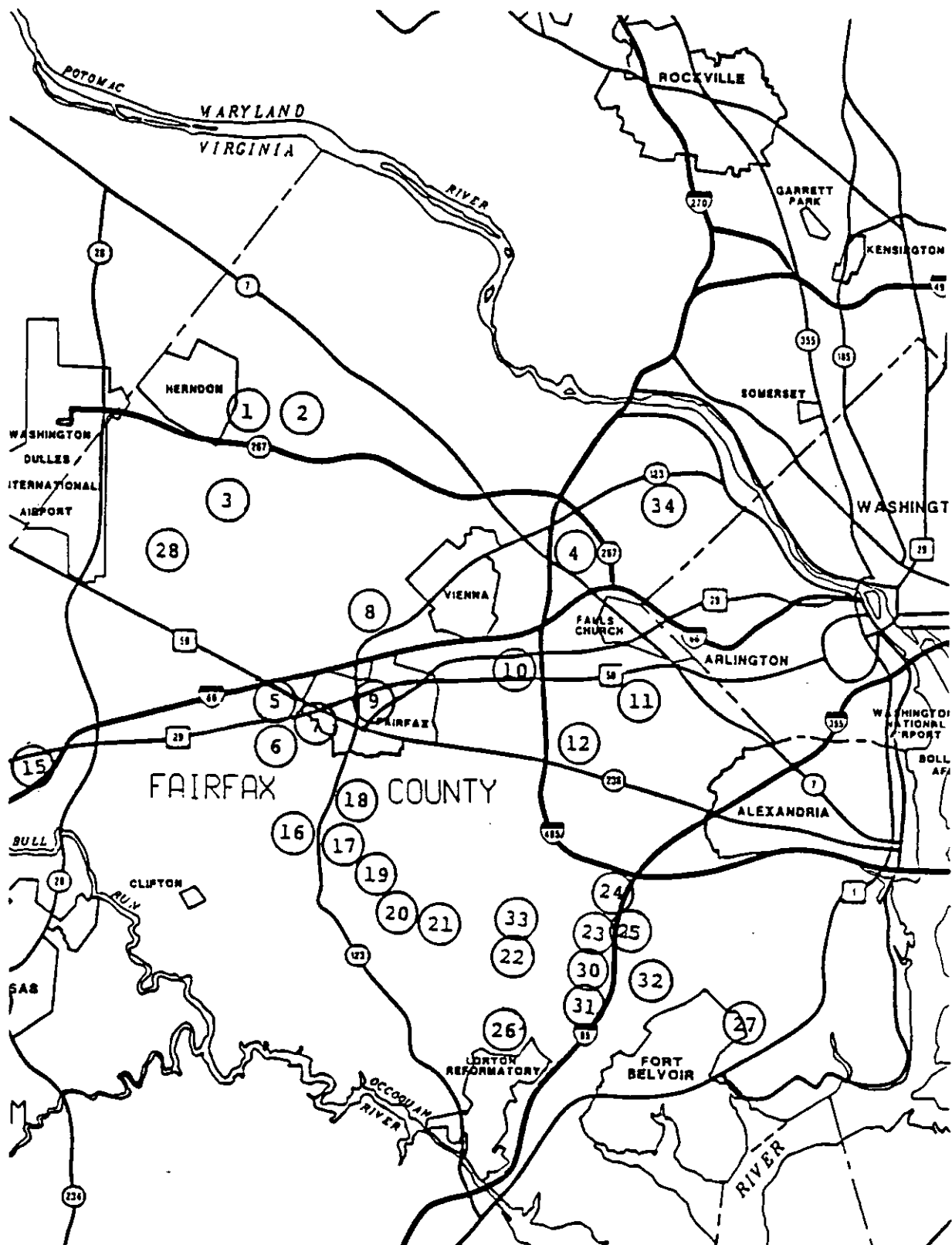
On behalf of Fairfax County, JHK & Associates conducted a parking demand study which forms the basis for the county's currently proposed revisions to the ordinance. JHK's study analyzed a limited number of parking demand surveys conducted between Thanksgiving

V. DESIGN OF THE STUDY

Past major studies have not explicitly addressed parking requirements for neighborhood and community shopping centers. Aggregated data from these types of shopping centers were incorporated into overall estimates of parking demand at shopping centers in general. In contrast, this study assesses in detail the parking needs at neighborhood and community shopping centers in Fairfax County. These types of shopping centers typically contain less than 300,000 square feet and have stores (supermarkets, banks, and dry cleaners) that cater to local patrons who may visit these centers daily (Exhibit II-1.). Some shopping centers do not have a major retail anchor but are a collection of small retail stores or personal and business service establishments. Most of the centers in our study have restaurants that typically are sit-down, quality eating establishments and fast food restaurants such as delicatessens and ice cream shops, but are not generally typical fast food restaurants such as McDonalds.

Exhibit V-1. shows the approximate location of the 33 shopping centers studied. In general, they are well-distributed throughout Fairfax County. Details about the selection of the centers studies and the data collection process are contained in Appendix 3. Counts of parked vehicles were conducted on the half-hour (10:30, 11:30, 12:30, etc) during the following days in 1988:

<u>Date</u>	<u>Day</u>	<u>Hours</u>
June 21	Tuesday	10:30 A.M. - 6:30 P.M.
June 24	Friday	10:30 A.M. - 8:30 P.M.
June 25	Saturday	10:30 A.M. - 6:30 P.M.
October 14	Friday	10:30 A.M. - 8:30 P.M.
October 15	Saturday	10:30 A.M. - 6:30 P.M.
December 16	Friday	10:30 A.M. - 8:30 P.M.
December 17	Saturday	10:30 A.M. - 6:30 P.M.




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Exhibit V-1. General Location of Shopping Center Surveyed

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centers in Fairfax County. In addition, a few of the sites with retail anchors were surveyed on an additional Saturday, December 10, to provide another seasonal observation.

Exhibit V-2 presents some basic data on the size, type of anchor store, amount of restaurant use, and the presence of freestanding buildings for the shopping centers studied. This exhibit illustrates the wide range of characteristics at these centers, although there are some general patterns. For example, smaller centers (less than 75,000 square feet of OGLA) generally have no major anchor store, while larger centers typically have supermarket anchors, and the largest shopping centers have retail anchor stores such as a junior department or variety store, such as K-Mart, Bradleys, or Best. Exhibit V-3 shows the distribution of shopping centers by their size and anchor type. With this relatively large, detailed database of shopping center characteristics and with several repeated observations of parking demand, our study is capable of examining a range of factors influencing peak parking demand at neighborhood and community shopping centers.

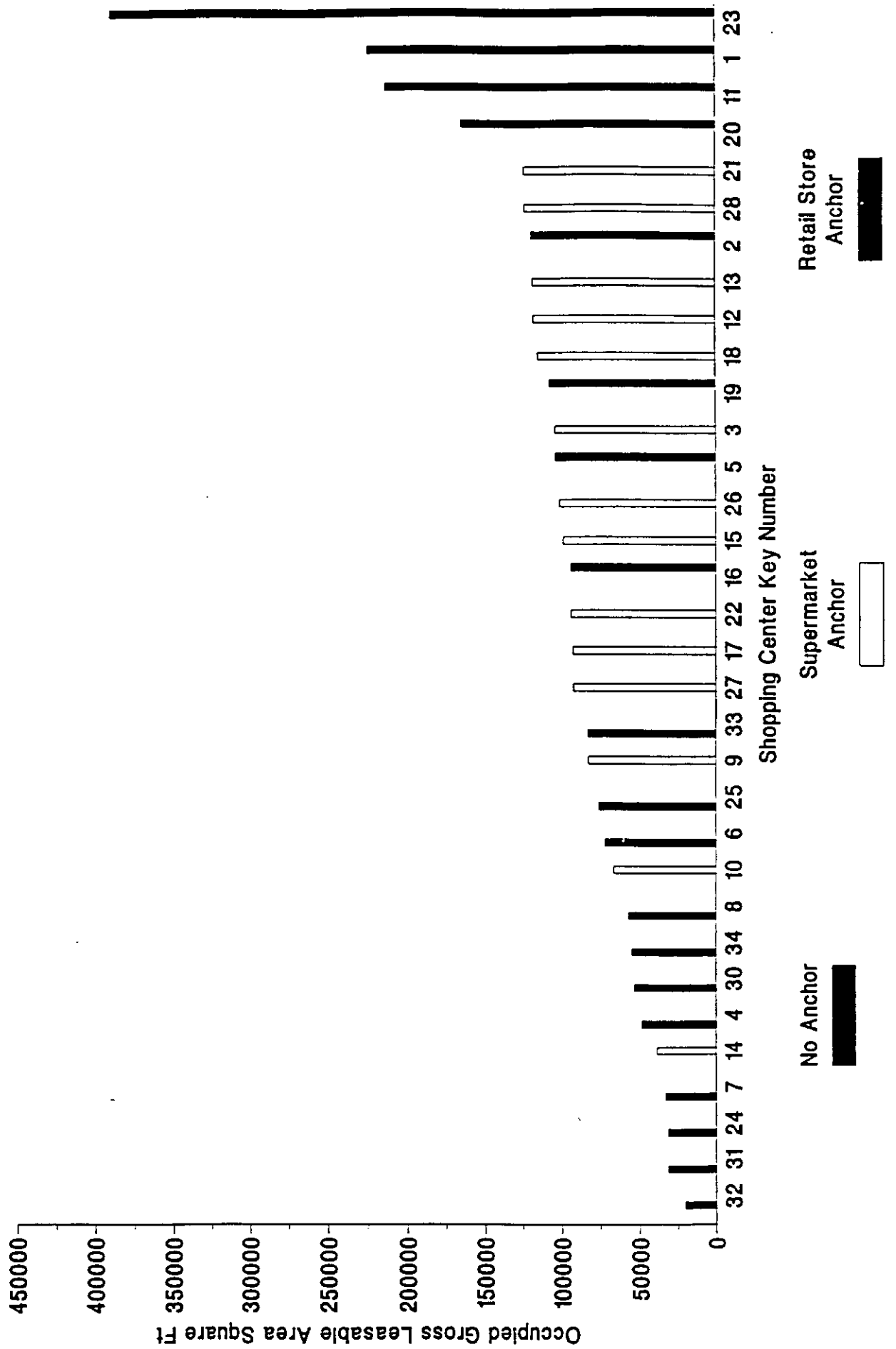
Exhibit V-2.

CHARACTERISTICS OF NEIGHBORHOOD AND COMMUNITY SHOPPING CENTERS IN STUDY

KEY NUMBER	OGLA IN SQUARE FEET	TYPE OF ANCHOR STORE	RESTAURANTS OGLA/ PERCENT OF TOTAL OGLA	FREESTANDING BUILDING
32	20,442	NONE	3,200 / 16%	NONE
31	31,479	NONE	3,516 / 11%	NONE
24	31,722	NONE	1,236 / 4%	NONE
7	33,575	NONE	6,758 / 20%	NONE
14	39,141	SUPERMARKET	0 / 0%	NONE
4	49,000	NONE	2,650 / 5%	RESTAURANT
30	53,417	NONE	8,032 / 15%	MIX
34	55,271	NONE	19,987 / 36%	MIX
8	57,518	NONE	3,050 / 5%	OFFICE
10	66,724	SUPERMARKET	12,425 / 19%	NONE
6	72,609	NONE	7,900 / 11%	NONE
25	76,630	NONE	3,527 / 5%	NONE
9	83,170	SUPERMARKET	5,000 / 6%	NONE
33	83,477	NONE	9,600 / 12%	MIX
27	92,786	SUPERMARKET	8,965 / 10%	NONE
17	93,004	SUPERMARKET	2,500 / 3%	RESTAURANT
22	94,259	SUPERMARKET	9,310 / 10%	MIX
16	94,505	RETAIL	9,012 / 10%	RESTAURANT
15	99,280	SUPERMARKET	10,987 / 11%	NONE
26	101,587	SUPERMARKET	8,500 / 8%	RETAIL
5	104,190	RETAIL	3,369 / 3%	OFFICE
3	104,392	SUPERMARKET	6,421 / 6%	OFFICE
19	107,933	RETAIL	11,579 / 11%	MIX
18	115,108	SUPERMARKET	9,880 / 9%	RETAIL
12	117,800	SUPERMARKET	10,631 / 9%	NONE
13	118,498	SUPERMARKET	2,750 / 2%	NONE
2	119,395	RETAIL	12,255 / 10%	RESTAURANT
28	123,565	SUPERMARKET	6,900 / 6%	OFFICE
21	123,906	SUPERMARKET	6,000 / 5%	OFFICE
20	164,392	RETAIL	10,931 / 7%	RESTAURANT
11	212,774	RETAIL	15,300 / 7%	RETAIL
1	232,617	RETAIL	21,384 / 12%	RETAIL
23	387,353	RETAIL	32,219 / 8%	MIX

Note: OGLA = occupied gross leasable floor area

Exhibit V-3. Distribution of Shopping Centers
by Size and Anchor Type



VI. ANALYSES AND RESULTS

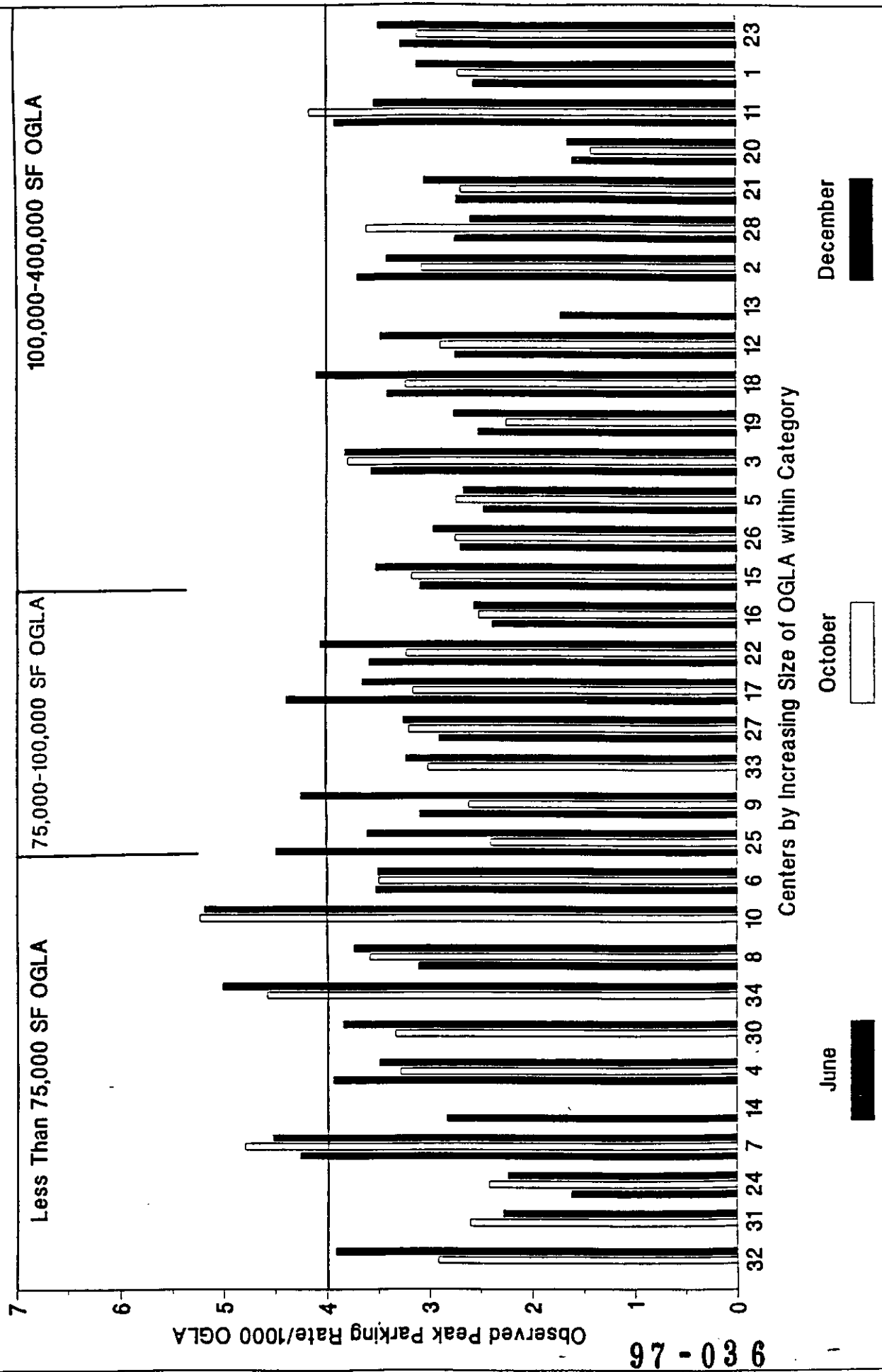
The parking survey data were analyzed by comparing differences in peak parking demand rates at local-serving retail centers by time of year (June, October, or December), day of the week, and shopping center characteristics, such as size, percentage of restaurants, and freestanding buildings. Variations in parking demand throughout the day were also examined. Two key indicators are the focus of our analyses: peak parking demand rates per 1,000 square feet of OGLA and their durations. At issue is what should be the basis for the formulating parking requirements for local-serving retail centers: one hour during a few Saturdays between Thanksgiving and Christmas, or what might occur daily throughout most of the year, covering 99 percent of the centers' operating hours?

PEAK PARKING DEMAND RATES

The exhibits in this section present the actual observed peak parking demand rates for the individual shopping centers. This is calculated as, the highest number of parked vehicles during the observation period (for example, on a weekday between 10:30 A.M. and 8:30 P.M.) divided by the square feet of OGLA in that shopping center. These exhibits present observed peak parking rates grouped or categorized by different factors or shopping center characteristics that might effect parking demand rates. In addition to the actual observed peak parking demand rates, average peak parking demand rates are provided in a few instances in the text to simplify the analysis and report general trends. For the most part, average peak parking demand rate values are contained in Appendix 4.

Exhibits VI-1 presents peak parking rates observed at each neighborhood and community shopping center by month of observation regardless of the day of the week. For most centers, peak parking demand rates during June and October were similar; both were almost always significantly below 4.0 vehicles per 1,000 square feet of OGLA. A few shopping centers, specifically centers 7, 10, 11 and 34, consistently experienced peak

Exhibit VI-1. Peak Parking Demand Rates on Weekdays at Neighborhood and Community Shopping Centers



parking demand rates greater than 4.0 vehicles per 1,000 square feet of OGLA regardless of the month observed. As detailed below, most of the peak parking demands that exceeded this 4.0 rate can be attributed to either the influence of a shopping center having a high percent of its OGLA devoted to restaurants or holiday peak shopping demand.

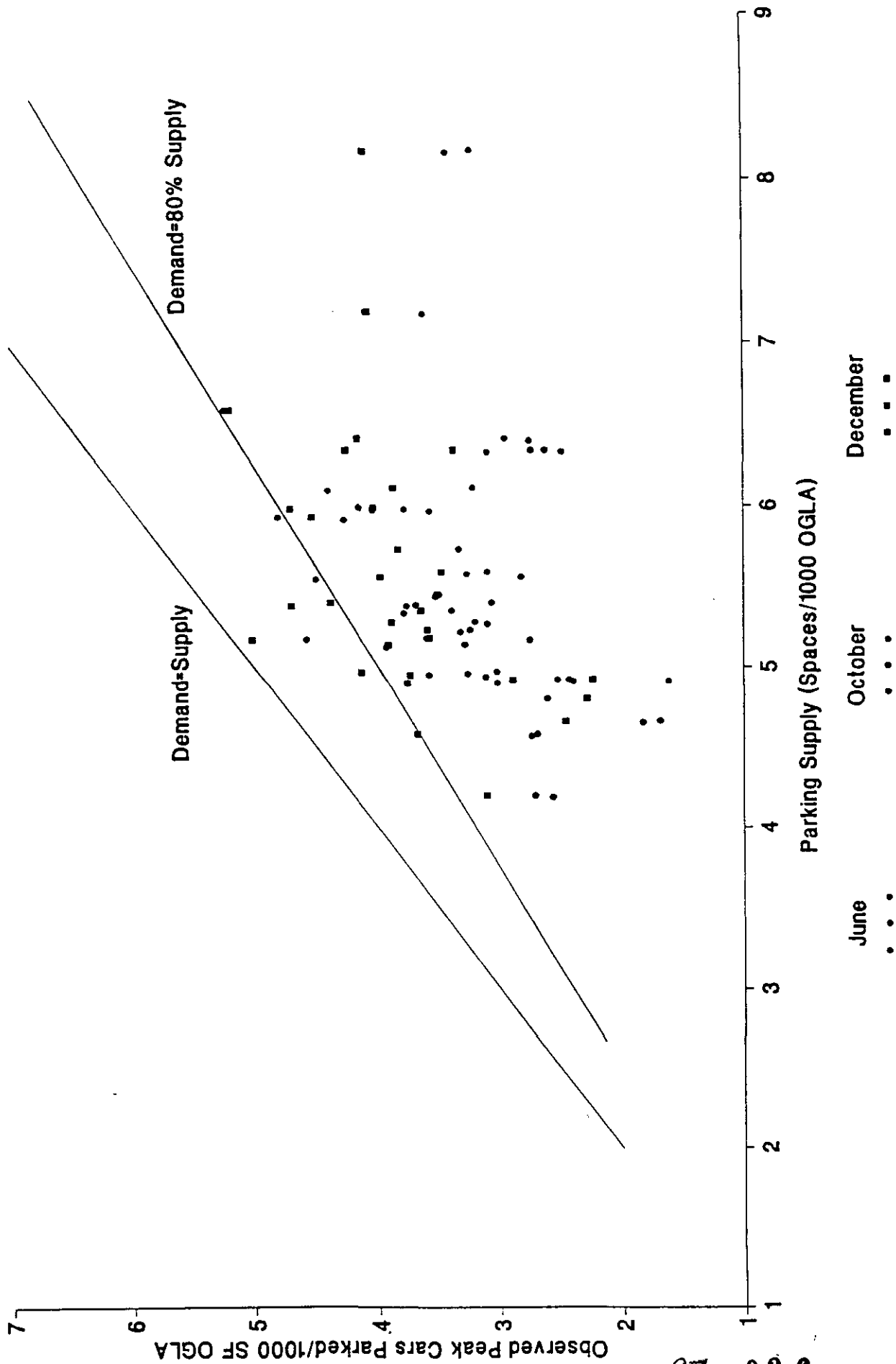
Month and Day of Week

In general, the peak parking demand during June and October typically occurred on weekdays. This was true at 18 of the 27 shopping centers surveyed in June and 21 of the 31 shopping centers surveyed in October. In contrast, the peak parking demand during December typically occurred on Saturday. This was the case for 20 of the 31 shopping centers surveyed. The December peak demand rates on Saturdays were higher than either the June or October results at 26 of the 31 shopping centers. However, peak parking demand rates on a weekday in December were comparable to rates observed during June and October, but often slightly higher. This trend occurred for 19 of 31 centers.

On the Saturday in December that was studied, several centers, specifically 2, 3, 1, 26 and 32, experienced peak parking demand of over 4.0 vehicles per 1,000 square feet of OGLA, which was substantially higher than any of their October and June observations and, in all cases their December Friday observation, made only the day before.

For all centers surveyed during all observations of parking demand, the number of parking spaces available always exceeded the peak parking demand. As indicated in Exhibit VI-2, for almost all centers the peak parking demand never exceeded 80 percent of available parking even during December.

Exhibit VI-2. Comparison of Parking Supply and Peak Demand Rates at Neighborhood and Community Shopping Centers



Shopping Center Size

Exhibits VI-3 and VI-4 display the observed peak parking demand rates for centers with 75,000 square feet of OGLA or less and for centers with greater than 75,000 square feet of OGLA, by increasing size of shopping center and the day of week. This breakpoint size of 75,000 square feet of OGLA was chosen because, as noted earlier, this size differentiates between centers with no anchor and those with supermarket or retail anchors. The trends noted earlier about the influence of month and day of week on peak parking demand are true regardless of shopping center size.

The results in these exhibits indicate that smaller shopping centers typically experienced higher peak parking demand rates on weekdays than larger ones. In contrast, larger shopping centers typically had higher peak parking demands on Saturdays and were more affected by seasonal shopping. Most larger shopping centers particularly 2, 3 and 12, experienced much higher parking demands on Saturdays in December than in June or October. Finally, there seems to be two major sets of shopping centers that constantly exceeded the peak parking rate of 4.0 cars per 1,000 square feet of OGLA (4.05 or greater): a few that are very small (less than 75,000 square feet), and those that exceeded it in December only. Both of these phenomena will be addressed further.

Type of Anchor Store

Detailed examination of the database of center characteristics indicates that the results presented so far do not solely reflect a simple function of shopping center size. As noted earlier, tenant characteristics differ significantly between larger and smaller shopping centers. Smaller shopping centers in this study typically did not contain a major anchor store, devoted a higher percentage of their OGLA to restaurants, and did not contain freestanding uses or a bank office. In contrast, larger centers typically had a supermarket or retail anchor store (Exhibit V-3), devoted proportionally less of their OGLA to restaurants, and more often contained freestanding buildings and one or more bank

Exhibit VI-3. Comparison of Weekday and Saturday Peak Parking Rates for Shopping Centers with Less Than 75,000 SF of OGLA

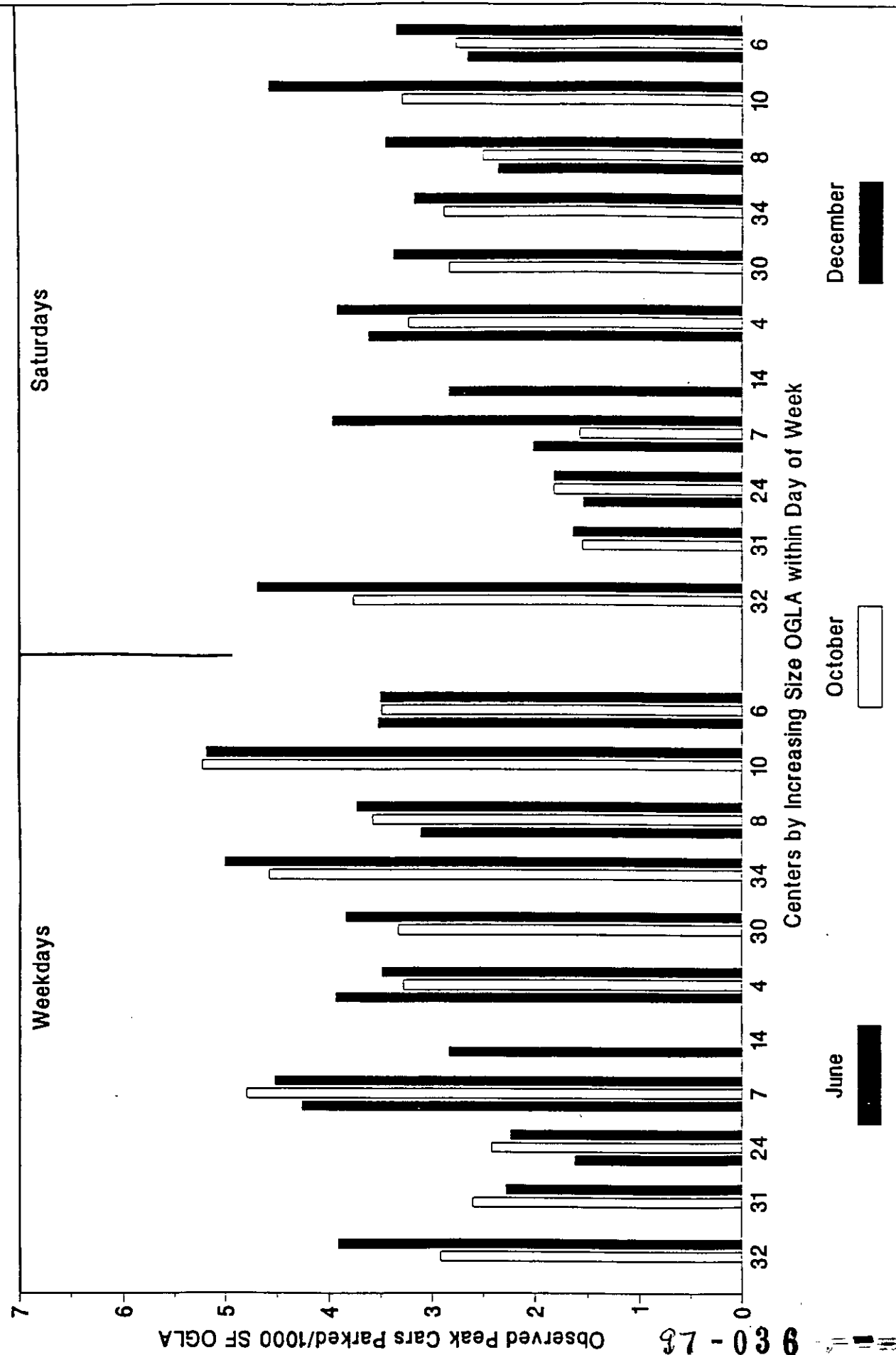
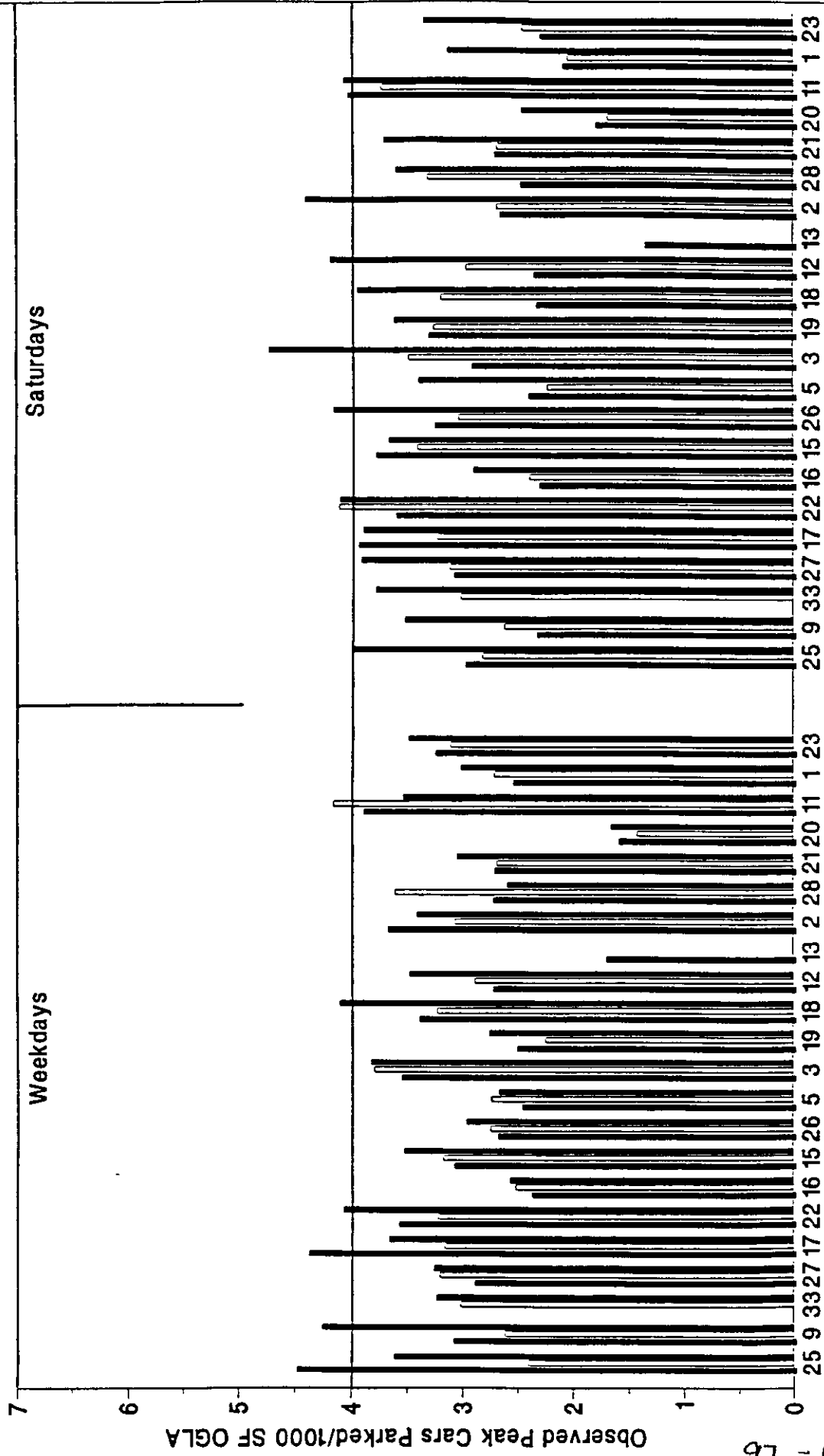


Exhibit VI-4. Comparison of Weekday and Saturday Peak Parking Rates for Shopping Centers with Greater Than 75,000 SF of OGLA



Centers by Increasing Size OGLA within Day of Week

June

October

December

branches. Because the full spectrum of shopping center characteristics is not present in all size ranges, any comprehensive analysis of parking demand must assess the effect of these characteristics.

Exhibits VI-5, VI-6 and VI-7 present the observed peak parking demand for the shopping centers categorized by size and anchor store. Study shopping centers were categorized as having no anchor store, having a supermarket anchor, or having a retail anchor store. Of the shopping centers surveyed in October and December, nine out of 10 of the smaller shopping centers (75,000 square feet of OGLA or less) did not contain a major anchor store compared to two out of 21 of the larger shopping centers. Mid-size centers (75,000 to 125,000 square feet) typically contained a supermarket anchor. Larger shopping centers had retail anchors. Several patterns emerge from these data that offer further insights into the peak parking demand at neighborhood and community shopping centers. Shopping centers with no major anchor store had higher weekday peak parking demand relative to their Saturday parking demand. Supermarket shopping centers typically had higher weekday and Saturday average peak parking demand rates compared to the retail anchors centers, both of these rates increased in December. Shopping centers with retail anchors, which were also typically the largest shopping centers, had the lowest peak parking demand rates but experienced significant increases in seasonal December peaking on Saturdays, but not on weekdays.

Restaurants

Exhibit VI-8 and Exhibit VI-9 present the parking demand rates for centers by the percentage of their OGLA square footage devoted to restaurants (0-15 percent and greater than 15 percent). The Fairfax County Zoning Ordinance defines two categories of restaurants: eating establishments and fast-food restaurants (See Appendix 1). In accord with these definitions "fast service" restaurants, such as ice cream parlors and sandwich shops are classified as fast food uses. It should be noted that restaurants at the shopping

Exhibit VI-5. Comparison of Weekday and Saturday Peak Parking Rates for Shopping Centers without a Major Anchor Store

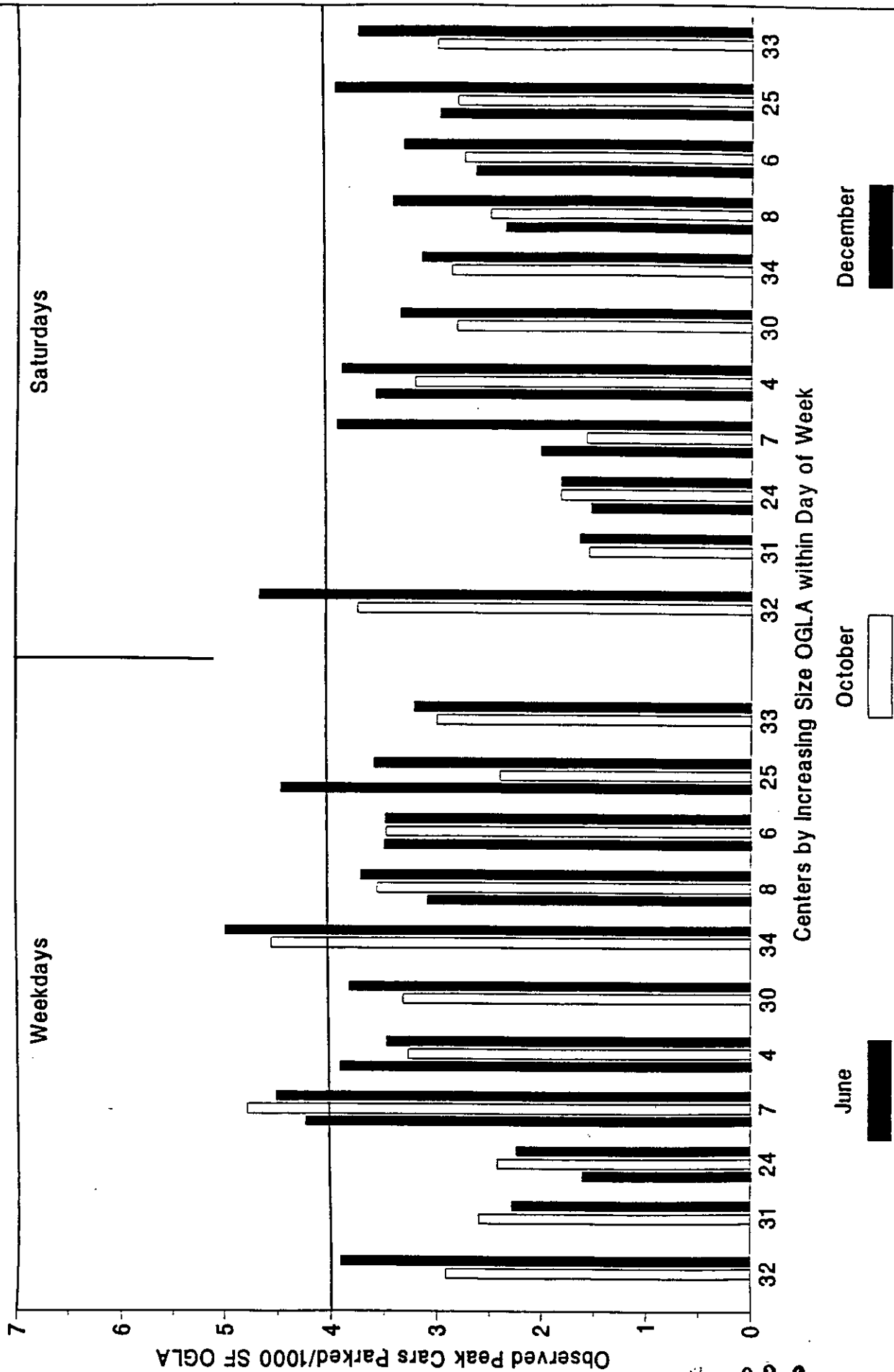


Exhibit VI-6. Comparison of Weekday and Saturday Peak Parking Rates for Shopping Centers with Supermarket Anchor Stores

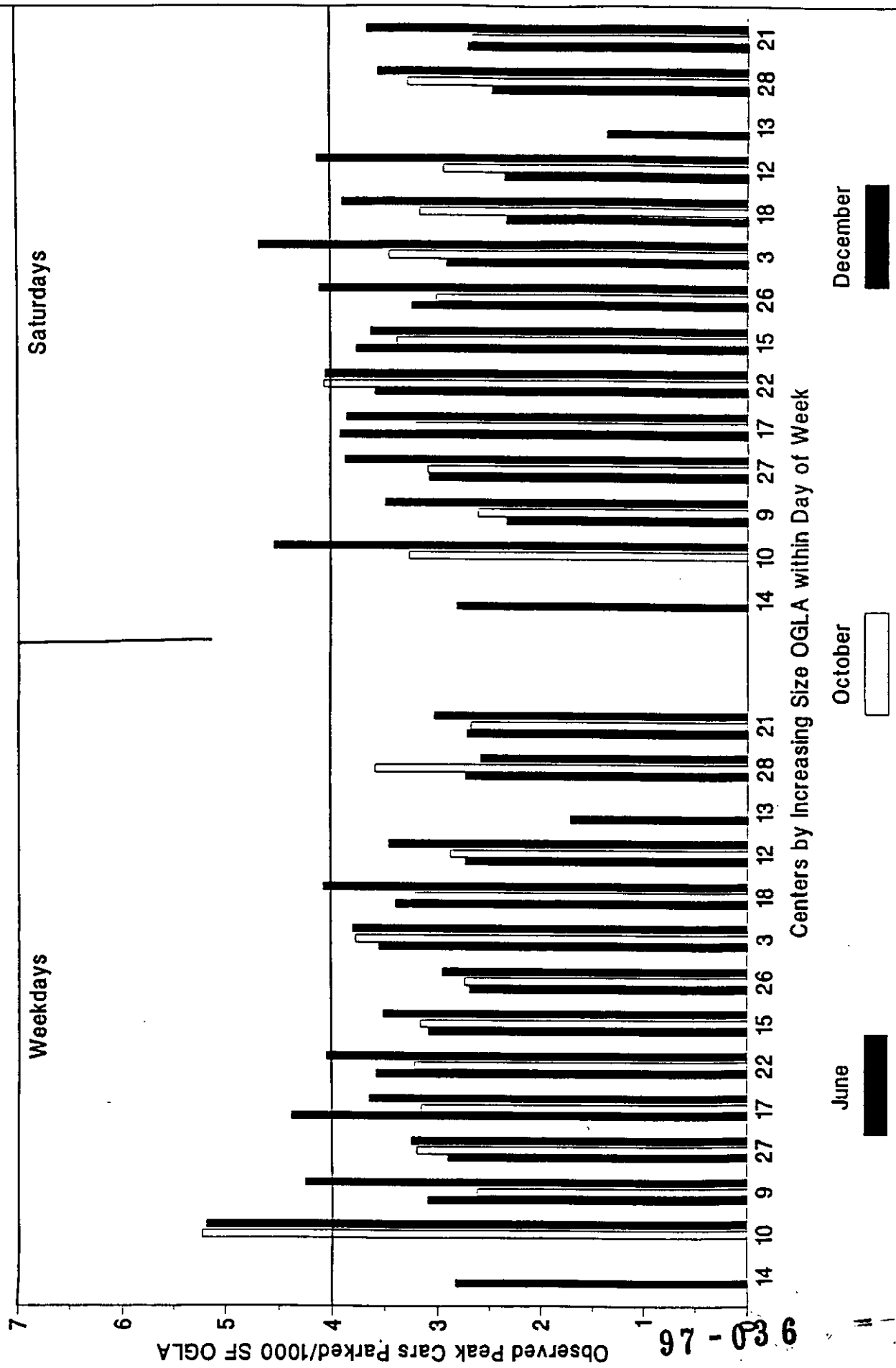


Exhibit VI-7. Comparison of Weekday and Saturday Peak Parking Rates for Shopping Centers with Retail Anchor Stores

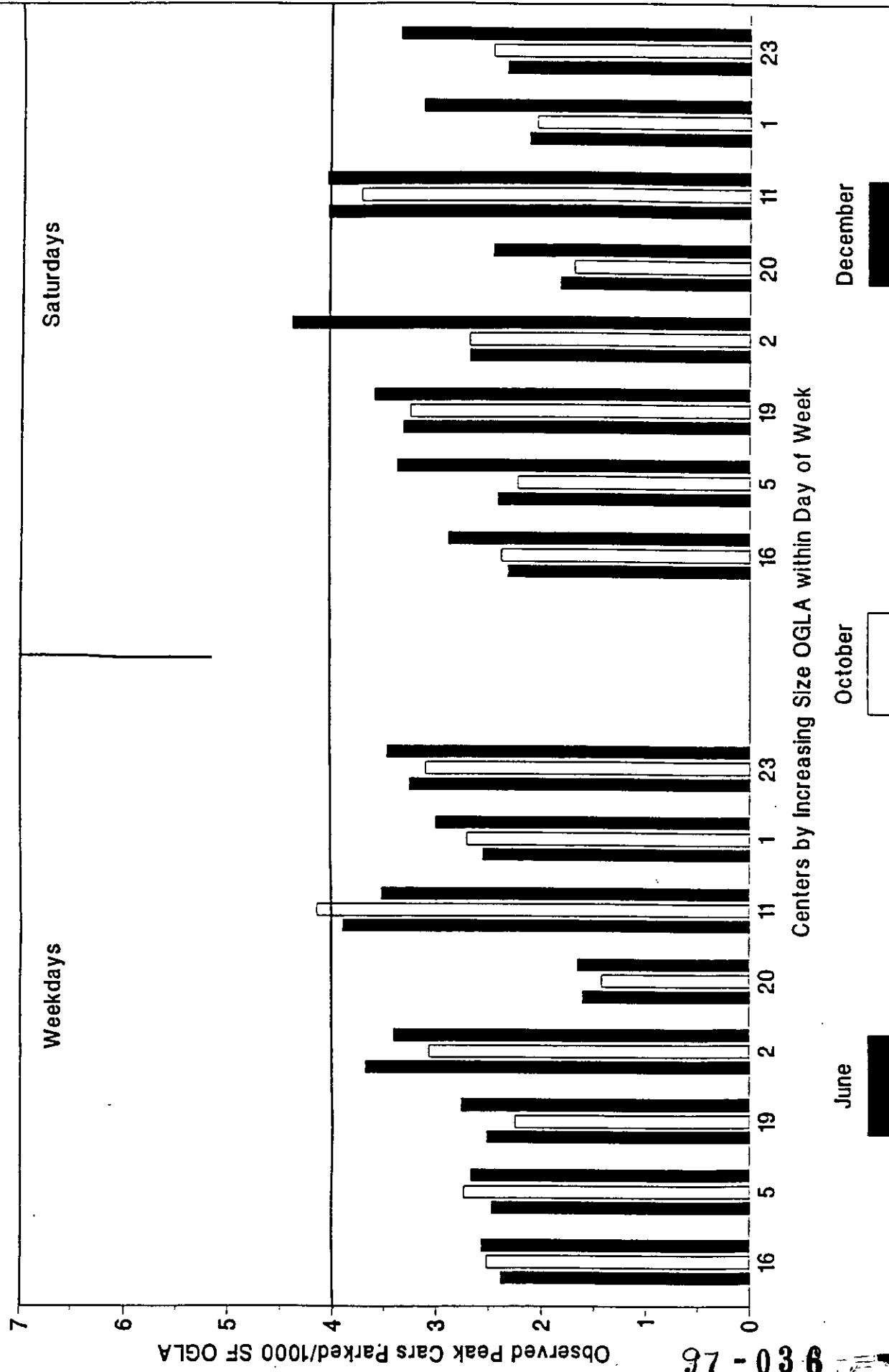


Exhibit VI-8. Comparison of Peak Parking Rates for Shopping Centers by Percent of Square Feet of OGLA Devoted to Restaurants: Weekdays

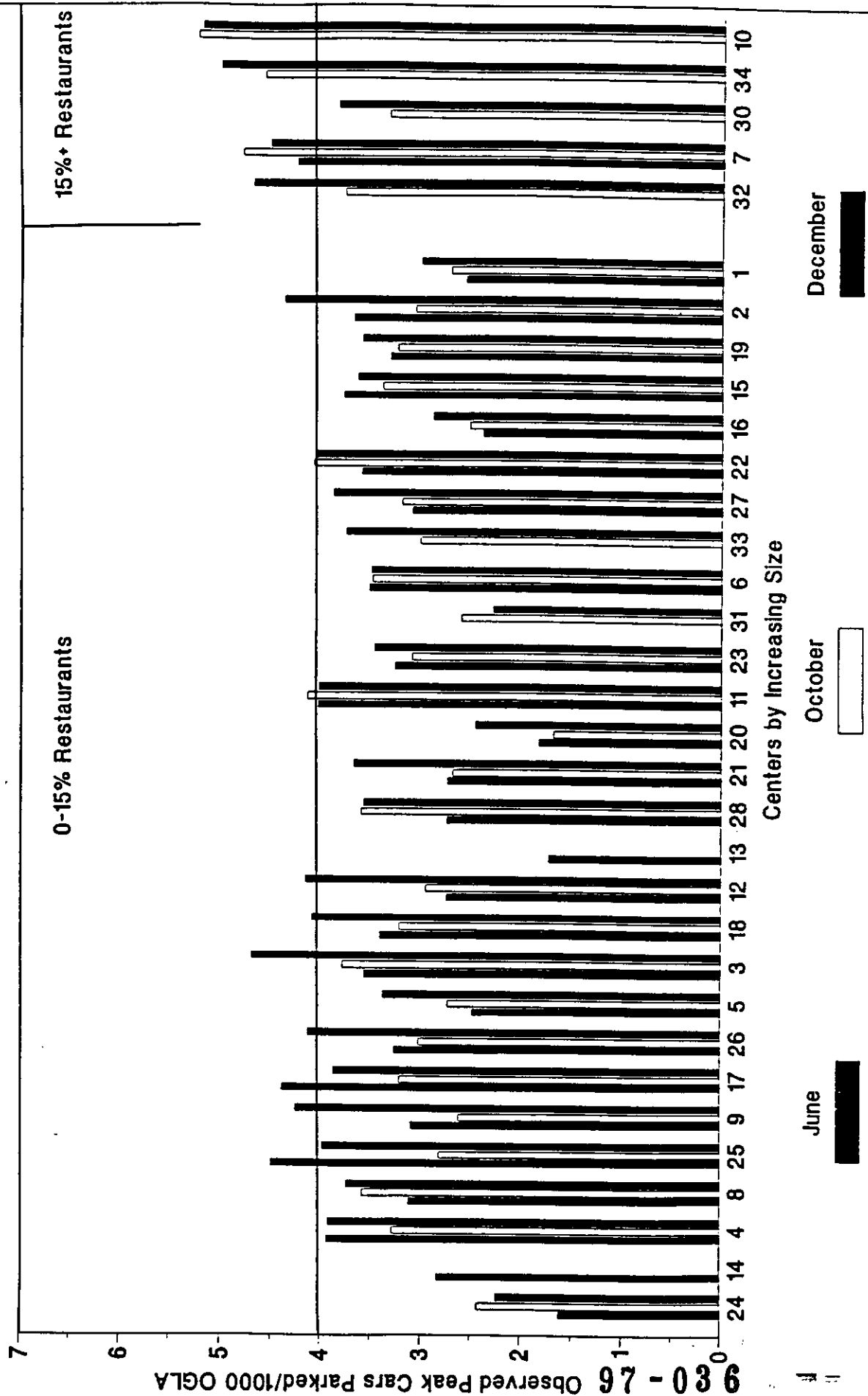
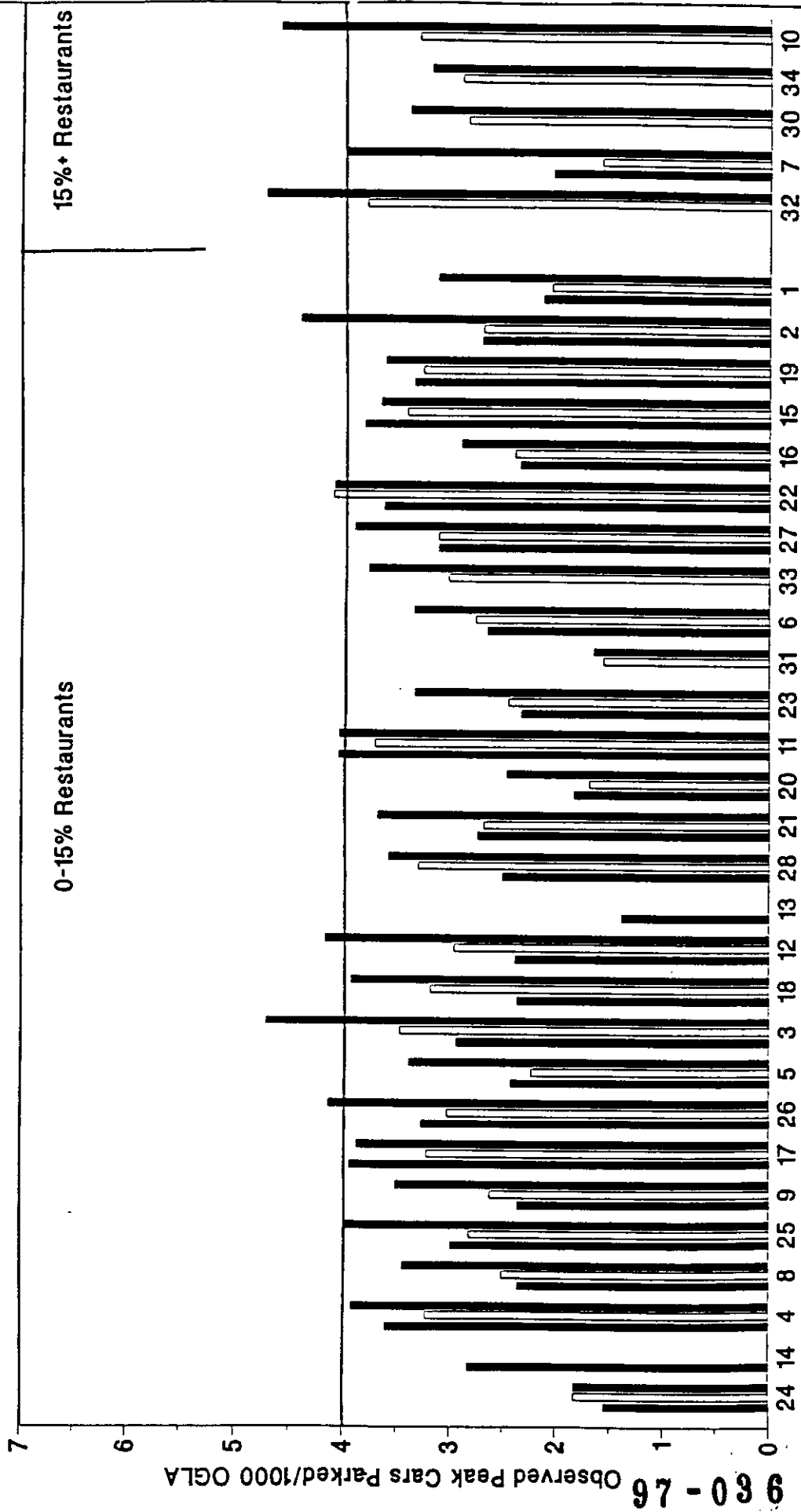


Exhibit VI-9. Comparison of Peak Parking Rates for Shopping Centers by Percent of Square Feet of OGLA Devoted to Restaurants: Saturdays



Centers by Increasing Size of OGLA within Category

June

October

December

Observed Peak Cars Parked/1000 OGLA

960 - 26

centers in this study are primarily sit-down or fast-service restaurants and are not typical fast-food restaurants such as McDonalds or Wendys. The term restaurants is used in this report to include both eating establishments and fast food restaurants.

The results in these exhibits indicate that a higher percentage of restaurants in centers significantly affects parking demand. Shopping centers with greater than 15 percent of the OGLA as restaurants had higher average parking demand rates than centers with less of their total OGLA devoted to restaurants, particularly on weekdays. In fact, as shown in Exhibit VI-8, on weekdays the majority of the peak parking demand rates observed that were greater than 4.0 spaces per 1,000 square feet of OGLA are attributable to shopping centers with over 15 percent of their OGLA as restaurant use. These shopping centers were also the ones noted earlier as generally the smaller ones (less than 75,000 square feet of OGLA). Almost none of these centers contains a major anchor store. For the most part, the other observed peak parking demand rates that exceed 4.0 per 1,000 square feet of OGLA occurred in only a few other shopping centers during December.

The highest peak parking demand rate for any shopping center in our study was approximately 5.7 spaces per 1,000 square feet of OGLA, which was observed during a June lunch hour at a center with 19 percent of its total square feet of OGLA devoted to restaurants. This center had two outdoor dining areas that are an extension of their restaurants that were not included in the OGLA. Because it is the only center with such outdoor dining areas, and because there is no defined way to convert these dining areas into effective GLA or to measure the draw of this feature, this one data point has not been included in the exhibits. However, the October and December observations at this center are included in the exhibits because no outdoor dining facilities were in operation at these times. The October and December observations also rank the center as having the greatest parking demand rate of those observed.

Exhibit VI-10.

COMPARISON OF AVERAGE PEAK PARKING DEMAND RATES
AT NEIGHBORHOOD AND COMMUNITY SHOPPING CENTERS
BY TYPE OF ANCHOR STORE AND FREESTANDING BUILDINGS

Type of Anchor	Type of Freestanding Building	June Number	Average	October Number	Average	December Number	Average
NO ANCHOR*							
	None	3	3.22	4	2.84	4	3.00
	Restaurant	2	3.53	3	3.30	3	3.81
	Office	0	0	0	0	0	0
	Retail/Bank	0	0	0	0	0	0
	Mix of above	0	0	0	0	0	0
SUPERMARKET*							
	None	6	2.89	4	3.04	4	3.99
	Restaurant	1	4.40	1	3.21	1	3.87
	Office	3	3.02	3	3.36	3	3.99
	Retail/Bank	0	0	0	0	0	0
	Mix of above	1	3.62	1	4.08	1	4.07
RETAIL*							
	None	0	0	0	0	0	0
	Restaurant	3	2.64	3	2.43	3	3.24
	Office	1	2.49	1	2.74	1	3.38
	Retail/Bank	1	2.47	1	2.60	1	2.89
	Mix of above	2	3.30	2	3.17	2	3.54

*Shopping centers with 15 percent of their OGLA devoted to restaurants have been eliminated from this tabulation.

DURATION OF PEAK PARKING DEMAND RATES

Thus far, the results analyzed the peak parking demand rates observed at shopping centers throughout Fairfax County are categorized by several factors that might affect their peak parking demand. It is important that a parking standard be based on a peak demand rate and the duration of a peak demand rate. A reasonable rate would be based on parking needs that occur almost all of the time, but not on those occurring for only a few hours primarily during the Christmas shopping season.

Exhibits VI-11 and VI-12 present the hourly time distribution of parking demand rates (averaged for all shopping centers over all months surveyed) by type of shopping center anchor store on weekdays and Saturdays, respectively. Although not shown, the overall patterns for parking demand at shopping centers with similar anchor stores (none, supermarket or retail) were similar for the December, October, and June periods and consequently are not presented separately. On weekdays the peaking and hourly distribution of shopping centers were similar regardless of type of anchor store. These distributions had sharp peaking characteristics with the absolute peak parking demand occurring at almost all centers during the midday (noon to 1:00 p.m.) hour. The next highest parking demand rate was after the midday hour and was, on average, about 90 percent of the peak demand. In the afternoon and evening, parking demand was significantly less than the peak rate: about 80 percent of the midday peak rate. In contrast, the hourly distribution of parking demand rate during mid-day on Saturdays was not peaked, but rather flat or stable particularly at centers with retail anchor stores.

A detailed peak parking duration analysis was conducted to examine those centers which had at least one peak hour during which was recorded a parking demand rate of greater than 4.0 spaces per 1,000 square feet of OGLA. Of the over 2,023 hourly observations taken at all of the study shopping centers, a parking demand rate exceeding 4.0 spaces per 1,000 square feet of OGLA was only experienced for a total of 40 hours at only 14 of the

Exhibit VI-11. Comparison of Average Hourly Parking Rates
by Type of Anchor Store: Weekdays

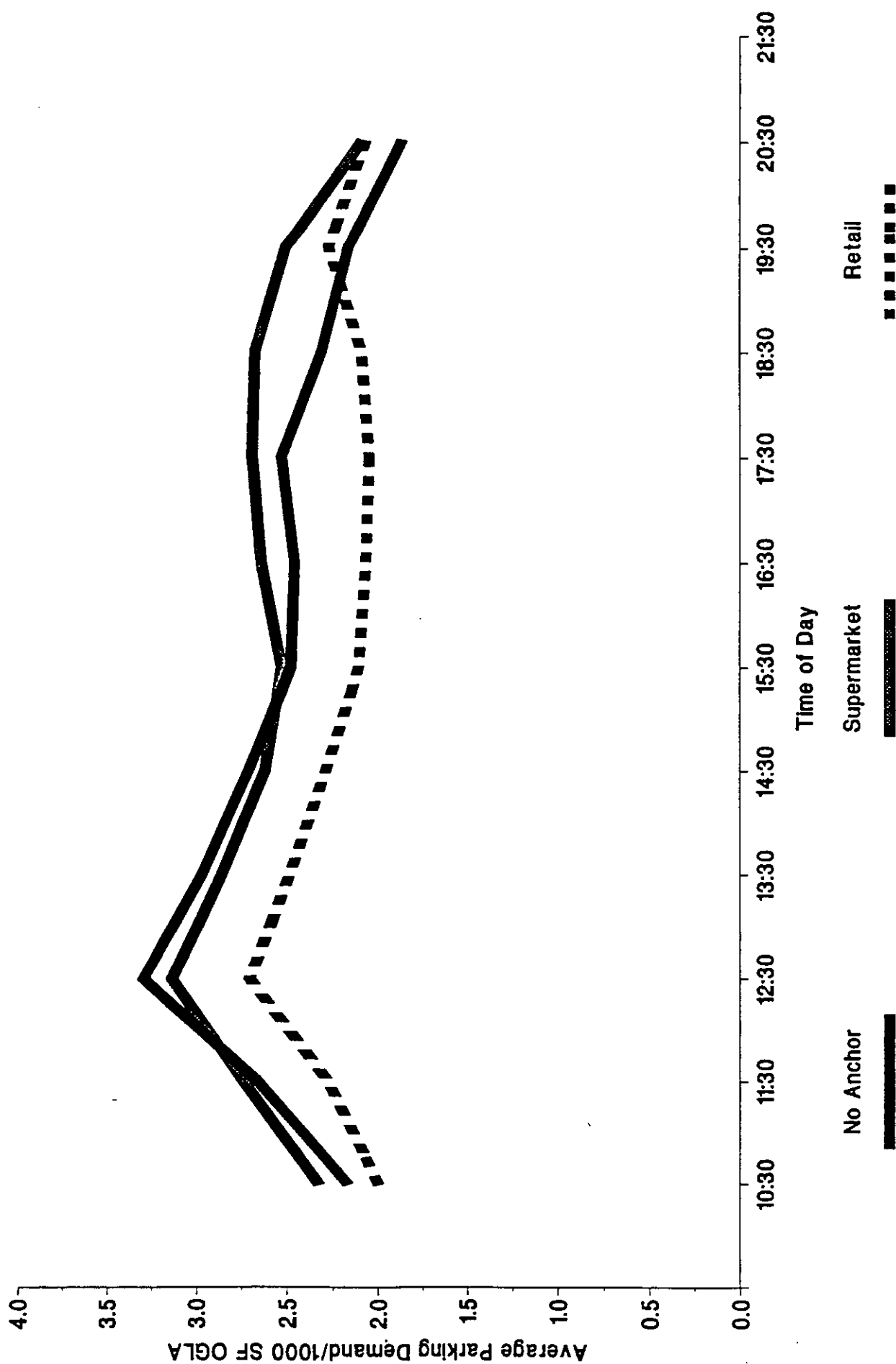
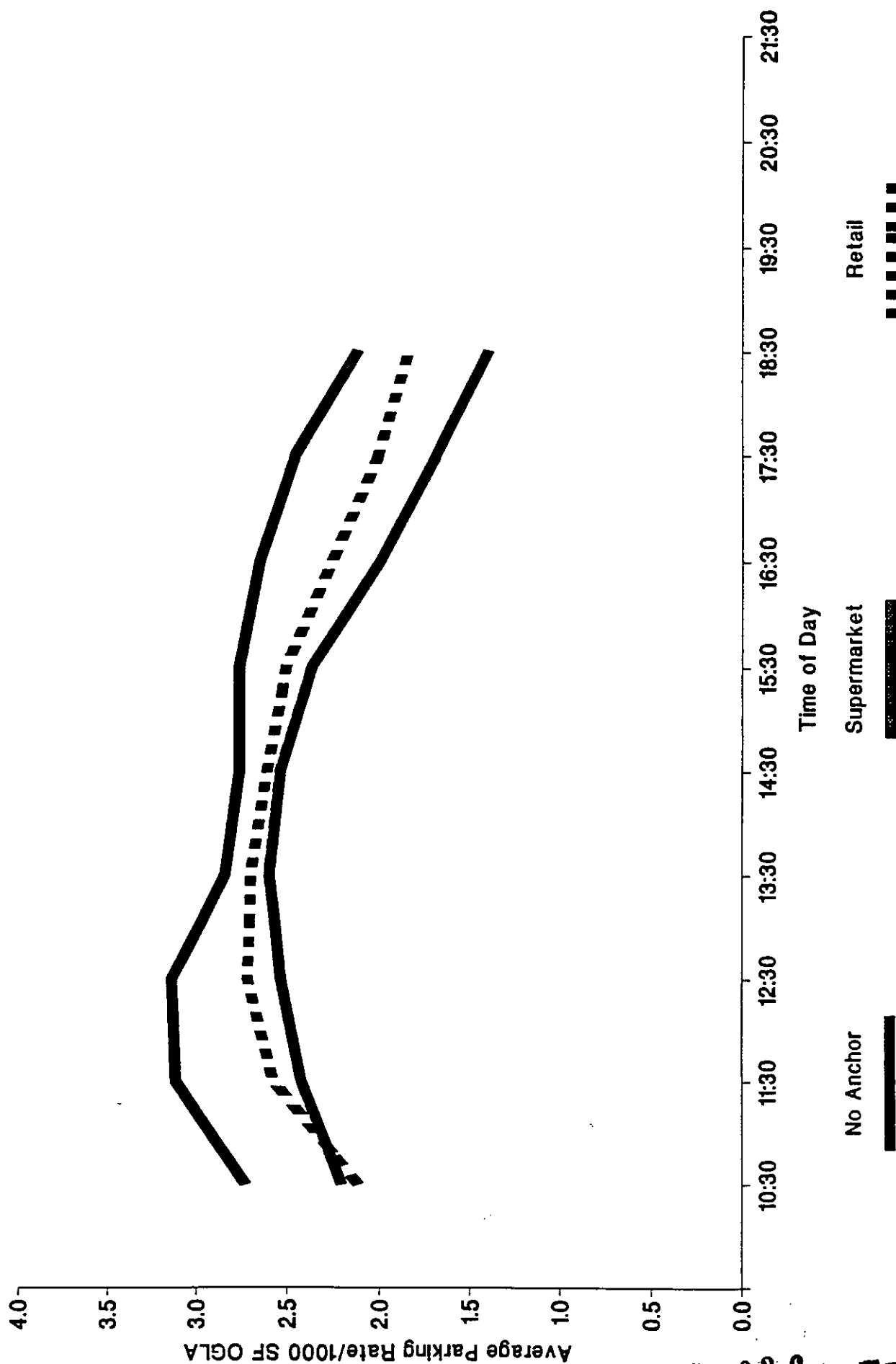


Exhibit VI-12. Comparison of Average Hourly Parking Rate
by Type of Anchor Store: Saturdays



study centers (2.1 percent) of the total hours observed. Twelve of these high peak hour rates only marginally exceeded the 4.0 space rate (their peak demand was 4.10 spaces per 1,000 square feet of OGLA or less). Over half of the hours (21 hours) occurred at shopping centers with 15 percent or more of their OGLA devoted to restaurants. (In fact, one shopping center with approximately 20 percent restaurants accounted for 12 of these 21 hours). Below is a detailed discussion of each of the circumstances where a peak parking demand rate exceeded 4.0 spaces per 1,000 square feet of OGLA.

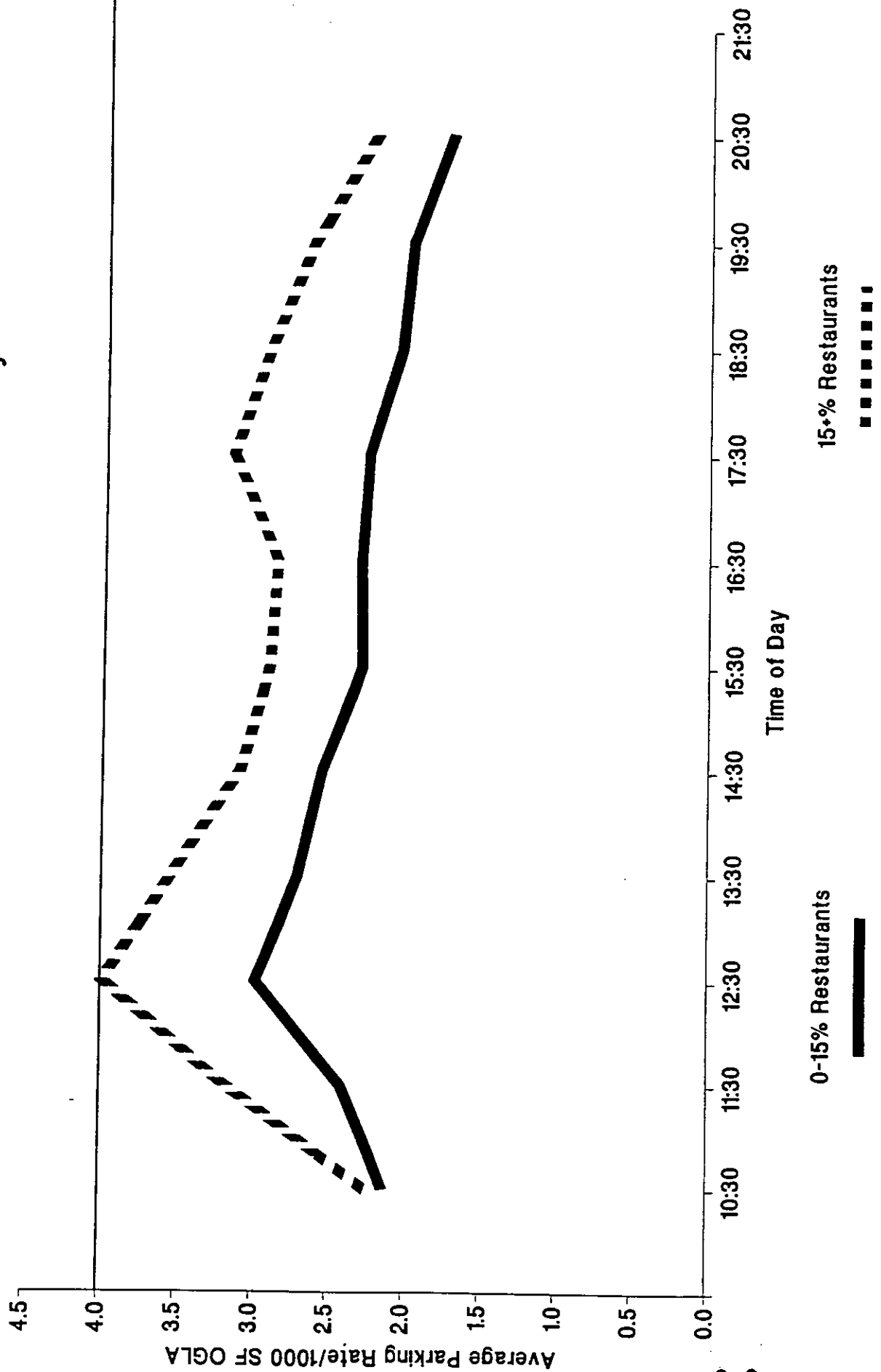
Shopping Centers with Greater Than 15 Percent GLA Restaurants

As noted earlier, shopping centers with greater than 15 percent of their total square footage of OGLA devoted to restaurants experienced the highest peak parking rate demand, which occurred at lunchtime on weekdays. Our study contained five such centers (7, 10, 30, 32, and 34). None of these centers contain an anchor store, except for center 10 that contains a supermarket. Exhibit VI-13 compares the average hourly parking rate distribution of the no-anchor centers with more than or less than 15 percent restaurant use. Notably, shopping centers with greater than 15 percent or more OGLA for restaurants had a significantly peaked hourly distribution compared to the other no-anchor ones. This reflects the lunchtime draw of these restaurants during the day, but their significantly less parking demand during the rest of the day. Based on all the results, it is clear that shopping centers with 15 percent of their OGLA devoted to restaurants do comprise a special category of centers that will require additional parking to accommodate their parking demand. Appendix 4 contains parking duration graphs for shopping centers with greater than 15 percent of their OGLA devoted to restaurants.

December Season Peak Demands

For those shopping centers with 15 percent or less of the OGLA devoted to restaurants, the majority of the remaining peak demands that exceeded 4.0 spaces per 1,000 square feet of OGLA (12 out of 18) occurred during December (typically during the Saturday before

Exhibit VI-13. Comparison of Average Hourly Parking
at Shopping Centers without Anchor Stores by Percent
OGLA Devoted to Restaurants: Weekdays



Christmas) and lasted only one hour. The December peaks at centers 2, 3, 9, 12, 18, and 26 were significantly higher than comparable rates during June and October, or even their December Friday peak rate. Many of these observations most likely encompass the yearly peak parking demand. Two centers, 11 and 22, had their December peak hour parking rates marginally above 4.0 spaces per 1,000 square feet of OGLA (4.03 and 4.07 respectively), which was consistent with their earlier October and June data. But none of the peak parking rates for these two centers exceeded 4.15 spaces per 1,000 square feet of OGLA. Exhibits VI-14 and VI-15 show the hourly time distribution of parking demand at all centers where the peak parking rate exceeded 4.0 spaces per 1,000 OGLA during December on weekdays and Saturdays, respectively.

It is important to note that three of these high parking demands may be attributed to special or unusual events that occurred. Specifically during the December observations,

- Shopping center 3 had a bike group meeting on Saturday, which accounts for the very high parking rate present at 10:30 A.M. and for the rest of the day (Exhibit VI-15).
- Shopping center 26 had a Christmas tree stand.
- Shopping center 18 had a wedding reception on Friday.

The high peak rates noted at these centers during December are also much higher than the June and October peak parking demand rates during the same time period.

Exhibit VI-14. Parking Rates at Shopping Centers With 15% or Less Restaurant Uses Whose Peak Rate Exceeded 4.0 Spaces per 1000 Square Feet OGLA During Weekdays in December

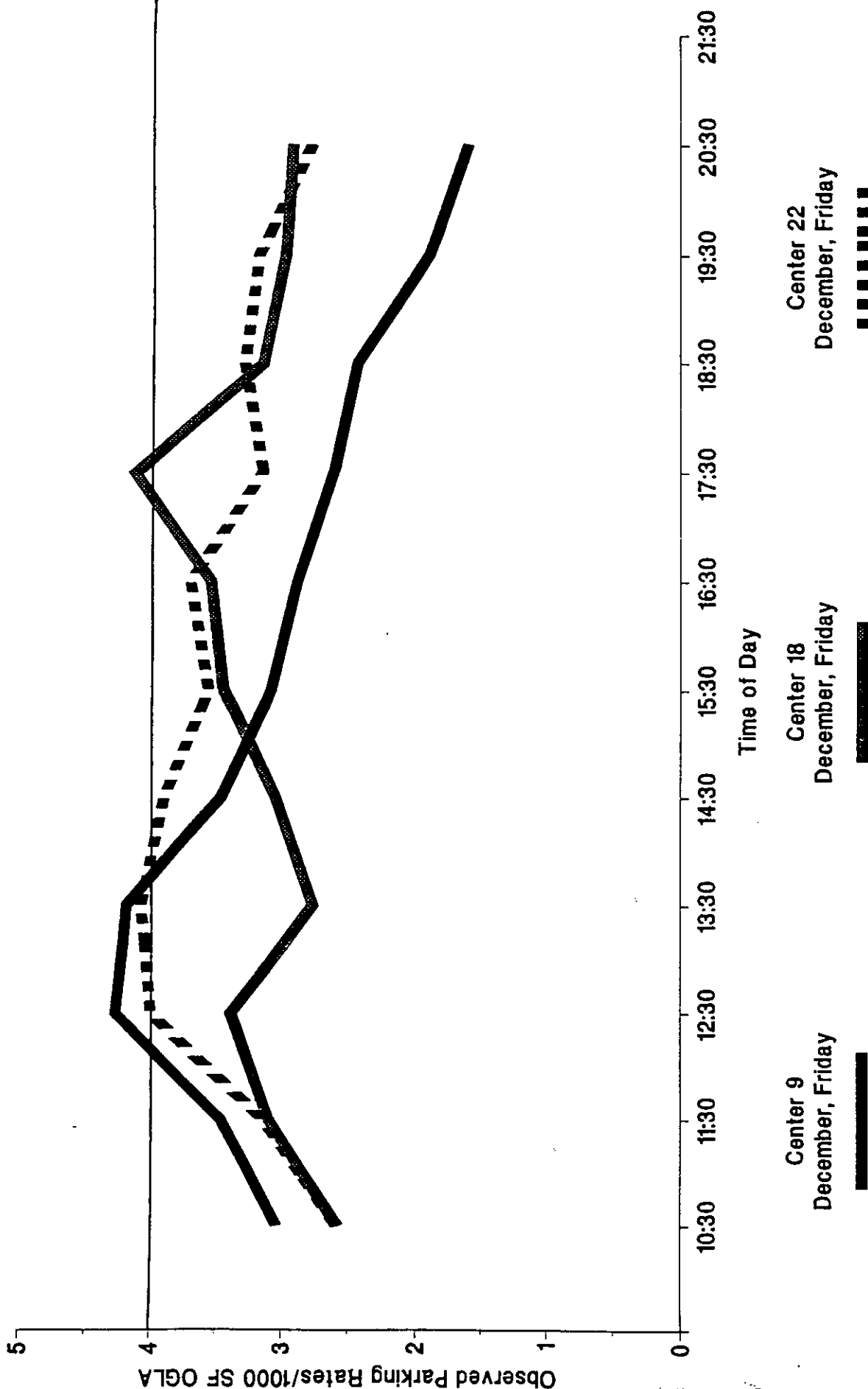
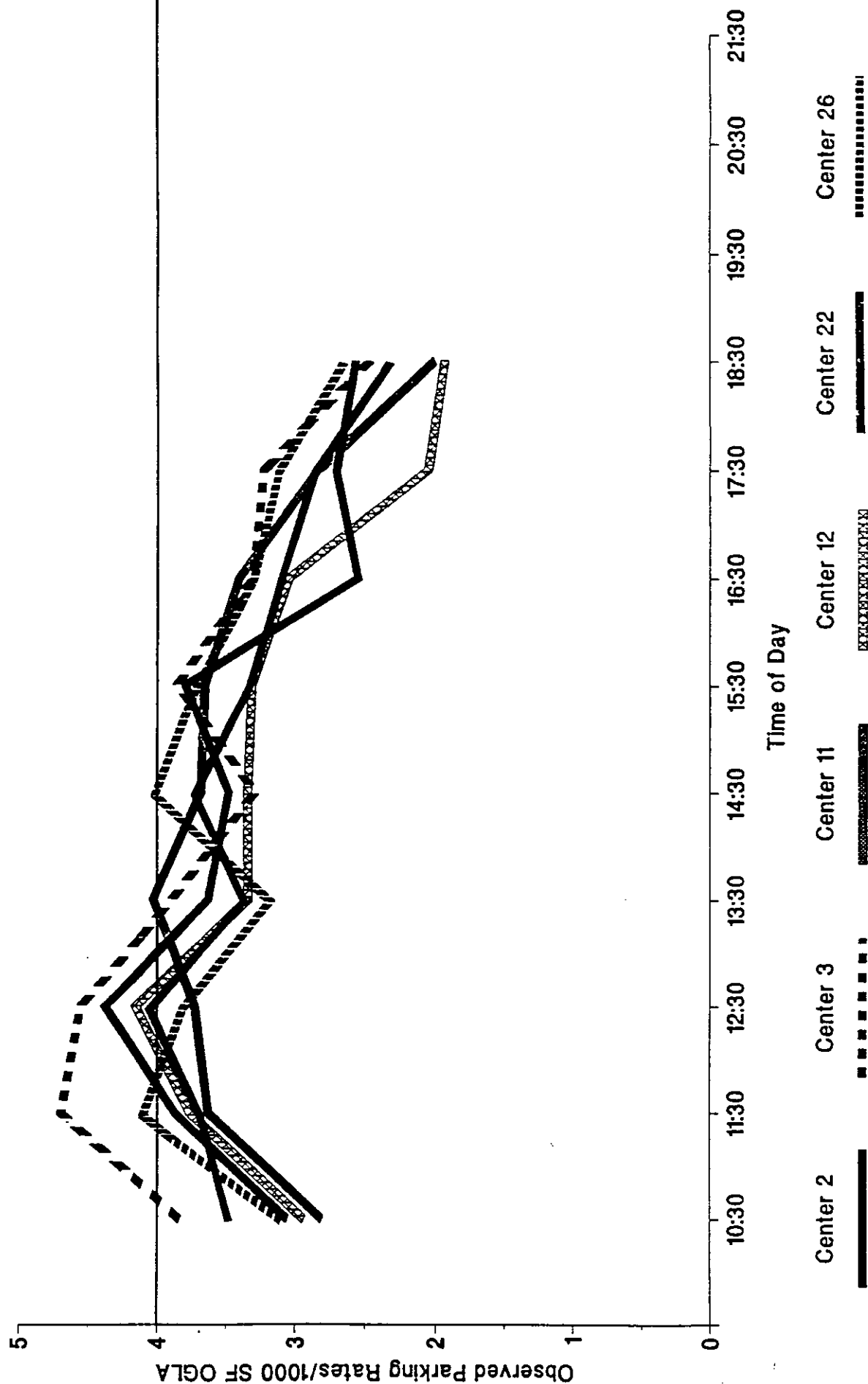


Exhibit VI-15. Parking Rates at Shopping Centers With 15% or Less Restaurants Uses Whose Peak Rate Exceeded 4.0 Spaces per 1000 Square Feet OGLA During Saturdays in December



October and June Peak Demands

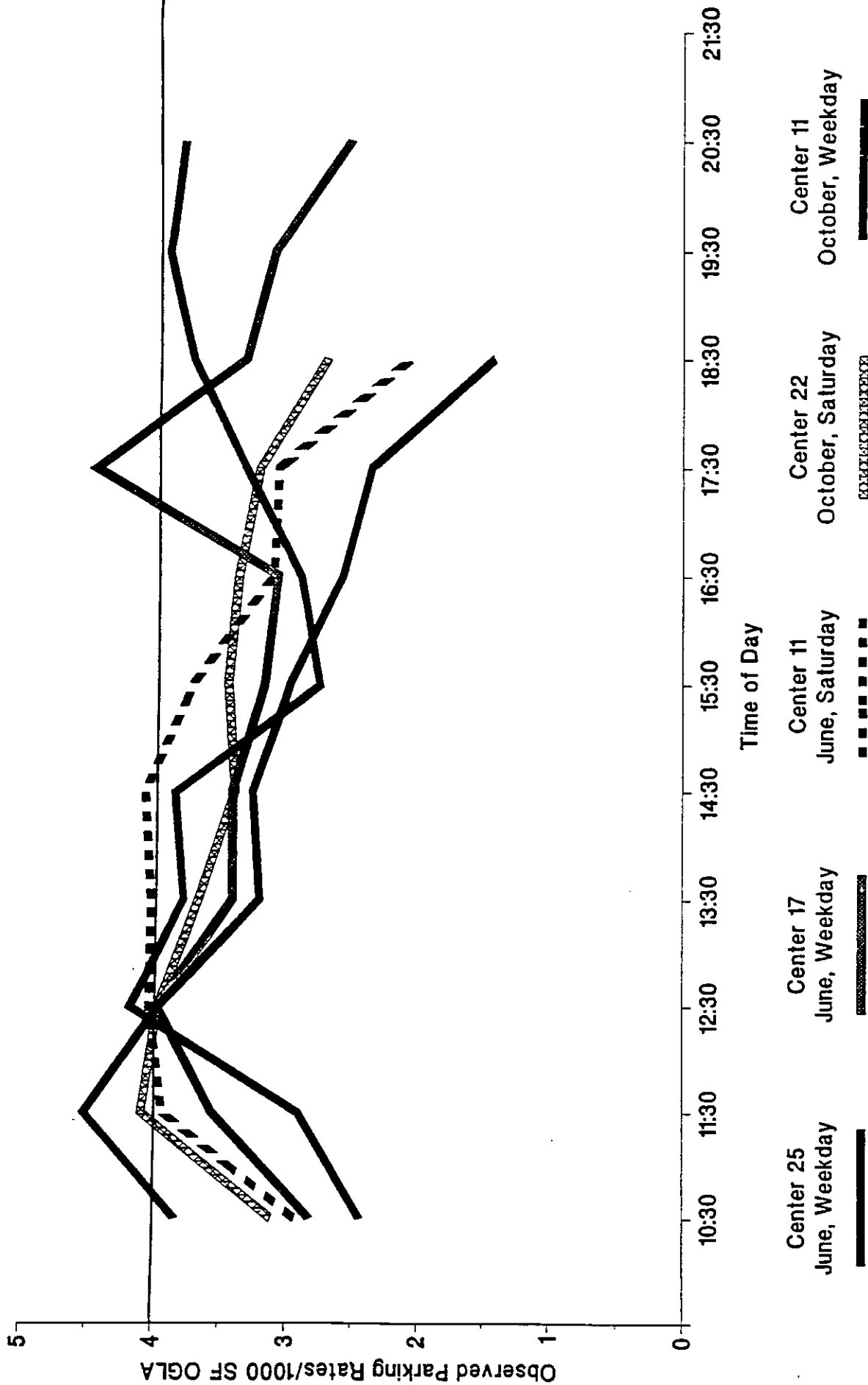
Considering only shopping centers with 15 percent or less of their OGLA devoted to restaurants, only 4 centers (11, 17, 22 and 25) had peak parking demand rates that exceeded 4.0 spaces per 1,000 of OGLA during the June and October surveys. Centers 11 and 22 were mentioned earlier and had peak rates of 4.15 or less. Center 17 had a crafts fair on Friday, June 24, resulting in a peak parking demand of 4.40 spaces per 1,000 square feet of OGLA, which was substantially higher than its other October or December weekday survey results (3.16 and 3.66 spaces per 1,000 square feet of OGLA, respectively). The high parking demand rate at center 25 (4.40 spaces per 1,000 square feet of OGLA) was recorded on Tuesday June 21 and included vehicles on a side street of the center that turned out to be due to commuters. The later counts at this center excluded these commuter vehicles (2.41 and 3.62 spaces per 1,000 square feet of OGLA). Exhibit VI-16 shows the hourly time distribution of parking demand rates for these shopping centers.

The general conclusion from these detailed analyses of the duration of parking demand rates is that, except for those shopping centers with greater than 15 percent of their OGLA devoted to restaurants, the peak parking demand rate at our study centers exceeded 4.0 spaces per 1,000 total square feet of OGLA less than 2 percent of the total time for observations. Furthermore, when the 4.0 rate was exceeded, it typically occurred only for one or two hours on the weekend before Christmas. Given the approximately 3,600 hours a year these shopping centers operate, these several hours account for less than one-half of one percent (0.5 percent) of the time a typical shopping center is open, even with special events that may occur.

OTHER RESULTS AND OBSERVATIONS

In addition to these analyses, other observations can be made from the survey data. Most importantly, there is significant evidence that the parking lots in many of our studies shopping centers are used by commuters. Thus our parking demand counts mostly likely

Exhibit VI-16. Parking Rates at Shopping Centers With 15% or Less Restaurant Uses Whose Peak Rate Exceeded 4.0 Spaces per 1000 Square Feet OGLA During June or October



contain a significant number of commuters, and it is likely that demand rates overestimate parking demand based on OGLA. A special survey was conducted at all the study shopping centers on weekdays from 8:00 to 9:00 A.M., to ascertain the effects of commuter parking, if any. It was not uncommon to find 10-20 percent of the parking spaces occupied by 9:00 A.M., although few stores, if any, were open by this time. In fact, a couple of the shopping centers possess commuter parking areas. Consequently, parking demand rates appear to be significantly higher than the retail "draw" at shopping centers, because the rates include commuter parking. Thus, our results should be considered conservative.

Finally, our limited survey of six shopping centers with a retail anchor store on Saturday December 10, gave mixed results. Compared to the peak rates observed on December 17 (a week later), three of the shopping centers had virtually the same rate, two had substantially lower rates and one was higher. (See Appendix 4). However, all of the December 10th peak parking demand rates were greater than the rates observed on Saturdays in June and October, although five of the six shopping centers still had peak parking rates below 3.6 spaces per 1,000 square feet OGLA. One center in this additional survey had a peak parking rate of 4.08 spaces per 1,000 square feet, which was consistent with its earlier data.

VII. SUMMARY AND CONCLUSIONS

This study provides a detailed, comprehensive assessment of parking demand for local-serving neighborhood and community shopping centers in Fairfax County, Virginia. The database consists of parking demand surveys conducted at more than 30 shopping centers throughout Fairfax County for weekdays and Saturdays during June, October, and December. Analyses of the data indicate that a base parking rate of 4.0 spaces per 1,000 square feet of OGLA would provide adequate parking throughout the year at almost all local serving centers, regardless of the factors studied. The factors studied included: the shopping center size, the type of anchor, the amount of space devoted to restaurants, and the presence of freestanding buildings.

The consistent exception to the 4.0 spaces per 1,000 square feet of OGLA standard occurred at centers where greater than 15 percent of their OGLA was devoted to restaurant uses. An exception was also observed only at a few centers containing less than 15 percent OGLA for restaurant uses during their yearly peak hour(s) in the seasonal "Christmas" shopping period. For the individual centers experiencing this seasonal peak, the demand was typically exceeded for one hour on Saturday between 1:00 - 2:00 in the afternoon. Of the over 2,000 data points collected, these variations represent about two percent of the total observations. Extrapolating this data on the few hour(s) exceeding the 4.0 spaces per 1,000 square feet of OGLA indicates that in less than one-half of one percent of the total operating hours of the "worst case" center would the standard be exceeded. None of these centers experienced this peaking for more than two consecutive hours and most only experienced it for one. Based upon this finding, it is recommended that the base rate not be adjusted to reflect this minor occurrence. Finally the 4.0 spaces per 1,000 square feet of OGLA standard appears to accommodate both shoppers and commuters at the centers surveyed.

VIII. STUDY RECOMMENDATIONS

This report recommends the following be used as an ordinance standard to regulate parking at neighborhood and community shopping centers.

For centers of 400,000 square feet or less of gross floor area (GFA),⁵ four (4.0) spaces per 1,000 square feet of GFA, plus additional parking spaces for the amount of eating establishment and fast food restaurant uses which in aggregate exceed 15 percent of the GFA of the entire center, plus additional stacking spaces for drive-in windows as applicable.⁶

For this purpose, GFA shall not include common areas, which are areas that are not designed for exclusive use by tenant and their clientele. Common areas include parking, malls, public toilets, sidewalks, yards, truck and service facilities and the

⁵Neighborhood and community shopping centers for this purpose shall be defined in general accordance with the Urban Land Institute (ULI), and the proposed Fairfax County Zoning Ordinance Amendment definitions, and the size of the centers studied herein. For simplicity of implementation it is suggested that only centers of 400,000 square feet or less of total gross floor area including all freestanding buildings be included in the definition. See Appendix 1 for details.

⁶Only one of the centers surveyed contained a movie theatre. The aggregate square footage of eating establishments and fast food uses and theatre uses were less than 15 percent of the total square feet of GFA. The percent of the uses equalled 11 percent of the total in this case. This center's parking demand is covered adequately by 4.0 spaces per 1,000 square feet of GPA. Because of our experience with this center, i.e., the peak parking demand for the theatre use was, typically off peak, in relationship to the restaurant uses, the study could not justify a change in the ordinance based upon theatre uses.

satisfy the maximum demand ever experienced", nor the few yearly peak hours that occur between Thanksgiving and Christmas.⁸

Finally, it is noted that the proposed base parking rate of 4.0 spaces per 1,000 square feet of GFA is lower than Fairfax County's existing rate and lower than its proposed rate of 5.0 spaces per 1,000 square feet of gross leasable area (GLA). Examination of the county's justification for this higher rate revealed that it was based on data not specific to local-serving neighborhood and community shopping centers. The County's data on these types of shopping centers, as well as their consultants' findings, are, in fact, consistent with the conclusion and recommendation of our study's proposed parking requirements. These points are discussed in greater detail in the section that follows.

⁸/Draft of Staff Report, Proposed Zoning Ordinance Amendment and Related Amendments to the Public Facilities Manual on Parking Provisions, Articles 9, 11, 17 and 20 of the Zoning Ordinance and Article 9 of the Public Facilities Manual, Prepared by the Zoning Administration Division, Office of Comprehensive Planning, County of Fairfax, April 12, 1988.

IX. COMPARISON OF STUDY RECOMMENDATIONS WITH FAIRFAX COUNTY'S PROPOSAL

Our study recommendations list parking requirements that are lower than those of the proposed Fairfax County ordinance. The County's proposal is for 5.0 spaces per 1,000 square feet of GLA for centers with less than 750,000 square feet of GLA, plus additional parking for any freestanding uses to be provided based on its individual parking rate. Justification for the lower rate recommended for neighborhood and community shopping centers by this study is provided below:

- (1) Our study focused on local-serving neighborhood and community shopping centers, which are much smaller, (generally less than 400,000 square feet of GLA) than the 750,000 square feet GLA criteria used in the Fairfax County ordinance to define smaller shopping centers. The JHK study, on which the county's proposed standard is based, did not examine a wide range of shopping center characteristics that were directly relevant to the Fairfax County standard, (such as type of anchor, number of restaurants and, theaters, and freestanding uses.) Thus, the data on which the standard is based is generalized and not specific to neighborhood and community shopping centers or their tenant characteristics.
- (2) The data used by the County to examine smaller shopping centers was limited to 6 shopping centers and 4 freestanding retail stores that the JHK study observed during the Thanksgiving to Christmas time period. As noted earlier, the County staff's own objective was not to base a parking standard based on yearly maximum demands that would occur for a minimal duration only during this time period. Thus, their data is severely limited by the number and types of centers studied and the times they were observed. By comparison, this study contains data on 30 centers with over 2,000 hourly observations of parking demand throughout the year.

APPENDIX 1:
DEFINITIONS OF TERMS

The following definitions are based on summaries of either the current Fairfax Zoning Ordinance or the proposed amendments to the parking standards as footnoted. In instances where the study recommends specific changes to the existing or proposed ordinance definitions, it is noted within this section.

EATING ESTABLISHMENT

The principal use of the establishment is related to the sale of food, frozen deserts, or beverages in a ready state for consumption. Customers are usually provided menus and served at a table by an employee of the establishment. Non-disposable plates, containers, and utensils are provided. Customers are not expected to clean up. Carry-outs and dancing areas may be associated with this use but are limited by provisions of the Fairfax County Zoning Ordinance. Eating establishments are distinguished from fast food restaurants in accordance with the county zoning ordinance as generally provided below.¹⁰

FAST FOOD RESTAURANT

The principal use of the establishment is related to the sale of food, frozen deserts or beverages. The food is generally served over a counter for the customer to carry to a seating facility within the restaurant, to a motor vehicle, or off-premises and disposable plates, containers, and utensils are provided. Customers are generally expected to clean up after themselves. The use may include drive-through windows. Forty-five percent or more of the gross floor area of the use is devoted to food preparation, storage, and associated activities and is not open to the general public.¹¹

¹⁰/Zoning Ordinance, Chapter 112, Article 20, County of Fairfax as Amended through May 1989.

¹¹/Zoning Ordinance, Chapter 112, Article 20, County of Fairfax as Amended through May, 1989.

operate an outdoor cafe, which is not common area, GLA for the purposes of this study and the calculation parking demand, should include such area.

NET FLOOR AREA (NFA)

The sum of all horizontal areas on all floors of all buildings on a lot. NFA is measured from the interior faces of exterior walls and from the center line of walls separating two or more buildings. NFA includes outdoor display areas for the sale of merchandise but excludes areas designed for permanent uses such as toilets, utility closets, malls enclosed or open, truck tunnels, enclosed parking areas, meters, rooftop mechanical and equipment rooms, public and fire corridors, stairwells, elevators, escalators, and areas under a sloping ceiling where the headroom in fifty percent of such area is less than six feet, six inches.¹⁴

RESTAURANT

For the purpose of this study, the term includes eating establishments and fast food restaurant uses.

SHOPPING CENTER

The term applies to a group of two or more commercial uses, which have one or more of the following characteristics:

- a. Are designed as single commercial group, whether or not located on the same lot.
- b. Are under common ownership or management.
- c. Are constructed by party walls, partitions, canopies or other structural members to form one continuous structure, or if located in separate buildings, are interconnected by common parking areas, travel lanes, walkways or access ways designed to facilitate customer interchange between the uses on site.

¹⁴/Zoning Ordinance, Chapter 112, Article 20, County of Fairfax as Amended through May, 1989.

APPENDIX 2:
PARKING ORDINANCES FOR JURISDICTION

Exhibit A2-1.

PARKING ORDINANCES OF JURISDICTIONS THROUGHOUT
THE METRO D.C. AREA

ARLINGTON COUNTY

- Office - 3.3 spaces/1,000 square feet of basement and first five floors of area adaptable to office space and 2.5 spaces/1,000 square feet of floor area above fifth floor. Plus 1.0 space for a daytime custodian.
- Restaurant - 1.0 space/six (6) seats.
- Shopping Center - 1.0 space/250 square feet of gross floor area.

PRINCE WILLIAM COUNTY

- Office - 1.0 space/200 square feet of net floor area.
- Restaurant - 1.0 space/100 square feet of net floor area, with a minimum of 1.0 space/serving unit (two stools or four seats at a table).
- Shopping Center - 1.0 space/200 square feet of net floor area up to 50,000 square feet.
1.0 space/225 square feet of net floor area up for 50,000-500,000 square feet.
1.0 space/250 square feet of net floor area for over 500,000 square feet.

FAIRFAX COUNTY

- Office - 3.6 spaces/1,000 square feet of gross floor area for 50,000 square feet or less.
3.0 spaces/1,000 square feet of gross floor area for 50,001 to 125,000 square feet.
2.6 spaces/1,000 square feet of gross floor area for more than 125,000 square feet.

Exhibit A2-1
(Continued)

In addition, parking for any freestanding use located on the same lot with a shopping center shall be provided based on the regulation for that individual use.

LOUDOUN COUNTY

- Office - 1.0 space/each 375.0 square feet of net floor area.
- Retail/
Personal Service - 1.0 space/each 187.5 square feet of net floor area.

MONTGOMERY COUNTY

- Office - Varies from 1.9 to 3.0 spaces/1,000 square feet of gross floor area, depending on which of the four planning districts the office space is located. Those closer to Metro stations, for example, require less parking spaces per 1,000 square feet.
- Restaurant - 25 spaces for each 1,000 square feet of floor area devoted to patron use within the establishment and 15 parking spaces for each 1,000 square feet of ground area devoted to patron use on the property outside the establishment.
- Shopping Center - 5.5 spaces/1,000 square feet of gross leasable area.

PRINCE GEORGE'S COUNTY

- Office - 4.0 spaces/1,000 square feet of gross floor area for first 2,000 square feet plus 2.5 spaces/each additional 1,000 square feet of gross floor area.
- Restaurant - 1.0 space/three (3) seats.
- Fast Food - 1.0 space/three (3) seats plus 20 spaces per 1,000 square feet gross floor area excluding area used only for storage or patron seating and excluding any exterior patron service area.

APPENDIX 3:
DESCRIPTION OF SITE SELECTION AND DATA
COLLECTION PROCEDURES

This section contains information on how shopping centers were selected and how their parking surveys were conducted.

Center Selection

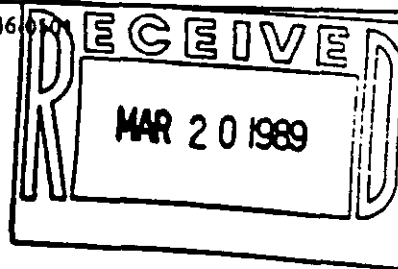
In the spring and summer of 1988, A.J. Dwoskin staff contacted approximately 30 neighborhood and community shopping center industry representatives to determine their interest in participating in this study.

Center selection for this study was based upon the following criteria:

- o The willingness of industry representative's contacted to permit their center(s) to be surveyed for parking demand and to fund associated expenses.
- o The location of the center in Northern Virginia. After the first survey in June the centers were limited to only ones located in Fairfax County. An attempt was made to have at least one center in every magisterial district in the County in order to have a broad geographic distribution.
- o The vacancy rate of the center. If the center had a significant vacancy rate, then it was not surveyed. Eliminating largely vacant centers reduces unknown or unmeasurable variables thereby increasing the reliability of study results.
- o The ability to isolate parking demand for a center. In one instance a center was not surveyed because it shared parking and travelways with another center whose owners could not be contacted. If both centers could have been surveyed they would have been retained for this study.

SIEMINSKI AND ASSOCIATES

18 WEST MT. IDA AVENUE • ALEXANDRIA, VA 22305 • 703-836-0101



PROJECT MANAGEMEN
COMPUTERIZATION
MARKET RESEARCH
FEASIBILITY ANALYSIS

March 12, 1989

Mr. Howard S. Stein
Callow Associates, Inc.
12007 Sunrise Valley Drive
Reston, Va. 22091

Re: Shopping Center Parking
Accumulation Survey

Dear Howard:

This letter is in response to your request for a summary of the methodology used in our conduct of the parking survey. A more detailed presentation is contained in the "Methodology" section of the December final report.

- (1) All data pertaining to shopping center characteristics, including the number of parking spaces, was provided by landlords. We did not count the number of parking spaces in each center. We contacted each landlord, prior to each survey, to determine whether the parking area in each center had been altered in any way from the information originally provided to us (eg. restriping).
- (2) Our counts of parked vehicles in each center included the following:
 - (a) Any car parked within the center:
 - in a marked space
 - in a fire lane or other unmarked area, whether legally or illegally parked
 - at the rear of the center
 - (b) Any car parked in the street or on a service road in front of a shopping center where there appeared to be a direct relation between the street parking and patronage of the center (eg. Springfield Tower, Springfield Plaza, Fairfax Centre). Special instructions were given to survey personnel working at centers where these conditions existed.
 - (c) Any truck parked in any one of the situations described above. Trucks were counted as one vehicle even if they took up more than one space.
 - (d) Any motorcycle parked in one of the situations described above.

97 - 036

Data collected on the first day of the survey program, June 21, was phoned in to a supervisor on Wednesday morning and immediately loaded into a computer for review. The purpose of this review was to identify any abnormalities in the data collection effort so corrections could be made prior to the count to be taken on Friday, June 24. Only one such situation was found resulting from an arithmetic error due to a double count for a single hour.

The results of the Friday and Saturday counts were delivered to a supervisor on Sunday, June 26. Survey persons were advised that their payment was contingent on the accuracy of their counts and submission of data collection sheets on time. All reports were received on time and found to be accurately prepared.

During the week of June 28, all remaining survey data and information defining project characteristics was loaded on the computer and graphics developed to present survey results. This work was completed on June 30. Field notes were then reviewed to correlate comments with parking lot use profiles for each survey date.

Hard copy and a computer file (PARKING.WK1 - LOTUS 1-2-3, Ver. 2) were prepared to present the final results of the survey for use and evaluation by Callow and Associates.

THE OCTOBER 1988 SURVEY

The same basic methodology as used for the June 1988 survey was repeated in the October survey with the following exceptions:

1. Data collection was restricted to Friday and Saturday since peak parking demand occurred on those two days for a majority of the centers covered in the June 1988 survey. The same data collection hours were used on Friday and Saturday as in the June 1988 survey.
2. The two shopping centers located in Arlington (#13 and #14) that were included in the June 1988 survey were dropped from the October survey because the data was not considered relevant. Further, a sufficient number of owners of shopping centers in Fairfax County committed their projects to be included in the October survey.

December 21, 1988

COMMUTER PARKING SURVEY

An issue had been raised during the June survey as to the impact that commuters have on the use of parking spaces in shopping centers. Accordingly, a separate survey was carried out during the period October 18 through November 17 to determine the number of cars parked on shopping center lots on weekdays between the hours of 8:00 AM and 9:00 AM. The data collection person was to identify the number and location of cars in each center on a site plan.

The assumption was that it would be easy to identify cars belonging to commuters during the hour the survey was conducted because most if not all retail establishments would be closed. Further that cars belonging to commuters would be located at the perimeter of the parking areas and therefore easily identifiable. This assumption was not valid. We found a relatively large number of cars parked at shopping centers covered by the survey during the hour between 8 and 9 AM accounting for between 4.5% and 32.3% of total parking spaces. The cars tended to be widely scattered in the parking areas.

Since we did not collect information on hours of operation for each establishment in each center and the data collection person was not instructed to tabulate places of business that were open between 8 and 9 AM, the data on commuter parking is inconclusive without additional research.

The results of the "commuter parking survey" were presented in the October report including a site plan for each showing the number and physical location of parked cars at each center on a weekday between the hours of 8 and 9 AM.

THE DECEMBER 10, 1988 SURVEY

The final survey of the year was scheduled to take place on Friday, December 9 and Saturday, December 10 at the 31 centers covered in the October survey. It was learned that the Fairfax County traffic engineers preferred the survey to be run on the following weekend (December 16-17). Accordingly the survey effort was rescheduled to take place a week later, as requested.

December 21, 1988

If further investigation is planned to measure the magnitude of the "commuter problem", it is suggested that two research activities be undertaken:

- (1) Identification of the number of employees working at each center, how many cars they bring, and where they park these cars. Special attention should be given to the number of employees working in restaurants.
- (2) Visual count of commuters leaving cars in shopping centers. The suggested hours for such a "survey" is 6:00 AM to 8:30 AM on a Tuesday, Wednesday or Thursday of a normal business week (without a holiday).

A summary of the final results of the parking accumulation survey, including June, October, and December data is being submitted to Callow Associates on a computer disk with the file name PARKSUM4.WK1. This file was generated on Version 2 of LOTUS 1-2-3.

December 2, 1988

SIEMINSKI AND ASSOCIATES, INC.
18 W. Mt. Ida Avenue
Alexandria, VA 22305
703-836-0501

PARKING SURVEY INSTRUCTIONS

Purpose: The purpose of this survey is to determine whether the number of parking spaces for various types and sizes of shopping centers in Northern Virginia are sufficient.

Location: The attached map shows the location of the shopping center(s) where you will be collecting information. The name and address of the center assigned to you is as follows:

TOTAL
PARKING
SPACES

Data Collection Hours: You are to count the number of cars parked at each center every hour on the half-hour between the hours of 10:30 AM and 7:30 PM on Saturday, December 10. Your last count on Saturday should be at 6:30 PM.

Recording Your Counts: You are to count all of the cars, trucks, motorcycles, and vans parked in the center(s) assigned to you on the dates and times mentioned above. Carefully count the cars parked in each row or aisle of parking spaces. After you have counted the cars in an aisle or row, do not change your count if a car leaves or occupies a space. Please, be sure to count all cars parked along curbs within your center(s) even if they are not in marked parking spaces. Do not count cars that are waiting for service from a bank "drive thru".

You are being given a legal pad to record your hourly counts. Enter the total for each hourly count on the data collection form which is being supplied to you. There is a separate data collection form for each day. Samples of the hourly tally sheet and data collection form are attached.

Please, also write down the weather conditions at each hour in the space provided on the data collection form. Also, note any special conditions you observe that affect concentration of parking in the center(s) assigned to you (e.g. a lot of people at High's, Pizza Hut, etc. at certain hours).

SAMPLE

NORTHGATE SHOPPING CENTER

SATURDAY, DECEMBER 10, 1988

JOHN DOE

12720 SMITH STREET

ARLINGTON, VA 22042

TALLEY SHEET

10:30
CLR

11:30
CLR

12:30
CLR

APPENDIX 4:
RESULTS OF AVERAGE PEAK PARKING RATE AND OTHER ANALYSES

Exhibit A4-1.

COMPARISON OF AVERAGE PEAK PARKING DEMAND RATE BY SIZE OF CENTER

	JUNE			OCTOBER			DECEMBER		
	NUMBER	AVERAGE*	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION
ALL CENTERS									
WEEKDAYS*	27	3.07	0.77	31	3.16	0.76	31	3.43	0.76
SATURDAYS	27	2.72	0.69	31	2.82	0.63	31	3.61	0.70
CENTERS WITH 75,000 SQUARE FEET OF OGFA OR LESS									
WEEKDAYS**	6	3.22	0.86	10	3.63	0.90	10	3.77	0.94
SATURDAYS	6	2.51	0.65	10	2.62	0.71	10	3.39	0.96
CENTERS WITH MORE THAN 75,000 SQUARE FEET OF OGFA									
WEEKDAYS**	21	3.03	0.74	21	2.93	0.56	21	3.26	0.60
SATURDAYS	21	2.78	0.68	21	2.91	0.56	21	3.71	0.50

*PER 1,000 SQUARE FEET OF OCCUPIED GROSS LEASABLE AREA

**WEEKDAY SURVEYS OCCURRED ON TUESDAY AND FRIDAYS IN JUNE.
FOR OCTOBER AND DECEMBER, WEEKDAY WAS A FRIDAY.

Exhibit A4-2. Peak Parking Demand Rates at Neighborhood and Community Shopping Centers: Weekdays

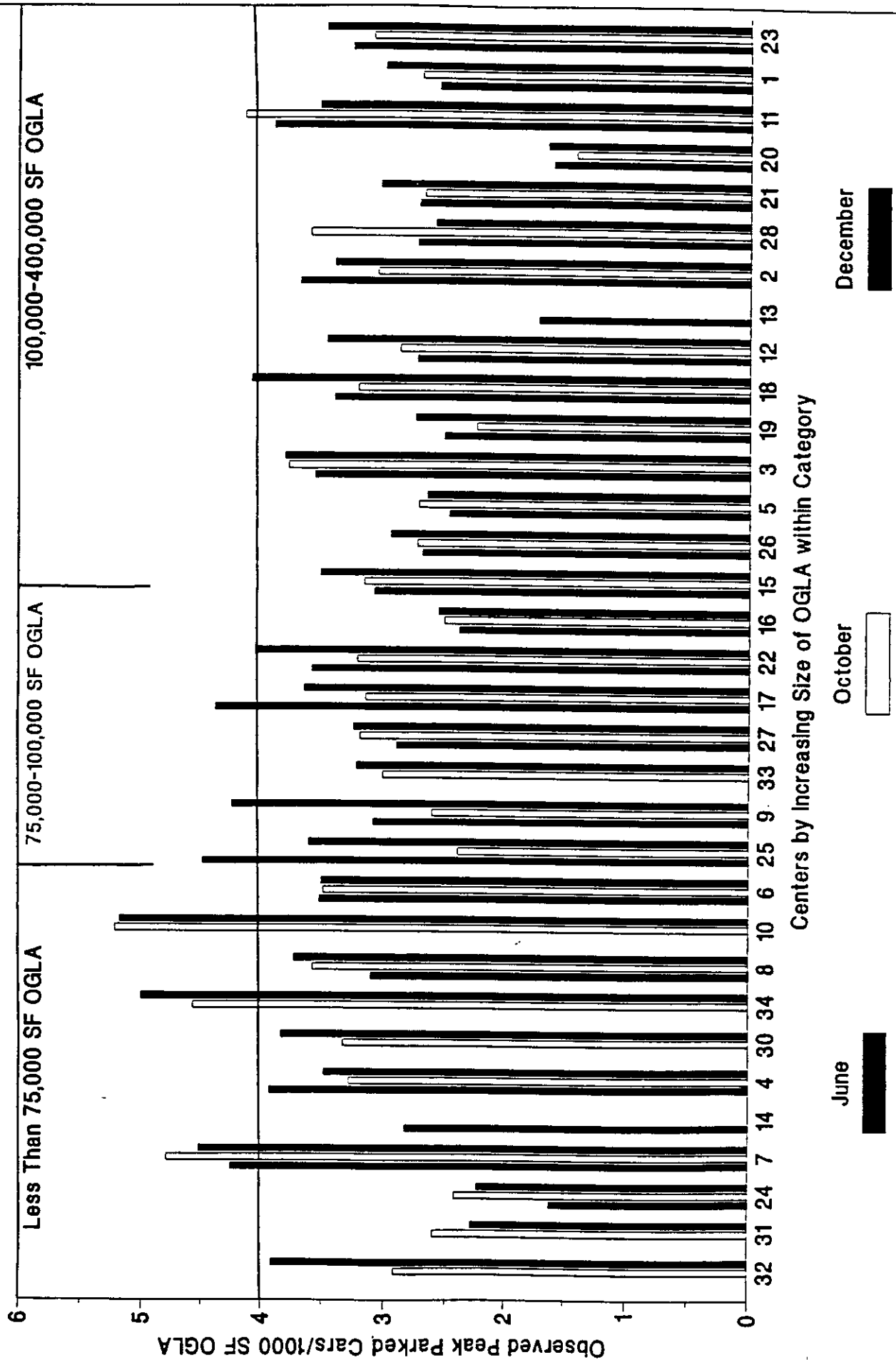


Exhibit A4-3. Peak Parking Demand Rates at Neighborhood and Community Shopping Centers: Saturdays

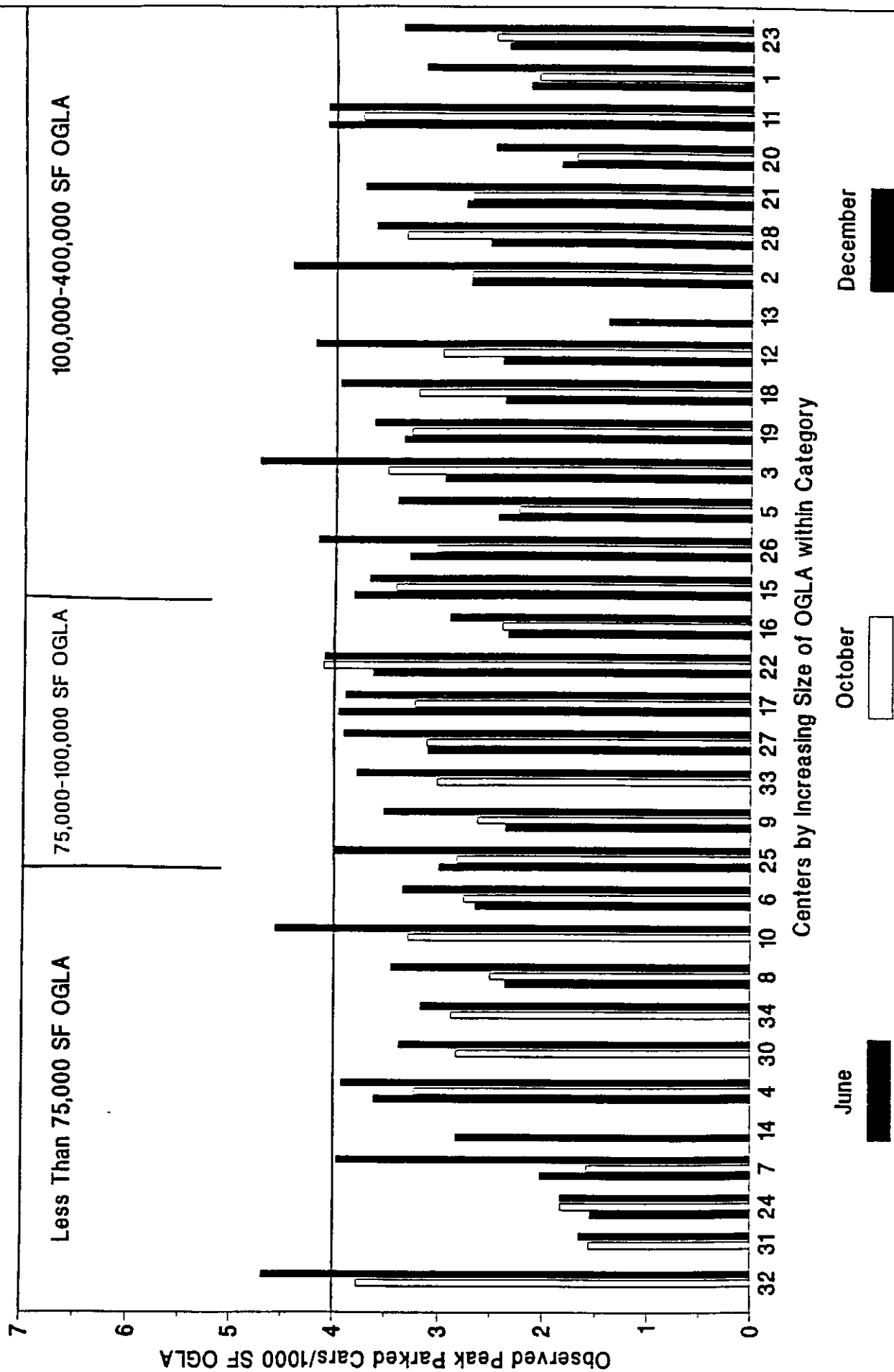


Exhibit A4-4.

COMPARISON OF AVERAGE PEAK PARKING
DEMAND RATES BY TYPE OF ANCHOR STORE

	JUNE			OCTOBER			DECEMBER		
	NUMBER	AVERAGE*	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION
ALL TIMES									
No Anchor	6	3.50	0.95	11	3.43	0.71	11	3.77	0.83
Supermarket	13	3.16	0.62	12	3.42	0.68	12	4.11	0.44
Retail	8	2.95	0.70	8	2.90	0.65	8	3.41	0.57
WEEKDAYS									
No Anchor	6	3.50	0.95	11	3.31	0.75	11	3.58	0.78
Supermarket	13	3.05	0.60	12	3.29	0.67	12	3.66	0.66
Retail	8	2.80	0.72	8	2.73	0.73	8	2.87	0.58
SATURDAYS									
No Anchor	6	2.53	0.66	11	2.61	0.66	11	3.37	0.87
Supermarket	13	2.86	0.67	12	3.19	0.37	12	3.98	0.36
Retail	8	2.63	0.68	8	2.54	0.62	8	3.38	0.58

*Per 1,000 square feet of occupied gross leasable area

Exhibit A4-5. Parking Rates at Shopping Centers With Greater than 15% Restaurant Uses Whose Peak Rate Exceeded 4.0 Spaces per 1000 Square Feet OGLA in December

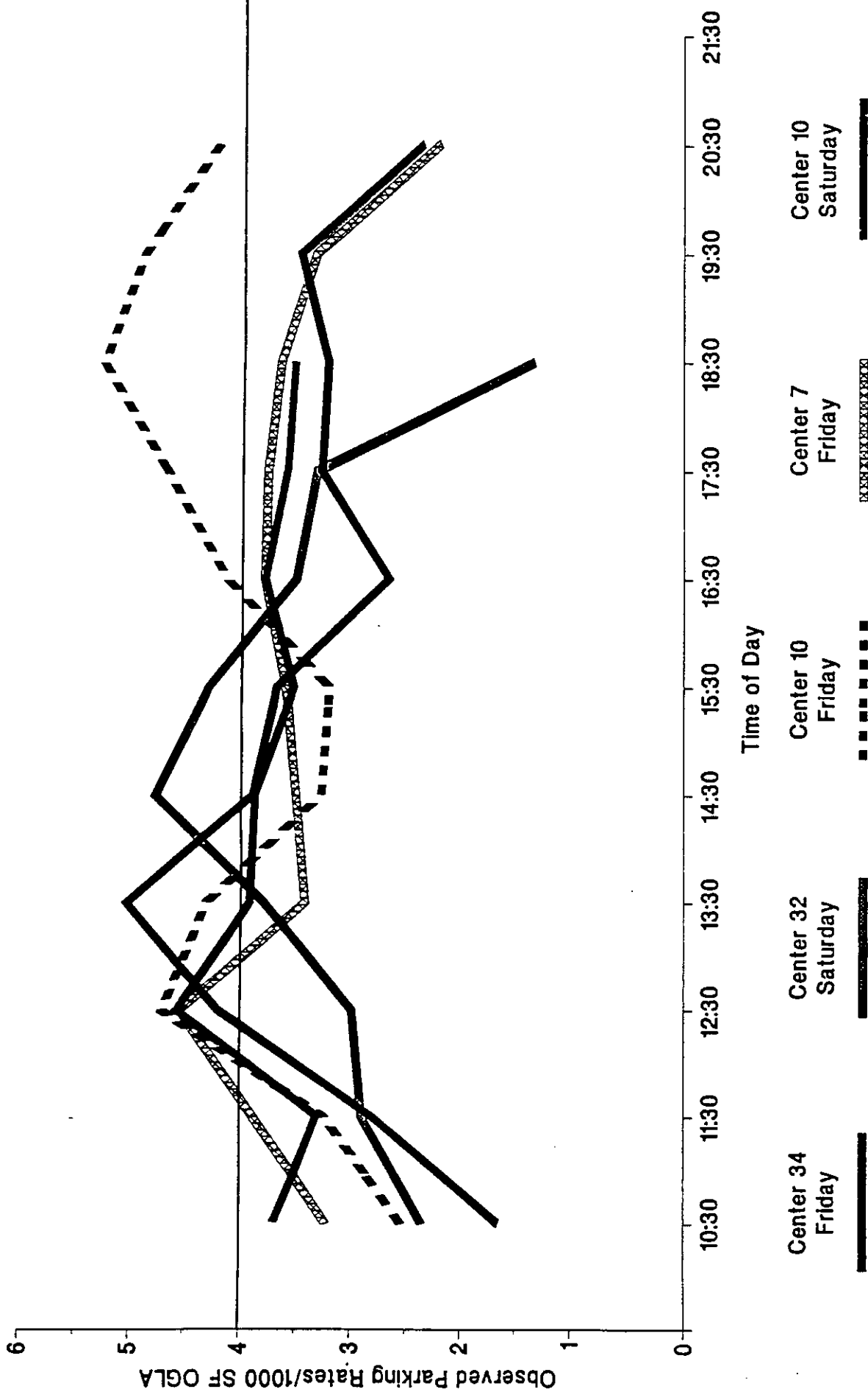


Exhibit A4-5. Parking Rates at Shopping Centers With Greater than 15% Restaurant Uses Whose Peak Rate Exceeded 4.0 Spaces per 1000 Square Feet OGLA in June and October

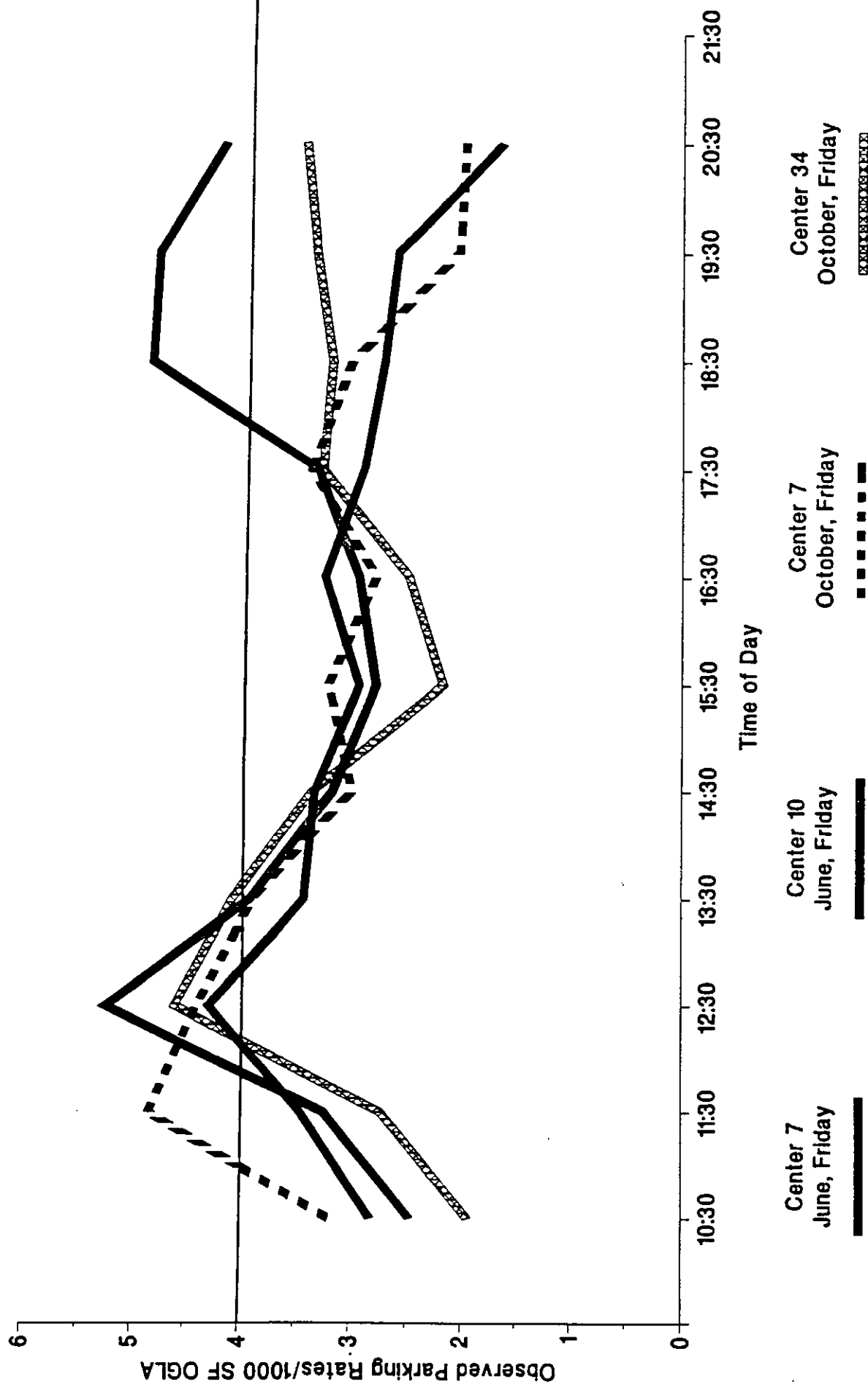


Exhibit A4-6.

COMPARISON OF AVERAGE PEAK PARKING DEMAND RATES
BY TYPE OF ANCHOR AND PERCENT OF OCCUPIED GROSS
LEASABLE AREA DEVOTED TO RESTAURANTS

ANCHOR STORE PERCENT OGLA RESTAURANTS	JUNE			OCTOBER			DECEMBER		
	NUMBER	AVERAGE*	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION	NUMBER	AVERAGE	STANDARD DEVIATION
WEEKDAYS									
NO ANCHOR									
0-15 PERCENT	5	3.34	0.97	7	2.97	0.46	7	3.16	0.58
15+ PERCENT	1	4.27	----	4	3.91	0.80	4	4.32	0.48
SUPERMARKET ANCHOR									
0-15 PERCENT	13	3.05	0.60	11	3.12	0.35	11	3.52	0.50
15+ PERCENT	0	----	----	1	5.23	----	1	5.19	----
RETAIL ANCHOR									
0-15 PERCENT	8	2.80	0.72	8	2.73	0.73	8	2.87	0.58
15+ PERCENT	0	----	----	0	----	----	0	----	----
SATURDAYS									
NO ANCHOR									
0-15 PERCENT	5	2.63	0.68	7	2.53	0.57	7	3.13	0.91
15+ PERCENT	1	2.03	----	4	2.76	0.78	4	3.80	0.59
SUPERMARKET ANCHOR									
0-15 PERCENT	13	2.86	0.67	11	3.18	0.38	13	3.92	0.32
15+ PERCENT	0	----	----	1	3.28	----	1	4.56	----
RETAIL ANCHOR									
0-15 PERCENT	8	2.63	0.68	8	2.54	0.62	8	3.38	0.58
15+ PERCENT	0	----	----	0	----	----	0	----	----

*Average parking demand rate per 1,000 square feet occupied gross leasable area

Exhibit A4-7.

COMPARISON OF SATURDAY PEAK PARKING DEMAND
RATES AT RETAIL ANCHOR CENTERS ON SATURDAYS

CENTER	<u>DATE OF PARKING SURVEY</u>			
	JUNE 24	OCT. 15	DEC. 10	DEC. 17
1	2.04*	1.94	2.77	2.99
2	2.69	2.68	3.59	4.38
5	2.43	2.33	3.54	3.38
11	4.04	3.71	4.08	4.03
20	1.83	1.69	2.41	2.46
23	2.32	2.45	3.35	3.33

*Peak number of vehicles parked per 1,000 square feet occupied gross leaseable area.

APPENDIX 5:
COMPUTING OVERALL PARKING DEMAND BASED ON
DIFFERENT MIXES OF RETAIL USES AND
EATING ESTABLISHMENTS

This Appendix addresses what percent mix of retail uses and restaurants would cause the overall parking demand at a shopping center to exceed a base rate of 4.0 spaces per 1,000 gross leasable area. Data on the peak parking demand for these uses indicate that restaurants have a higher parking demand than does retail space due to the nature of restaurant use and the higher employee to floor area ratio. To conduct these computations, one must use the average peak demand on weekdays (when most of the peak parking demands observed in this study occurred) taken from the ITE Parking Generation Report:

820 Shopping Centers = 3.2 spaces/1,000 GLFA

835 Family Restaurants = 9.1 spaces/1,000 GLFA

The Family Restaurant category was used rather than Quality or Fast-Food Restaurant categories because family restaurant was more representative of the types of quick turnover, eating establishments that were present at neighborhood and community shopping centers in this study.

Exhibit A5.1 shows the result of computing an overall or effective peak parking demand rate based on these individual rates for different mixes of retail and restaurant square footage. The results in this exhibit demonstrate that the effective rate begins exceeding the 4.0 base rate at a mix of approximately 15 percent. Although this restaurant use 15 percent criteria is not absolute because the results of this comparison are dependent on the individual parking rates used, it does provide a rational basis for establishing 15 percent as a logical breakpoint, particularly if it is further supported by actual field data as our study data indicate.

Exhibit A5.1

OVERALL PEAK PARKING RATE OF A
SHOPPING CENTER WITH DIFFERENT MIXES
OF RETAIL AND RESTAURANT USES

<u>Retail</u>	Percent of Space	<u>Restaurants</u>	Effective Peak Parking Demand per 1,000 Gross <u>Leasable Floor Area</u>
95		5	3.50
92		8	3.67
90		10	3.79
85		15	4.09
80		20	4.38

BIBLIOGRAPHY

1. Richard C. Gern, 'Parking Demand at the Regionals', ITE Journal, September, 1978.
2. JHK & Associates, Fairfax County Technical Parking Standards Study, May, 1986.
3. Urban Land Institute (ULI), Parking Requirements for Shopping Centers: Summary Recommendations and Research Study Report, 1982.
4. Institute of Transportation Engineers (ITE), Parking Generation, 2nd Edition, 1987.



CITY OF SAN JOSÉ, CALIFORNIA

E007417

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

JAMES R. DERRYBERRY
DIRECTOR

NOTICE OF DETERMINATION FOR ENVIRONMENTAL IMPACT REPORT CITY OF SAN JOSÉ, CALIFORNIA

FILE NUMBER PDCSH 97-06-036

☒ County Clerk
County of Santa Clara

☒ Office of Planning and Research
State of California

PROJECT DESCRIPTION

PDCSH 97-06-036, FINAL ENVIRONMENTAL IMPACT REPORT for a Planned Development Rezoning located at the southeasterly corner of Stevens Creek and Winchester Boulevards in the City of San Jose to allow the redevelopment of the existing Town and Country Village with a mixed use development to include 575,000 square feet of commercial/retail space, 1,200 residential units and two 100-room hotels. Council District 6.

This is to advise you that June 30, 1998, the City Council of the City of San José approved the above-described project and made the following determinations regarding such project:

1. The project will have a significant effect on the environment.
2. A Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of approval of the project.
4. A statement of overriding considerations was adopted for this project.

This is to certify that the Final EIR with comments, responses and record of project approval is available to the general public at the Office of the Director of Planning, Building and Code Enforcement, City of San José, Room 400, City Hall, 801 North First Street, San José, California 95110. This notice is in compliance with Sections 21108 and 21152 of the Public Resources Code.

JUL 02 1998
POSTED ON _____ THROUGH _____
IN THE OFFICE OF THE COUNTY CLERK
STEPHEN V. LOVE, COUNTY CLERK
BY S. VERA DEPUTY S. VERA

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

Deputy

PDC97-36.NOD/JC/PL/84G/207-02

97-036

E007417

19 JUL -2 AM 9:49

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

Project Title/Location Name and Address of Project Proponent

PDCSH 97-06-036, Final Environmental Impact Report for a project located at the southeasterly corner of Stevens Creek and Winchester Boulevards; Federal Realty Investment Trust, 1626 East Jefferson Street, Rockville MD 20852-4041

Project Description

Planned Development Rezoning to allow the redevelopment of the existing Town and Country Village with a mixed use development to include 575,000 square feet of commercial/retail space, 1,200 residential units and two 100-room hotels.

Findings of Exemption

The proposed project will not individually or cumulatively have an adverse effect on Wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

Certification

I hereby certify that the lead agency has made the above findings of fact and that based upon the Initial Study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

JUL 02 1998 JUL 31 1998
POSTED ON _____ THROUGH _____
IN THE OFFICE OF THE COUNTY CLERK
STEPHEN V. LOVE, COUNTY CLERK
BY S. Vera DEPUTY **S. VERA**

Section 711.4 Fish and Game Code

Paul R. Hester
Chief Planning Official

Title Deputy
Lead Agency City of San José
Date July 1, 1998

97-036

**Santa Clara County
Superior Court**

Office of the County Clerk

191 North First Street
San Jose, California 95113
(408) 299-2968



***ENVIRONMENTAL DECLARATION**

FILE NO. PDCSH 97-06-036

NAME OF LEAD AGENCY:

CITY OF SAN JOSE PLANNING DEPARTMENT

NAME OF APPLICANT:

FEDERAL REALTY INVESTMENT TRUST

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. ☐ NOTICE OF PREPARATION
--NO FEE--
2. ☐ NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION
--NO FEE--
3. NOTICE OF DETERMINATION
☐ A--NEGATIVE DECLARATION PURSUANT TO SECTION 21080(C) OF THE PUBLIC RESOURCES CODE
\$1,250.00 (Twelve Hundred Fifty Dollars)--STATE FILING FEE

\$25.00 (Twenty-five Dollars)--CLERK FEE

☐ B--CERTIFICATION OF EXEMPTION DE MINIMIS IMPACT FINDING
--NO FEE--
4. NOTICE OF DETERMINATION
☐ A--ENVIRONMENTAL IMPACT REPORT PURSUANT TO SECTION 21152 OF THE PUBLIC RESOURCES CODE
\$850.00 (Eight Hundred Fifty Dollars)--STATE FILING FEE

\$25.00 (Twenty-Five Dollars)--CLERK FEE

☒ B--CERTIFICATE OF EXEMPTION DE MINIMIS IMPACT FINDING
--NO FEE--

FOR COURT USE ONLY

FILING NO. _____

***THIS FORM MUST BE COMPLETED AND FILED WITH ALL ENVIRONMENTAL DOCUMENTS
FILED WITH THE SANTA CLARA COUNTY CLERK'S OFFICE.**

MAKE CHECKS PAYABLE TO: COUNTY CLERK

97 - 086



JAMES R. DERRYBERRY
DIRECTOR

CITY OF SAN JOSÉ, CALIFORNIA

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

E007417

Lab/ File

(ENDORSED)

JUL 2 1998

NOTICE OF DETERMINATION FOR ENVIRONMENTAL IMPACT REPORT CITY OF SAN JOSÉ, CALIFORNIA

FILE NUMBER PDCSH 97-06-036

☒ County Clerk
County of Santa Clara

☒ Office of Planning and Research
State of California

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JUL 02 1998 JUL 31 1998
POSTED ON _____ THROUGH _____
IN THE OFFICE OF THE COUNTY CLERK
STEPHEN V. LOVE, COUNTY CLERK
BY S. VERA DEPUTY

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

Deputy

PDC97-36.NOD/JC/PL/84G/207-02

97-036

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

Project Title/Location Name and Address of Project Proponent

PDCSH 97-06-036, Final Environmental Impact Report for a project located at the southeasterly corner of Stevens Creek and Winchester Boulevards; Federal Realty Investment Trust, 1626 East Jefferson Street, Rockville MD 20852-4041

Project Description

Planned Development Rezoning to allow the redevelopment of the existing Town and Country Village with a mixed use development to include 575,000 square feet of commercial/retail space, 1,200 residential units and two 100-room hotels.

Findings of Exemption

The proposed project will not individually or cumulatively have an adverse effect on Wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.

Certification

I hereby certify that the lead agency has made the above findings of fact and that based upon the Initial Study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code.


Chief Planning Official

Title Deputy
Lead Agency City of San José
Date July 1, 1998

Section 711.4 Fish and Game Code

97 - 036



JAMES R. DERRYBERRY
DIRECTOR

CITY OF SAN JOSÉ, CALIFORNIA

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

E0074174

(RECEIVED)
JUL 2 1998

JUL -2 AM 9:47

NOTICE OF DETERMINATION FOR ENVIRONMENTAL IMPACT REPORT CITY OF SAN JOSÉ, CALIFORNIA

STEPHEN V. LOVE
COUNTY CLERK
SANTA CLARA COUNTY
DEPUTY

FILE NUMBER PDCSH 97-06-036

☒ County Clerk
County of Santa Clara

☒ Office of Planning and Research
State of California

PROJECT DESCRIPTION

PDCSH 97-06-036, FINAL ENVIRONMENTAL IMPACT REPORT for a Planned Development Rezoning located at the southeasterly corner of Stevens Creek and Winchester Boulevards in the City of San Jose to allow the redevelopment of the existing Town and Country Village with a mixed use development to include 575,000 square feet of commercial/retail space, 1,200 residential units and two 100-room hotels. Council District 6.

This is to advise you that June 30, 1998, the City Council of the City of San José approved the above-described project and made the following determinations regarding such project:

1. The project will have a significant effect on the environment.
2. A Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of approval of the project.
4. A statement of overriding considerations was adopted for this project.

This is to certify that the Final EIR with comments, responses and record of project approval is available to the general public at the Office of the Director of Planning, Building and Code Enforcement, City of San José, Room 400, City Hall, 801 North First Street, San José, California 95110. This notice is in compliance with Sections 21108 and 21152 of the Public Resources Code.

JUL 02 1998
POSTED ON _____ THROUGH JUL 31 1998
IN THE OFFICE OF THE COUNTY CLERK
STEPHEN V. LOVE, COUNTY CLERK
BY S. VERA DEPUTY

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

Deputy

PDC97-36.NOD/JC/PL/84G/207-02

97-036

(ENDORSED)

98 JUL -2 AM 9:47

STEPHEN V. LOVE
COUNTY CLERK
SANTA CLARA COUNTY

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION
 De Minimis Impact Finding

Project Title/Location Name and Address of Project Proponent

PDCSH 97-06-036, Final Environmental Impact Report for a project located at the southeasterly corner of Stevens Creek and Winchester Boulevards; Federal Realty Investment Trust, 1626 East Jefferson Street, Rockville MD 20852-4041

Project Description

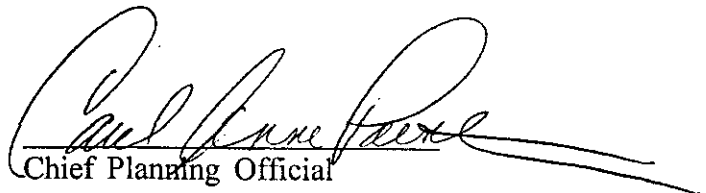
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 Chief Planning Official

Title Deputy
 Lead Agency City of San José
 Date July 1, 1998

Section 711.4 Fish and Game Code

JUL 02 1998 JUL 31 1998
 POSTED ON _____ THROUGH _____
 IN THE OFFICE OF THE COUNTY CLERK
 STEPHEN V. LOVE, COUNTY CLERK
 BY S. VERA DEPUTY

97-036



File No. PDCSH 97-06-036

DECLARATION OF MAILING

I certify that the attached Notice of Public Hearing was mailed to the project applicant(s) and the owners of parcels of land which are within 300 feet of the subject property as shown on the project mailing list, or as otherwise required by the San José Municipal Code. This notice was mailed on the date noted below.

4-10-98
Date Mailed

M. Taylor
Signature

DECMail.FRM/11PL (Rev. 3-92)

97-036 -

PUBLIC HEARING NOTICE

The Planning Commission of the City of San José will hold a Public Hearing on **Wednesday, April 22, 1998**, to certify that the Final Environmental Impact Report prepared for the project identified below is complete and prepared in compliance with the California Environmental Quality Act (CEQA). This Public Hearing will be held in accordance with Title 21 of the San José Municipal Code.

The Public Hearing is to be in the City Council Chambers, on the second floor of City Hall, at 801 North First Street, San José, California, at **7:00 p.m.** or as soon thereafter as this item can be heard. You are welcome to attend and to speak on this issue. If you choose to challenge the decision on this Environmental Impact Report in court, you may be limited to only those issues you, or someone else, raised and discussed at the Public Hearing or in written correspondence delivered to the City at or prior to the Public Hearing.

The project being considered is:

PDCSH 97-06-036, FINAL ENVIRONMENTAL IMPACT REPORT for a Planned Development Rezoning located at the southeasterly corner of Stevens Creek and Winchester Boulevards in the City of San José to allow the 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. Council District 6.

The Final Environmental Impact Report, including the City's response to comments received during the Public Review Period (January 12, 1998 through February 25, 1998), is available for review 9:00 a.m. to 5:00 p.m., Monday through Friday, at the Department of Planning, Building and Code Enforcement, 801 North First Street, Room 400, San José.

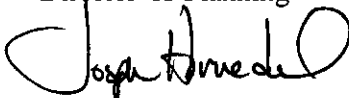
The certification of the Final EIR may be protested in writing by any person prior to 5:00 p.m. on **April 27, 1998**. Such protest shall be filed at the Department of Planning, Building and Code Enforcement and shall include a statement specifying the basis of the protest. A protest of the certification of the Final EIR will be heard by the City Council at the earliest possible date.

It should be noted that the certification of a Final EIR does not constitute approval of the project for which it was prepared. The decision to approve or deny the project will be made separately as required by City Ordinance.

To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 277-4576 (VOICE) or (408) 998-5299 at least 48 hours before the meeting.

Comments and questions regarding the EIR are welcome and should be referred to **Julie E. Caporgno** of the Department of Planning, Building and Code Enforcement [(408) 277-4576]. For your convenience, contact **Linda Ingram** at the same telephone number the week of the Public Hearing to verify that this item will be heard and is not scheduled for deferral to a later date.

James R. Derryberry
Director of Planning



Deputy
Date: April 6, 1998

97 - 036

PUBLIC HEARING NOTICE

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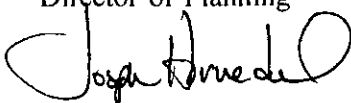
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James R. Derryberry
Director of Planning



Deputy
Date: April 6, 1998

PDC97-36.EIR:JEC:mt/84f/207-02

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SAN JOSE CITY CLERK

Proof of Publication

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

PDCSH 97-06-036

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the **SAN JOSE POST-RECORD**, a daily newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

04/10/98

EXECUTED ON : 04/10/98
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

C. BRAMBILA

Signature

This space for filing stamp only

DJC8617317

**PUBLIC HEARING
NOTICE**

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JAMES R. DERRYBERRY
Director of Planning
JOSEPH HORWEDAL, Deputy
Date: April 6, 1998
SJP-DJC8617317

04/10

97 - 036

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97-036

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ACRAMENTO CA 95814

212

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DEPARTMENT OF FISH AND GAME
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MOUNTAIN VIEW CA 94599

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5750 ALMADEN EXPWY
SAN JOSE CA 95118

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SANTA CLARA VALLEY CHAPTER
3921 E BAYSHORE RD #205
PALO ALTO CA 94303

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SAN JOSE CA 95113

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CITY OF SANTA CLARA
1500 WARBURTON AVE
SANTA CLARA CA 95050

207

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WATER QUALITY CONTROL BOARD
2101 WEBSTER ST ROOM 500
OAKLAND CA 94612

210

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CALTRANS DISTRICT 4
PO BOX 23660
OAKLAND CA 94623-0660

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PO BOX 100
SACRAMENTO CA 95801

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US ARMY CORPS OF ENGINEERS
333 MARKET ST 7TH 8TH 9TH FL
SAN FRANCISCO CA 94105-2102

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VTA BUILDING B SECOND FLOOR
3331 NORTH FIRST ST
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CONSERVATION DISTRICT
888 NORTH FIRST ST #204
SAN JOSE CA 95112

202

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PACIFIC BELL
2600 CAMINO RAMON #1N202
SAN RAMON CA 94583

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JEAN ROGGENKAMP
BAY AREA AIR QUALITY MGMT DIST
939 ELLIS ST
SAN FRANCISCO CA 94109

208

H97-12 & PDC 97-36/NOP/LN
METROPOLITAN TRANSPORTATION
COMMISSION
101 8TH ST 3RD FLOOR
OAKLAND CA 94607

211

H97-12 & PDC 97-36/NOP/LN
HISTORIC RESOURCES INFO SYSTEM
SONOMA STATE NW INFO CENTER
1801 EAST COTATI AVE
ROHNERT PARK CA 94928-3609

214

H97-12 & PDC 97-36/NOP/LN
REGIONAL ADMINISTRATOR
EPA REGION 9
75 HAWTHORNE ST
SAN FRANCISCO CA 95105

217

H97-12 & PDC 97-36/NOP/LN
JOEL MEDLIN FIELD SUPERVISOR
US FISH AND WILDLIFE SERVICE
2800 COTTAGE WY RM E-1803
SACRAMENTO CA 95825

Also need San Jose
Unified

97-036

NOTICE OF COMPLETION

APPENDIX F

See NOTE below

Mail To: State Clearinghouse, 1400 Tenth St., Sacramento, CA 95814 (916) 445-0613

SCH # 97072085

Project Title Town and Country Village (File No. PDCSH 97-06-036)Local Agency: City of San JoséContact Person: Julie CaporgnoStreet Address: 801 North First StreetPhone: (408) 277-4576City: San José Zip: 95110-1795County: Santa Clara

Project Location

County: Santa Clara City/Nearest Community: City of San JoséCross Streets: Stevens Creek/Winchester Boulevards Total Acres: 39Assessor's Parcel No. 277-40-002;277-36-003;277-33-002,004,005 Section: Twp. Range: Base: Within 2 miles: State Hwy #: 280/880 Waterways: Airports: Railways: Schools:

Document Type

CEQA: ☐ NOP ☐ Supplemental/Subsequent NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ EIR (Prior SCH No.) ☐ EA ☐ Final Document
☐ Neg Dec ☐ Other ☐ Draft EIS ☐ Other
☒ Draft EIR ☐ FONSI

Local Action Type

☐ General Plan Update ☐ Specific Plan ☒ Rezone ☐ Annexation
☐ Gen Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ Gen Plan Element ☒ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, Parcel Map, Tract Map, etc) ☐ Other

Development Type

☒ Residential: Unit 1,200 Acres ☐ Water Facilities: Type MGD
☐ Office: Sq.Ft. Acres Employees ☐ Transportation: Type
☒ Commercial: Sq.Ft. 650,000 Acres Employees ☐ Mining: Mineral
☐ Industrial: Sq.Ft. Acres Employees ☐ Power: Type Watts
☐ Educational ☐ Waste Treatment: Type
☐ Recreational ☐ Hazardous Waste: Type
☒ Other Two 100-room hotels

Project Issues Discussed in Document

☒ Aesthetic/Visual ☐ Flood Plain/Flooding ☐ Schools/Universities ☒ Water Quality
☐ Agricultural Land ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☒ Air Quality ☒ Geologic/Seismic ☒ Sewer Capacity ☐ Wetland/Riparian
☒ Archeological/Historical ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☒ Wildlife
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☒ Growth Inducing
☒ Drainage/Absorption ☐ Population/Housing Bal ☒ Toxic/Hazardous ☒ Land use
☐ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☒ Cumulative Effects
☐ Fiscal ☐ Recreation/Parks ☒ Vegetation ☒ Other Energy

Present Land Use/Zoning/General Plan Use

Town and Country Village Shopping Center/C-2, C-3/Regional Commercial, General Commercial

Project Description

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.

State Clearinghouse Contact: Mr. Chris Belsky
(916) 445-0613State Review Began: 1-12-98Dept. Review to Agency 2-19Agency Rev to SCH 2-24SCH COMPLIANCE 2-26

Please note SCH Number on all Comments

97072085
 Please forward late comments directly to the
 Lead Agency

AQMD/APCD 20 (Resources: 117)

Project Sent to the following State Agencies

☒ Resources
☐ Boating
☐ Coastal Comm
☐ Coastal Consv
☐ Colorado Rvr Bd
☒ Conservation
☒ Fish & Game # 3
☐ Delta Protection
☐ Forestry
☒ Parks & Rec/OHP
☐ Reclamation
☐ BCDC
☐ DWR
☐ OES
☐ Bus Transp Hous
☐ Aeronautics
☒ CHP
☒ Caltrans # 4
☐ Trans Planning
☐ Housing & Devel
☐ Health & Welfare
☐ Drinking H2O
☐ Medical Waste

State/Consumer Svcs
 General Services
 Cal/EPA
 ARB
 CA Waste Mgmt Bd
 SWRCB: Grants
 SWRCB: Delta

SWRCB: Wtr Quality
 SWRCB: Wtr Rights
☒ Reg. WQCB # 2
 DTSC/CTC

Yth/Adlt Corrections
 Corrections
 Independent Comm
 Energy Comm
☒ NAHC
☐ PUC
☐ Santa Mn Mtns
☒ State Lands Comm
☐ Tahoe Rgl Plan
 Other:

97-036

PDCSH 97-06-036
TOWN AND COUNTRY
PROJECT

CAROL ANNE PAINTER
PRINCIPAL PLANNER

JULIE CAPORGNO
SENIOR PLANNER

LUKE CONNOLLY
PROJECT MANAGER

MAYOR

CITY COUNCILMEMBER
TRIXIE JOHNSON

CITY COUNCILMEMBER
CHARLOTTE POWERS

CITY COUNCILMEMBER
DAVID PANDORI

CITY COUNCILMEMBER
MARGIE FERNANDES

CITY COUNCILMEMBER
MANNY DIAZ

CITY COUNCILMEMBER
FRANK FISCALINI

CITY COUNCILMEMBER
GEORGE SHIRAKAWA

CITY COUNCILMEMBER
ALICE WOODY

CITY COUNCILMEMBER
JOHN DIQUISTO

CITY COUNCILMEMBER
PAT DANDO

PLANNING COMMISSIONER
BRIAN GRAYSON

PLANNING COMMISSIONER
GLORIA CHUN HOO

PLANNING COMMISSIONER
GILBERT GARCIA

PLANNING COMMISSIONER
LINDA LEZOTTE

PLANNING COMMISSIONER
WILLIAM RESS

PLANNING COMMISSIONER
TONY WEST

PLANNING COMMISSIONER
FORREST WILLIAMS

CITY ATTORNEY

PUBLIC WORKS
TRANSPORTATION
DIVISION
EBRAHIM SOHRABI

SAN JOSE CITY MAIN
LIBRARY

SAN JOSE CITY LIBRARY
ROSEGARDEN BRANCH

SAN JOSE CITY LIBRARY
WEST VALLEY BRANCH

COUNTY OF SANTA CLARA
PLANNING DEPT
70 W HEDDING ST 7TH FL
SAN JOSE CA 95110

COUNTY OF SANTA CLARA
PARKS AND RECREATION
298 GARDEN HILL DR
LOS GATOS, CA 95030

COUNTY OF SANTA CLARA
SCVTA BLDG B 2ND FL
3331 N FIRST ST
SAN JOSE CA 95134

97-036

COUNTY OF SANTA CLARA
ROADS AND AIRPORTS
1505 SCHALLENBERGER RD
SAN JOSE CA 95131

JULIA BOTT
SIERRA CLUB LOMA PRIETA
3921 E BAYSHORE RD
PALO ALTO CA 94303

DIRECTOR OF PLANNING
CITY OF CAMPBELL
70 N FIRST ST
CAMPBELL, CA 95008

ASSOC OF BAY AREA GVT
PO BOX 2050
OAKLAND CA 94604

CALTRANS DISTRICT 4
TRANS PLANNING
PO BOX 23660
OAKLAND CA 94623-0660

SANTA CLARA VALLEY
WATER DISTRICT
5750 ALMADEN EXPWY
SAN JOSE CA 95118

CECILY HARRIS
AUDUBON SOCIETY
22221 MCCLELLAN RD
CUPERTINO CA 95014

DIR PLNG & INSPECTIONS
CITY OF SANTA CLARA
1500 WARBURTON AVE
SANTA CLARA CA 95050

SF BAY REG WTR QUALITY CNTL
BD
2101 WEBSTER ST RM 500
OAKLAND CA 94612

DEPT OF FISH & GAME
ATTN: DIRECTOR
PO BOX 47
YOUNTVILLE CA 94599

SAN JOSE UNIFIED SCHOOL
DISTRICT
250 STOCKTON AVE
SAN JOSE 95126

EVGRN RESRC CONSV
DIST
888 NORTH 1ST ST RM 203
SAN JOSE CA 95112

BAY AREA AIR QUAL MGMNT DIST
ATTN: JEAN ROGGENKAMP
939 ELLIS ST
SAN FRANCISCO CA 94109

METROPOLITAN TRANSP
COMM
101 8TH ST 3RD FLOOR
OAKLAND CA 94607

STATE CLEARINGHOUSE
PLANNING & RESEARCH
1400 10TH ST
SACRAMENTO CA 95814



PETE WILSON
GOVERNOR

PAUL F MINER
DIRECTOR

State of California

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO 95814

RECEIVED
MAR 03 1998

February 26, 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

JULIE CAPORGNO
CITY OF SAN JOSE
CITY HALL ANNEX ROOM 400
801 N. FIRST STREET
SAN JOSE, CA 95110-1795

Subject: TOWN AND COUNTRY VILLAGE PROJECT SCH #: 97072085

Dear JULIE CAPORGNO:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Kristen Derscheid at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

ANTERO A. RIVASPLATA
Chief, State Clearinghouse

97 - 03 6

NOTICE
AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT
AND PUBLIC COMMENT PERIOD

The Draft Environmental Impact Report for the project identified below is available for review 9:00 a.m. to 5:00 p.m., Monday through Friday at:

Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795
(408) 277-4576

and

Dr. Martin Luther King Jr. Library
180 West San Carlos Street
San José, California

The Draft EIR is also available for review at the Rosegarden and West Valley Branch Libraries.

The project being considered is:

PDCSH 97-06-036, DRAFT ENVIRONMENTAL IMPACT REPORT, for a Planned Development Rezoning located at the southeasterly corner of Stevens Creek and Winchester Boulevards in the City of San Jose to allow the 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. Council District 6.

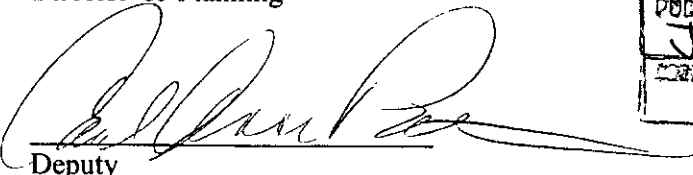
The public comment period for this Draft EIR will run from January 12, 1998, to February 25, 1998. Comments may be submitted, in writing, to the Director of Planning at the address above prior to 5:00 p.m. on February 25, 1998.

Following the close of the public comment period, the Director of Planning will prepare a Final Environmental Impact Report, which will include responses to comments received during the comment period. The City's responses to comments received during the public review period will be available for your review ten days prior to the Public Hearing on the Final Environmental Impact Report.

To arrange an accommodation under the Americans With Disabilities Act to participate in this public meeting, please call (408) 277-4576 (VOICE) at least 48 hours before the meeting.

Comments and questions should be referred to Julie Caporgno of the Department of Planning, Building and Code Enforcement [(408) 277-4576]. Please refer to the above file number for further information on the project.

James R. Derryberry
Director of Planning



Deputy

Date: January 5, 1998

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RECEIVED	1998

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7 1/2

Proof of Publication

(2015.5 C.C.P.)

State of California)
County of Santa Clara) ss

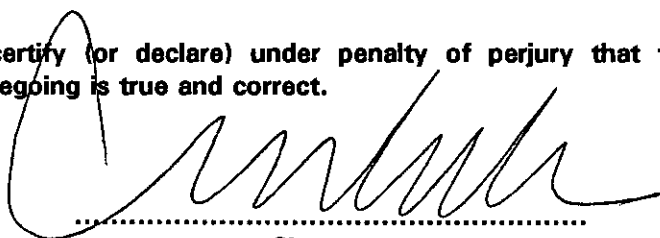
PDCSH 97-06-036

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a daily newspaper published in the English language in the City of San Jose, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Santa Clara, State of California, under date of February 3, 1922, Case No. 27,844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

01/09/98

EXECUTED ON : 01/09/98
AT LOS ANGELES, CALIFORNIA

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


.....
Signature

DJC8616463

Director of Planning
CAROL ANNE PAINTER
Deputy
Date: January 5, 1998
SJP-DJC8616463

01/09

NOTICE

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ENVIRONMENTAL IMPACT
REPORT AND PUBLIC COMMENT
PERIOD**

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(408) 277-4576

and
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Comments and questions should be referred to Julie Caporgno of the Department of Planning, Building and Code Enforcement [(408) 277-4576]. Please refer to the above file number for further information on the project.

James R. Derryberry

97-036

RESOLUTION NO. 98-28

RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SAN JOSÉ FINDING A FINAL ENVIRONMENTAL
IMPACT REPORT IS COMPLETE FOR A PROJECT DESCRIBED
IN APPLICATION PDCSH 97-06-036 AND FINDING THAT
SAID REPORT CONFORMS TO THE REQUIREMENTS OF THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN JOSÉ:

WHEREAS, pursuant to Title 21 of the San José Code, Federal Realty Investment Trust hereinafter referred to as "Applicant", on June 18, 1997, filed an application for which an Environmental Impact Report (hereinafter called "EIR") was required on the proposed town and Country Village Rezoning Application No. PDCSH 97-06-036 concerning that certain real property hereinafter referred to as "subject property", described in Exhibit "A" attached hereto and made a part of hereof reference as though fully set forth herein; and

WHEREAS, the Director of Planning, pursuant to and in accordance with said Article has prepared and filed with this Commission a Final EIR, File No. PDCSH 97-06-036, relating to said subject property; and

WHEREAS, pursuant to and in accordance with said Title 21, the Director of Planning did send a copy of said draft EIR to each public agency having jurisdiction by law of said proposed project, advising such agencies to review and submit written comments, if any, to this Commission in the time and manner specified in said Title 21; and

WHEREAS, at said hearing, this Commission gave all persons full opportunity to be heard and to present evidence and testimony respecting said Final EIR.

NOW, THEREFORE:

SECTION 1. This Commission hereby finds, determines and declares the Final EIR for said project is complete and conforms to the requirements of the California Environmental Quality Act and represents the independent judgement of the City.

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SECTION 2. Copies of the final EIR shall be transmitted by the Director of Planning to the applicant and to the decision-making body.

ADOPTED this 27th day of May, 1998 by the following vote:

AYES: CHUN HOO, GARCIA, GRAYSON, WILLIAMS

NOES: RESS

ABSENT: NONE

Chairperson

ATTEST:

James R. Derryberry, Secretary

Deputy

T&CEIR.RES/JC:SRA/HD

RESOLUTION NO. 68210

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JOSE MAKING CERTAIN FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH A PROJECT CONSISTING OF A REZONING FROM C-3 TO A(PD) TO ALLOW THE REDEVELOPMENT OF THE EXISTING TOWN AND COUNTRY VILLAGE WITH A MIXED USE DEVELOPMENT FOR WHICH AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED. (PDCSH 97-06-036)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE:

WHEREAS, the Council intends to approve a rezoning to change the zoning from C-3 to A(PD) to allow 575,000 square feet of commercial development, 1200 residential units and 2 hotels on approximately 35 acres, File PDCSH 97-06-036, herein referred to as the "project," and

WHEREAS, the California Environmental Quality Act of 1970, as amended, (CEQA) requires that, in the approval of a project for which a Final Environmental Impact Report (Final EIR) has been prepared, the decision-making body shall review said Final EIR and make certain findings regarding the significant effects on the environment identified in said Final EIR; and

WHEREAS, such project was the subject of a Final EIR entitled "Town and Country Village" prepared by the City of San Jose as the Lead Agency in compliance with the requirements of California Environmental Quality Act of 1970, as amended, and the said Final EIR was found complete by the City of San Jose Planning Commission on May 27, 1998; and

WHEREAS, the City Council of the City of San Jose is the decision-making body for rezonings; and

WHEREAS, this Council does hereby certify that as a decision-making body, it has reviewed and considered the information contained in such Final EIR, and other information in the record, prior to acting upon or approving such project, and found that the Final EIR reflects the independent judgment of the City of San Jose as Lead Agency for the project.

NOW THEREFORE, THE COUNCIL DOES HEREBY make the following findings with respect to the significant effects on the environment of such project as identified in the Final EIR.

I. FINDINGS OF SIGNIFICANT ENVIRONMENTAL IMPACT**A. Traffic****1. Moorpark Avenue and Winchester Boulevard**

- a) Impact. Development of the project will increase the critical movement delay at this intersection already operating below LOS D by one percent during the AM peak hour on weekdays.
- b) Mitigation. The project will improve the west leg of the intersection of Moorpark Avenue and Winchester Boulevard 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.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce the potential impact at this intersection to a **less than significant level**.

2. Stevens Creek Boulevard and Monroe Street

- a) Impact. Project traffic will cause this intersection to deteriorate to LOS E in the Saturday peak hour.
- b) Mitigation. 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.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce the potential impact at this intersection to a **less than significant level**.

3. Stevens Creek Boulevard and Winchester Boulevard

- a) Impact. The proposed project will increase critical movement delay by more than one percent in the PM peak hour on weekdays at this intersection, which is already operating below LOS D.
- b) Mitigation. Improve the north leg of the intersection of Winchester Boulevard and Stevens Creek Boulevard to include the addition of a second southbound left-turn lane, and improve the south leg of this intersection to include the addition of a second northbound left-turn lane.
- c) Finding. 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. This impact, therefore, is considered to be **significant and unavoidable**.

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4. Freeway Segments on I-280 and I-880

- a) Impact. Project traffic will add more than one percent of segment capacity to six freeway segments already anticipated to operate below LOS E.
- b) Mitigation. The improvements necessary to mitigate the project's impact on these freeway segments would be the widening of these facilities. These freeway improvements are considered infeasible for implementation by a single project.
- c) Finding. There is no feasible mitigation that could be reasonably imposed on the project to mitigate the project's impact on the six freeway segments. This impact, therefore, is considered to be **significant and unavoidable**.

B. Air Quality

1. Short-term Construction

- a) Impact. Air quality impacts resulting from construction, particularly generation of construction dust, could cause significant adverse effects to the adjacent land uses.
- b) Mitigation. Standard dust control measures will be required of the project, potentially including the following:
 - (1) Whenever possible, dust-proof chutes shall be used for loading construction debris onto trucks.
 - (2) Watering shall be used to control dust generation during demolition of structures and break-up of pavement.
 - (3) All trucks removing debris from the site shall be covered.
 - (4) Internal haul roads shall be paved, sealed or stabilized to control dust from truck traffic. Paved haul roads shall be regularly swept or cleaned to remove accumulated dust.
 - (5) The recycling of demolition materials will be considered, as it would reduce the number of truck trips to the site during construction. The use of a crusher on the site would be subject to regulation by the Bay Area Air Quality Management District.
 - (6) Water all active construction areas at least twice daily, or as necessary to prevent dust emissions.

- (7) 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.
 - (8) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites, or as necessary to keep off dirt and debris.
 - (9) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets, or as necessary to keep off dirt and debris.
 - (10) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for ten days or more.
 - (11) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.)
 - (12) Limit traffic speeds on unpaved roads to 15 mph.
 - (13) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
 - (14) Replant vegetation in disturbed areas as quickly as possible.
- c) Finding. The implementation of these mitigation measures identified in the Final EIR would reduce this potential impact to a **less than significant level**.

2. Regional Air Quality

- a) Impact. Total project emissions of regional pollutants exceed BAAQMD thresholds and would have a significant impact on regional air quality.
- b) Mitigation. The project incorporates site-planning measures to encourage use of transit and other commute options. These include: (a) Provision of secure and convenient residential and non-residential bicycle parking; and (b) Transit facilities such as bus turnouts, benches and shelters along public streets, and information kiosks on site.
- c) Finding. The above mitigation measures would be expected to reduce project trip generation by 1-5 percent. 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 thus remain a **significant unavoidable impact**.

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C. Noise

1. Impact on Commercial Uses Along Stevens Creek Boulevard

- a) Impact. 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.
- b) 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 to reduce interior noise levels to 45 dB LDN will be incorporated into the design of the commercial structures.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

2. Impact on Residential, Commercial and Hotel Uses Along Winchester Boulevard

- a) Impact. The proposed project includes multi-family residential development, commercial development, and a hotel on Winchester 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.
- b) 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 dB LDN.

In addition, the following measures will be incorporated into the project to reduce exterior noise at residential uses: (a) 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; (b) Outdoor balconies and patios on residential units facing Winchester Boulevard will be minimized; and (c) Most private outdoor areas will not be oriented toward public streets.

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- c) Finding. The implementation of these mitigation measures identified in the Final EIR would reduce this potential impact to a **less than significant level**.

3. Construction Impacts

- a) Impact. Construction of the project would create significant noise impacts on the adjacent residences and businesses.
- b) Mitigation. The project will implement noise reduction techniques during construction, including: (a) Limiting 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; (b) All internal combustion engines for construction equipment used on the site shall be properly muffled and maintained; (c) 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; (d) 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; and (e) 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.
- c) Finding. The implementation of these mitigation measure identified in the Final EIR would reduce the potential construction noise impacts to a **less than significant level**.

D. Soils and Geology

1. Exposure to Seismic Hazard

- a) Impact. Development of the project as proposed would expose structures and occupants to significant seismic impacts.
- b) Mitigation. 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.

- c) Finding. The implementation of these mitigation measures identified in the Final EIR would reduce this potential impact to a **less than significant** level.

E. Hydrology

1. Quality of Storm Water Runoff

- a) Impact. Development of the site would increase the amount of contamination of storm water runoff.
- b) Mitigation. The following measures would provide mitigation for potentially significant water quality impacts:
 - (1) 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.
 - (2) 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).
 - (3) 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.
 - (4) Whenever possible, dust-proof chutes will be used for loading construction debris onto trucks.
 - (5) All trucks removing debris from the site will be covered.
 - (6) Internal haul roads will be paved, sealed or stabilized to control dust from truck traffic. Paved haul roads shall be regularly swept or cleaned to remove accumulated dust.

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- (7) The recycling of demolition materials will be considered, as it would reduce the number of truck trips to the site during construction. The use of a crusher on the site would be subject to regulation by the Bay Area Air Quality Management District.
- (8) 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.
- c) Finding. The implementation of these mitigation measures identified in the Final EIR would reduce this potential impact to a **less than significant level**.

F. Biological

1. Trees

- a) Impact. Development of the site would result in the removal of 32 ordinance-sized trees.
- b) Mitigation. Any trees that are removed will be replaced in accordance with City standards and the City's Residential and Commercial Design Guidelines.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

2. Burrowing Owls

- a) Impact. 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.
- b) Mitigation. The following measures are proposed as part of the project to avoid or minimize impacts to burrowing owls:
 - (1) In conformance with federal and state regulations regarding the protection of raptors, a preconstruction survey for Burrowing Owls will be completed in conformance with

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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 shall be established as determined by the ornithologist, in consultation with CDFG. No construction activities shall proceed that would disturb breeding owls.

- (2) If resident or breeding owls are located on the site during pre-construction surveys, a site-specific mitigation plan shall 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 next. Construction shall only proceed after owl chicks have fledged and are independent of any immediate nesting area. No construction activities shall proceed that would disturb breeding owls.
- (3) If it is necessary to relocate one or more owls off the site outside of the breeding season, either passive or active relocation shall be performed in conformance with a site-specific memorandum of understanding approved by CDFG.
- (4) Any relocation site(s) shall be monitored at least three times during the breeding season for a period of three years following relocation. Monitoring results shall be provided to the CDFG and USFWS as part of permit requirements.
- (5) The applicant shall not adversely impact any owl(s) on site or reduce the habitat values of the open field until the owl(s) has been properly relocated. Activities prohibited include: disking of the fields, ground squirrel control in the area and use of the field for activities that might adversely affect the owls. The applicant shall be allowed to mow grasses on the site in accordance with Fire Department requirements.
- (6) Prior to issuance of a building permit, if a burrowing owl(s) is found on the site, the applicant will be required to relocate the owl(s) to a permanently protected site

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comprised of sufficient size to adequately accommodate the owl(s).

- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

G. Hazardous Materials

1. Courtesy Chevrolet Site

- a) Impact. The extent of the potential environmental hazards identified on the Courtesy Chevrolet portion of the project site have not been determined. Such potential environmental hazards could create a health hazard, particularly if residential uses are developed on this portion of the site
- b) Mitigation. 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.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

2. Impact on Future Residents, Workers and Users of the Site

- a) Impact. Soil contamination on the project site would result in the exposure of future project residents to significant risks to human health and safety.
- b) Mitigation. Prior to issuance of a PD Permit for development, 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 RAW 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 avoid or 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.

- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

H. Cultural Resources

1. Unknown Cultural Resources

- a) Impact. Development of the proposed project may uncover buried archaeological or cultural resources.
- b) Mitigation. The following mitigation measures would reduce or minimize impacts to cultural resources:
 - (1) In the event that archaeological traces are encountered, all construction within a 50-meter radius of the find shall be halted, the Director of Planning, Building and Code Enforcement shall be notified, and an archaeologist will be retained to examine the find and make appropriate recommendations.
 - (2) If human remains are discovered, the Santa Clara County Coroner will be notified. The Coroner shall determine whether or not the remains were Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who shall attempt to identify descendants of the deceased Native American.
 - (3) If the Director of Planning, Building and Code Enforcement finds that the archaeological find is not a significant resource, work shall 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 shall 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.
 - (4) A final report shall 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

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shall 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.

- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

I. Utilities and Service Systems

1. Sanitary Sewer System

- a) Impact. There may be insufficient downstream capacity within the existing sanitary sewer system to serve the proposed project.
- b) Mitigation. 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 shall implement any or all of the following mitigation measures, as required.
 - (1) Upsize the existing 8-inch sanitary sewer that runs from Stevens Creek Boulevard to the existing 10-inch sewer line in Valley Fair.
 - (2) Redesign the project to connect to both the 10-inch line in Valley Fair, and the existing 6-inch line that runs under Route 280 from Dudley Avenue to Moorpark Avenue.
 - (3) Upsize the existing 10-inch line sanitary sewer line that runs through Valley Fair from Stevens Creek Boulevard to Forest Avenue.
 - (4) Construct a new sanitary sewer line along Winchester Boulevard from the project site to Forest Avenue.
- c) Finding. The implementation of this mitigation measure identified in the Final EIR would reduce this potential impact to a **less than significant level**.

J. Cumulative Impacts

1. Traffic

- a) Impact. Cumulatively, the project will impact the same six intersections as are impacted by Project traffic, and ten freeway segments would also be impacted cumulatively, as was the case for the project traffic.

- b) Mitigation. The mitigations for the cumulative impacts to the Winchester/Moorpark, Winchester/Stevens Creek and Stevens Creek/Monroe intersections are the same as for the project impacts. With regard to the freeway segments, 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 is the only mechanism identified which could mitigate some of the traffic impacts identified on the freeways from cumulative development.
- c) Finding. Partial mitigation of cumulative traffic impacts would result from the project mitigations discussed above. With regard to the freeway segments, there is no feasible mitigation that can be imposed on this project at this time. Since there is no mechanism in place to achieve complete mitigation of all identified cumulative traffic impacts, this would be a **significant unavoidable cumulative impact**.

2. Regional Air Quality

- a) Impact. Project-related regional emissions exceed the significance thresholds for ozone precursors (NO_x) and PM₁₀. 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. Thus, since the project would have a significant regional impact, it would also have a cumulatively significant regional air quality impact.
- b) Mitigation. 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.
- c) Finding. 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**.

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3. Burrowing Owls

- a) **Impact.** 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 loss of Burrowing Owl habitat would incrementally contribute to a cumulatively significant loss of Burrowing Owl habitat.
- b) **Mitigation.** Mitigation for the cumulative loss of Burrowing Owl habitat could in the future include the establishment of a Countywide 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 project shall make a \$5,000 monetary contribution to the City of San Jose to be used for the enhancement of permanent, future Burrowing Owl habitat.
- c) **Finding.** 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.**

II. ALTERNATIVES TO THE PROPOSED PROJECT

1. No Project Alternative

- a) **Description.** 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.
- b) **Comparison to Proposed Project.** This alternative would avoid all significant impacts of the Proposed Project. 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. It also would mean that the traffic mitigation benefits of the Proposed Project would not be achieved, so that there would not be a lessening of cumulative traffic impacts from other development.
- c) **Finding.** This alternative is environmentally superior to the Proposed Project, since it avoids the impacts of the project. However, the No Project alternative is rejected as infeasible because it does not meet any of the objectives of the project, does not provide needed new housing, and does not achieve the traffic mitigation benefits of the Proposed Project.

2. Reduced Scale Alternative

- a) Description. 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 percent of the proposed project size.
- b) Comparison to Proposed Project. This alternative would not eliminate any of the significant impacts of the Proposed Project, although the traffic and air quality impacts would be slightly reduced due to the lesser level of development.
- c) Finding. This alternative is marginally superior environmentally to the Proposed Project, due to the reduction in traffic and regional air quality impacts. However, it fails fully to meet the City's objective in the General Plan of higher density residential and commercial development along the Stevens Creek and Winchester intensification corridors.

3. Remodel/Residential Alternative

- a) Description. 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.
- b) Comparison to Proposed Project. All the significant traffic impacts of the Proposed Project are avoided, as is the impact on regional air quality. It would still contribute 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.
- c) Finding. 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 is rejected as infeasible because it would not meet the primary project objectives, nor does it meet the Major Strategies,

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Economic Development and Urban Design goals and policies of the General Plan.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

After review of the entire administrative record, including the Final EIR, the staff report, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other considerations justify the approval of this project in spite of the existence of unavoidable environmental effects that are deemed significant and that cannot be completely mitigated to a level of insignificance.

The City Council adopts and makes this Statement of Overriding Considerations regarding the significant unavoidable impacts of the project and the anticipated benefits of the project. The City Council finds that each of the benefits set forth below in this Statement constitutes a separate and independent ground for finding that the benefits of the project outweigh the risks of its potential significant adverse environmental impacts. The benefits of the project, which constitute the specific economic, legal, social, technological and other considerations that justify the approval of the project are as follows:

- A. The project is consistent with the Economic Development Strategy of the General Plan and will generate an estimated six million dollars a year in revenues for the City of San Jose.
- B. The project will help satisfy the projected demand for an additional four million square feet of retail space in San Jose.
- C. The project will provide service sector jobs for a variety of income types including entry-level positions and part-time jobs for youth in the area.
- D. The project is consistent with the Housing Strategy of the General Plan and will provide 1200 units of housing to help satisfy the demand in Santa Clara County for new housing, which is currently estimated to be for 25,000 units.
- E. The project will provide traffic improvements at several key intersections which should reduce existing congestion in the area.
- F. The project is located along an Intensification Corridor and will achieve key General Plan objectives including the location of high intensity mixed use development adjacent to major transit lines and the provision of efficient delivery of urban services.

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- G. The project will complement downtown development by making it easier for new residents to work, shop or seek entertainment downtown.
- H. The project will implement the Economic Development, City Concept and Housing Goals and Policies of the General Plan by providing a high-quality, mixed-use development.

ADOPTED this 16th day of June, 1998, by the following vote:

AYES: DIAZ, FERNANDES, FISCALINI, POWERS,
SHIRAKAWA, WOODY; HAMMER

NOES: DANDO, PANDORI

ABSENT: DIQUISTO, JOHNSON

Susan Hammer, Mayor

ATTEST

Patricia L. O'Hearn, City Clerk

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- G. The project will complement downtown development by making it easier for new residents to work, shop or seek entertainment downtown.
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ADOPTED this 16th day of June, 1998, by the following vote:

AYES: DIAZ, FERNANDES, FISCALINI, POWERS,
SHIRAKAWA, WOODY; HAMMER

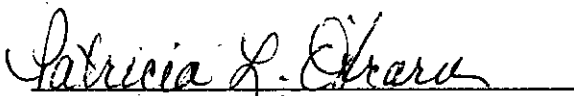
NOES: DANDO, PANDORI

ABSENT: DIQUISTO, JOHNSON



Susan Hammer, Mayor

ATTEST


Patricia L. O'Hearn, City Clerk

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MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
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.	Project Proponent and Director of Public Works	Director of Public Works will require financial commitment to construct improvements from the project proponent prior to issuance of building permits, and will oversee construction of all street improvements
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	The project proposes to 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. Implementation of part of this mitigation requires improvements in the City of Santa Clara. The mitigation is therefore outside the jurisdiction of the City of San Jose to implement.	Project Proponent and Director of Public Works	Director of Public Works (DPW) will require financial commitment to construct improvements from the project proponent prior to issuance of building permits, and will oversee construction of all street improvements in San Jose. DPW will also negotiate with the City of Santa Clara to complete these improvements. The financial commitment will be used to pay for these improvements in Santa Clara or will be held for five years and returned to the project proponent.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
Traffic Impacts, Continued			
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.	Project Proponent and Director of Public Works	Director of Public Works will require financial commitment to construct improvements from the project proponent prior to issuance of building permits, and will oversee construction of all street improvements
Air Quality Impacts			
Total project emissions of regional pollutants exceed BAAQMD thresholds and would have a significant impact on regional air quality. Significant Impact	The project will implement site planning measures to encourage use of transit and other commute options.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building, and Code Enforcement will ensure that the approved development plan will include secure and convenient bicycle parking, bus turnouts, benches and shelters along public streets, and information kiosks for transit information on-site.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
Air Quality Impacts, Continued			
Air quality impacts resulting from construction, particularly generation of construction dust, could cause significant adverse effects to the adjacent land uses. Significant Impact	The project will implement standard construction dust control measures as identified in the Final EIR to reduce generation of particulates to a less than significant level.	Project Proponent, Director of Planning, Building and Code Enforcement, and Director of Public Works	Director of Planning, Building and Code Enforcement will condition the PD Permit to include a dust control program and will ensure that dust control measures associated with demolition are implemented. Director of Public Works will ensure that dust control measures are implemented during grading.
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	Prior to approval of the building permits for specific building designs, a detailed acoustical analysis will be prepared and appropriate recommendations for noise attenuation to reduce interior noise levels to 45 dB LDN will be incorporated into the design of the commercial structures.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition the PD Permit to ensure that appropriate attenuation will be included in building permit plans.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
Noise Impacts, Continued			
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	Prior to approval of the building 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 dB LDN. 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.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition the PD Permit to reduce the noise impacts to residences and businesses, and will ensure that appropriate noise attenuation is included in applications for building permits.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
Noise Impacts, Continued			
Construction of the project would create significant noise impacts on the adjacent residences and businesses.	The project will implement noise reduction techniques during construction, including use of proper mufflers, scheduling, and use of quieter equipment where appropriate as identified in the Final EIR.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition the PD Permit to include the implementation of noise reduction techniques during construction.
Geology and Soils			
Development of the project as proposed would expose structures and occupants to significant seismic impacts. 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.	Project Proponent, Director of Planning, Building and Code Enforcement, and Director of Public Works	City Geologist and Director of Public Works will review prior to issuance of grading permits and will ensure that report recommendations are incorporated into project design. Director of Planning, Building and Code Enforcement will ensure that foundation permits conform to recommendations of geotechnical investigations.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
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.	Project Proponent and Director of Public Works	Prior to the issuance of a grading permit, the Director of Public Works would review and approve the draft SWPPP. The Director of Public Works will ensure that project complies with NPDES requirements and implements regular maintenance activities. Grading permit will include construction management practices whose implementation will be ensured by DPW.

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MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation Responsibility	Oversight Responsibility and Implementation Mechanism
Biological Impacts			
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. The applicant shall not adversely impact any owl(s) on site or reduce the habitat values of the open field until the owl(s) has been properly relocated. Activities prohibited include: diskings of the fields, ground squirrel control in the area and use of the field for activities that might adversely affect the owls. The applicant shall be allowed to mow grasses on the site in accordance with Fire Department requirements.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition the PD Permit to implement mitigation measures to avoid and/or reduce significant biological impacts. A letter report prepared by a qualified biologist will be submitted to the Director by the project proponent which describes the results of the pre-construction survey.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation	Oversight Responsibility and Implementation Mechanism
Biological Impacts, Continued			
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.	Project Proponent	Director of Planning, Building & Code Enforcement will ensure that the landscaping plans include new trees to offset the loss of existing trees.
Hazardous Materials			
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.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition the PD Permit to implement mitigation measures to reduce significant hazardous materials impacts, in conformance with site specific Phase I and/or Phase II reports on the Courtesy Chevrolet site.

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MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation	Oversight Responsibility and Implementation Mechanism
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 Removal Action Workplan will be followed which includes measures such as capping the contaminated soil and/or removing all or a portion or the contaminated soil.	Project Proponent, Director of Planning, Building and Code Enforcement, Director of Public Works, and State Department of Toxic Substance Control	Director of Planning, Building & Code Enforcement will condition the PD Permit to implement mitigation measures to reduce significant hazardous materials impacts. A Removal Action Workplan will be developed and implemented in conjunction with the Department of Toxic Substance Control and the City of San Jose's Office of Environmental Management.
Cultural Resources Impacts			
Development of the proposed project may uncover buried archaeological or cultural resources. Significant Impact	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.	Project Proponent and Director of Planning, Building and Code Enforcement	Director of Planning, Building & Code Enforcement will condition PD Permit to require a mitigation program, in conformance with the standards described in Appendix K of the CEQA Guidelines.

MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation	Implementation	Oversight Responsibility and Implementation Mechanism
There may be insufficient downstream capacity within the existing sanitary sewer system to serve the proposed project. Potentially Significant Impact	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.	Project Proponent and Director of Public Works	Prior to the issuance of a PD Permit the DPW will determine whether any improvements to the public sanitary sewer system are necessary to serve the project. If improvements are necessary, financial commitments will be required. The DPW will oversee construction of sewer improvements.

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CITY OF SAN JOSE MEMORANDUM

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Planning Commission

SUBJECT: TOWN & COUNTRY EIR
FILE NO. PDCSH 97-06-036

DATE: May 20, 1998

APPROVED:

DATE:

BACKGROUND

On May 13, 1998, the Planning Commission approved the adequacy of the Town & Country Final EIR on a vote of 4-1-0 (Ress opposed). The Commission deferred adoption of the EIR certification resolution until May 27 so that staff could summarize the Commission's comments during its deliberations on the EIR in a written record of the meeting.

ANALYSIS

Two Planning Commission Study Sessions were held on the Town & Country development project. On February 18 an overview of the traffic issues associated with development at both Valley Fair and Town Country was presented to the Commission by staff. The presentation included a detailed description of how the traffic analyses for these two projects were completed. In addition to the standard peak hour analysis, a Saturday afternoon analysis was required of both projects. On April 15 the Planning Commission held another Study Session. The purpose of this session was to discuss conformance of the Town & Country project with the General Plan. Staff also explained the environmental review process in general and how that process was completed for the Town & Country project.

On April 22 the Planning held a hearing on the Final EIR for the project. Traffic generation from the project was the primary environmental issue raised at the hearing. Commissioner Garcia was concerned about the adequacy of the traffic report. He wanted assurance that the analysis included assumptions for existing traffic from a fully functioning retail center, i.e., the entitlement for the existing Town & Country Village. The Final EIR hearing was continued on a 4-0-1 vote (Williams absent) to May 13 to enable the Planning Commission to review the traffic calculation sheets which had not been distributed to them. Subsequently, staff prepared a synopsis of issues raised during the hearing and staff's responses. That information was also transmitted to the Planning Commission.

HONORABLE MAYOR AND CITY COUNCIL

Town & Country EIR

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May 20, 1998

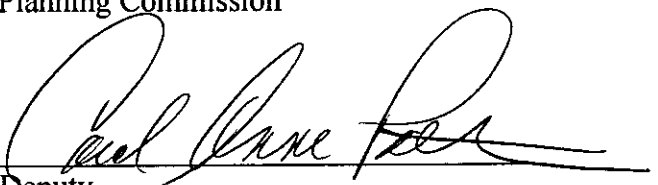
On May 13 the Planning Commission resumed the public hearing on the Final EIR for the Town & Country project. Traffic was again the main environmental issue discussed. Commissioners Ress and Garcia continued to express concerns about the adequacy of the EIR analysis. Commissioner Ress made a motion not to certify the EIR, which failed on a 2-3-0 vote (Commissioners Grayson, Williams, and Chun Hoo opposed).

After limited discussion, Commissioner Williams made a motion to certify the EIR stating that the EIR was adequate. Commissioner Ress could not support the motion because he felt the traffic analysis did not provide an analysis of worst case conditions from the existing Valley Fair and Winchester Theater developments in the area. In particular, Commissioner Ress promoted the concept that specific enhanced retail events, such as White Flower Days, the showing of Titanic and the grand opening of Town & Country, should be analyzed concurrently for the worst case traffic conditions. Staff explained that the analysis, as structured, represents the City's practices and is adequate as required by CEQA. The analysis followed the established methodology developed by the City of San Jose to assess Level of Service impacts.

Commissioner Garcia felt the traffic analysis, as revised, did address the entitled trips from the existing Town & Country Village development but was concerned that the air quality and noise sections may be affected by the traffic revisions. Staff informed Commissioner Garcia that since the revisions did not affect the EIR project impacts the noise and air quality sections did not change. Based on that information, Commissioner Garcia said he could support the motion. Commissioner Williams asked staff to include in the project some mechanism to measure the traffic base over time to ensure the project works. The Commission voted 4-1-0 (Ress opposed) to find the EIR adequate.

At the conclusion of the hearing, the Commissioners requested that staff convey to the City Council their collective concerns regarding the traffic conditions in this area and the impact that the additional traffic from the project will have on an existing constrained system. Chair Grayson asked the Commission to submit in writing any additional comments to transmit to the City Council. The attached transmittal from Commissioner Ress was submitted to the Planning Department.

James R. Derryberry, Secretary
Planning Commission



Deputy

Attachments:

Memo from William Ress
Resolution

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DATE: May 18, 1998
TO: San Jose Mayor and City Council
FROM: William Ress, San Jose Planning Commissioner
SUBJECT: Town and Country EIR Dissenting Opinion

At the planning commission hearing regarding the certification of the Town and Country EIR, I voted to not certify the EIR.

As the only dissenting vote, planning staff has invited me to include my comments in the transmittal to you regarding the results of our hearing.

In my opinion, the Town and Country (T&C) project, when considered with its neighbors, the Valley Fair Shopping Center and the Winchester theatre complex, coupled with the known traffic problems relating to freeway off-ramp traffic backups, does not present a "typical" project for which EIRs have been prepared. This project will not operate like any typical high-density residential/commercial complex we have dealt with in the City when considered in context with its neighbors.

My concern with the T&C EIR is that the project traffic analysis did not provide data or projections indicating the "magnitude" of the "worst case" traffic impacts occurring during "peak" demand periods. I refer to these peak demand periods as "events", which could occur separately at Town and Country, Valley Fair or the Winchester theatre complex, or could occur simultaneously at more than one of these facilities.

The traffic was analyzed for the traditional AM/PM peak commute and did include measurement and analysis for Saturday but the days these measurements were made were not at known "peak event" periods.

The EIR does presently identify two traffic effects as "significant and unavoidable" but since this determination was made for "non-event" periods, no analysis was presented which indicates what other intersections might be significantly impacted by the "domino" traffic effects resulting during these known "peak" traffic periods.

Section 15143 of the CEQA Guidelines states that "significant effects should be discussed with emphasis in proportion to their severity and probability of occurrence." I feel we didn't adequately follow this guideline when analyzing the traffic impacts at the T&C project.

My feelings about this decision to not measure during known peak traffic periods was voiced to planning staff prior to our hearing the Valley Fair EIR, so it is not new or late in the process.

Now let me try to define my use of the term "event".

The "events" at Town and Country, Valley Fair and the Winchester theatre complex can be characterized as the special sales events (i.e., white sales, grand openings, Mother's Day, etc.), seasonal sales events (i.e., Fall back to school sales, Thanksgiving through Christmas holidays, etc.) and showings of high draw, box-office events (like the recent box-office hit movie "Titanic"). It's successful "sales events" that make shopping facilities like the T&C successful.

But there is an EIR that has been done by the City which comes closer to the model we have at the co-located T&C, Valley Fair and the Winchester theatre complexes. It's the San Jose Arena EIR.

The San Jose Arena is clearly an "event" driven land use and its 1987 EIR clearly reflects this. The EIR analyzed traffic for not only "worst case" conditions, but two different seating capacities, five different event times and days, Year-1991 and Year-2000 traffic projections – for a total of 24 different traffic scenarios. That EIR clearly went the "extra mile" to identify the issues that decision-makers needed to address to insure that the Arena would be the successful project it has become.

The Valley Fair Shopping Center, the Winchester movie complex and the proposed Town and Country project should have also been considered as co-located, event generators similar to an Arena. The T&C traffic analysis should have reflected this "real world" situation. Any thing less is like saying "we know there are significant problems with traffic, but we don't want to know how bad the problem really can be, 'cause we probably can't fix it".

San Jose, as it builds up within its "greenline" boundaries, will likely see projects like this in the future, considering the lack of large open spaces in the City and the high traffic densities which will likely become worse. We are now the fastest growing "large" city in California.

So I believe our EIR strategy for these obviously non-typical projects should "raise the bar". The "status-quo" analysis approach is not always best for the community of San Jose. These EIRs need to not only identify significant, unavoidable impacts but should analyze their "worst case" impacts so that decision makers are very clear about the "full" present and future impacts of their decisions to the citizens of San Jose.

-----end-----

CITY OF SAN JOSÉ - MEMORANDUM

TO: PLANNING COMMISSION FROM: James R. Derryberry

SUBJECT: PDCSH 97-06-036 DATE: May 20, 1998

APPROVED: DATE:

S U P P L E M E N T A L

COUNCIL DISTRICT: 6

BACKGROUND

The original staff report for this project was included in your packet for the Evening Session of the May 13, 1997 Planning Commission hearing. The subject project was deferred from that hearing to the Evening Session of the May 27, 1998 hearing to allow the applicant to make revisions to the Planned Development rezoning plan set. The plans attached to this memorandum are those revised project plans with the appropriate conditions and notes to address the Planning Commission and neighborhood concerns raised at the preceding public hearings. Please disregard the plan set included with the original staff report.

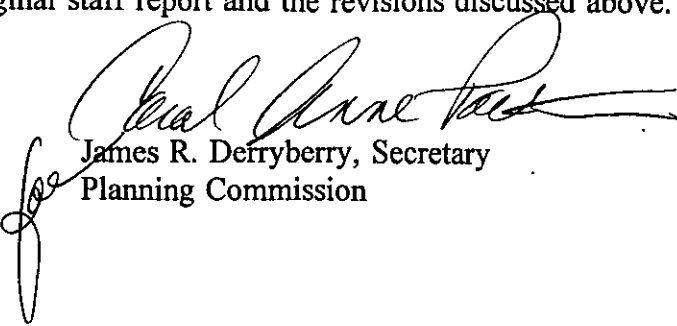
ANALYSIS

The revisions contained in the attached plan set are the following:

1. The site is being rezoned to A(PD), not C-3(PD) as stated in the original plan set;
2. Building footprints along the south side of Stevens Creek Boulevard are to be a minimum of 15 feet from property lines to accommodate the future planned light rail line, not five feet as originally shown (Section N shows 5 feet, but it is illustrative only and not included in Exhibit C.);
3. Double southbound left-turn lanes will not be provided at the intersections of Winchester Boulevard/Olin Avenue and Winchester Boulevard/Olsen Avenue. The original staff report stated that these intersections would include this improvement. However, based on updated Public Works comments, these improvements are not needed. Instead, additional median landscaping will be provided;
4. Note 12, "Open Space Requirements," on sheet 2D of the plans has been added by the project applicant as recommended by staff;

RECOMMENDATION

Planning staff recommends approval of this Planned Development rezoning in accordance with the conditions specified in the original staff report and the revisions discussed above.



James R. Deffryberry, Secretary
Planning Commission

PDC97-36.SUP:LTC/mt/84g/207-02

97 - 036

CITY OF SAN JOSE MEMORANDUM

TO: Planning Commission

FROM: James R. Derryberry

SUBJECT: Town & Country Village EIR
Traffic Issues

DATE: April 10, 1998

APPROVED:

DATE:

This memorandum is in response to Commissioner Garcia's attached fax of April 2, 1998 regarding the Town & Country Village project, specifically regarding traffic issues. Staff is responding to the issues raised on Pages 4 through 6 of the fax. As Commissioner Garcia indicated, the issues on pages 1 through 3 were previously addressed in staff memos discussing the Valley Fair EIR.

Page 4

1. The main driveway count for the project was taken on April 15, 1997; the Olsen driveway was counted on April 17, 1997; and the Olin driveway was counted on April 16, 1997. All other driveways were counted on April 10, 1997. Saturday counts were taken for the main driveway and the Olsen and Olin driveways on September 27, 1997. These counts are referenced in the DEIR and were used in the traffic analysis for the DEIR.
2. As shown on page 12 of the DEIR (Table 3), these counts were used to characterize the existing conditions at the driveways.
3. As of March 6, 1997, the vacancy rate of Town & Country Village was 19% according to Phyllis O'Shea, manager of the center.
4. Page 34 of the DEIR, under the heading "Background Conditions", states that "Traffic volumes for background conditions include volumes from existing traffic counts plus traffic generated by approved but-not-yet-constructed developments in the area."
5. The traffic engineers prepared a revised set of trip generation numbers using the newly released, December 1997 ITE manual. The revised Table 12 is included in the First Amendment to the Town & Country EIR, which was distributed to the Planning Commission on April 10, 1998, and is attached to this memorandum.
6. There is some difference in peak hour trips when the new trip generation figures recommended in the December 1997 ITE manual are used. The First Amendment to the DEIR includes the results of the revised calculations using the newer recommended trip generation numbers. This analysis does not change the conclusions in the DEIR; there are no additional significant impacts resulting from the project other than those identified in the DEIR.

7. A detailed response to the letter from Charles Abrams that was attached to the Downtown Association comment letter on the DEIR is included in the First Amendment to the DEIR. Mr. Abrams' letter suggests that the traffic analysis should assume that the current vacant space in the Town & Country Village could not be occupied in the future. This is contrary to City policy. The Town & Country Village is an existing shopping center that could be fully occupied at any time. The traffic analysis assumed that the existing center has at least the same status as development that has been approved but not yet built. Therefore, the analysis includes estimated traffic that could be generated by a fully occupied center in the background conditions.
8. Existing and background conditions in the AM peak hour differ in the tables in the DEIR. If Tables 4 and 8 are compared, there are differences in the AM levels of service at most of the intersections. Some intersections are worse under background conditions, others are better.
9. The First Amendment to the DEIR includes the revised calculations in tabular form.
10. The only new information reflected in the responses to comments is the result of the revised calculations based on the revisions in the ITE manual. The new ITE manual was released in December 1997, just as the traffic analysis was completed and shortly before the DEIR was circulated. While there is no CEQA requirement that a DEIR be revised under these circumstances, staff felt that it was important to reevaluate project impacts using these new generation rates. While there are slight changes (increases/decreases) in certain generation numbers, there were no new significant impacts identified as a result of using the new generation rates.

1. The traffic analysis includes a combination of existing traffic counts and older counts supplemented with updated information.
2. A background growth factor is included for all counts over six months old. The growth factor is 0.3% per month, from the date of the count to September 1997.
3. The background conditions evaluated in the traffic analysis include trips from approved but not yet built development; in other words, impacts from entitled development is included in the background conditions. These are trips that could occur without any further discretionary action by the City or other governmental agency; these trips remain in the background. In the case of Town & Country Village, the background includes estimated trips from a fully occupied shopping center.

Planning Commission

April 10, 1998

Page 3

4. The Valley Fair trips are not included under background conditions because the project was not approved when the Town and Country Village EIR circulated. CEQA requires analysis of impacts for a project to reflect conditions at the time the Draft EIR circulated. The Valley Fair traffic is included in the Cumulative conditions identified in Tables 26, 27 and 28.
- 5.6.7. If the traffic analysis were not to include all of the trips that could be placed on the street system by a fully occupied Town & Country Village center, the analysis would misrepresent the status of the existing shopping center. While it is not fully occupied at present, it could be at any time in the future. It would be misleading to allow the Planning Commission; the City Council and the public to assume the conditions on the street system would remain as they currently exist indefinitely. The DEIR, therefore, identifies both the current physical conditions and the physical conditions that could be reasonably anticipated to occur in the near future, even if the Town & Country project were not approved.


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

97 - 036

Table 12 Revised
Trip Generation Estimates for Town & Country Shopping Center

PM Peak Hour*

AM Peak Hour*

Land Use	Size (1000 s.f.)	Daily Rate	Daily Trips	AM Peak Hour*				PM Peak Hour*			
				Peak Hour Rate	Capture Reduction	Pass By Reduction	In Out Total	Peak Hour Rate	Capture Reduction	Pass By Reduction	In Out Total
Shopping Center (Proposed)	600	36	20,388	0.77	7b/	0%	225 144 369	3.41	7b/	25%	683 740 1,424
Residential Dwelling Units	1200	6.63	6,922	0.51	13%	0%	85 447 532	0.62	13%	0%	434 214 647
Hotel	200	8.92	1,606	0.67	10%	0%	70 51 121	0.71	10%	0%	63 63 128
Added Trips			28,915				380 642 1,022				1,180 1,019 2,199
Less Existing Shopping Center	285	47	(13,395)	1.05	0%	0%	(183) (117) (299)	4.4	0%	32%	(409) (443) (853)
Net Added Trips			15,520				198 525 723				770 576 1,346

*a/Peak-hour trip generation totals reflect reductions for internal capture and pass-by trips.

*b/Capture reductions for the shopping center are equal to the total of the residential and hotel (93 trips during the AM peak and 111 trips during the PM peak).

Source: Rates per 1,000 s.f. or per d.u., from ITE Trip Generation manual, 6th Edition, 1997.



408 244 8368

fax 408 261 0270

1998 the alameda #1, san jose, ca 95126

Facsimile Cover Sheet

To: Jim Derryberry	Fax Number: 277-3250
Company : CSJ Planning Dept.	Date : 4/2/98
From :	Fax Number :
Company :	Pages including cover page: 7

We are sending you: Traffic concerns

Remarks:

Jim,

As I informed you at the last commission meeting, I will be on vacation from 4-27-98 with return on 5-11-98. I got your message about moving the Town & Country meeting up to 4-29-98. I will not be able to attend on that date. I would suggest that you move it back further until I am able to participate.

Enclosed is simply a regurgitation of my earlier concerns edited to apply more directly to the Town & Country EIR. As you know my previous comments were given in reference to the cumulative analysis of the Valley Fair EIR.

Feel free to distribute these to all interested parties.

Gil

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CONCERNS RE: TRAFFIC ANALYSIS FOR TOWN & COUNTRY E.I.R.

Page 1

After much research and debate on matters pertaining to the traffic analysis for the Town & Country E.I.R., I have come to the following conclusions:

First of all here is an explanation of some of the acronyms used herein;

1. The background LOS is determined by existing traffic counts taken in April of 1997 plus a growth factor. The growth factor is a cause for concern as explained later
2. The trip generation rate used in the EIR for the existing Town and Country is based on the standard ITE trip generation rate for a fully functioning 285,000 s.f. retail center. This is exactly where the inconsistency in the analysis is because how they have determined the traffic impact from the proposed Town and Country development is to deduct the existing retail center from the new retail component of the project. What this results in is an inaccurate stating of what the proposed Town and Country is contributing to the Cumulative traffic impacts. The right way to analyze this would be to take actual traffic volume data from the existing Town and Country and deduct it from the proposed project's retail traffic volume as calculated for the entire 600,000 square feet of new retail. This would be consistent with the way they have analyzed the background LOS and would result in a much larger traffic impact from the proposed Town and Country than is currently stated in the EIR traffic analysis.
3. This discovery calls into question the adequacy of not only the traffic analysis but also the Mitigation Plan for the cumulative impacts.
4. It has come to my attention that the City could take the position that by "right" the Town and Country is allowed to have or build 285,000 s.f. of retail on this site with no traffic analysis or EIR required.
5. Haven considered this potential position it could be justified then that the assignment of ITE trip generation rates to the existing 285,000 s.f. retail center is valid for purposes of the cumulative traffic analysis.
6. This is where the analysis falls apart in terms of consistency because if we take that position then it follows that the existing 285,000 s.f. center with the ITE trip generation assignment (which represents a fully functioning healthy retail center) should be used as a basis for determining the background LOS. It was not. As I stated previously, the background LOS is based on actual traffic counts taken in April 1997 plus a growth factor (which is questionable).
7. The fact that Town and Country is proposing to more than double the retail component and then add housing and hotels on top of that is sufficient cause for a need for accurate traffic analysis. Town and Country should not get an impact "bonus" simply because the site has a right to develop 285,000 s.f. of retail. If that were the case then they should only limit their project to a redevelopment of the 285,000 s.f. retail center.
8. This should help clarify why proposed projects should not be given any special considerations.

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CONCERNS RE: TRAFFIC ANALYSIS FOR TOWN & COUNTRY E.I.R.

Page 2

There still appears to be confusion as to what the traffic concerns are. Let me summarize as follows:

1. If the background LOS is based on actual traffic counts (plus a growth factor) then logic dictates that the existing T&C retail center contribution to the background LOS = actual traffic volume of the existing Shopping Center.
2. In order to accurately assess what the real world traffic impacts may be then there must be a consistency when we add the projects to the background LOS.
3. To assign ITE trip generation rates to the existing T&C center is to say that it is a fully functioning healthy retail center, which is not the case. Using this methodology overstates the traffic volumes of the existing T&C.
4. If the Proposed T&C development then proceeds to deduct the existing T&C from itself as a fully functioning center then you have a much lower traffic impact from the new development giving a false number of added trips for the project.
5. The inconsistency results when you give the proposed T&C trip "credits" for the existing retail without factoring them in to the background LOS.
6. The only right way to analyze this situation is to deduct only the actual traffic volume of the existing T&C center from the entire proposed development. This would yield results that are more accurate and would represent the true traffic impact of the project without giving the project "credit" for unused "ghost" trips.
7. My concerns are first, that the analysis has not been done adequately and second, that if it has not then we may be looking at more significant impacts to more intersections as a result.
8. It has been stated that only the overall trip generation number matters to accurately assess traffic impacts of the T&C project (Gary Black, Barton and Aschman) and hence its contribution to the cumulative impact, however for all the reasons stated above I believe that the method used for determining the overall trip generation for the project must be consistent with the method of determining the background LOS.

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CONCERNS RE: TRAFFIC ANALYSIS FOR TOWN & COUNTRY E.I.R.

Page 3

It has come to my attention that the use of a growth factor combined with the background LOS may be inappropriate in this instance.

1. A growth factor should be used only if the data is 6 months or older. The ATI (approved trip inventory) is already figured in to the background LOS.
2. A growth factor should only be used to bring traffic counts which are older than 6 months up to the date of the other traffic counts.
3. So to compound my previous concerns, we may be looking at an analysis which contains a falsely inflated background LOS which calls in to question not only the cumulative analysis but the traffic analysis on both projects as well.
4. By having a falsely inflated background LOS any traffic impact from the proposed developments would appear to have a lesser impact on intersections. A traffic count may have been done at Stevens Creek and Winchester in July of 1997. I would be interested to compare that one with the April 1997 count.
5. This has serious implications not only on the traffic analysis but also on the air quality and noise analysis as well.
6. I have to ask: Was there a traffic count done at the driveways of the existing Town & Country? If so then we should take advantage of this data and use it instead of ITE rates to calculate additional trip generation from this project.
7. I know that I am repeating myself but if we have the data we should use it and not rely on "entitlements" for that land to determine real world impacts. Entitlements for land use should be just that: An entitlement to develop property in accordance with the current zoning ordinance. Is that the proposed project before us? If we allow the "entitlement" of that land in terms of traffic analysis then we have "ghost" trips and I do not consider that to be an adequate analysis of traffic impacts.
8. I believe that the traffic report should be redone at no cost to the City because it is clear that there still are too many inconsistencies.
9. One of the respondents mentioned the need for an area specific plan. This is something to think about due to the massiveness of these projects. These projects just might "trigger" the need for a new Area Specific Plan.

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CONCERNS RE: TRAFFIC ANALYSIS FOR TOWN & COUNTRY E.I.R.

Page 4

The City responded, in a memo signed by Ralph Qualls and Jim Derryberry, to all of the above concerns with the contention that Actual Traffic Volume at T&C (based on counts taken in October 1997) would only add 177 trips to the background LOS thereby it was an insignificant impact. Also stated was that there is a 19% vacancy rate at the existing T&C. The PM peak hour trips were re-analyzed and there were inconsistencies between the EIR data and the new data. This is a response to that memo:

Thank you for your response to my previous concerns,

I have additional questions and comments:

1. Received the data regarding existing traffic counts at the existing Town & Country driveways from October 1997. Please specify the dates when the counts took place and to be consistent we should be doing a Saturday count as well.
2. Why was this existing traffic count from T&C not included as part of the analysis?
3. Please confirm a source for the alleged 19% vacancy rate of the existing Town & Country Shopping Center as this is the first time I have heard of this.
4. It has been stated that the background conditions include existing plus approved trips. Why is this not specified in the E.I.R.? Am I missing it? I only found background condition based on actual traffic counts from April 1997.
5. The AM and PM Peak Hour Trips seem to be inconsistent now with the data provided in the EIR. Please provide a revised table 12 which is the Trip Generation Estimates chart for T&C. Since this was presented to the commission at a joint study session for both projects, I believe it is important to have this information for a direct comparison.
6. If peak Hour Trips are different then we must see what the revised impact is to intersection LOS. I do not have that data, please revise and forward so a direct comparison can be made with joint study session material.
7. Please respond to the letter dated 2-23-98 from Charles Abrams as this brings forth many pertinent questions having to do with adequacy of analysis (specifically trip generation rates). This letter contends that the existing center would generate only 8,550 vehicle trips per day and not 13,680 as was used in the EIR analysis. See revised table 12 in that letter.
8. It seems unlikely that the AM peak hour trips for both existing and background could be exactly the same. Please clarify.
9. Whenever possible you should submit information such as calculations in revised table format for direct comparison with EIR data.
10. To sum up my concerns I feel as though we are getting a lot of last minute and incomplete information. It just serves to add to my concerns when I get data like this coming to light and I cannot find it in the EIR analysis.

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Additional discussion of the Town & Country EIR traffic analysis

The EIR traffic analysis procedures for Town and Country can be understood by looking at the summary data in the Appendix.

Using the PM peak hour as an illustration, the process includes the following steps:

1. Start with an existing traffic count. Note that this count would reflect the traffic from T & C as it existed at the time it was taken. Which is considerably less than an average performing shopping center.
2. Add in a "background growth factor". A zero growth factor is used if the count is less than 6 months old.
3. Add in "approved trips". I understand this to be defined as traffic from other *approved and as yet unbuilt* projects in the area. I believe that the City maintains this list and may even drop developments from the list if it is perceived that the development may never be built even though it is permitted. The standard for dropping *approved and as yet unbuilt* projects from the approved trip inventory list is entirely at the City's discretion. The traffic engineer then works with the City's list to generate an "approved trip inventory". The Town and Country development is not on this list because it is not now an approved project.
4. Add in "Valley Fair Project Trips". These are the new trips to be generated as a result of the improvements to Valley Fair.
5. Add in "Town and Country Project Trips". These are the trips generated by the new proposed T&C Center less the trips that would be generated by a *fully operational, successful* 285,000 square foot center. This is where the problem arises. The existing T&C Center is not a fully operational, successful 285,000 shopping center, and to assume such is to artificially inflate it's traffic impact, and to therefore reduce the traffic impact of the new T&C Center.
6. If the existing traffic count had taken into account a fully operational, successful 285,000 square foot center then it would be appropriate to deduct those trips from the proposed T&C Center. Nowhere in the traffic analysis for either project is this methodology accounted for. Since the existing T&C Center is not an *approved and as yet unbuilt* project it cannot be factored in to the approved trip inventory.
7. If the background LOS is based on existing traffic counts with only the addition of *approved and as yet unbuilt* projects then I believe for purposes of the Valley Fair EIR the background LOS is adequate.

This does not mean that there is still some valid concern with the Town and Country EIR traffic analysis and methodology which will be appropriate to question with regard to the Town and Country EIR.

CONCERNS RE: TRAFFIC ANALYSIS FOR TOWN & COUNTRY E.I.R.

Page 6

It is now clear to me that my main concerns lie with the Town and Country EIR traffic analysis and I have been given assurances that, by certifying the Valley Fair EIR, the Commission will be acting appropriately and, according to both Jim Derryberry and Tom Ruby, that the Commission can still have a full discussion of traffic impacts when the Town and Country EIR comes forth for certification.

Sincerely,

Gilbert Garcia



City of San Jose

Department of City Planning and Building

801 North First Street, Room 400
San Jose, CA 95110
(408) 277-4576

LTC
Julie

PLANNING COMMISSION PUBLIC HEARING RECORD

Date of Hearing: 4,22,98

Agenda Number: 4a

File Number: PDCSH 97-06-036 Town & Country EIR

Location: _____

Persons Speaking in Support

Please print	Name	Address
1.	KATHRYN M. WESLEY	700 VILLA CENTRE WAY, S.J. 95128
2.	AL Woodward	417 So. DANIEL WY ST 95128
3.	Paul Gunn	1048 Sorenson Dr SJ 95117
4.	NICHOLE NORD	2820 Hemlock Ave SJ 95128
5.	Jeff Harkewitz	1018 Town & Country Village SJ 95128
6.	Richard Scanlan	414 Maplewood Ave San Jose 95117-1433
7.	Jack DiNapoli	1925 Winchester Blvd Campbell 95008
8.	Michael P. Huber	1925 Winchester Blvd Campbell 95008
9.	William D. Zahrt	629 Villa Centre Way, S.J. 95128
10.	Heather V. Cook	508 South Monroe, S.J. 95128

Persons Speaking in Opposition

Please print	Name	Address
1.	William GARBETT for THE PUBLIC	P.O. Box 36132 San Jose CA 95106-6132
2.	LUCY Williams	374 SPAR Ave San Jose 95117
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

97-036



City of San Jose

Department of City Planning and Building

801 North First Street, Room 400
San Jose, CA 95110
(408) 277-4576

LTC
Julie

PLANNING COMMISSION PUBLIC HEARING RECORD

Date of Hearing: 4,22,92

Agenda Number: 4a

File Number: PESH 97-06-036 Town & Country EIR

Location: _____

Persons Speaking in Support

	Please print	Name	Address
1.	<u>Paul Lee</u>		<u>463 Chel Sea Crossing SJ. 95138</u>
2.	<u>Bill Faiss</u>		<u>626 TOWN + COUNTRY VILLAGE SJ. 95128</u>
3.	<u>Steve Gordon</u>		<u>2888 Hemlock Ave SJ 95128</u>
4.	<u>Eric Item</u>		<u>508 S. Monroe St SJ. 95128</u>
5.	<u>Susan Lindberg</u>		<u>2980 Stevens Creek Blvd SJ. 95129</u>
6.	<u>Graig K. Breon</u>		<u>2224 McDellon Rd, Cupertino CA 95014</u>
7.			
8.			
9.			
10.			

Persons Speaking in Opposition

	Please print	Name	Address
1.	<u>DAVID GAZEK</u>		<u>REDEVELOPMENT AGENCY SAN JOSE</u>
2.	<u>Susan Knie</u>		<u>SJDA</u>
3.	<u>LINDA CAHON</u>		<u>Deborah Cohen - Federal Realty</u>
4.			
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97-036

SA/ Jeff Roche**ENVIRONMENTAL
SERVICES
DEPARTMENT****FAX TRANSMITTAL**NAME: Jim Derryberry, NO. OF PAGES WITH COVER 12

FAX # _____

FROM: Gary Lynch
Phone 277-5533
FAX: 277-3606RE: Garbett / Town & Country / DTSC
issue

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Environmental Services Department
777 N. First St., Suite 450
San Jose, CA 95122-6311
Phone (408) 277-5533 FAX: (408) 277-3606

97 - 036



Department of Toxic Substances Control



Edwin F. Lowry, Director
700 Heinz Avenue, Bldg. F, Suite 200
Berkeley, California 94710-2721

Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

September 17, 1999

FILE COPY

Mr. William J. Garbett
T.H.E. P.U.B.L.I.C.
P.O. Box 36132
San Jose, CA 95158-6132

Dear Mr. Garbett:

This letter responds to your request for a public meeting for the San Jose Town and Country Village Shopping Center. We appreciate your concerns and are interested in receiving your comments.

However, your request for a public meeting is the only one we have received on this project. The Department of Toxic Substances Control cannot justify the expense of a public meeting to hear the comments from one person. Therefore, we are asking you to submit your comments in writing. Comments in writing receive the same weight of consideration as oral comments.

The draft Removal Action Workplan and proposed Negative Declaration documents are available at the Dr. Martin Luther King, Jr. Library, 180 West San Carlos, San Jose. Those documents as well as the complete administrative record are also available at the Department of Toxic Substances Control offices, 700 Heinz Avenue, Second Floor, Berkeley. Please phone (510) 540-3800 for an appointment, office hours are 8 a.m. to 5 p.m. Monday through Friday.

We thank you for your interest. Please submit your comments in writing to me no later than September 28, 1999. I can be contacted by telephone at (510) 540-3838.

Sincerely,

Derek Whitworth, P.E.
Hazardous Substances Engineer

California Environmental Protection Agency
♻️ Printed on Recycled Paper

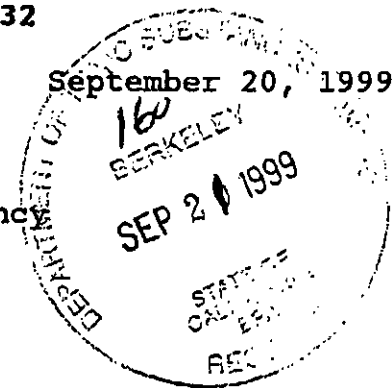
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97 - 036

T.H.E. P.U.B.L.I.C.
P. O. BOX 36132
SAN JOSE, CA 95158-6132

Re: Your letter of September 17, 1999

California Environmental Protection Agency
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 94710-2737



Derek Whitworth, Project Officer:

This is continued demand for a public hearing on the draft Removal Action Workplan (RAW) and the proposed Negative Declaration for 2980 Stevens Creek Boulevard, San Jose Town and Country Shopping Village and 360 Winchester Boulevard in San Jose, CA. During City of San Jose public hearings participants overflowed the meeting room. William J. Garbett is merely a member of T.H.E. P.U.B.L.I.C. (although, agent) and only one person, of a diverse membership. T.H.E. P.U.B.L.I.C. is registered with California Secretary of State, Department of Corporations, File #3907. A tacit request of San Jose mayors has been to recognize William J. Garbett as spokesperson, "since you don't have to pack the Council Chambers on every issue." The reason T.H.E. P.U.B.L.I.C. request is the only one, is the coordination of (member) community organizations to eliminate redundancy, and should be considered an efficiency. If William J. Garbett believed he was the only one interested, there would have been only his individual written comments, or that of his other organizational affiliations. T.H.E. P.U.B.L.I.C. can provide public

participation at any level you desire. However, what size hearing, would you like? A discrete working group of active participants is anticipated, unlike the circus atmosphere the City of San Jose uses for a slam dunk. One individual request is the necessary trigger. What is your expense justification under California Code of Regulations?

[Historical note: William J. Garbett, individually, requested a public hearing on the implementation of regulations for public access to records of the Department of Motor Vehicles. This was the first request in decades for a public hearing made before the death of actress Rebecca Schaffer via a crazy that had obtained her address legally from public records. William J. Garbett was falsely jailed, but was released the day of the hearing after her death. Various state department heads attended the hearing that was video taped. He was again arrested, rejailed, and back broken, heart attack, with medical treatment denied, unable to attend, the second hearing that was preceded by a march on Sacramento. The third hearing was attended by him along with the 'captains' of industry; after having three trials his appeals were won. A few months later over 8000 applicants had paid the \$50,000 non-interest bearing bond for limited access to DMV records.]

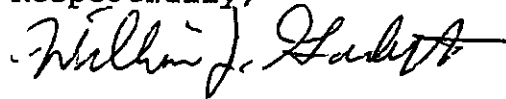
A copy of all interrelated documents (i. e. administrative record) in time for comments and written notification in advance of the hearing is requested. T.H.E. P.U.B.L.I.C. has been refused access to all environmental documents by the City of San Jose, including access to repositories. Library clerks interrogate persons as to their nature of business and purpose, with the frequent response that documents are being 'cataloged' or have been 'checked out' until after hearings are over. As an example: William J. Garbett, a citizen and taxpayer, and property owner for 30 years in San Jose, cannot qualify for a library card because he is unable to identify himself to obtain a library card. Your request to telephone for an appointment merely suggests that public records are not available for access during normal business hours or that they must be 'administratively cleansed' prior to viewing. Although T.H.E. P.U.B.L.I.C. could overwhelm your headquarters, it prefers to circulate a reproduction of a single copy to its members and respond collectively to a summation accumulation of comments, without repetition.

The draft RAW proposes soil being consolidated in areas that are to be paved over in future developments. Each and all of these planned use developments and general plans use commercial development with 'walk up' residences. These residences include children (i. e. sensitive receptors) to comply with fair housing laws. Heavy commercial delivery trucks, from the get go, will crack the paving from day one

with potholes forming in an 'impervious surface' that will migrate additional contamination under the foundations of the housing with seasonal rains.

Comments in writing that follow the public hearing up to 30 days, are not to be used in lieu of a public hearing. Your reconsideration is requested and demand for public hearing restated. Further response in writing is requested.

Respectfully,



William J. Garbett
for THE PUBLIC

97 - 036 --

T.H.E. P.U.B.L.I.C.
P. O. BOX 36132
SAN JOSE, CA 95158-6132

August 30, 1999

California Environmental Protection Agency
Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, CA 94710

Derek Whitworth, Project Officer:

This is a request for a public hearing on the draft Removal Action Workplan (RAW) and the proposed Negative Declaration for 2980 Stevens Creek Boulevard, San Jose Town and Country Shopping Village and 360 Winchester Boulevard in San Jose, CA. Sufficient controversy has taken place in the course of prior City of San Jose public hearings, with retaliation against any opposition parties.

The project smacks of Racketeering Influencing and Corrupting Organizations. T.H.E. P.U.B.L.I.C. has been refused access to all environmental documents by the City of San Jose, including access to repositories. The project has been tied into a more massive scheme of projects that include the Downtown Strategy, New City Hall, Symphony Hall, and Joint Library Project with San Jose State University (including the elimination of churches and homeless facilities). Intergovernmental secret meetings in violation of the Brown Act have been held regarding interrelated redevelopment projects with the County of Santa Clara. These have been under the guise of a Joint Powers Authority that settled previous bond litigation, where the questions have been asked and answered, previously.

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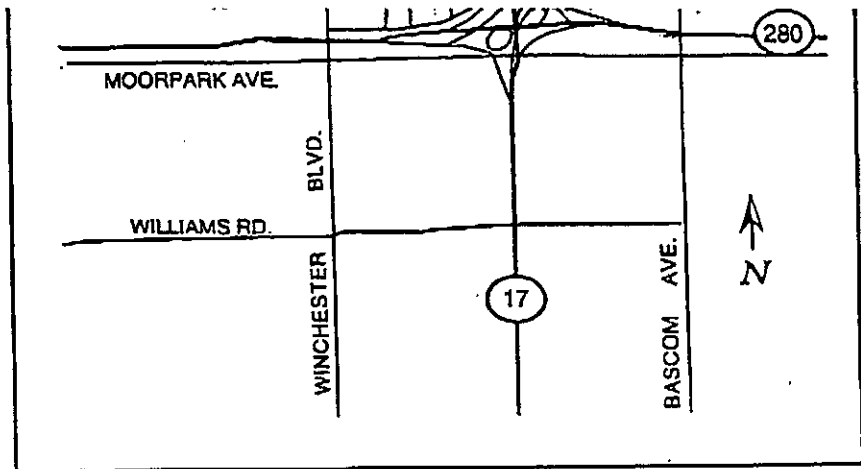
Background

The Town & Country Village Shopping Center is a 1960s-era one- and two-story open-area shopping center located at 2980 Stevens Creek Boulevard, San Jose, California. The cleanup alternatives considered and presented in this fact sheet include remediation of both 2980 Stevens Creek Boulevard and 360 South Winchester Boulevard which are adjacent parcels. The 360 South Winchester Boulevard portion of the site includes a

To request a meeting, please contact ~~_____~~ Whitworth, Project Manager or Bea McKamey, Public Participation Specialist, by September 17, 1999 stating the issues to be raised (see **FOR MORE INFORMATION** on back cover for phone numbers and e-mail addresses).

Land use restrictions

The area proposed for mixed use residential/commercial development will be covered by paving and structures. Residents will not have contact with underlying soils and will not be exposed to any contaminants in the soil. The only human contact with the soil will be the workers constructing the road and foundations and workers performing in-ground maintenance after the development work is complete. Levels of the site contaminants that could be left in place, without presenting a significant health threat to this population, were determined and used as cleanup values for this section of the



Address: _____

City: _____ State: _____ Zip Code: _____

97 - 036

PUBLIC REPOSITORIES

The draft Removal Action Workplan and proposed public Negative Declaration are available for review at:

Dr. Martin Luther King, Jr., Main Library
180 West San Carlos
San Jose, CA 95113
Mon. - Wed. 9 am - 9 pm
Thu. - Sat. 9 am - 6 pm
Sun. 1 pm - 5 pm
(408) 277-4815

The full administrative record is available for review at:

California Environmental Protection Agency
Department of Toxic Substances Control
700 Heinz Avenue, Ste 200
Berkeley, CA 94710
(510) 540-3800
(Call for Appointment)

FOR MORE INFORMATION

If you have any questions regarding this project, please call project officer Derek Whitworth at (510) 540-3838 (e-mail: dwhitwor@dtsc.ca.gov) or public participation coordinator Bea McKamey at (510) 540-3920 (e-mail: bmckamey@dtsc.ca.gov).

Notice to Hearing Impaired Individuals

TDD users can obtain additional information by using the California State Relay Service (1-888-877-5378) to reach Bea McKamey at (510) 540-3920

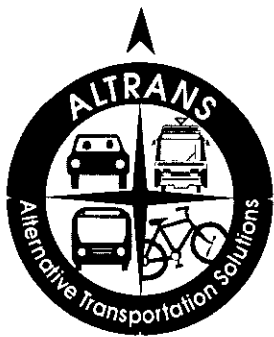


California Environmental Protection Agency
Department of Toxic Substances Control
700 Heinz Ave., Ste. 200
Berkeley, CA 94710

Debra J. Figue
San Jose City Manager (Acting)
801 N. First Street
San Jose, CA 95110

Attn: Bea McKamey

97-036



ALTRANS

3000 Mission College Blvd. MS12 • Santa Clara, CA 95051
Phone (408)258-7267 • Fax (408)867-2522

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MAY 12 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

May 12, 1998

Post-it™ Fax Note	7671	Date	5/13/98	# of pages	2
To	PL Comm / Linda Callan	From	LINDA INGRAH		
Co./Dept.		Co.	PLANNING		
Phone #	1286-5800	Phone #	277-8522		
Fax #		Fax #			

James R. Derryberry
Director, Planning, Building and Code Enforcement
City of San Jose
801 North First Street
San Jose, CA 95110-1795

Dear Mr. Derryberry,

Thank you for accepting this letter requesting clarification and possible additions to the Transportation section of the DEIR for the Town and Country Village building proposal.

As professionals in the Transportation Demand Management (TDM) field, ALTRANS believes that this type of traffic mitigation method has not been adequately addressed in the proposed project studied in the Town and Country - Draft Environmental Impact Report. Throughout the Transportation section, it appears that the general consensus is that there is not a method available to reduce traffic and vehicle trips outside of building new facility improvements.

As an award-winning and cost-effective program, ALTRANS has reduced thousands of single occupant vehicles from our roadways through a variety of outreach, educational and special projects aimed at commuters utilizing alternative transportation modes. Through these cost-effective measures, we can considerably reduce the demand for vehicular traffic - thereby actually mitigating demand and subsequent traffic in the first place.

By far, the most effective method is a two-prong approach to mitigating traffic. The first being directed squarely at reducing the trip itself to/from the proposed development and secondly the building of new roadway facilities as described in the DEIR. Both mitigating measures need to be implemented simultaneously in order to comply with the "Sustainable City Strategy" and the other major planning strategies outlined in the Draft Environmental Impact Report. Historically, these two sides of the same coin are not jointly addressed; it is now time to recognize that controlling the demand prior to building new infrastructure is now a critical part of any in-depth analysis.

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Therefore, we recommend that the DEIR be amended to reflect the following:

1. Add this text to the DEIR:

"Through a cost effective TDM Program, it is expected that an average of 20 percent of all egress and ingress vehicle trips can be eliminated utilizing a variety of alternative transportation modes, including transit, private shuttles, an on-site car pool program, bicycle safety and encouragement program and active participation in a Transportation Management Association."

2. Change the conclusion (page 56) under "Significant Unavoidable Impacts" to read:

"These impacts, therefore, are considered to be significant and through effective Transportation Demand Management programs and roadway improvements, can be somewhat avoidable."

We hope that you will consider including a few basic paragraphs (such as the two paragraphs outlined above) demonstrating the need to actively participate in private and public Transportation Demand Management techniques in the final report. If needed, I can provide a more detailed description of TDM projects that can work for this proposed development site.

Thank you for your time and consideration. I look forward to working with your office in the future.

Sincerely,



Stephen C. Blaylock
President
(408) 741-2684

William Ress

7002607498
FAX 998-5388

P. 01

7040 Anjou Creek Circle • San Jose, CA 95120 • (408) 997-0102 • Fax (408) 268-9498 • Email: billress@ix.netcom.com

FAX MESSAGE

DATE: May 8, 1998

TO: Jim Derryberry, Director, San Jose Planning, Building and Code Enforcement
San Jose Planning Commissioners

FROM: William Ress, San Jose Planning Commissioner

SUBJECT: Town and Country EIR Traffic Concerns.

I have several concerns about the "adequacy" of the Town & Country (T&C) EIR.

These concerns are prompted by my desire to have the EIR accurately reflect the magnitude of significant traffic impacts caused by the project so decision-makers will have a more complete and accurate set of data upon which a better informed decision concerning the project can be made.

Section 15143 of the CEQA Guidelines states that "significant effects should be discussed with emphasis in proportion to their severity and probability of occurrence."

My first, and main concern with the T&C EIR is that the project traffic analysis does not provide data or projections indicating the "magnitude" of the traffic impacts occurring during "peak" demand periods. I refer to these peak demand periods as "events", which could occur separately at Town and Country, Valley Fair or the Winchester theatre complex, or could occur simultaneously at more than one of these facilities.

As an example, the EIR does presently identify two traffic effects as "significant and unavoidable" but this determination was made for "non-event" periods. It is not clear to me what other intersections could become "significant and unavoidable impacts" if analyzed during "events".

Now let me try to define my use of the term "event".

The "events" at Town and Country, Valley Fair and the Winchester theatre complex can be considered to be special sales events (i.e., white sales, grand openings, Mother's Day, etc.), seasonal sales events (i.e., Fall back to school sales, Thanksgiving through Christmas holidays, etc.) and showings of high draw, box-office events (like the recent box-office hit movie "Titanic"). These facilities together, because of their unique location and set of complex traffic issues, just do not operate like any typical high density residential/commercial complex we have dealt with in the City.

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But there is an EIR that has been done by the City which comes closer to the model we have at the co-located T&C, Valley Fair and the Winchester theatre complexes. It's the San Jose Arena EIR.

The San Jose Arena is an "event" driven land use and its 1987 EIR clearly reflects this. The EIR analyzed traffic for not only "worst case" conditions, but two different seating capacities, five different event times and days, Year-1991 and Year-2000 traffic projections -- for a total of 24 different traffic scenarios.

I believe the Valley Fair Shopping Center, the Winchester movie complex and the proposed Town and Country project should also be considered as co-located, event generators similar to an Arena and that the T&C traffic analysis should reflect this "real world" situation. Any thing less is like saying "we know there are significant problems with traffic, but we don't want to know how bad the problem really can be, 'cause we probably can't fix it".

San Jose, as it builds up within its "Greenline", will likely see projects like this in the future, considering the lack of large open spaces in the City and the high traffic densities which will likely become worse. We are now the fastest growing city in California.

So an EIR strategy should be followed which not only identifies significant, unavoidable impacts but details their "worst case" impacts so that decision makers are very clear about the "full" present and future impacts of their decisions.

I don't feel it is sufficient to just state that the project impacts "are significant and unavoidable" without detailing "worst-case" scenarios related to those impacts. The "worst case" analysis of the project impacts may not change the conclusion as stated, i.e. "significant and unavoidable", but the analysis will more accurately quantify the magnitudes of the impacts..

So more specifically:

- 1) To determine the realistic magnitude of traffic impacts, the project should analyze traffic during worst-case "event" conditions in conjunction with "worst-case" events at the co-located facilities; Valley Fair and the Winchester theatre complex.
- 2) Traffic studies for this project should not just consider existing plus approved projects, but should make traffic projections based on population growth projections (like the SJ Arena EIR).
- 3) The traffic analysis does not identify what portion of traffic flow is intra-facility related (i.e. between Valley Fair and T&C). This data would provide guidance as to what project related mitigations could improve this condition.
- 4) The use of currently available public transportation options was not analyzed as a possible mitigation to some of the traffic issues. (it was in the SJ Arena EIR)
- 5) The impact of on-freeway backups (at least at the Hwy 280 northbound connector to eastbound Hwy 880) on the issue of "public safety" was not analyzed, i.e. the potential for increasing risk of traffic accidents/deaths.

Our own EIR instructions for preparation, page 5, state in para. E, that it should "describe the cumulative and long-term effect of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety."

- 6) The "reduction in the T&C project trips generated by 10% assuming internal movements" is not clear to me. What is the basis for this assumption?
- 7) It is my understanding that the Highway Capacity Manual (HCM) methodology, which estimates level of service based on delays, used in the County, versus the volume/capacity ratio method used by the City, provides a more accurate traffic analysis methodology. A project as significant as the T&C project should have traffic analyzed using the most accurate and realistic methodology.

Secondarily, I would submit that:

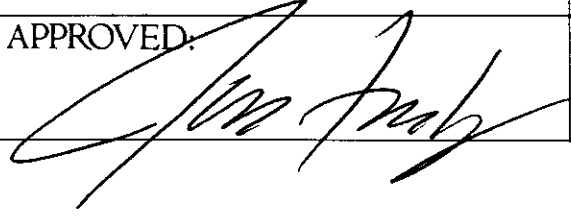
- 1) For clarity, traffic analysis data for measured intersections should be graphically presented over 24 hour periods (as it was done in the SJ Arena EIR).
- 2) I feel project solid waste generation is not covered adequately. The EIR doesn't clearly identify current and projected waste facility capacities when considering the disposal of commercially generated project waste.

-----end-----

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

Item 10 d. and 10 e.

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION	FROM: DAVID GAZEK DIRECTOR OF PROGRAM DEVELOPMENT
SUBJECT: SEE BELOW	DATE: May 06, 1998
APPROVED: 	5-6-98

SUBJECT: TOWN AND COUNTRY VILLAGE DEIR, ADDITIONAL
RESPONSES

At the Planning Commission meeting of April 22, 1998, the Redevelopment Agency presented a report entitled, "***The Impact of the Proposed Town and Country Shopping Center Development on Downtown San Jose, California***", prepared by Kotin Mouchly Group (KMG), December 18, 1997. Also submitted were the Redevelopment Agency's comments and concerns over the adequacy of the *First Amendment, Draft Environmental Impact Report for the Proposed Town and Country Project*, letter dated April 22, 1998.

The Agency's primary concern is that the Town and Country project, at the proposed intensity, will likely have a negative economic impact on Downtown that will lead to physical impacts, most specifically blight. These impacts have not been disclosed in the DEIR. This concern was dismissed as undocumented and unfounded by the EIR consultant and Planning staff, both in their response to the Agency's comments on the DEIR and at the Planning Commission public hearing for the project on April 22, 1998.

After the public hearing was continued, Agency staff requested that KMG address the Agency's concerns and Planning staff's response in further detail. KMG has provided a memo, dated April 29, 1998, which supports the Agency's concerns and conclusions and confirms that the Town

HONORABLE CHAIR AND MEMBERS OF THE
COMMISSION

Town and Country Village

Page 2

May 06, 1998

and Country Village project, in terms of amount and type of retail space currently proposed, will likely have a negative economic impact on Downtown that will lead to blight.

Additionally, the Agency requested that KMG evaluate the reports prepared by the project proponent's consultant, Wallace and Steichen, Inc., *"Town and Country Shopping Center, Retail Evaluation of Economic and Market Issues"*, April 14, 1998, and a report from the Office of Economic Development, *"Analysis of the Proposed Town and Country Development"*, April 22, 1998. KMG concludes that both of the reports are incomplete or incorrect in several areas, leading to erroneous conclusions by the authors.

The Agency respectfully requests that the potentially significant impacts identified by the Agency and our consultants be disclosed in the EIR, and that the project be reduced in intensity to be consistent with City policy and to avoid economic and physical impacts on Downtown San Jose.

Thank you for your consideration.

David Gazeck / MZ

DAVID GAZEK
Director,
Program Development

Attachment: Memo from Glen Williams and Alan Kotin to David Gazeck, April 29, 1998, ***"Town and Country Village, Additional Responses"***.

97 - 036



12100 Wilshire Blvd.
Suite 1050
Los Angeles, CA 90025
Tel 310 820-0900
Fax 310 820-1703
www.kmgconsult.com

MEMORANDUM

TO: David S. Gazek, San Jose Redevelopment Agency

FROM: Glen A. Williams and Allan D. Kotin

SUBJECT: TOWN & COUNTRY VILLAGE - ADDITIONAL RESPONSES

DATE: April 29, 1998

The Redevelopment Agency has asked KMG Consulting (KMG) to respond specifically to comments contained in three documents regarding the proposed Town & Country Village which the Agency has provided:

1. Responses of City of San Jose planning staff to the Agency's comments on the DEIR;
2. The report of Wallace & Steichen, Inc. to San Jose City Council; and
3. Comments sent to San Jose City Council by Office of Economic Development (OED) including their consultant's (The Fransen Company) report.

The following are KMG's observations on each of the documents. This is not intended to be a comprehensive or exhaustive response, but rather one focused on those points which KMG believes are incomplete or incorrect, leading to erroneous conclusions.

RESPONSES TO AGENCY DEIR COMMENTS

Page 24, Response 2—Economic Decline/Physical Deterioration

KMG's response to the Agency's observation that the DEIR does not adequately address physical deterioration that will likely result from economic decline was that it was not clear how economic decline could cause physical deterioration, and that there was no evidence in the record. The report that KMG prepared for the Agency clearly stated that economic decline could be expected for Downtown if Town & Country Village was redeveloped as proposed as an urban-scale mid-rise streetscape. It is well documented in a variety of land use studies that one of the most significant causes of physical blight is economic decline. To the extent that the proposed high density development creates an environment so urban in

David G. Gazek

April 30, 1998

its scale and marketing image as to largely duplicate the unique experience of a Downtown, it will severely impact on Downtown's ability to attract and retain regional retailers. Given the just re-emerging nature of retailing Downtown, intense competition from Town & Country at this critical juncture could preclude Downtown from accumulating the critical mass necessary to sustain viable retail. A loss of momentum could easily be enough to push marginal retailers to close, with potentially long-term vacancies resulting. High retail vacancies contribute to both physical blight and a deteriorating street image.

One need look no further than the original opening of Valley Fair Shopping Center and the resultant deterioration of Downtown San Jose in the following years for a clear and obvious illustration of the power of retail competition to cause physical blight. Similar illustrations exist across the country as retailing followed population migration into the suburbs, abandoning the downtowns of major cities and fueling their deterioration. The cities of San Diego, Oakland, and Albuquerque join San Jose as classic illustrations of the pattern, with varying levels of success at redevelopment.

Page 30, Response 7—Small Retailer Vulnerability

Staff suggests that since there is no regional retail development in Downtown San Jose, there can be no potential loss. Nothing could be further from the truth. To only consider competition among regional retail shopping centers, and not competition with all of the small retailers, restaurateurs and independent merchants who have struggled so long to make Downtown a complete live/work environment, ignores the nature of Downtown retail. If anything, the standalone nature of small retailers in urban settings makes them especially vulnerable to intense competition from well-financed, well-integrated retailing facilities. As they experience economic loss, they are much more likely to create vacancies that will contribute to physical blight because of the separation of parcel ownership.

Page 33, Response 9—Reduced Scale Alternative - Environmentally Superior

The reduced scale alternative suggested by the Agency as an illustration is acknowledged by staff as "probably environmentally superior to the proposed project". The fact that such a development was offered by the developer as his original description of the proposed project when filing with the state EPA confirms the economic viability of such a density as reported by KMG in its study for the Agency. It is not that this particular configuration is the exact right one, but rather that it illustrates that economically viable alternatives do exist that substantially reduce the environmental impact, and they were not adequately addressed in the DEIR. A design at this density, or an alternative design between the

David G. Gazek

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density indicated here and that of the proposed project, would be both environmentally superior and economically viable, yet was never seriously addressed in the DEIR. Staff indicates that a lower density would necessitate a one- to two-story development; such is certainly not the case. At a maximum height of 60 feet, similar to the tallest structure at Valley Fair, the potential exists for three- to four-story, mid-rise structures which would both meet the goals of the City for a higher intensity, urban-form project, without the negative impacts on the Downtown of the present proposal.

WALLACE & STEICHEN, INC. REPORT TO SAN JOSE CITY COUNCIL

Many of the basic premises of the Wallace & Steichen (W&S) report are similar to those which KMG and other consultants have already stated. KMG certainly concurs that there is a tremendous retail demand in the trade area, and that it will continue to grow. Certainly, the square footage of new retail proposed in Town & Country will not begin to meet all of the unmet demand, nor would future growth in Downtown San Jose. However, aggregated demand numbers can be very misleading when applied to individual retail projects.

KMG differs substantially in the conclusions drawn from those numbers, because W&S' report does not address the core of KMG's prior analysis. The issue is not that there is insufficient total retail demand to support multiple centers, nor that competition cannot exist within the same trade area. The critical issue is the ability of Downtown San Jose to retain and build on a unique environment to attract both retailers and customers. To the extent that Town & Country creates an urban landscape similar to, and in some ways preferable to, Downtown San Jose, it creates competition that is unlike that of Valley Fair or any other regional retailer. It is that level of direct "urban experience" competition that is potentially devastating to efforts to build and sustain viable retail in Downtown. The lessening of density, a height limit lower than 90 feet, as well as limited entertainment and restaurant usages would go a long way in reducing the negative impact on Downtown's retail rebirth.

Specifically, KMG takes issue with two other parts of the report. In section 3, W&S contends that Town & Country competes minimally or not at all with four of the five segments identified by THK. That conclusion is only valid for certain limited kinds of retail shopping. Neighborhood retail is certainly limited in its trade area, and to the extent that these market components are shopping for groceries, sundries, and service retail items, the principle is true. However, in all other retail categories, all of these market components will drive to wherever in the trade area the best shopping experience exists. They currently drive to

David G. Gazek

April 30, 1998

Valley Fair, or to Milpitas, or to Eastridge or other regional shopping and will continue to do so in full competition with Downtown. There are no captive shoppers for regional retailing.

In Paragraph 7 of the report, W&S contends that Portland, Palo Alto and San Francisco serve as examples of successful downtown retail cores with close-in major shopping areas. While KMG certainly doesn't argue the facts of those three illustrations, KMG strongly disagrees with the conclusion. Again, the illustration misses the key point. It is not the existence of competition that is potentially devastating to Downtown San Jose, it is the attempted duplication of the urban experience. In all three illustrations, the shopping experience is very different downtown than in the nearby shopping center. The difference in each of the three cases points up the difference between Valley Fair and Town & Country. KMG does not believe that the proposed expansion of Valley Fair, with almost as much new square footage, will have the same potential negative impact as that of Town & Country. The expansion of Valley Fair is simply more of the same suburban retail experience that consumers expect from that type of center.

The three selected cities also have individual reasons for not being particularly comparable to San Jose. Palo Alto's small size, high income, heavy international consumer profile and dominance by Stanford make it quite different from San Jose. It would be like suggesting that Los Angeles should model its retail downtown based upon Beverly Hills.

San Francisco is unique, and comparison to San Jose is totally inappropriate. San Francisco, Boston and New York constitute the core of American cities that have always sustained strong, vibrant downtowns. It's extraordinary daytime working population combined with its international tourist reputation creates a demand downtown that San Jose cannot begin to hope for today.

Portland combined 30 years of careful growth planning, a sustained support of the downtown by successive City Councils, and a tremendous investment in transportation infrastructure to create the successful downtown it now has. All three of those elements have been largely missing in San Jose, making the Portland comparison irrelevant.

REPORT BY OFFICE OF ECONOMIC DEVELOPMENT (OED)

As was the case with the Wallace and Steichen report, there is little of content with which KMG disagrees. It is the conclusion which is in dispute, partly because the core issue of

David G. Gazeik

April 30, 1998

KMG's prior reports is never addressed. It is the density and design of the proposed Town & Country Village which creates the competition uniquely destructive to Downtown San Jose's ability to create and sustain regional retailing. On page 11 of OED's analysis, they state "Downtown must find it's unique niche in the market", which is precisely the point. In order to preserve and promote that unique niche, Downtown must not only be the only "real" downtown, it cannot afford even "artificial" competitors to the urban experience in its current nascent state.

All of the benefits ascribed to the proposed Town & Country Village project are also applicable to other, less dense configurations of the site. The implication that there are only two alternatives, the proposal on the table from the developer and the current aging and functionally obsolete center, is not the case. There is a spectrum of development densities which could be approved for the site which would have benefits similar to those described in the OED memorandum, and would vary on a case by case basis. KMG analyzed one such alternative which had been mentioned by Federal Realty in their application to the state EPA and found it economically feasible, yet significantly less destructive to Downtown retail. Planning Department staff acknowledged that such a configuration was "probably environmentally superior" to the proposed development, yet rejected it without any review.

KMG appreciates OED's liberal quoting from two of our prior reports as part of Sedway Kotin Mouchly Group, so it would be hard for KMG to argue with their validity. However, there are two items that require some clarification. OED states on page 2 of Leslie Parks' letter that the proposed "project is projected to generate a *net* increase to the City's General Fund of over \$3 million annually" (emphasis added). KMG's analysis would indicate that represents a *gross revenue* number to the City, not *net*. The distinction is important for three reasons.

First, there is already several hundred thousand dollars of tax revenues coming from the center and several hundred thousand more coming from the dealership. If another configuration was approved on this site, it too would produce substantially more revenue to the City. If the existing square footage were remodeled with no increase in leasable square footage and were able to generate similar sales per square foot to those generated today by Valley Fair shops, and the dealership retained, the sales tax revenue alone would be approximately \$2 million annually.

Second, sales tax revenues are not net. Some portion of the sales tax generated from the new center is coming at the expense of other retailers in San Jose. Although KMG is not aware of any study that has specifically described the amount of "cannibalization" of other San Jose

David G. Gazek

April 30, 1998

retailers by an expanded Town & Country, industry norms suggest not less than 30% of new sales, and frequently substantially more, are simply purchases diverted from one in-City retailer to another.

Third, development is not free. The additional uses and density on this site create additional demand for City services such as police, fire, building safety, public works and libraries. In order to assess the true fiscal impact on the City, and what net benefit there is, if any, by this configuration as opposed to others with less environmental impact, a complete fiscal impact study should be completed.

THE FRANSEN COMPANY REPORT

Two items contained in the Fransen report deserve comment.

First, KMG agrees with the paragraph of Fransen's letter to Leslie Parks that says that the City of San Jose should adopt a strategic retail approach that includes placing strong regional serving retail projects in select locations near its border. Such a recommendation was part of the report produced earlier by our combined firm of Sedway Kotin Mouchly Group. However, the project must be weighed against the environmental and economic costs of the proposed development. The benefits of City-edge retail (which can be taken away by legislative action at any time) should never substitute for environmentally and economically sound planning. The development of Town & Country at a density lower than that proposed still accomplishes the City's goals and makes the developer a profit without the negative impact on Downtown that KMG predicts if no changes are made to the current proposed density and use. It also reduces the traffic impacts discussed in the DEIR, which they acknowledge cannot be completely mitigated at the proposed density.

Second, Fransen's discussion of San Diego and Portland as illustrations of the ability of downtown retail and close-in regional shopping to coexist, like Wallace & Steichen, Inc., ignores the significant distinction. In both cities, the shopping experience is drastically different between downtown and the "suburban" mall. The parallel is to Valley Fair, not Town & Country. To the extent that Federal Realty creates a "surrogate" downtown, or "urban experience," it displaces the ability of San Jose's Downtown to create and retain its unique "niche". As KMG has discussed in depth, Downtown will not compete as a traditional regional shopping center. It must depend on specialized and entertainment retail, and for that it requires a unique identity as *the* urban experience in San Jose.

David G. Gazek

April 30, 1998

In order to develop, and make successful, entertainment retailing Downtown, a core group of tenants are required. They are limited in number and are not likely to locate at both sites. To the extent that the Town & Country project absorbs large numbers of those key tenants (and at 650,000 square feet it must), Downtown will have a dramatically more difficult time attracting the critical mass of national and regional retailers necessary for success.

Federal Realty claims to not plan entertainment retail, yet proposed "only" 80,000 square feet of restaurants. The Hollywood & Highland project in Los Angeles, under development by TrizecHahn, has only 78,000 square feet of proposed restaurant space out of 600,000, yet considers itself to be one of the most ambitious entertainment retailing projects under development today. At 650,000 square feet of retail plus other proposed uses, Town & Country will create an environment that will deprive Downtown of its sole unique marketing advantage, an urban landscape. At 350,000 square feet of retail and lower densities and heights, the project would create a strong competitor and proud addition to the City of San Jose without destroying the economic viability of Downtown retailing.

Please call if you have any questions or KMG can provide any additional analysis.

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MAY 04 1998

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OF COUNSEL
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KEVIN F. KELLEY

May 1, 1998

VIA FACSIMILE AND U.S. MAIL

Ms. Julie Caporgno
City of San Jose
Dept. of Planning, Building and Code Enforcement
801 N. First St., Room 400
San Jose, CA 95110

Re: Town and Country Application
Response to DTSC

Dear Julie:

Linda Callon asked that I fax to you suggested language that we believe is appropriate to make sure that one of the responses to a comment of DTSC's is not unintentionally misleading.

The reference is to Comment 12 of the DTSC letter of February 25, 1998. The Comment and the Response, along with our suggested changes reads as follows:

COMMENT 12: This section should address the potential effects of the usage of fuel for trucking contaminated soil to a disposal facility.

97 - 036

Ms. Julie Caporgno
City of San Jose
May 1, 1998

RESPONSE 12:

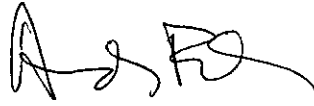
If the contaminated soil must be removed from the site to a disposal facility, ~~no more than approximately 35 truck trips would be required.~~ the fuel used in removing the material would be a minimal addition to that otherwise to be used in connection with the construction of the project. The City of San Jose would not consider the fuel necessary to remove the contaminated soil to be "inefficient and unnecessary consumptions of energy" and its consumption is, therefore, not considered a significant impact, requiring mitigation under the CEQA Guidelines [Section 15126(c)].

[deletion shown in strike-through; addition is underlined]

We believe it would be appropriate to indicate this correction in the staff report for the next public hearing. If you have any questions about this, don't hesitate to call Linda or myself

Very truly yours,

BERLINER COHEN



ANDREW L. FABER

E-Mail: alf@berliner.com

ALF:dps

cc: John Richman, by facsimile
Michelle Yesney, by facsimile
Richard Heapes, by facsimile
Linda Callon
Stan Berliner

97 - 036



THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

April 22, 1998

Honorable Chairman Grayson
and Members of Planning Commission
San Jose City Hall
801 North First Street
San Jose, Ca. 95110

Chairman Grayson and Members of the Commission:

The Redevelopment Agency has reviewed and commented on the Draft EIR. We have also reviewed the response to comments contained in the First Amendment to the Draft EIR.

We believe that the response to Agency comments in the First Amendment to the DEIR does not adequately address the Agency's concerns and does not meet the public disclosure requirements of CEQA in the following ways.

Response 2 on page 24 of the First Amendment to the DEIR states that there is no evidence in the record to support the conclusion that the project will lead to potentially significant impacts due to economic decline in Downtown from increased competition.

The Agency has publicly released and is formally submitting for the public record a report titled ***The Impact of the Proposed Town and Country Shopping Center Redevelopment on Downtown San Jose, California*** dated December 18, 1997, prepared by KMG Consulting. This report provides clear evidence that the proposed Town and Country project, at the proposed level of intensity, will undoubtedly cause economic competition and decline in Downtown San Jose.

As the entity mandated by State Law to eliminate blight in Downtown, the Agency is qualified to testify that physical blight in Downtown increases with economic decline. The Agency's programs for blight abatement services and retail attraction in Downtown San Jose are affected by graffiti, vandalism, and property destruction, which increase with economic decline and vacancy. For example, the loss of Woolworth's led to a gap in the retail frontage and the physical deterioration on First Street. This has required additional blight abatement services to help protect that

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block, including trash removal, graffiti and vagrancy. We remain concerned that the EIR consultant has not documented this potentially significant impact for the decision makers and for the community.

Response 3, page 24, states that the DEIR has addressed alternatives to the project.

However, neither of the alternatives included in the EIR addressed the economic and physical deterioration that will potentially result in Downtown, because the EIR does not disclose them. The only way to address those impacts is to require that a Downtown alternative be identified.

Response 4, page 25 states that the project does not conflict with Land Use Policies 3 and 8, because the project is an expansion to an existing center rather than a new center, and because Policy 8 is intended to encourage locally serving retail/service uses Downtown, but does not preclude or discourage them elsewhere.

The development proposal before the Commission cannot be called an expansion of an existing center when it will require the complete demolition of what's there, will double the amount of retail and will introduce two entirely new uses: 1200 housing units and 200 hotel rooms, and, thereby, entirely change the marketing concept for the center. By competing for the same retail tenants as Downtown, it will discourage and cause failure of locally serving retail and service uses Downtown, as documented in the previously referenced report by KMG.

While Policies 3 and 8 are silent regarding retail from locating elsewhere, the proposed project will discourage and result in failure of retail in Downtown, and is, therefore, inconsistent with a policy that requires "encouraging retail Downtown."

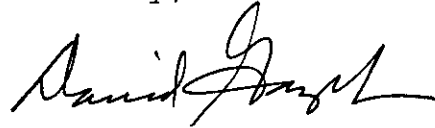
Comment 7, on pages 28 to 30 concludes that the circumstances in the case law cited by the Agency (*Citizens Association for Sensible Development of Bishop area vs. County of Inyo*) - which requires an EIR to include an economic evaluation of the project - were different than the circumstances in San Jose.

The Agency, however, does not consider the circumstances to be the issue. In both cases, the results of the economic competition, specifically blight and physical deterioration, are the same and are what the court concluded must be evaluated. The KMG report supports the Agency's conclusion.

97 - 036

The Agency requests that the Commission require full public disclosure of the economic and resulting physical impacts that are likely to occur from the proposed project as part of this EIR. We believe that this analysis will lead the decision makers to the appropriate conclusion that the scale of the project should be reduced and the mix of uses should be restricted so that it will not impact Downtown.

Sincerely,

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

DAVID GAZEK
Director of Program
Development



SANTA CLARA
Valley Transportation Authority

RECEIVED
APR 23 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

April 22, 1998

City of San Jose
Department of Planning and Building
801 North First Street
San Jose, CA 95110

Attention: Julie E. Caporgno

Subject: Town and Country Village

Dear Ms. Caporgno:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Final EIR for the project referenced above to redevelop a 39-acre site 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 at the southeast corner of South Winchester Boulevard and Stevens Creek Boulevard. The following comments pertain to the Final EIR responses to our February 25, 1998 comments on the Draft EIR for this project.

Our comments on the Draft EIR have been addressed in the Final EIR. We look forward to reviewing the design plans for this project.

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

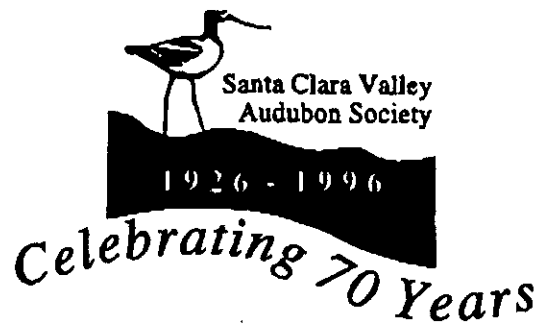
Sincerely,

Thomas Rountree
Environmental Program Manager

TDR:RM:kh

cc: Timm Borden, San Jose Public Works Department

97 - 036



Wednesday, April 22

Chair Brian Grayson and Planning Commissioners
801 North First Street
San Jose, California 95110

Re: Town and Country EIR

Dear Mr. Grayson,

The following are comments on the proposed EIR and project application for the expansion of the Town and Country shopping center. As is sometimes the case, these comments are being submitted just prior to the Commission meeting. My apologies if that represents a problem for the Commission or its staff.

Burrowing Owls

As you can imagine, Audubon is primarily concerned with the impacts of this project on Burrowing Owls and their habitat. While the area has certainly been degraded as owl habitat, it does support a small number of owls and thus should be placed into the regional context of declining habitat acreage and owl numbers.

First, we should note that the housing development directly to the east of the proposed project was built on prime owl habitat without any concern for the numerous owls present, leaving the remaining owls with a small patch of habitat on the Town and Country site. While that can not be corrected, I point it out as an example of the sometimes poor environmental review process in the City.

Owl Habitat Mischaracterized

Second, I disagree strongly with the conclusion in the EIR regarding the viability of owl habitat on the site. Specifically, at page 85, the EIR states,

"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."

This statement 1) wrongly states the Fish and Game (DFG) guidelines and 2) belies reality. The 6.5 acre number cited was originally developed by a group of scientists to state what area of land should remain undisturbed around an active owl burrow while development proceeded in the area in order not to have a significant impact. That number, for lack of an alternative, was then adopted by DFG as the amount to be set aside for owls that are relocated. **Nowhere does DFG state that 6.5 acres is the minimum amount of habitat needed for an owl or pair of owls.**

Clearly, this site has supported a number of owls historically and continues to support a small number of owls. Therefore, to say that this is too little land to support owls is nonsensical.

Alter EIR Findings and Mitigate

Impacts to owl habitat should be deemed significant. Additionally, there should be mitigation for the loss of owl habitat. I believe the City is now charging a fee of \$1500 per acre for development in areas of potential owl habitat. What is this figure based on? Clearly, this amount is insufficient to purchase land (which, lest we forget, is what owls need). If it is intended to mitigate habitat losses, then, under CEQA, findings must be made stating how that money will be used to mitigate habitat loss to a less than significant level. Vague mitigation measures relying on a future owl plan are insufficient under CEQA.

I recommend the following mitigation measure: prior to issuance of a building permit, the applicant shall provide 4.5-5 acres of viable owl habitat within the Santa Clara Valley, per an agreement with the California Department of Fish and Game.

Impacts to Owls On Site

The EIR is correct in stating that owls exist on the Town and Country site. These owls will need to be relocated to a protected site. **I recommend the following changes and/or additions to the EIR, at pages 85-86.**

A mitigation measure should be added stating that the applicant shall do nothing that would harass the owls on site or reduce the habitat values of the open field until the owls have been properly relocated. This would mean: no disking of the field, no ground squirrel control in the area, no use of the field for additional parking, pumpkin or Xmas tree sales or other potentially harmful uses, and no direct harassment of the owls. Unfortunately, we have had problems with landowners reacting to owls on their property in the past.

Prior to issuance of a building permit, the applicant should be required to relocate the owls to a permanently protected site comprised of at least 6.5 acres per pair or individual owl. If this measure were added, the above mitigation regarding owl habitat loss should be ignored.

Traffic

While the Audubon Society does not generally comment on traffic impacts due to the nature of our organization as a wildlife and habitat conservation group, I can not resist remarking in wonder at some of the conclusions reached by the EIR. Audubon members, and employees, suffer from a deteriorating quality of life related to overdevelopment of this region, and San Jose is primarily responsible for that trend of late.

Some EIR statements are mere semantic errors. For example, in the discussion of alternatives on page 106 the EIR states, "The proposed project includes mitigation to reduce the potential traffic impacts to a less than significant level." That same paragraph then lists at least two ways in which the proposed project does not mitigate impacts to a less than significant level.

Other statements are more suspicious. One of the Project Objectives (page 11) is to, "Maximize the opportunities for people to live, work, shop, and be entertained at proximate locations that *reduce regional traffic congestion.*" (emphasis added) However, this project leads to significant, unmitigated impacts both locally and cumulatively. How does that fulfill the project objective of reducing regional traffic congestion?"

Also on page 12, the project is described as, "otimiz[ing] service capacity of existing infrastructure." Please note that the Webster's Dictionary definition of the word "optimal" is "most favorable or desirable; best." Nowhere in the definition does it say, "jammed beyond capacity." Such rose-colored hyperbole should be struck from the EIR, out of embarrassment if nothing else.

On page 13, the project is deemed in compliance with the 1994 Clean Air Plan. Does the Regional Air Quality Control Board agree with this statement? Why would they draft a plan that would allow cities to routinely approve projects that will have significant, unmitigated impacts on air quality?

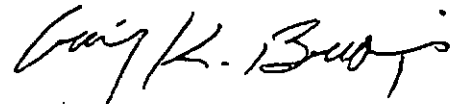
Back to Reality

To truly encourage housing near workplaces, a **mitigation measure should be added stating** that for an initial period of time, housing would be offered only to people who could show that at least one member of their household works within X distance of the site (e.g. 3 miles). If, after that time, housing units are still available, they could be offered to the public at large. Stanford has done something similar with its recently approved Sand Hill Project. Stanford's action would indicate that such a mitigation measure is feasible, and CEQA states that feasible mitigation measures must be adopted.

Finally, I would recommend that you not certify this EIR until the above changes are made and a new reduced scale alternative be analyzed. Second, I recommend that, if any version of this project goes forth, it should be a scaled-back alternative of less intensity than the currently considered reduced scale alternative.

Thank you for considering my comments.

Sincerely,



Craig K. Breon

BERLINER • COHEN

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OF COUNSEL
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March 20, 1998

VIA FACSIMILE AND U.S. MAIL

Ms. Julie Caporgno
City of San Jose
Dept. of Planning, Building and Code Enforcement
801 No. First St., Room 400
San Jose, CA 95110

RECEIVED
MAR 23 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

Re: Agreement between Federal Realty Investment Trust and State of California, Department of Toxic Substances Control

Dear Ms. Caporgno:

In one of the comments made by the Redevelopment Agency on the Draft Environmental Impact Report for the Town & Country Project, there is a discussion concerning a reduced scale alternative that the Agency says it could support. The comment in that regard reads as follows:

The Agency can support a "Reduced Scale Alternative project for Town and Country Center. A project comprised of approximately 30,000 square feet of additional retail, without significant entertainment related uses, and up to 600 units of housing would be economically feasible and would not create the impacts on Downtown that are described herein. This "reduced scale alternative" project is consistent with the development program proposed by Federal Realty Investment and Trust as part of the terms of the *Prospective Purchase Agreement Approved Redevelopment To Occur At Town and Country Shopping Village*, between the State of California, E.P.A., Department of Toxic Substance Control and Federal Realty Investment and Trust, published April 21, 1997.

97 - 036

Ms. Julie Caporgno
City of San Jose
March 20, 1998

This letter is supplied to you to give some information concerning the referenced agreement.

Federal Realty Investment Trust, the applicant herein, and the State of California, California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC") did enter into a written agreement entitled "Agreement and Covenant Not to Sue" on or about February 4, 1997. This kind of agreement is commonly called a "prospective purchaser agreement." It can be used when a prospective purchaser is considering whether or not to buy a site with known contamination. The gist of the agreement is that the prospective purchaser agrees to remediate that site to the satisfaction of the DTSC. In turn, the DTSC agrees that the prospective purchaser shall have no further liability with respect to contamination on the site that may thereafter be discovered (assuming it has not been caused by the activities of the prospective purchaser itself). This gives the State the public benefit of getting a site cleaned up plus allowing for beneficial development to occur, and it gives the prospective purchaser the benefit of a limitation on its liability for unknown conditions.

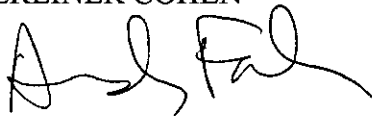
The agreement is not tied into any particular development. Nowhere in the agreement is there a reference to 30,000 square feet of commercial space, nor to any other amount of commercial space. In reciting the public benefits of the agreement, there is mention of the provision of jobs in the areas of construction, permanent retail and maintenance. There is also a reference to 500-600 new apartment units to be constructed, and to expected commercial development.

The prospective purchaser agreement is not tied into any particular level of construction or redevelopment of the site. While a "reduced scale alternative" acceptable to the Redevelopment Agency may in fact be consistent with the prospective purchaser agreement, so is the proposal actually requested by the applicant herein, as well as the other alternative developments discussed in the Draft EIR.

I hope that this information is helpful. If you need any additional information concerning the prospective purchaser agreement, please don't hesitate to give Linda Callon or myself a call.

Very truly yours,

BERLINER COHEN



ANDREW L. FABER

E-Mail: alf@berliner.com

ALF:ct

cc: Michelle Yesney
John Richman

97 - 036

BERLINER • COHEN

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February 27, 1998

Luke Connolly
Project Manager
City of San Jose
Department of Planning
Building & Code Enforcement
City Hall Annex, Room 400
801 N. First Street
San Jose, CA 95110-1795

RECEIVED
FEB 27 1998
PLANNING DEPARTMENT

Re: Federal Realty's Town & Country--Revised notification
Our File No. 09244-004

Dear Mr. Connolly:

Enclosed please find two photocopies of the revised notification list; one copy for the AEC and the other for the application. Also enclosed is a set of envelopes for the next notification.

If you have any question please contact Brook Anderson.

Very truly yours,
BERLINER COHEN

Wendy L. Watson

WENDY L. WATSON
Legal Assistant
E-Mail: wlw@berliner.com

Enclosures

*Owners & Residents
within 500'*

Fax Transmittal Cover Sheet

To: Planning Dept Julie Caporgno, - City of San Jose

From: Rita Carr

Fax Phone Number: (408) 247-8682

Date: Thu, Feb 26, 1998 • 8:30 AM

Transmitting (1) pages, including cover sheet.

If there is difficulty with this transmission, please call: (408) 247-8196

Note:

Re DEIR, file # PDCSH 97-06-036, SCH # 97072985 Town & Country
and file # H97-02-012, SCH #97072086 First Amendment to DEIR
Valley Fair

After attending the Planning Commission meeting last night for
H97-02-012, SCH #97072086 First Amendment to DEIR Valley Fair, I
have major concerns about the adequacy of the traffic mitigation for the
combined projects.

As a resident of the area in discussion, I travel through the intersections,
neighborhood streets, and freeway exchanges daily. More and more, the
increase in traffic has become a serious problem.

Town and Country: The Moorpark/Winchester to Tish/Winchester
intersection stretch is unacceptably congested, the 280/Winchester
offramp onto Moorpark and the Moorpark/Winchester intersection is
gridlocked, the stretch on Winchester between Tish and Stevens Creek
becomes unacceptably congested during peak theater times, and spill over
traffic pours into the neighborhoods to find relief.

Valley Fair: In addition to the above, the stretch on Winchester between
Pruneridge and Stevens Creek has poorly timed signals during peak/heavy
times, the approach to north bound 17/south bound 280 from south bound
Monroe (crossing Stevens Creek) is either unacceptably congested or
gridlocked. The spill over traffic into the residential neighborhood to the
north has steadily increased over the last several years, to the point that
streets that only had residential traffic now have steady traffic, avoiding
the major streets and intersections.

Acknowledging that I am not a traffic engineer, I must still question the
accuracy of the traffic study. If a 1990 traffic model was used to project
traffic, including the 2010 projection, what contingency is in place in the
event that the study and/or model is flawed?

I offer a suggestion. In a present day exercise, if the 1990 model could be
used to project 1998 conditions, how would that projection compare with

97 - 036

I offer a suggestion. In a present day exercise, if the 1990 model could be used to project 1998 conditions, how would that projection compare with accurate, existing traffic conditions? This might answer some concerns regarding the accuracy of the results of the traffic study used for the DEIRs.

Sincerely,

Rita L Carr
2425 Beechwood Av
San Jose CA 95128

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

RECEIVED
MAR 02 1998



CITY OF SAN JOSE
PLANNING DEPARTMENT

February 26, 1998

SCL-280-7.44
SCL280212
SCH# 97072085

Ms. Julie Caporgno
City of San Jose
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110-1795

Dear Ms. Caporgno:

Re: Town and Country Village-DEIR

Thank you for continuing to include the California State Department of Transportation (Caltrans) in the environmental review process for the above-referenced proposal. The project is located on approximately sixty- nine acres. The project site is located by I-280 at the southeasterly corner of the intersection of Stevens Creek Boulevard and Winchester Boulevard. The proposed project entails redevelopment of Town and Country Village Shopping Center. We have reviewed the DEIR and forward the following comments:

This proposed project would generate additional traffic demand on I-280, I-880 and SR-17 which are operating at capacity during the morning and afternoon peak periods. The existing ramp metering system is in these three corridors.

Southbound I-280	Northbound I-280	Southbound I-880	Northbound I-880	Northbound SR-17
De Anza Boulevard and Saratoga operate in the P.M.	Winchester and Wolfe Road operate in the A.M.	N. First Street to Stevens Creek Boulevard operate in the P.M.	Between NB I-280 and Stevens Creek Boulevard connector and Bascom Avenue operate in the A.M.	Lark Avenue and Hamilton Avenue operate in the A.M.
	Winchester Boulevard on-ramp to NB I-280 in the P.M.			

Modifications to the existing ramp metering systems, such as ramp widening, may be necessary in order to mitigate the impacts the project. In particular, at the one-lane diagonal on-ramp from Stevens Creek Boulevard to the southbound I-880, the existing ramp meter is located on the lane collector road. The traffic generated by this project will add to the existing queue at the Stevens Creek Boulevard on-ramp. With the projected volume of 1,620 vehicles per hour on the diagonal on-ramp in the afternoon peak period, it appears that a three-lane on-ramp, including an HOV bypass lane will be required.

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In Volume I, page 32 and Vol II, Page 14, the report states " the assumed ramp capacity is 2,000 vehicle per hour per lane for the diagonal ramps and 1,800 vehicle per hour per lane for the loop ramps". The LOS of ramps was calculated using V/C ratio alone without any consideration for ramp metering. Please revise the analysis of impacts to freeway segments, interchange ramps and intersections to include the effects of ramp metering on peak period traffic

The Existing Level of Service (LOS) was calculated using V/C ratio. The ratio alone is not sufficient to provide correct traffic conditions. Peak hour speeds also must be looked at before true LOS could be calculated. For instance, upstream of any bottleneck, traffic volumes are lower than the capacity due to stored vehicles. Therefore, relying on volumes alone will not provide true traffic conditions because it will show much higher LOS.

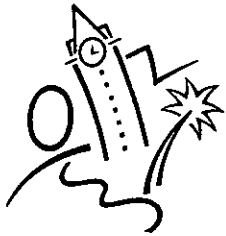
In addition, weaving affects are ignored. For instance the northbound Collector Distributor Road on I-880 between I-280 and Stevens Creek Boulevard is currently experiencing daily congestion with LOS F due to traffic weave. This information is not reflected in Table 7. Projects that will increase traffic demand in this vicinity such as this project will undoubtedly worsen that weave and therefore must be addressed in the environmental document.

Sincerely,

HARRY Y. YAHATA
District Director

By: 

PHILLIP BADAL
District Branch Chief
IGR/CEQA



SAN JOSE DOWNTOWN
ASSOCIATION

28 N. FIRST ST.
SUITE 1000
SAN JOSE, CA 95113
TEL: 408-279-1775
FAX: 408-279-1904

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CITY OF SAN JOSE
PLANNING DEPARTMENT

February 25, 1998

Chairman Brian Grayson and Members of the Planning Commission
City of San Jose
801 North First Street, Room 400
San Jose, CA 95110

Dear Chairman Grayson and members of the Commission,

The San Jose Downtown Association believes that the Draft EIR for the Town and Country Village project is incomplete because it fails to address important information needed for informed decision making. Our specific concerns are listed below:

I. Analysis on local streets impact is inadequate

1. Six fewer intersections were analyzed for the T&C EIR than for the Valley Fair EIR. The T&C project will generate three times the additional traffic as the Valley Fair expansion. At least the intersections analyzed for Valley Fair should be analyzed for T&C.
2. The traffic generation reports were done based on formulas from the Institute of Transportation Engineers *Trip Generation*, 1991. There is a 1997 edition of the same publication which was not used, which may change some EIR conclusions.
3. The trip generation numbers based on the retail/commercial element of the proposed plan are inadequate. The base-line used to determine *additional* trips expected from the T&C commercial expansion was not the current traffic generated by an under performing center, but instead the base-line for a robust 285,000 sf of retail/commercial. If the current conditions are used as the base-line, the additional trips increase by 5,040 more per day than stated in the EIR. That would raise the additional trip generation to as many as 19,560 trips daily instead of the 14,520 additional daily trips estimated in the EIR. (See projections in the attached Abrams Associates report) This is a 26 percent increase in daily trips, with a corresponding increased impact on all intersections, on-ramps, mitigations, etc.
4. The EIR does not estimate the use of public transit expected from the project or the impact of additional congestion on the bus routes which use the affected traffic corridors. The EIR does not identify the percentage of employees and customers anticipated to use public transit; employer-provided shuttles, etc. The use of public transit including bus stop locations, bus route timing, etc., needs to be integrated in the project.
5. The EIR does not address bicycle use for customers or employees of the project, or how the project will impact the area's existing bicycle access.
6. The EIR is inadequate in addressing emergency vehicle (police, fire, medical) access, especially the impacts to San Jose Fire Station 10 and O'Connor Hospital.

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II. Analysis is needed on impacts on Forest Avenue

1. Although this traffic analysis was done for the Valley Fair expansion project, no analysis was done for the Town and Country project. Of the 20,000 new trips generated by the combined projects, three quarters will be generated by the Town and Country project. As one of only three streets in the vicinity of the combined projects which allows access from the East across the 880-17 Freeway, there is likely to be a significant impact on Forest Avenue. Drivers, especially local residents and the residents of the proposed project, will look for an alternative to the congestion on Stevens Creek Blvd., Winchester Blvd. and the local freeways. Taylor/Forest is likely to become the reliever road from the Downtown vicinity and points North and East.
2. The EIR needs to analyze the intersections of Forest/Winchester, Forest/Redwood, and especially Forest/Monroe, since Monroe offers an alternative to Winchester for traveling Southbound to the project and the proposed housing.
3. As stated above, local residents are expected to take 'side roads' to their homes to avoid the Winchester/Stevens Creek/I-280/I-880 'weave' congestion. This will not only impact Forest, as stated above, but also Moorpark. Additional analysis on all Moorpark intersections between Bascom and Winchester is needed.

III. Additional information is needed on proposed mitigations

1. There is no information in the EIR giving the timing for the completion of the proposed traffic mitigation. There is also no information on whether any of these same improvements are required for the Valley Fair expansion or whether the financial responsibility is solely with the proposed T&C development. Since many of these mitigations are extensive and require acquisition of private land, there should be a listing of project costs and funding and a study of their feasibility. There is especially a problem with the mitigation proposed at Stevens Creek Blvd. and Monroe Street, just west of the I 880 ramps.
2. The EIR does not define the project's uses in specifics that allow identification of appropriate traffic impacts and mitigations. The number of movie theater seats; number of bedrooms in the 1200 housing units; type and configuration of destination retail (i.e., nightclubs) could all have separate and cumulative impacts inadequately addressed in the EIR. For instance, more intensive movie uses could further impact Winchester Boulevard and the adjacent Century Theaters; large numbers of market rate multi-bedroom housing units will have a different traffic impact than single bedroom affordable units, etc.

IV. Additional information is needed on freeway impacts

1. The analysis of impacts on freeway ramps does not include seasonal impacts. During the Christmas season, stopped traffic backs up onto freeway thru-lanes from two of the ramps in the analysis. Although this is the "worst case scenario", it has safety implications which should be quantified in the EIR for informed decision making.
2. The EIR points out how the freeway system will be affected by this project, but then possible solutions are dismissed as not feasible. LOS F problems are raised but are not discussed and no possible mitigations are presented. The EIR also needs to discuss the impact of the inevitable diversion of bottlenecked freeway traffic onto adjacent arterial and residential streets.

V. Additional information is needed on parking impacts

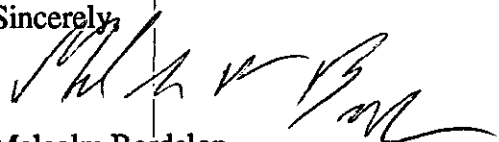
1. This project will have a significant impact on the overall parking conditions in the area. The EIR should describe the projected demand and the amount of parking to be provided, and whether this meets the City code. The problem of the potential for an overflow of parking beyond the project boundaries is a real one and could affect nearby residential neighborhoods.
2. The EIR does not identify the number of parking structures proposed. Are there eight garages for the entire project? Which ones are dedicated to retail and which to residential? What is the phasing plan for the project and the timing of parking improvements related to the project's development phasing?
3. The parking problem could be compounded by parking demand at the expanded Valley Fair project. Although a shuttle between the two projects has been discussed, it is not mentioned in the EIR.

VI. Finally, the analysis of alternatives is incomplete

1. Project Objective #2 states: "Maximize the opportunities for people to live, work, shop and be entertained at proximate locations that *reduce regional traffic congestion*". The proposed project does not meet that objective. An alternative should be proposed and analyzed which is intended specifically to reduce the significant PM peak-hour impacts to the freeway system. It is possible that the peak-hour impacts could be lessened by a different mix of elements, such as adjustment to the amount and type of destination retail development, hotel rooms, and housing units to better match the number of units to the number of jobs generated by the project. The EIR is not complete until a viable alternative is identified which meets the objectives and reduces the unacceptable traffic impacts.
2. Only a much reduced housing/retail alternative and an across the board/equal reduction of all the elements has been considered. However, reducing the different elements of the project by different percentages, or eliminating some proposed uses, may give effective solutions to the traffic bottlenecks without hampering the sound mixed-use concept which internalizes traffic and gives a sense of community.

Conclusion: For the reasons stated above, we request that the Planning Commission find the EIR incomplete.

Sincerely,


Malcolm Bordelon
President

cc: Mayor Susan Hammer
Councilman Frank Fiscalini
Jim Derryberry
Larry Wallerstein
Judy Stabile
Scott Knies

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FAX TRANSMITTAL SHEET



State of California Environmental Protection Agency Department of Toxic Substances Control

Northern California Coastal Cleanup Operations Branch
700 Heinz Avenue, Suite 200
Berkeley, California 94710

Date: 2/25/98 Number of Pages Including Cover: 48

Deliver to:

From:

Name: JULIE CAPOREGNO

Name: BEN HARGROVE

Phone: (408) 277-3250

Phone: (510) 540-3845

Fax: ✓

Comments:

Attachment is 48 pages. We will send original
letter + attachment ("enclosures") tomorrow
by next day mail.

This fax came from Cal/EPA DTSC NCCCOB Berkeley Office,
Fax Number (510) 540-3819. If you have any problems with
this transmission, or if you have not received all of the pages,
please call (510) 540-3724.

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Post-it® Fax Note	7671	Date <u>2/25</u>	# of pages <u>11</u>
To <u>David North</u>		From <u>Caporgno</u>	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

97-036



February 25, 1998

Cal/EPA

Department of
Toxic Substances
Control

700 Heinz Avenue,
Suite 200
Berkeley, CA
94710-2737

Ms. Julie Caporgno
City of San Jose Department of Planning
Building & Code Enforcement
City Hall Annex, Room 400
801 N. First Street
San Jose, California 95110-1795

Pete Wilson
Governor

Peter M. Rooney
Secretary for
Environmental
Protection

Dear Ms. Caporgno:

**TOWN AND COUNTRY VILLAGE SHOPPING CENTER
COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
FILE NO. PDC 97-06-036; SCH NO. 97072085**

The Department of Toxic Substances Control (DTSC) has received the California Environmental Quality Act (CEQA) Draft Environmental Impact Report (EIR) for the Town and Country Village Project in San Jose, California (Project).

As stated in our August 11, 1997 letter to you, DTSC is a Responsible Agency under CEQA and had planned to use the Environmental Impact Report (EIR) prepared by the City of San Jose to address the potential environmental effects stemming from the cleanup actions specified in the Removal Action Workplan (RAW). However, since the City of San Jose failed to include DTSC, as a Responsible Agency, in the scoping sessions conducted early in the planning stages, the Draft EIR as proposed is not useful for the purposes of evaluating effects of the RAW. In fact, at this time the RAW is still in the draft stages and although there are a few potential remedies under consideration, a remedy for the soil contamination has not been selected. DTSC formally requests from the City of San Jose an extension of the public comment period in order to allow development of the RAW to the point that a remedy can be selected. At that point, the EIR could be modified to address the environmental effects of the RAW.

If the City of San Jose will not extend the public review and comment period, please consider and respond appropriately to the comments contained in this letter. If the City of San Jose does not address these comments to the satisfaction of DTSC, an alternate CEQA document will be written to address the effects of the RAW exclusively. This course of action will result in higher costs (on the order of \$15,000) to the project proponent, Federal Realty. Staff at DTSC

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Ms. Julie Caporgno

February 25, 1998

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are ready and willing to work closely with the City of San Jose to modify the EIR such that the wasteful exercise of generating another CEQA document can be avoided.

As stated in DTSC's August 11, 1997 letter, the EIR must account for potential impacts of the cleanup work on earthen structures, air quality, surface and ground water, animal and plant life, land use, natural resources, risk of upset, public resources, energy, utilities, noise, public health and safety, aesthetics, cultural and paleontological resources, traffic, population, housing, recreation, and cumulative effects.

This letter provides comments on the following possible remedies: (1) complete removal and disposal of contaminated soil, (2) removal and consolidation of contaminated soil, (3) leaving contaminated soil in place, capping the surface, and placing a deed restriction on the property to prevent soil contact, and (4) any combination of (1) - (3).

A. LAND USE

The Land Use section should discuss issues related to restricting land use if a deed restriction is put into place. Conceptually, the deed restriction would prevent uncontrolled excavation of contaminated soils. It would prevent uses that would involve sensitive receptors such as day care centers, hospitals, etc. The restriction would require a plan, approved by DTSC, that describes how contaminated soils will be handled in the future. Residential units may be constructed on deed restricted land, but ground-level private patios or yards must be free of contaminants at any depth.

B. TRAFFIC

The Traffic section should discuss issues related to the potential effects of implementing alternative #1, complete removal and disposal of contaminated soil. The estimated amount of soil that would require removal has not been determined. This alternative would involve hauling contaminated soil by truck to the nearest disposal facility. A disposal facility has not been proposed to DTSC and is not known at this time. The EIR should discuss the effects of the level of service due to the implementation of this remedy.

Ms. Julie Caporgno
February 25, 1998
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C. AIR QUALITY

The Air Quality section should state that soil with high levels of arsenic, lead and pesticides exists on the site and should discuss the potential health effects. Indicate that DTSC would require a Health and Safety Plan as part of the RAW which would include monitoring and dust control measures.

This section should also discuss the potential negative impacts to air quality stemming from the use of construction equipment and from the use of trucks hauling contaminated soil for disposal.

E. SOILS AND GEOLOGY

This section should discuss the appropriateness of fill material potentially being placed into areas that will be used for foundation support. This section should address changes in the site due to potential excavation of contaminated soils. This section should also discuss issues related to the remedial option of leaving contaminated soils in place. If contaminated soils are left in place, DTSC will require an Operations and Maintenance Plan for long term maintenance and Soils Management Plan for any disturbance of contaminated soil. These discussions should tie into the discussion in the Air section as they relate to dust control.

H. HAZARDOUS MATERIALS

The discussion of sample results in the "Former Agricultural Uses" section is inaccurate. Perhaps the author was confused by the presentation in the Environmental Site Assessment, which presented sampling data in a chronological fashion. Environmental sampling data should be presented in total, i.e., regardless of the time sampled. There were at least 76 soil samples analyzed. Present the total number of samples analyzed for pesticides, lead, and arsenic. Present the correct concentrations as a range from minimum to maximum. This data should be supported by copies of figures presented in the Environmental Site Assessment which show both concentration and location of samples.

The comparison of site concentrations to the total threshold limit concentration (TTLC) and resulting determination of whether the soil is hazardous material leads the reader to believe that any concentration below the TTLC is not hazardous and therefore does not present a human health risk. While the contaminant concentration may be below the TTLC, it still may present a significant health risk and by virtue of being toxic is defined as hazardous.

Ms. Julie Caporgno

February 25, 1998

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material. The site concentrations should be compared to site-specific background soil concentrations or Preliminary Remedial Goals (PRGs) developed by the U.S. EPA. PRGs are conservative screening concentrations that provide a good benchmark for comparison to potential human health risks.

The EIR presents arsenic concentrations in the "Former Agricultural Uses" section. This is not appropriate, because it leads the reader to believe that arsenic is limited to the currently unpaved area. DTSC believes that the entire area encompassed by the site was once used for agricultural purposes. As the figures in the Environmental Site Assessment show, arsenic was detected in soil at several locations at the site.

Page 92, Mitigation for Hazardous Material Impacts: This section refers to the "former agricultural area." As previously stated, DTSC believes that the entire site was once used for agricultural purposes.

This section refers to the RAW as a mitigation measure. The EIR should address the effects of the RAW (in both implementation and final result). It is unclear how the EIR can address these effects when the RAW has not been developed yet.

K. ENERGY

This section should address the potential effects of the usage of fuel for trucking contaminated soil to a disposal facility.

RISK OF UPSET

There should be a section addressing the risk of upset. This section would examine the potential effects from an accident during or after implementation of the selected alternative in the RAW. The Health and Safety Plan, Operations and Maintenance Plan and Soils Management Plan required by DTSC would make these impacts less than significant.

CUMULATIVE IMPACT

This section should analyze the relative impacts associated with the main areas of contamination and how the various hazardous materials may, when considered together, result in an adverse impact at and around the project site. This includes similar hazardous material removal projects in proximity to the site. The cumulative analysis as currently written limits the focus primarily to traffic

Ms. Julie Caporgno
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impacts and its cumulative effects.

For further guidance on all of the above categories, please refer to the enclosed Workbook for Conducting Initial Studies Under the California Environmental Quality Act prepared by Cal/EPA DTSC Office of Program Audits and Environmental Analysis (OPEA). The standard described in this document is the standard to which the resulting EIR will be reviewed by DTSC's CEQA Unit. As discussed earlier in this letter, if the City of San Jose's response to these comments is not deemed adequate by OPEA, a separate CEQA document will be generated to address these effects.

At your earliest convenience, please call Ben Hargrove, P.E., at (510) 540-3845 to arrange a time to meet with DTSC to discuss these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "K-M. Toth", with a stylized flourish at the end.

Karen M. Toth, P.E.
Unit Chief
Northern California Coastal
Cleanup Operations Branch

Enclosure

cc: Ms. Tamara J. Gabel
Berliner Cohen
10 Almaden Boulevard, 11th Floor
San Jose, California 95113

Ms. Nancy Herman
Environmental Coordinator
Federal Realty Investment Trust
1626 E. Jefferson Street
Rockville, Maryland 20852

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Ms. Julie Caporgno
February 25, 1998
Page 6

cc: (without enclosure)
Mr. Guenther Moskat
Department of Toxic Substances Control
Office of Program Audits & Environmental Analysis
Planning and Environmental Analysis Section
400 P Street
Sacramento, California 95814

97 - 036

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

RECEIVED

FEB 25 1998

MEMORANDUM

TO: JULIE CAPORGNO PLANNING, BUILDING AND CODE ENFORCEMENT	FROM: NANCY LYTLE PROGRAM COORDINATOR
SUBJECT: SEE BELOW	DATE: February 25, 1998
APPROVED: <i>David Gayle</i>	DATE: 2/25/98

SUBJECT: TOWN AND COUNTRY VILLAGE DRAFT ENVIRONMENTAL
IMPACT REPORT (DEIR)

The Redevelopment Agency has the following comments on the DEIR for the Town and County Village project. The Agency's concerns fall into three major areas:

1) General Plan Conflicts

The DEIR does not adequately address conflicts and inconsistencies between the proposed project and adopted land use policies in the General Plan. Conflicts with adopted General Plan policies are considered significant impacts, and these impacts should be addressed. (DEIR page 21, Threshold of Significance).

2) Downtown Impacts

The DEIR does not adequately address potentially significant physical impacts that will likely result due to economic decline in Downtown from the increased competition of the expanded Town and Country Village (Sec. 21083, 21087 Public Resources Code: Sec. 21001(e) and (g), 21002, 21002.1, 21060.5, 21080.1, 21083 (c), and 21100, Public Resources Code.);

3) Project Alternatives

The DEIR does not adequately identify alternatives to the project, particularly including the alternative of a Downtown location for the project components, which would feasibly attain the most basic objectives of the project but would avoid or substantially lessen any of the significant impacts of the proposed project (State CEQA Guidelines Sec.15126(d)).

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1. Conflicts with General Plan Policies

The Land Use section of the DEIR does not address inconsistencies between the proposed project and the following Land Use policies:

- a) "Any new regional-scale commercial development should be encouraged to locate in the Downtown Core Area rather than suburban locations." (Commercial Land Use Policy 3, page 48 and 49)
- b) "The City should encourage retail and service establishments to locate in the Downtown Core Area in order to serve residential and employees." (Commercial Land Use Policy 8, page 49)

The Agency advises that the project is inconsistent with these policies. Rather than encouraging regional scale development in the Downtown Core, the project accomplishes regional commercial development in a suburban location by doubling the square footage of development at the suburban shopping center and adding 1200 residential units and two hotels. This establishes Town and Country as a direct competitor with the revitalizing Downtown San Jose commercial district. City strategy and policy directs that density at the Town and Country Village should be maintained at a level that preserves the suburban character of the area and does not constitute an expanded urbanized center in direct competition with Downtown. The project, which proposes more than a doubling of building heights at Town and Country, is in direct conflict with City Commercial Land Use policy, creates significant impacts on the City's ability to accomplish its Land Use goals and objectives for Downtown, and the City as a whole.

- c) "Hotel/motel development elsewhere in the City may be allowed when it would not interfere with the Downtown revitalization Major Strategy. This policy is effective until the City Council finds that Downtown hotel development objectives are substantially achieved." (Land Use Policy 7, page 49)

The DEIR does not analyze this apparent conflict between General Plan policy and the proposed project. There is no information about the nature of the proposed hotels (i.e., target market, amenities, services, related uses) or how they might impact this policy or the strategies in the General Plan 2020 or the Downtown Strategy Plan 2010. There is no evidence in the DEIR that this proposal is consistent with the Hotel Policy. There is no analysis to support the conclusion that the project is consistent with the goal of achieving an effective mass of Downtown hotel rooms to support the Convention Center. The

impact of 200 rooms on the Redevelopment Agency's ability to achieve an adequate number of hotel rooms to sustain the existing Convention Center as well as the expansion identified in the Council adopted Downtown Strategy Plan 2010 has not been evaluated.

d) "Non-residential building height should not exceed 45 feet except [in certain specified areas, not including the Town and Country Center]." (Urban Design Policy 11, page 56)

This policy is intended to help define the character and livability of the City by controlling form and density of development. The proposed maximum height for the project is 90 feet, 50% greater than the tallest structure at Valley Fair Shopping Center and in excess of the building heights described in the General Plan. This building height will replicate a dense urban environment, such as that envisioned in the General Plan for Downtown. The conflict between the General Plan policy and the project proposal have not been evaluated in the DEIR.

2. Physical Impacts on Downtown due to Economic Competition

The DEIR does not address physical impacts on the Downtown which are potentially significant and result from economic causes. Economic factors are to be considered by public agencies in deciding whether changes in the project are feasible to reduce or avoid significant impacts.*

The doubling of retail development and addition of 1200 residential units and two hotels at the Town and Country Center will take business away from the Downtown. The two projects, Downtown San Jose and Town and Country Village, serve basically the same regional market, and the market cannot support both. Except for very localized service support retail, they have almost the same trade area. For example, the sites are only three miles apart and therefore, have nearly the same ten-mile trade area radius that exists for most regional serving retail. In addition, a broader radius for entertainment retail exists for both sites. The combination of entertainment and retail uses, therefore, expands the trade area overlap.

**In Citizens Association for Sensible Development v. Inyo (1985), the court held that "...an EIR for a proposed shopping center located away from the downtown shopping area must discuss the potential economic and social consequences of the project, if the proposed center would take business away from the downtown and thereby cause business closures and eventual physical deterioration of the downtown."*

Currently, Town and Country is not a significant competitor for the convention and business traveler because the lack of a critical mass of entertainment related uses does not justify the additional travel time from Downtown, the Convention Center, or other places in the region to Town and Country. If Town and Country doubles in size, adds entertainment oriented retail and restaurants, hotels and high density housing, and intensifies at urban heights and densities, it will become a formidable competitor as an evening restaurant and entertainment destination. As such, it will deter the business traveler from staying Downtown in the evenings.

The project proponent, Federal Realty Trust, is considered one of the premier developers of entertainment retailing concepts. Their relationship with major retailers includes Williams Sonoma, Barnes and Noble, Pottery Barn, J. Crew, The Gap, Victoria's Secret, Urban Outfitters, and Z Gallery. To the extent Town and Country Village is successful in creating an entertainment retailing venue, it will deprive the Downtown of some of the critical components it needs to adequately anchor its commercial base. There is a notable shortage of national retailers in Downtown and the availability of a location only three miles away will keep some away that would have considered Downtown as it solidifies its Downtown resident, tourist and entertainment base.

Retailing in downtown environments is the last and most difficult product type to restore to viability. Cities that have done so have succeeded by simultaneously encouraging retailers to locate in their Downtowns while discouraging the development and expansion of conflicting uses in other parts of the city that directly compete for the same target markets. While retail is the most difficult use to restore, it is also critical to retaining other uses. Without a vibrant and successful retail environment, the office, housing, and cultural facility accomplishments in Downtown cannot be sustained through time, and the plan for Downtown as a twenty-four hour city will not be realized.

Failure to sustain a consistent vision of Downtown San Jose, as articulated in the strategies and policies of the General Plan, will not only keep Downtown San Jose from obtaining a dynamic and viable retail core, but will degrade the quality of retail that currently exists and is struggling to survive. Marginal retailers, including some of the "Mom and Pop" specialty stores which contribute to San Jose's unique community identity, will likely close. Vacancy increases will lead to physical decline, property maintenance decay, and blight.

This phenomenon occurred when Valley Fair was constructed in the late 1950's. Redevelopment Plan Areas were established to combat the physical decline and blight in Downtown which occurred due to competition from the suburban regional shopping center. Since the establishment of the Redevelopment Agency, the City has been deeply committed to revitalizing Downtown San Jose, most notably through the re-establishment of a strong and vibrant office market, the creation of housing, the creation of critical cultural facilities and the prospective relocation of City Hall. The Agency has to date contributed more than \$800 million into Downtown redevelopment and infrastructure. That public expenditure has been coupled with approximately \$1 billion in private investment. These efforts and investment are just beginning to pay off in the late 1990's. To the extent that Town and Country Village represents an alternative urban landscape incorporating many elements which are offered and planned for Downtown, particularly entertainment retail and restaurants, it competes with and is counterproductive to the City's goals for Downtown, threatening further private investment and reversing recent positive economic and physical trends.

A secondary economic concern is that the service support retail component of this proposed project could cause competition and resultant physical decline on Neighborhood Business Districts within overlapping trade areas.

3. Downtown and "Reduced Scale" Project Alternatives

The DEIR does not adequately address alternatives to the project. The text states that there is no alternative site known to the City of San Jose. However, other options are available. The developers have identified in their own presentations how this type of project can be integrated into a developed urban area such as a downtown. Yet, there is no attempt to analyze that alternative.

In order to be consistent with the General Plan, the "Alternatives" section of the DEIR must include a "Downtown Alternative". There are many suitable locations in Downtown for the high density mixed use and hotel projects that the project proponent has presented. While there is no site in Downtown San Jose with the same amount of land, other high density alternatives integrating the project within the existing urban framework are achievable. The Redevelopment Agency staff is unaware of any attempts by the developer or the City to undertake an evaluation of a Downtown alternative. The private development could be further leveraged with public incentives through the use of tax increment financing. This alternative is

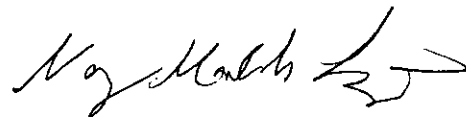
PLANNING, BUILDING & CODE
SUBJECT: TOWN & COUNTRY DEIR

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February 25, 1998

likely to reduce or eliminate many, if not all, of the significant land use impacts identified in this memo.

The Agency can support a "Reduced Scale Alternative" project for Town and Country Center. A project comprised of approximately 30,000 square feet of additional retail, without significant entertainment related uses, and up to 600 units of housing would be economically feasible and would not create the impacts on Downtown that are described herein. This "reduced scale alternative" project is consistent with the development program proposed by Federal Realty Investment and Trust as part of the terms of the *Prospective Purchase Agreement Approved Redevelopment To Occur At Town and Country Shopping Village*, between the State of California, E.P.A., Department of Toxic Substance Control and Federal Realty Investment and Trust, published April 21, 1997.

The Redevelopment Agency staff appreciates the opportunity to comment on this DEIR.



NANCY MADDOX LYTLE
PROGRAM COORDINATOR

RECEIVED
FEB 25 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT



February 25, 1998

City of San Jose
Department of Planning and Building
801 North First Street
San Jose, CA 95110

Attention: Julie Caporgno, Project Manager

Subject: City File No.: SCH9707205; PDCSH97-06-036 / Town and Country Village Draft EIR

Dear Ms. Caporgno:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft EIR for the project referenced above to allow redevelopment of a 39-acre site 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. VTA comments follow and are separated into *Transit Service* and *Congestion Management (CMP)* issues to reflect our dual role in reviewing the project.

Transit Service

Compatibility with Future Transit Services

By proposing a mix of uses and a compact development pattern, this project has the potential to be an excellent example of transit-supportive development. Current transit service directly serving this site is somewhat limited. However, it should be noted that the Stevens Creek Corridor was identified as a future rapid transit corridor (as a Year 2010 Goal) in the T2010 Transportation Plan. To date, planning for the Stevens Creek Corridor has been very preliminary and is not even to a point where the mode has been determined. It is anticipated that transit priorities will be revisited during the development of the next countywide transportation plan, Valley Transportation Plan 2020, which will be completed in 1998.

While future rapid transit has not been determined, it would potentially utilize Stevens Creek Boulevard. Therefore, it would be desirable to reserve right-of-way (by setback, dedication, or reservation) estimated at 15 feet along both the eastbound and westbound frontage of Stevens Creek Boulevard.

Bus Service

As we mentioned in our August 26, 1997 comments on the Notice of Preparation for the Draft EIR, VTA staff recommend that modified bus duckouts and PCC pavement pads be provided at the Olson Drive and Olin Drive bus stops. We also recommend that a PCC shelter pad be provided at the Olson Drive bus stop. VTA staff would like to review future plans for this project in order to provide recommendations for bus stop improvements.

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Pedestrian and Bicycle Accessibility

Despite the uncertainty of future transit improvements, the Town and Country project site is currently served by bus service and there is the possibility of additional transit service to the site in the future. Therefore pedestrian accessibility is very important. The project should incorporate pedestrian-oriented features providing good access between the various uses and transit. This should include direct, convenient, and safe pedestrian facilities (e.g., a network of interconnected walkways, pathfinder signage, and pavement treatments for safe roadway crossings).

While the project is relatively isolated from designated Santa Clara County Bikeways corridors, the cities of San Jose and Santa Clara should be contacted to determine whether local bicycle routes exist or are planned in the vicinity of the project. This is to ensure that the project design will not prevent future residents and employees from conveniently accessing the site by bicycle and to allow for appropriate connections to planned bicycle facilities on and off the site. The following items should be identified and considered in the Draft EIR:

- VTA publishes the Santa Clara Valley Bikeways map based on information provided by local jurisdictions. The 1995 bikeways map shows city undesignated bicycle routes on Stevens Creek Boulevard and Pruneridge Avenue in the City of Santa Clara in the vicinity of the site.
- The 1997 City of Santa Clara Bicycle Map also includes Winchester Boulevard from Stevens Creek Boulevard to the north as a city undesignated route. (For more information on the City of Santa Clara bicycle network, please contact Chris Fernandez, City Traffic Engineer, at (408) 261-5185).
- The City of San Jose has also identified Winchester Boulevard for various bicycle facilities. In addition, the City of San Jose has been studying the feasibility of a bicycle route or lane on Monroe Street and through the Valley Fair shopping center. Bicycle access from the proposed project to Monroe Street via Redwood Avenue or Hemlock Avenue would provide a convenient link from the project to local bicycle networks. (For more information on the City of San Jose bicycle network, please contact JoAnn Collins, City Bicycle Coordinator, at (408) 277-5345).

Congestion Management Program

South Bascom/Moorpark Intersection

The traffic analysis did not identify the intersection of South Bascom and Moorpark as a Congestion Management Program (CMP) intersection. It is monitored annually by the County of Santa Clara. For the Transportation Impact Analysis (TIA), the intersection will need to be analyzed using the CMP methodology.

Pass-by Trip Reduction

The trip generation estimates for the project appear on page 26 of the traffic analysis. The traffic analysis used a pass-by trip reduction rate of 32% for existing retail uses. Current TIA guidelines allow for a maximum 30% reduction due to pass-by-trips. Please explain how this higher pass-by reduction was calculated for this analysis.

City of San Jose
Page 3
February 25, 1998

Trip Reduction for Mixed-Use Development

In order to reflect the internalization of trips within this mixed-use project, the traffic analysis reduced both the shopping center trips as well as the proposed residential dwelling unit trips by 10 %. As a result, the net reduction in residential trips for the PM peak hour should be 59 trips (10%) and the number of PM peak hour retail trips that should be internalized is 59 trips (for a total of 118 PM peak hour trips). However, the traffic analysis assumes 204 internal trips, which is substantially higher than would be expected from the project's proposed 1200 dwelling units. Therefore, we recommend that the trip reduction calculations be reevaluated. It should be noted that the revised draft CMP Guidelines include revisions to the trip reduction factor in order to account for the potential overestimation of internal trips for mixed-use developments.

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

Sincerely,



Thomas Rountree
Environmental Program Manager

TDR:RM:kh

cc: Timm Borden, San Jose Public Works Department

97 - 036

February 24, 1998

Department of Planning,
Building and Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110

RECEIVED
FEB 25 1998

Re: Town and Country Village Draft Environmental Impact Report

CITY OF SAN JOSE
PLANNING DEPARTMENT

This letter is in regards to the Town and Country Village Draft Environmental Impact Report. This proposal, with structures up to 100 feet in height, 1200 residential units, 650,000 square feet of commercial, two 100-room hotels, numerous parking structures, and all on only 39 acres, is a very massive and dense development for this neighborhood, in addition to the proposed major expansion of Valley Fair. The Draft Environmental Impact Report offers vague and inadequate information about the development, a proposal that will have major significant environmental effects on the surrounding area and the single-family neighborhood adjacent to the east.

The proposal by itself represents piecemealing, in addition to not taking into consideration the proposed expansion of the Valley Fair Shopping, transportation issues especially light rail - construction, streetscape, impact on automobile traffic, and linkage of development's construction with installation of Light Rail facilities, etc. This is in direct conflict with the California Environmental Quality Act. What are the short-term and long-term effects of these regional projects? What significant environmental impacts will happen with these current proposals, and what foreseeable impacts will they have on the future of this neighborhood and future developments? Piecemealing will not address these significant CEQA issues.

To comply with the intent of CEQA, that is avoiding piecemealing, both regional proposals, Valley Fair Expansion and Town & Country Village redevelopment, should be placed on hold until an Area Specific Plan is completed. This area is entitled to as much attention, study and public funding, as downtown and other areas in the City have received, and most of all this neighborhood is entitled to a quality in-fill project. The planning process(Planned Development) and the Draft Environmental Impact Report are inadequate to fully address these major issues which affect the surrounding neighborhood and region. We must take the time to develop an exemplary Area Specific Plan and bring together representatives from the City of San Jose, City of Santa Clara, Valley Transportation Authority, Valley Fair Shopping Center, Town & Country Village, and neighborhood residents who will be the ones most severely impacted, and on a daily basis. Additionally, we think the existing Courtesy Chevrolet automobile dealership at the corner of Stevens Creek Boulevard and Winchester Boulevard should remain and not be a part of this development. The Courtesy Chevrolet auto dealership provides jobs, tax revenue for the City, jobs/housing balance and provides an important service to the community.

This proposal represents a full build-out, full intensification, at the neglect and expense of adversely impacting the surrounding neighborhood. What is needed is a quality in-fill development with an appropriately reduced level of intensification which could be just a commercial development or a mixed use commercial/residential, but one that results in a reasonable and sensitive development with the highest exemplary site design, architecture and streetscape, with a proper and respectful single-family interface, that resolves transportation and traffic issues, jobs/housing issues, inadequate park facilities, etc. The Draft Environmental Impact Report does not adequately address these issues.

97 - 036

1. The General Plan designation for the Town & Country Village and the Courtesy Chevrolet auto dealership is Regional Commercial and Intensification Corridor. Also, the draft document proposes to use Discretionary Alternate Use Policy, Residential Uses on Commercially Designated Parcels which would allow residential uses from a range from 12 up to a maximum 40 dwelling units per acre. This Discretionary Alternate Use Policy permits a mixed use commercial/residential development if it is located on a major thoroughfare and if the development: takes access from the major thoroughfare; and is of a size and design which would be located in a non-residential environment.

The existing Town & Country Village takes access only from Stevens Creek Boulevard and Winchester Boulevard, both major thoroughfares. But the proposed development has expanded new access from Hemlock Avenue and Dudley Avenue, both minor streets serving existing residential uses. Also, the area to the east of the Town & Country Village is an existing single-family neighborhood. Therefore, as the proposal does not meet the requirements of the Discretionary Alternate Use Policy, Residential Uses on Commercially Designated Parcels, the development is inconsistent with the General Plan.

The Intensification Corridor designation under Development Parameters states that development should consider potential effects of intensification on existing neighborhoods and adjacent uses and that the level of intensification may need to be limited to avoid inappropriate impacts on adjacent uses. Development adjacent to single-family neighborhoods should maintain appropriate height, setback and use characteristics to maintain the character of the residential neighborhood. Densities above 25 dwelling units per acre and buildings higher than two stories may be inappropriate in certain circumstances.

The area to east of Town & Country Village is a predominantly single-family neighborhood with one and two story structures. The development proposal allows along the easterly portion of the site fronting on Hemlock Avenue two massive structures, the first a 50 feet high maximum building structure with three stories approximately 180 by 770 foot in size, and the other structure 70 feet in height and five stories with two floors of parking and three story residential above. This is an inappropriate interface with the one and two story single-family structures immediately adjacent to the Town & Country Village. The development proposal is out of scale and character with the residential neighborhood and is inconsistent with the General Plan.

The General Plan has designated five areas throughout San Jose as Intensification Corridors. Under the Background for Planning section of the General Plan, the Preferred Alternative allows for 52,900 new housing units to be built in the city by the year 2020. The breakdown of this figure by location shows that a total of 6,600 housing units are to be constructed in the designated Intensification Corridors. If you divide 6,600 by 5 the result is 1,320 units per each designated Intensification Corridor area.

The development proposal contains 1,200 dwelling units, which when combined with the current Intensification Corridor development of 300 dwelling units at Stevens Creek Boulevard and Freeway 280, the total is 1500 dwelling units. These 1,500 units represent 23% of the total 6,600 units called for in the General Plan for all the Intensification Corridor areas. The development proposal is inconsistent with the General Plan and significantly impacts the jobs/housing balance.

What is the distribution of the total 6,600 units allowed by the General Plan, for each of the Intensification Corridors areas? Within each Intensification Corridor area how are allowed units dispersed and what should be the timing for construction of these units? How many Intensification Corridor area units have already been built, are in the planning process now and what is the breakdown

by each Intensification Corridor area? What are the cumulative effects? Will the City exceed the allowable number of units before the year 2020? If yes, will this further strain the City's financial health and ability to provide basic services to its residents? Will this be inconsistent with the Goals and Policies of the General Plan?

2. The General Plan in discussing transportation issues concerning Intensification Corridor developments states that the planning and development of substantial intensification areas will have to be coordinated with the planning, budgeting, and development of new Light Rail Transportation facilities as well as any other transportation facilities required for mitigation of a development. As Town & Country Village and Valley Fair are regional developments, they would be consistent and representative of substantial intensification development. Have these developments been coordinated with the planning, budgeting, and development of new Light Rail Transportation facilities? The Town and Country Village Draft Environmental Impact Report provides no in depth review and analysis of these issues as required by the General Plan.

What are the environmental impacts, including cumulative impacts, regarding these transportation issues? In what manner and way will Light Rail Transportation facilities impact this area and region? Will Light Rail impact automobile movements within this region? Will Light Rail further lower the Level of Service for traffic at the critical intersections in this area, especially Winchester Boulevard & Stevens Creek and Stevens Creek and Freeway 880/17? What are the short and long term impacts?

How will Light Rail Transportation facilities impact the streetscape of Stevens Creek Boulevard and intersecting streets? Will additional right-of-way need to be dedicated to accommodate the Light Rail facilities as well as automobile traffic, and to maintain an acceptable Level of Service? How will the Light Rail facilities relate to the public bus system and facilities? Will right-of way dedication be needed to accommodate adequate bus facilities in this congested area? What did the traffic analysis show when Valley Fair was redeveloped in the late 1980s? What were the impacts then and how does it relate to the cumulative impacts on traffic congestion in this area now and relating to the proposed development at Town & Country Village and Valley Fair?

The proposal is going to significantly impact the adjacent single-family neighborhood to the east, especially on Hemlock Avenue. Currently, Town & Country Village has no access on to Hemlock Avenue, a narrow residential street, and the operation of the shopping therefore does not impact the residential neighborhood.

But the current proposal calls for access not only onto Hemlock Avenue, but also Dudley Avenue. This is a significant impact, to allow mixed use developments to take direct access off residential streets. It is not acceptable to allow over 2,000 daily mixed use development trips onto Hemlock Avenue, a narrow minor residential street. This new development must stand on its own and not degrade the existing residential neighborhood. The General Plan requires that residential neighborhoods be protected from commercial mixed use developments and that such developments take their access directly from major thoroughfares, which the existing Town & Country Village does.

The Town and Country Village Draft Environmental Impact Report should be revised to show no automobile traffic access off of Hemlock Avenue and Dudley Avenue. In fact, the Section of the Draft Environmental Impact Report addressing traffic indicates that the development proposal could accommodate all traffic generated by this development on major thoroughfares of Winchester Boulevard and Stevens Creek Boulevard.

The Town and Country Village Draft Environmental Impact Report should be revised to show several alternatives to the proposed on-site traffic circulation layout. One alternative could show a perimeter loop circulation pattern with concentrated development within the loop and scaled down development along the public streets and property lines. A loop system would allow more fluid traffic flow on the site.

Will this project have the parking problem that Valley Fair currently has, with cars driving 20 to 30 minutes to find a parking space on the weekends and some weekdays? How many parking stalls will this proposal provide and will it be enough? What is the cumulative effect of this parking issue?

3. The Town and Country Village Draft Environmental Impact Report should provide more detail on the urban design and residential interface of the development. There are 15 separate building pads shown on the site plan, all rectangular in shape and packed on the site, with structures up to 100 feet in height. The development is laid out like a mini-storage warehouse with alley ways that dead end into one another. This is not an award winning urban design. The Draft Environmental Impact Report should be revised to show a project that reflects good urban design, has a sense of place, pedestrians plazas, open space, usable landscaped areas, etc.

The Draft Environmental Impact Report should show a computer generated three-dimensional model of this entire development and the surrounding neighborhood. The model should show architecture, building volumes and shapes, landscaping, roadways, parking structures, etc. Additionally, a computer simulated model should be made available to the public to use, to see what this project is actually going to look like, and it could even be posted on the world wide web to encourage citizen input.

The General Plan under Urban Design Policies states that proposed structures adjacent to existing residential areas should be architecturally designed and sited to protect the privacy of the existing residences.

The Draft Environmental Impact Report should be revised to show an appropriate residential interface with the existing single-family residential neighborhood immediately adjacent to the east by reducing the allowed density and limiting the height of structures along the easterly property line to two stories.. The plans should be revised to show the existing pattern of single-family residential development on the south side of Hemlock Avenue adjacent to the proposed development, continued easterly along the Hemlock Avenue frontage of the Town & Country property to the West side of Redwood Avenue.

The development should be revised to reflect existing building setbacks from public streets in the area. The Draft Environmental Impact Report should indicate street setbacks for existing developments in the area.

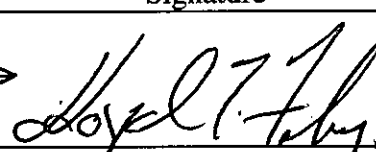
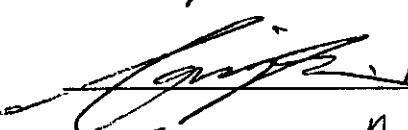
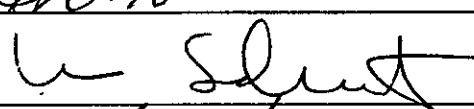
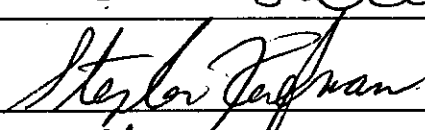
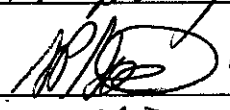
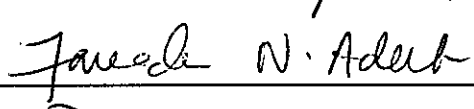
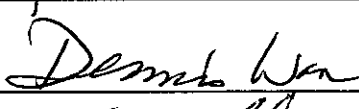
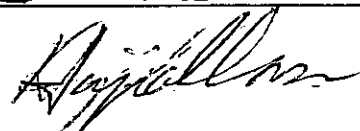
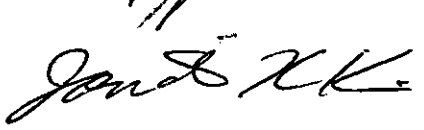
The portion of the development directly across from the Winchester House, a historic landmark structure, should reflect the architectural character and design of this important landmark, as called for in the City's General Plan.

The General Plan indicates that the average household size is currently 3.08 Persons Per Household and may increase in the future but will not decrease by the year 2020. City Policy calls for 3.5 acres of park facilities per 1,000 population. The development proposal at 1,200 units times 3.08 Persons Per Household will have a population of 3,696. Factor in 3.5 acres of park land per 1,000 population and

this development needs to provide 12.9 acres of land. The Draft Environmental Impact Report should be revised to reflect the 12.9 acre figure.

Additionally, the development should be revised to provide open park space on its site, such as retaining the existing tennis club facility, dedicating a portion of the site for public park purposes, creating open space, plazas, etc. Paying the Park Impact Fee alone is not sufficient mitigation and inconsistent with the Park Policies of the General Plan. This area is deficient in park space. What is the cumulative effect of this development and other Intensification Corridor developments on the level of park facilities in this area?

In summary this development does not conform with the General Plan's, Urban Design Goals and Policies, Major Strategies and Economic Development Sections, and should not be approved.

	Signature	Address	
CONTACT PERSON →		2800 Hemlock Ave. St.	95128
		2816 HEMLOCK AVE	"
	James Alm.	664 Villa Centre Way	"
		676 VILLA CENTRE WAY	"
		672 Villa Centre Way	
		2884 HEMLOCK AVE	
		2888 Hemlock Ave	
		2880 Hemlock Ave	
		2824 , Hemlock Ave	
		2832 Hemlock Ave	
		652 VILLA CENTRE WAY	
		2892 Hemlock Ave	

cc: Mayor
City Council

Signature

Address

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Hyun Jung Kim	2848 Hemlock Ave SJ 95128
Q. E. Bunt	2856 Hemlock Ave SJ 95128
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~~Th. H. H.~~	~~2860 Hemlock Ave~~
~~Da. H. H.~~	~~2864 Hemlock Ave~~ SJ CA 95128
~~Moh. Saad Mohaghigh~~	~~608 Villa Centre Way - SJ CA 95128~~
Jess O. C.	620 Villa Centre Way
Jess O. C.	620 Villa Centre Way
Thomas Fardani	624 VILLA CENTRE WAY 95128
DAMON KORONAKOZ	624 VILLA CENTRE WAY
Eric H.	632 VILLA CENTRE WAY
Ly. R.	640 Villa Centre Way
Wendy H.	640 Villa Centre Way
Johnson Tony	668 Villa Centre Way
Patricia M. Zek	629 Villa Centre Way

97-086

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ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

RECEIVED

FEB 25 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

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RETIRED
SAMUEL J. COHEN*

OF COUNSEL
HUGH L. ISOLA*
KEVIN F. KELLEY

February 24, 1998

Julie Caporgno
Department of Planning, Building and Code Enforcement
801 North First Street
San Jose, Ca 95110

Re: Town and Country Draft EIR

Dear Ms. Caporgno:

On behalf of the applicant, Federal Realty Investment Trust San Jose Town & Country Village, we submit the following comments on the draft EIR in the order in which the topics are discussed:

1. Description of the Project - Transfer of density within the Project

In addition to the description of the Project in its entirety, the Project is divided into six areas, each stating a range of potential development expressed in square footage for commercial/retail development and dwelling units for residential development. It is the intent of the owner that the Planned Development Zoning will allow for transfer of density from one area to another as the project evolves through the Planned Development Permit process provided that Area 3 shall remain residential, and that the maximum density described for the entire project is not exceeded.

2. Noise - Standard for interior of commercial buildings

The draft EIR discloses that certain commercial uses adjacent to Stevens Creek and Winchester will be subject to traffic noise from those major arterials and recommends mitigation in the form of interior decibel control to a maximum of 45dB (page 75). However, Title 24, Part 2 of the State Building Code only requires this performance standard for the proposed hotels and multi-family dwelling units. While the City of San Jose has set goals in the General Plan for noise limits, the General Plan itself acknowledges that certain limits are unattainable. A commercial interior performance standard for this Project other than for the hotels is not

Julie Caporgno
February 24, 1998

warranted, particularly as the noise is not generated by the Project itself. The mitigation should clearly state that the 45dB interior noise level is only a guideline, and that the Project is not required to insulate to that level.

3. Mitigation for Cumulative Impacts - Burrowing Owl

The draft EIR, in the Project-specific impacts section, states that development of the 4.5 acres of currently vacant property will not result in a significant loss of wildlife habitat (page 85). That acreage is weedy ground adjoining the new Citation houses and bordered by paved surfaces and buildings, described in Appendix E as "a highly disturbed habitat strongly influenced by human industrial activities." In addition, it is acknowledged that the State considers a minimum of 6.5 acres necessary as habitat for one burrowing owl, and that burrowing owls once seen on site are were inhabiting the paved areas of the shopping center itself. Yet loss of this unsuitable land is included in the discussion of cumulative impacts, with comments that the City could require the applicant to pay some kind of impact fee (page 117).

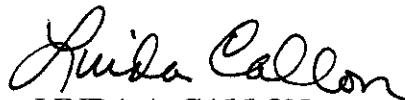
Not only does this land not qualify as suitable burrowing owl habitat, but as disclosed in the cumulative analysis, there is no established program governing habitat impact fees or funds. State statutes and case law require establishment of a program and implementing ordinances based on studies providing the data necessary to establish a nexus between a project and the fee or dedication sought. To our knowledge, the City has not conducted such studies nor adopted ordinances to establish fees or funds. Accordingly, the reference in the fourth and fifth full paragraphs on page 117 to the possibility of the City's requiring a contribution to a non-existent mitigation fund should be deleted in its entirety.

We respectfully request that the City revise the draft EIR to state that the vacant 4.5 acres are unsuitable burrowing owl habitat, and that therefore no cumulative significant effect results from the development of this acreage. If not, the City should revise the discussion to delete a reference to requiring this applicant to pay a mitigation fee for the reasons set forth above.

Thank you very much for your consideration of these comments. Please call me with any questions, and notify me when responses are available.

Very truly yours,

BERLINER COHEN



LINDA A. CALLON

E-Mail: lac@berliner.com

LAC:lac

cc: John Richman, Federal Realty San Jose Town and Country Village

97 - 036 - =

P.O. Box 26411
San Jose, CA 95159-6411
February 23, 1998

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FEB 25 1998

Ms. Julie Caporgno
Department of Planning, Building and Code Enforcement
801 North First St.
San Jose, CA 95110-1795

CITY OF SAN JOSE
PLANNING DEPARTMENT

Dear Ms. Caporgno:

This letter is being written to address the Town and Country Draft Environmental Impact Report (DEIR). Following is a list of concerns.

1. The intersection at Stevens Creek Blvd. and Cypress Ave. was not included in the traffic analysis. If the intersection at Stevens Creek and Bellerose was included in the analysis, the intersection at Cypress and Stevens Creek should have been included, because both intersections are approximately the same distance from Town and Country. The Cypress intersection is affected by the traffic on Stevens Creek, especially during holiday shopping and major sales.
2. The traffic analysis does not take into account the homes that were recently constructed on S. Monroe St., south of Stevens Creek Blvd. The additional traffic from that complex must be considered in the final draft.
3. The count date for the PM peak period at the I-880/Stevens Creek was 10/96. The count occurred over one year ago. To date, there is rarely an afternoon during which the intersection clears in one cycle. That intersection needs to be re-evaluated.
4. The southbound on-ramp to I-880 should be widened to two lanes prior to construction of the project.
5. The number of parking spaces varies with each area. In Area 1, the number of spaces ranges from 1200 to 2225, whereas in Area 2 the range is from 960 to 2038. The report should have definite numbers for the parking spaces. The lower range does not accommodate the increased demands for parking.

6. If there are to be 1200 residences, where is the open space for a playground or park?
7. The fire station that serves the area is on S. Monroe St.. With the increase of traffic, there will likely be an increase in the length of time it will take emergency services to respond. This is unacceptable.
8. The increase of traffic may affect the length of time it takes a person to drive to the emergency room at either O'Connor Hospital or Valley Medical Center.
9. The report mentions the bus routes nearby on Stevens Creek Blvd.,
~~but currently no routes serve Stevens Creek Blvd. between I-880~~
and Winchester Blvd.

The area is not appropriate for high density housing and another shopping center is not needed. The streets and freeways will not accomodate the increased traffic associated with the project. There is already too much traffic in the area. Town and Country Village should not be redeveloped as currently planned.

Respectfully submitted,



Ann Reid

February 23, 1998

Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110-1795
ATTN: Julie Caporgno
RE: PDCSH 97-06-036 Town and Country
File H97-02-012 Valley Fair

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FEB 24 1998

PLANNING DEPARTMENT

Dear Planning Department:

I have lived in a house near Century Theaters and Town and Country and Valley Fair for over fifteen years. In addition, my parents formerly owned this house so I have been familiar with this area for my entire life. Traffic and congestion over the last years have become unbearable! The fact that the City can claim that further development will not create an impact is outrageous and irresponsible!

This letter is addressed primarily to the Town and Country development but is also relevant to the Valley Fair Project of which I did not receive advance notice of the Draft EIR and was unable to make comments..

I have reviewed the Draft EIR (PDCSH 97-06-036) and have found several omissions.

- 1- In the area of Traffic, the EIR focus is on peak a.m. and p.m. traffic. This report fails to address the fact that all of Valley Fair, Town and Country and Century Theaters are closed during the a.m. traffic rush. No wonder there is not a significant effect on morning traffic. Traffic during peak times for these business is not addressed.
- 2- Traffic in the area is not representative of a fully developed Town and Country center. This center as it currently exists is just a parking lot for Century Theaters and Valley Fair. Nowhere does the EIR address insufficient parking for the existing development in the area.
- 3- Within this already congested corner of San Jose there are two developments, Valley Fair and Town and Country competing for approval. How does the EIR address possible approval of both of these projects. In addition, a few years ago Century Theaters also petitioned for an expansion.
- 4- The EIR states that this development will provide for retail space and a quality living environment. How can this new housing be of high quality when special construction must be undertaken to mitigate unacceptable noise levels for residents? In addition, how can we allow increased noise to an unacceptable level for existing residents.

- 5- The EIR states that traffic created by this new development would not exceed that generated by the existing car dealership. This statement makes no sense at all. How could 285,00 sq. ft of retail space, 1,200 residences and two 100 room hotels generate equal traffic to one car dealership?
- 6- The EIR acknowledges that there is a shortage of parks and recreation in the area. This development will only make this shortage more acute. How about just adding housing and a park. This sounds much more like high quality housing to me.
- 7- The EIR states that it has no control over traffic effects in the city of Santa Clara. However, this must be addressed. What does the City of Santa Clara have to say regarding this proposed development?
- 8- The EIR states that an additional lane at Monroe will reduce the back-up in this area. I do not think that this will be sufficient give the other traffic problems in the area.

In addition, several factors effecting the area were not discussed in the EIR. I would like to bring them to the attention of the City.

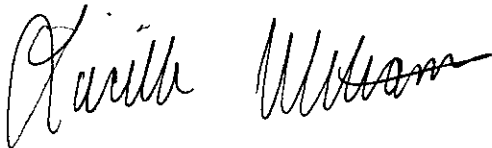
- 1- Since the remodeling at Valley Fair, parking and access have been inadequate. This is true every weekend and not just on holidays. Cars headed into Valley Fair block the right hand exit lane from South Hwy 880 impeding the flow of traffic onto Stevens Creek Blvd.
- 2- Traffic headed for Valley Fair and Century Theaters from Hwy 280 backs up and impedes access to Northbound Hwy 880. Traffic backed up on Hwy 280 is exceptionally dangerous. You are sitting at a dead stop on the freeway with traffic moving at full speed on both sides! People bail out of this stoppage and cut out into moving traffic. It is a disaster. This doesn't just happen around Christmas. It happens all the time.
- 3- Parking at Valley Fair is inadequate. Why do you think Bank of America has parking guards in their lot? Also there is store specific restricted parking everywhere. Is it any wonder they have Valet Parking on Fridays, Saturday and Sundays. Who in their right mind would pay \$4.00 for one hour parking plus \$1.00 for each additional hour in a free lot unless they had to. Someone must be paying or Valley Fair would not offer this service. During Christmas time many people park at Town and Country (even though they are not supposed to) because there is no parking at Valley Fair. I would like to know how a business can only provide sufficient parking for the hours when it is least busy.
- 4- Access to Hwy 880/17 and 280 around Monroe is insane! This log jam backs up to past Town and Country in the evening and throughout the day. Both Century Theaters and Valley Fair are to blame for this mess. In addition, let's not forget that Stevens Creek Blvd is a major commuter route.
- 5- Access and parking at Century Theaters is inadequate. Traffic backs up in the turn lane at Olsen to past Moorpark. In addition this jam extends down Moorpark and on to Hwy 880. Century further compounds this problem by narrow driveways into their lot. Regardless of all the signs prohibiting parking in Town and Country this occurs all the time. In addition, every weekend there are cars parked in the "No Parking At Any Time" areas on Olin Ave. These parked cars block cars exiting the area. Cars also park on the ends of the rows in Century's

lots blocking Fire Lane access. People also park in the "Permit Parking Only" areas regularly in spite of the \$50.00 fine. Resident only parking seems to be the only enforcement in this area as the residents call in violators. I have never seen a ticket on any of the other cars in violation of parking regulation in spite of the high percentage of Police officers that enjoy their meals at the Flames Restaurant. I welcome you to come and observe all the violations. People are even parking on Hanson off of Stevens Creek and walking to the theaters.

- 6- Century Theaters refuses to address the parking problem and schedules movie times that only compound the congestion. In order to decrease congestion and make more parking available, times between movie showings needs to be increased. Otherwise, you have two theaters worth of people trying to park. In my opinion the City's regulations regulating only the number of parking places per theater seat are inadequate. This problem increased dramatically when Century split their theaters and added more showings. Again, just like for Valley Fair, how can a buisness only provide sufficient parking for it's least busiest times.
- 7- Moving vehicle violations are rampant in this area. Blocked intersections and red light running occur regularly at Olsen and Winchester; Moorpark and Winchester; Winchester and Stevens Creek; and Winchester and Monroe.

Please consider the massive traffic issues already present in this area and the under representation by the EIR of future traffic impact and deny this petition for development. This area is unsuitable for further development at both Town and Country and Valley Fair.

Sincerely,



Lucille J. Williams
374 Spar Ave.
San Jose, CA 95117



Abrams Associates

Transportation • Traffic • Engineering • Planning

February 23, 1998

Mr. Scott Knies
San Jose Downtown Association
28 N. First Street, Suite 1000
San Jose, CA 95113

**Re: Draft EIR for the Town & Country Village Development:
Review of Traffic and Transportation Impacts**

Dear Mr. Knies:

We have reviewed the Draft EIR for the Town & Country Village development on Stevens Creek Boulevard at Winchester Boulevard that was prepared in January, 1998 by David J. Powers & Associates, Inc. The proposed project is new shopping center of 600,000 sq ft, 1,200 units of housing, and two 100 room hotels. We have a number of comments, questions and concerns about this Draft EIR that should be transmitted to the City of San Jose.

1.) Adequacy of Trip Generation Rates - We believe that the trip rates used in this analysis for the shopping center understate the trip generation difference between the existing conditions and the proposed new center. The existing Town & Country Village has never been a large traffic generator, and we believe it's trip generation is quite a bit less than the ITE averages would suggest. The EIR calculations of the trip rates should have been based on the actual conditions and current traffic counts at Town & Country Village rather than the ITE estimates. If this were the case, we believe the existing center would generate only about 8,550 vehicle trips per day, not 13,680 as was used in the Draft EIR. The net difference in new daily trips would then be 11,000, not 6,000 as was used in the EIR. The peak hour traffic volumes would also be dramatically increased. Carrying this analysis forward would result in revised trip generation estimates for the total project. An estimate of this revised trip generation is shown on the following page.

If the existing trip generation of Town & Country Village were used, the project would be shown to generate considerably more trips than were indicated in the EIR. The peak hour Levels of Service, the volume-to-capacity ratios, and the amount of intersection delay would also all be considerably greater than was shown in the Draft EIR. We believe that the traffic analysis should be revised to reflect these changes, and we also believe that with this change the mitigation measures outlined in the EIR would be shown to be insufficient to satisfy the project impacts.

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Draft EIR Table 12 (revised)
Trip Generation Estimates for Town & Country Shopping Center

Project Description	Size	Daily Rate	Daily Trips	In	Out	Total	In	Out	Total
Proposed Center	600 ksf	36.4	19,656	265	156	421	663	663	1,326
Existing T&C Village	285 ksf	30.0	8,550	126	74	200	291	291	582
Added Trips from New Shopping Center			11,106	139	82	221	372	372	744
Residential Units	1,200 unit	6.3	6,804	114	361	475	339	191	529
Hotels	200 ksf	8.7	1,740	80	54	134	82	70	152
Net Added Trips			19,560	333	497	830	793	633	1,425

In addition to the above comments, we would also suggest that the trip rates for this project be taken from the most up-to-date information available. In this regard, the latest information is contained in Trip Generation - An Informational Report, 6th Edition, Institute of Transportation Engineers, Washington, D. C., 1997. This became available during the preparation of the EIR, and is the most up-to-date, reliable source for land use trip generation information.

2.) Lack of Discussion of Parking Impacts. This project will have a significant impact on the overall parking conditions in this area, and this is an issue which an EIR for a project of this magnitude should investigate in detail. The EIR should describe the amount of parking to be provided, and whether this meets the City zoning code. The problem of the potential for an overflow of parking beyond the project boundaries is a real one. Nearby residential neighborhoods to the east and the south are quite likely to be affected by this project. Parking overflow and interaction with the Winchester Mystery House and the movie theater complex to the west could also be affected.

As with trip generation, this center has been a below average performer in terms of parking, and the amount of on-site parking has never been an issue in the past. However, with the proposed changes and a revitalized 600,000 square foot shopping center, we would question whether an adequate amount of parking is being provided. It is quite likely that mitigation measures such as additional on-site parking, management of parking between the various uses, residential permit parking controls, and other techniques will be necessary to mitigate this impact. This type of analysis should be added to the EIR.

3.) Adequacy of Roadway Mitigation Measures. We believe that this is especially a problem at the intersection of Stevens Creek Boulevard and Monroe Street, to the west of the I-880 ramps. There are a number of questions and concerns that should be addressed in the EIR. For example, are these mitigations feasible? How much right-of-way is required and is it available? Can the traffic engineering designs be implemented? What does the project cost and has it been

Page 3
Town & Country EIR Comments

Abrams Associates

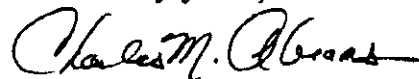
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funded? What is the applicant's share of these costs? Will these mitigations be in place and operating before the Town & Country Village project is completed? It would appear that some of these mitigations may not be available for years, and perhaps the project should not be constructed until these road improvements are reasonably certain to be implemented.

4.) Lack of Discussion of Freeway Impacts. The EIR clearly points out how the adjacent freeway system (I-280 and I-880) will be affected by this project, and how LOS "F" conditions will exist in many locations. However, while freeway LOS "F" problems and unmitigatable impacts are raised in the EIR, they are never discussed in any detail. This is a shortcoming of the EIR. Critical questions include the nature and amount of freeway diversion traffic onto adjacent arterial roadways. If the freeway is operating so far over capacity, where will this excess traffic go and how does this affect intersection Level of Service? How much additional freeway diversion traffic will travel on Stevens Creek Boulevard and Winchester Boulevard during the peak hours? The EIR should describe any future freeway improvement plans for I-280 and I-880, and whether there are other possible mitigation measures that could be considered such as ramp metering, freeway auxiliary lanes, or improved ramp connections. And finally, it should be determined whether this project should contribute in some way to the solution of these problems.

These comments should be transmitted to the City of San Jose, and should be responded to in the Final Draft EIR. I would be pleased to answer any further questions you may have about this EIR.

Sincerely yours,



Charles M. Abrams
Principal

THE CITY OF SANTA CLARA

CALIFORNIA

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FEB 25 1998

PLANNING DIVISION
CITY HALL
1500 WARBURTON AVENUE
SANTA CLARA, CA 95050
(408) 261-5260
FAX (408) 247-9857

February 20, 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

James R. Derryberry, Director of
Planning, Building and Code Enforcement
City of San Jose
801 North First Street, Room 400
San Jose, CA 95110-1795

Dear Mr. ~~Derryberry~~,
[Handwritten signature]

We have completed our review of the Town and Country Village Draft Environmental Impact Report and submit the following comments. Please also reference our comments of January 23, 1998 regarding the Valley Fair Mall Expansion Draft Environmental Impact Report.

1) It is our understanding that, according to the Barton Aschman traffic studies for these two developments, the proposed addition of 438,000 square feet of retail space (211,000 square feet of gross leasable area) to Valley Fair would not be, on its own, cause for consideration of street widening and intersection improvements at Winchester and Stevens Creek Boulevard in Santa Clara. However, when combined with the proposed reconstruction and intensification of uses on the Town & Country Shopping Center site, this intersection would be significantly impacted by the proposed changes in this area.

We are concerned that the newly proposed addition of double left turn lanes at the northern part of this intersection (southbound Winchester) cannot be accommodated within the existing public right-of-way nor within the planned right-of-way. The City has no adopted Plan Line for further widening of this intersection. It should be noted that this intersection was previously widened, reducing onsite parking and required landscaping for commercial businesses in our city, to provide for the 1980's expansion of Valley Fair. The property owners of the shopping center at the northwest corner of Winchester and Stevens Creek Boulevard, the Winchester Shopping Center, have contacted Santa Clara staff to express their opposition to the newly proposed widening, including the alternative which would result in a reduced width of the public sidewalk and landscaping at this

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**City of Santa Clara
Town & Country Comments, Page 2**

corner. The grocery store and drug store parking on the other corner should not be reduced.

Without this improvement, the intersection would operate at Level of Service (LOS) E, based on the cumulative developments included in this traffic analysis. LOS E still falls within the acceptable Congestion Management Program guidelines.

The Valley Fair Final EIR's analysis of adequacy of queuing for access to driveways has identified inadequate capacity and no possible mitigation to accommodate forecast demand for access from eastbound traffic on Stevens Creek into the driveway opposite the main driveway entrance to Town & Country. Stacking of vehicles waiting to turn will extend into the center through traffic lane for eastbound Stevens Creek, in an area where the two right-hand lanes are already backed up/impacted by traffic queuing to enter 17/880 and 280 southbound from Stevens Creek. This situation may impact the left-turn movement of traffic southbound on Winchester into the eastbound Stevens Creek traffic lanes (and/or seeking to enter Town & Country Center).

2) We note that the Alternatives discussion for the Town & Country redevelopment identifies that "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 (Alternative B). Alternative C, which would consist of updating and remodeling of the existing shopping center, and development of residential uses on the vacant portion of the site, would result - in total - in an approximate 90% reduction in the number of additional daily trips, compared to the proposed project. An Alternatives analysis which maintains the existing undeveloped portion of the site may be appropriate as this area is under-served by existing parks.

3) The information provided is not adequate for assessing the cumulative impacts of the development proposal. For example, the proposed size of the residential units, number of bedrooms, and number of parking spaces allocated per unit has not been established.

Although not discussed in the Draft EIR, we understand that the Town & Country redevelopment could involve multiple movie theaters with their primary access from Winchester Boulevard at the Olin Drive and Olsen Drive intersections which are already impacted by the Century Movie Theaters. As the theaters also impact the Winchester and Stevens Creek intersection, the EIR should include a detailed traffic analysis relative to peak hour traffic for the proposed theaters.

Overall, the traffic analysis may be inadequate at this time. It cannot be determined whether cumulative impacts on area streets and intersections have been adequately addressed. It is not clear which of Santa Clara's approved projects were considered.

We know of at least one approved project in Santa Clara, the pending addition of 727,500 square feet of office/research and development space to the Hewlett Packard site at Lawrence Expressway and Steven Creeek Boulevard, which will contribute significant

City of Santa Clara

Town & Country Comments, Page 3

traffic to an intersection identified as being significantly impacted by the Valley Fair/Town & Country proposals. According to the Barton Aschman-prepared EIR for Hewlett Packard, that intersection is San Tomas Expressway and Stevens Creek Boulevard, which is already operating at an unacceptable level of service

If approved, the Town & Country project should contribute to the County-wide Deficiency Plan to help fund improvements to area Freeways and Expressways.

We have attached a list of approved projects in our city (as of September 1997) for your use in preparing subsequent environmental documents related to this project. Barton-Aschman has used this list in recent Santa Clara EIR's.

- 4) Please note that the City of Santa Clara General Plan does not support a continuous median planter on Stevens Creek, primarily due to its adverse impacts on access to the automobile sales dealerships there. The traffic analysis does not identify whether the existing median on Stevens Creek west of Winchester will need to be lengthened for additional queuing of eastbound Stevens Creek traffic heading northbound on Winchester.
- 5) Santa Clara staff first expressed concerns to San Jose staff in a 1992 letter regarding the then-tentative plans of the prior property owner to intensify development on the Town & Country site. A copy of that letter has been attached. Many of the concerns remain.
- 6) It is not clear from the Draft EIR how many, if any, of the housing units to be created would be restricted so as to be affordable to very low, low and moderate income households.
- 7) The EIR does not identify what percentage of Town & Country employees and customers are anticipated to use mass transit. What is the percentage use of transit by employees and customers now and projected into the future? Would Light Rail on Stevens Creek significantly help the traffic and parking situation?
- 8) The Draft EIR does not identify any traffic mitigation measures to encourage Town & Country employee or customer use of bicycles to access the site. The City of Santa Clara 1997 Bicycle Map should be referenced in the EIR. This Council-adopted document identifies a Bike Lane on Monroe Street extending from Sunnyvale on the west through Santa Clara to the San Jose City limits at Newhall. This map also identifies an existing Bike/Pedestrian Bridge at the south end of Monroe at Tisch Way and extending over Highway 280 to Moorpark (the only park in the immediate area is on Monroe at Tisch Way). There is also a bicycle/pedestrian bridge over 280 connecting Moorpark to Cypress Avenue west of Valley Fair.
- 9) Emergency access and public safety needs should be clearer in the FEIR.

City of Santa Clara

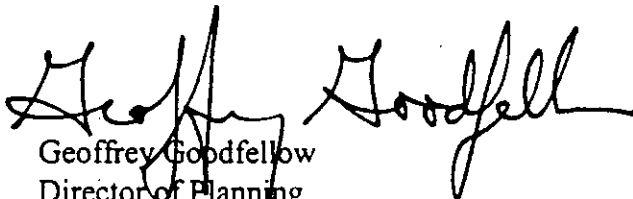
Town & Country Comments, Page 4

10) Cumulative impacts on nearby Freeways, especially where stacking on those Freeway off-ramps may result in blocking of a freeway lane such as that which provides an important connection from northbound 280 to northbound 17, should seriously be evaluated. Stacking for traffic at the meter light for northbound 17 already impacts northbound 280 traffic's access to Stevens Creek Boulevard towards the two shopping centers. Solutions to resolve these conflicts should be identified now, as commitment from San Jose will be required to support implementation of alternative designs. Cumulative impacts from these developments could be partially mitigated if the Town & Country development is phased to coincide with resolution of existing connecting ramp design constraints.

11) The mixed use nature of the development, especially if the phases which accomplish additional residential units are completed, represents an improvement over the present single purpose use of the site. For continued diversity of the area's economic base, approval should be conditioned on preservation of the automobile sales use (this is consistent with Santa Clara's General Plan goal).

Thank you for the opportunity to participate in this process. If you have any questions regarding these comments, please contact me or City Planner Art Henriques at (408) 261-5260.

Sincerely,



Geoffrey Goodfellow
Director of Planning
& Inspection

Attachments (2)

cc: Carol Painter, Principal Planner
Sue Lasher, Mark Sorich, Ann Reid
Safeway, Longs
Santa Clara's Principal Planner for distribution to Project Clearance Departments

Petition to Slow the "Fast Track" Development of the New Town & Country Village

February 12, 1998

San Jose residents, the San Jose Downtown Association (SJDA) and many other related organizations are currently involved in evaluating the proposed development of a new shopping and residential complex near Valley Fair Mall. The project is planned for the Town and Country shopping center (T&C) at Winchester Blvd and Steven's Creek Blvd.

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CITY OF SAN JOSE
PLANNING DEPARTMENT

The proposed development is a privately funded project that will replace the entire T&C Village (250,000 sq. ft. retail) with 650,000 sq. ft. of retail, 1200 housing units and two hotels. It will be designed to look like a historic downtown with retail on the first floor and housing above. The architecture will resemble that of Downtown San Jose buildings dating back to the early 1900s.

This project has been working on a "fast track", with only the minimal amount of analysis and community participation (i.e. public hearings) considered to date. The decision making process needs to be extended to allow the proper analysis to take place on major issues such as:

- **Traffic:** As determined by the Environmental Impact Report (EIR) and by anyone who's driven through that area in a peak hour, traffic will be heavily impacted by such a large project, even with the proposed local improvements. Highway access is not planned to be improved, meaning that the poorly designed access to the area off of 280 N at 880 and 280 S at Winchester will get even worse than it is now, which is rated at the lowest possible service level at peak hour.
- **Downtown retail:** With a proposed regional sized project of this scale and design, there could be a significant impact on the growth of retail in Downtown San Jose if the retail strategy of the new T&C is not developed in conjunction with that of Downtown's. Retail is the only remaining element that keeps our city from being complete. If traffic is not dealt with properly, both T&C and Downtown will suffer as regional gridlock will send shoppers to areas like Los Gatos and Palo Alto.

In order to preserve our investment in Downtown San Jose, we need to pull together and speak up on issues such as this so that the government agencies are aware of the impact not just of big business, but of the residents of San Jose as well.

It appears that there has been insufficient time for the Planning Commission, and for the City Council to evaluate the EIR, possible problems with traffic mitigation, and the combined impact on the neighborhoods, both local to T&C and the downtown. If you believe that a more detailed investigation and analysis of the impacts of the proposed plan should be completed before approvals are rushed through, please sign below. For more information, please contact Rich Sutton (408) 536-6376 or the SJDA at (408) 279-1775.

Name (please print)	Address (optional)	Signature
Rich Sutton	435 N. 2nd ST. #314 San Jose	[Signature]
Adam Udelsky	378, N. MARKET ST. #261, San Jose	[Signature]
GAUTAM DEWAN	415 N 2nd ST, #142 SAN JOSE	[Signature]
MICHAEL CAMPBELL	415 N 2nd ST 344 SJ	[Signature]
Ed Gilton	415 N 2nd ST 344 S.J.	[Signature]
Michael Vytukal	430 N 1st St 103 SJ.	[Signature]

Petition to Slow the "Fast Track" Development of the New Town & Country Village

Name (please print)	Address (optional)	Signature
JESSE MINOZ	427 N. 2ND ST #411	Jesse Minoz
VIRGINIA THOMAS	415 N. 2ND #445 S. JOSE	Virginia Thomas
Suzanne Trocha	410 N. 1ST ST. #232 95112	Suzanne Trocha
YVES ZUTTY	435 N. 1ST #457 95112	Yves Zutty
Michelle Harmon	435 N 2nd #314, SJ 95112	Michelle Harmon
Troy Ryder	2015 4th ST #442, SJ 95112	Troy Ryder
JEFF BRADLEY	2244 WEST HEDDEN ST, SJ 95128	Jeff Bradley
PATRICIA PEARSON	810 SACATEGA AV N101 SJ 95129	Patricia Pearson
Lawrence T. Paradise	6520 TIMBERVIEW DR. SJ. 95120	Lawrence T. Paradise
Renée Schell	435 N. Second St. #313 SJ 95112	Renée Schell
Jon Jenkins	435 N. Second St. #313 SJ 95112	Jon Jenkins
JEFF STARBURK	541 ATLANTA AVE SJ 95125	Jeff Starbark
Jan Mussell	SJ	Jan Mussell
DES OATES	#261 VILLA TORINO SJ 95110	Des Oates
TRACEY OATES	" " " "	Tracey Oates
Tom Evans	927 Riverside Dr. San Jose 95125	Tom Evans
Pauline Sator	37 South First ST. 95113	Pauline Sator
RAYMOND COLLIVER	2201 THE ALAMEDA #15 SC 95050	Raymond Colliver
Nikki Harmon	2201 The Alameda #15 SC 95050	Nikki Harmon
Heidi Colliver	2201 The Alameda #15 SC 95050	Heidi Colliver
TOMMY CAMPBELL	520 Railway Av, #383 CAMPBELL CA 95008	Tommy Campbell
Tina Nguyen T	2314 Shade Tree Ln San Jose, CA 95131	Tina Nguyen T
Richard Sears	2333 Shelley Ave San Jose CA 95124	Richard Sears
Mike Lin	1860 Elk Grove Landing SJ	Mike Lin
Judie Piestra	1156 Morse St. SJ	Judie Piestra
Joanna Nelson	4978 EDGAR CT. #3, SAN JOSE	Joanna Nelson
Mark Viber	329 N 1ST Street San Jose 95110	Mark Viber
JEFF CONNIF	3989 VISTAMONT DR SAN JOSE 95118	Jeff Connif
CHRIS KUWA	4667 APPLICATE DRIVE SAN JOSE 95119	Chris Kuwa
LAUREN ECKHOLTZ	232 FRANKLIN ST MTN VIEW 94041	Lauren Eckholtz
JANICE SOLIMENO	455 NAVARO WAY #111, SAN JOSE 95134	Janice Solimeno
Chandra H. Kripo	SAN JOSE	Chandra H. Kripo
Joe Hernandez	San Jose	Joe Hernandez
Ginger Park		Ginger Park
Lee Roy Pope	3893 Winkle Ave. S.C.	Lee Roy Pope
Judy Pope	3893 Winkle Ave. Santa Cruz	Judy Pope
Linda Fagan	1281 Grand Oak Way San Jose	Linda Fagan
Ruben Bensch	1020 Woodside Ct, San Jose, CA	Ruben Bensch
GUY ANDERSEN	1795 ELLEN AVE SAN JOSE	Guy Andersen
LENAIS HARMON	1926 CRESTMONT DR SAN JOSE CA	Lena Harmon
PAUL HOLSTENWIKER	2139 LA MIKE WAY Campbell	Paul Holstenwiker
Steve Harmon	502 5th St Campbell Ca	Steve Harmon
NORINE HARMON	1926 CRESTMONT DR	Norine Harmon

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February 12, 1998

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Name (please print)	Address (optional)	Signature
JOHN J BATTIN	144 S. 3rd St. #128	<i>John J. Battin</i>
Tina Golaw	144 S. 3rd St. #128	<i>Tina Golaw</i>
~~Nancy S. Freeman~~	~~144 S. 3rd St. #159~~	~~<i>Nancy S. Freeman</i>~~
NANCY S. FREEMAN	144 S. 3rd St. #159	<i>Nancy S. Freeman</i>
Brenda Sutherland	Mountain View CA	<i>B. Sutherland</i>
MICHAEL ABBOTT	San Jose CA	<i>M. ABBOTT</i>

Petition to Slow the "Fast Track" Development of the New Town & Country Village

Name (please print)	Address (optional)	Signature
RANDY JACK	1931 W. SAN CARLOS ST	Randy Jack
Yehat Obiswan	50 W San Fernando	Yehat Obiswan
David Lane	50 W San Fernando St #441 ST	David Lane
Adi Adesikun	50 W San Fernando St #114 Fl 5	Adi Adesikun
Patricia Wenzell	"	Patricia Wenzell
Mikala Canhe	"	Mikala Canhe
James Tarcuno	"	James Tarcuno
JOSEPH G. THOMAS	"	Joseph G. Thomas
Kate Mercer	201 S FOURTH ST. #1 ST	Kate Mercer
Kevin Barua	507 N. 3rd ST San Jose, CA 95112	Kevin Barua
Peppi Lina		Peppi Lina
Catherine Robertson	710 N 2nd St #3 S.J. Ca. 95112	Catherine Robertson

Petition to Slow the "Fast Track" Development of the New Town & Country Village

February 12, 1998

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- **Downtown retail:** With a proposed regional sized project of this scale and design, there could be a significant impact on the growth of retail in Downtown San Jose if the retail strategy of the new T&C is not developed in conjunction with that of Downtown's. Retail is the only remaining element that keeps our city from being complete. If traffic is not dealt with properly, both T&C and Downtown will suffer as regional gridlock will send shoppers to areas like Los Gatos and Palo Alto.

In order to preserve our investment in Downtown San Jose, we need to pull together and speak up on issues such as this so that the government agencies are aware of the impact not just of big business, but of the residents of San Jose as well.

It appears that there has been insufficient time for the Planning Commission, and for the City Council to evaluate the EIR, possible problems with traffic mitigation, and the combined impact on the neighborhoods, both local to T&C and the downtown. If you believe that a more detailed investigation and analysis of the impacts of the proposed plan should be completed before approvals are rushed through, please sign below. For more information, please contact Rich Sutton (408) 536-6376 or the SJDA at (408) 279-1775.

Name (please print)	Address (optional)	Signature
SANDRA KOWALCHIK		<i>Sandra K</i>
KIM CLARK		<i>Kimberly A Clark</i>
ROBERT FECTER		<i>Robert A Fecter</i>
Walter Kirchherr		<i>W Kirchherr</i>
Robert Ridgway		<i>Robert Ridgway</i>
<i>Daniel</i>		<i>Daniel</i>

97 - 036

•

Petition to Slow the "Fast Track" Development of the New Town & Country Village

February 12, 1998

San Jose residents, the San Jose Downtown Association (SJDA) and many other related organizations are currently involved in evaluating the proposed development of a new shopping and residential complex near Valley Fair Mall. The project is planned for the Town and Country shopping center (T&C) at Winchester Blvd and Steven's Creek Blvd.

The proposed development is a privately funded project that will replace the entire T&C Village (250,000 sq. ft. retail) with 650,000 sq. ft. of retail, 1200 housing units and two hotels. It will be designed to look like a historic downtown with retail on the first floor and housing above. The architecture will resemble that of Downtown San Jose buildings dating back to the early 1900s.

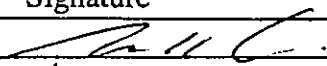
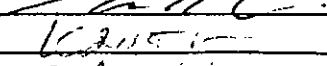
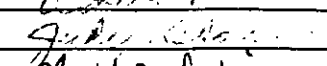
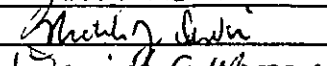
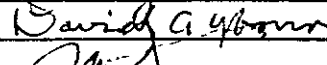
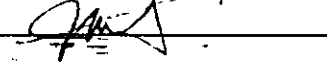
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Name (please print)	Address (optional)	Signature
Richard Cirone	435 N. 2nd #117 95112	
Ken Woot	435 N. 2nd #316 95112	
JUDY STABILE	430 N 1st #307	
Nicholas J. DeWitt	435 N. 2nd #113	
DAVID A. YBARRA	435 N. 2ND ST. #222	
TIM McFARLAND	435 N 2nd #225	

97-036

Petition to Slow the "Fast Track" Development of the New Town & Country Village

February 12, 1998

San Jose residents, the San Jose Downtown Association (SJDA) and many other related organizations are currently involved in evaluating the proposed development of a new shopping and residential complex near Valley Fair Mall. The project is planned for the Town and Country shopping center (T&C) at Winchester Blvd and Steven's Creek Blvd.

The proposed development is a privately funded project that will replace the entire T&C Village (250,000 sq. ft. retail) with 650,000 sq. ft. of retail, 1200 housing units and two hotels. It will be designed to look like a historic downtown with retail on the first floor and housing above. The architecture will resemble that of Downtown San Jose buildings dating back to the early 1900s.

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- **Traffic:** As determined by the Environmental Impact Report (EIR) and by anyone who's driven through that area in a peak hour, traffic will be heavily impacted by such a large project, even with the proposed local improvements. Highway access is not planned to be improved, meaning that the poorly designed access to the area off of 280 N at 880 and 280 S at Winchester will get even worse than it is now, which is rated at the lowest possible service level at peak hour.
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Name (please print)	Address (optional)	Signature
PASQUALE D'EPIRO	Paseo Plaza	Pasquale D'Epiro
Alma D'Epiro	Paseo Plaza	Alma D'Epiro
Russ Krapp	" "	R M Krapp
MARY BENSON	" "	Mary E. Benson
LEANDRO REIS	Fruitdale Ave	Leandro Reis
Kathleen Lee		Kathleen Lee

97 - 036



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500



February 11, 1998

RECEIVED
FEB 13 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

Ms. Julie Caporgno
Department of Planning, Building
and Code Enforcement
801 North First Street
San Jose, California 95110-1795

Dear Ms. Caporgno:

Town and Country Village Draft Environmental
Impact Report, SCH # 97072085
Santa Clara County

Department of Fish and Game personnel have reviewed the above-named document. The proposed project is the redevelopment of a 39-acre parcel. The project site is located at the southeasterly corner of Steven's Creek and Winchester Boulevards in the City of San Jose. The majority of the site is already developed, however, five acres of grassland habitat remain along the easterly boundary.

Three burrowing owls were observed on the site in 1997 (letter dated October 29, 1997 from H. T. Harvey and Associates to David Powers and Associates). Additionally, burrowing owls have been observed on the site in the past. The grassland habitat on site is accurately described in the letter, presented in Appendix D, as "suitable foraging habitat" and "potential nesting habitat" for burrowing owls. The site may have served as nesting habitat in the past, however, we cannot verify this.

As you know, burrowing owls have been identified as a species of special concern by the State of California and, therefore, are considered to meet the definition of rare pursuant to the California Environmental Quality Act (CEQA) (Section 15380). Impacts to species of special concern should be considered significant for the purposes of CEQA. We consider the loss of burrowing owl foraging and potential nesting habitat at the Town and Country site significant from a project specific perspective and a cumulative perspective.

On Page 85 of the Draft Environmental Impact Report (EIR), it is stated that "the vacant area does not meet the definition of what is considered by the State Department of Fish and Game to be the minimum amount of habitat to support one or a pair of burrowing owl (6.5 acres)." The Department has **never** made this assertion.

Conserving California's Wildlife Since 1870.

Ms. Julie Caporgno
February 11, 1998
Page Two

In our Staff Report of Burrowing Owl Mitigation (1995), we state that "a minimum of 6.5 acres of foraging habitat (calculated on a 100 m {approx. 300 ft} foraging radius around the burrow) per pair or unpaired resident bird should be acquired or permanently protected" (Staff Report 1995) as a mitigation requirement for project impacts to burrowing owls. This is not to say that we believe that burrowing owls may not be utilizing sites of smaller size (or of larger size). Due to the fragmented nature of the patches of burrowing owl habitat left in the South Bay area, it is likely burrowing owls utilize several small parcels of open space within their range.

Because we do not have information regarding the distances that might be traveled for foraging, we have no way of knowing exactly how much habitat a pair of breeding burrowing owls might be utilizing. The acreage figure that we have provided in our staff report is our best guess of the amount of habitat that might support a pair of birds in their natural environment. It is especially difficult to make this type of determination in an urban environment. Burrowing owls have been documented breeding in suboptimal habitat such as in parking lots and under sidewalks. The foraging habits of birds in these types of situations is not well documented. Due to compromised habitat availability for burrowing owls in the South Bay area, asserting that the loss of anything less than six and one-half acres of habitat is less than significant is erroneous.

On Page 85, it is stated that "the development of the project site will have no effect on the breeding success of the burrowing owl." There is not enough information available to make this kind of determination. One of the owls that was observed on the Town and Country site in October, 1997, was leg banded. It turns out that the bird hatched in a nest burrow on the Santa Clara University Campus in the spring of 1997. It is difficult to predict the habits of wild animals, however, we do know that owls have been observed on the Town and Country parcel in the past and we also know that burrowing owls prefer to breed in areas that other burrowing owls have bred in the past. Therefore, it is possible that the juvenile observed in October may attempt to nest on the site. If so, development of the site would effect the breeding success of the owls observed. We make this argument to illustrate that it is best to avoid making these types of sweeping generalizations when conducting impacts analysis on burrowing owls.

The mitigation measures proposed for reducing impacts to burrowing owls to a level of less than significant (Page 86) are appropriate insofar as they assure there will be no "take" of

Ms. Julie Caporgno
February 11, 1998
Page Three

individual burrowing owls. Pre-construction surveys should be conducted within thirty days of construction and any burrowing owls observed on the site during the nesting season (February 1 to August 31) shall be protected pursuant to sections 3503 and 3503.5 of the California Fish and Game Code and the Federal Migratory Bird Treaty Act. A 250-foot radius buffer will have to be established around any active owl burrow for the duration of the nesting season. No activities will be allowed within the protective buffer. The buffer shall be established with the placement of acceptable fencing.

Mitigation for the loss of burrowing owl foraging and potential breeding habitat should be required as a condition of approval for the project. To delay the determination of mitigation requirements for impacts to burrowing owl **habitat** would not be in accordance with the provisions of CEQA. On Page 86 it is written that, "if resident of breeding owls are located on the site during pre-construction surveys, a site-specific mitigation plan would be prepared." One of the purposes of CEQA is to provide the public with an opportunity to review and comment on the adequacy of various mitigation measures proposed to off-set the project's impacts. Habitat mitigation requirements should be clearly identified in the Final EIR. If the City were to develop an interim measure for burrowing owl habitat protection (until the Burrowing Owl Habitat Conservation Plan is implemented) this type of situation could be avoided.

We suggest assessing an impact fee on projects such as this, which contribute to the cumulative loss of burrowing owl habitat in the region. This approach would provide the applicant and the City with an acceptable and reasonable approach to burrowing owl habitat mitigation. The fee could be placed into an account which could later be used to fund management activities to enhance or create burrowing owl habitat on protected open space areas. We urge the City to consider this approach without delay so that the burden of protecting burrowing owls in the San Jose area is distributed fairly among developers. This approach will provide the applicant with a feasible way to lessen the significant impact of the project on burrowing owl habitat and afford the City with the opportunity to avoid making a finding of overriding considerations.

On Page 117 of the Draft EIR, this type of approach is clearly identified as a mitigation option. However, it is stated that "although the City of San Jose has begun a study....there is currently no established program in place" for an applicant to contribute financially to burrowing owl habitat protection, enhancement and management. An interim measure, such as an

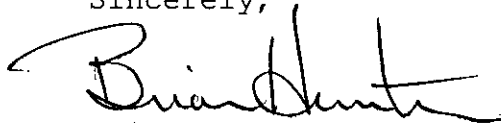
Ms. Julie Caporgno
February 11, 1998
Page Four

ordinance which identifies a fee schedule based on the number of square feet of the project or the size of the owl habitat area impacted, would assure that all applicants are provided with a mitigation mechanism so that mitigation would be distributed fairly and that enough money will be available to fulfill the components of the future Burrowing Owl Habitat Conservation Plan. We would be pleased to provide you information about similar ordinances elsewhere that have been established to achieve similar goals.

If a fee assessment is not possible at this time, we recommend that impacts-to burrowing owl habitat be offset with the protection of similar habitat elsewhere within the South Bay area. We suggest that a minimum mitigation ratio of 1:1 be applied to burrowing owl habitat impacts. The applicant should be required to protect and enhance five acres of burrowing owl habitat in the South Bay area. If the applicant is unable to find acceptable habitat within the time frame of the project permitting process, we would be willing to accept a security bond as an interim mitigation measure. The security bond would have to be in an amount sufficient to cover the potential cost of having the Department fulfill the mitigation requirement. A Mitigation Agreement with our Department will be required if this mitigation option is chosen.

If you have any questions regarding any of these comments; please contact Ms. Caitlin Bean, Environmental Specialist, at (408) 469-8759, or Mr. Carl Wilcox, Environmental Services Supervisor, at (707) 944-5525.

Sincerely,



Brian Hunter
Regional Manager
Region 3

cc: See Attached Page

97 - 036

Ms. Julie Caporgno
February 11, 1998
Page Five

cc: Mr. Craig Breon
Santa Clara Valley Audubon Society
22221 McClellan Road
Cupertino, California 95014

Mr. Lee Quintana
Planning Department
City of San Jose
801 North First Street
San Jose, California 95110

February 7, 1998

Ms. Julie Caporgno
Department of Planning
801 First Street Rm 200
San Jose, Ca 95110-1795

RECEIVED

FEB 10 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

Dear Ms. Caporgno,

My family lives at 442 Maplewood Ave. behind the Century Theaters off of Winchester Blvd. We enjoy our quiet neighborhood about ten months out of the year. Unfortunately during November and December it is a busy and often dangerous place to live. Allow me to explain.

When traveling east on Steven's Creek Blvd. from San Tomas Expressway, in these two months, it takes approximately one hour to travel a half mile. This is due to residents coming home from work and shoppers entering Valley Fair Mall. The Century Theaters and various restaurants also add to the terrible traffic.

Just this past December 23 we had a medical emergency with our 5 month old son and could not get out of our neighborhood for 45 minutes. We were lucky that his respiratory distress was not any worse or an ambulance would have been needed and there would not have been any way for emergency services to reach our home. Our baby continues to have asthma like symptoms, I am truly afraid that traffic jams may take his life.

It is amazing to all of us who live in this neighborhood that any more retailers are even being considered in the area. This includes expansion for the malls or theaters. There is every store and service imaginable within a one square mile area.

Retail greed should not be placed over the safety and sanity of residential neighbors.

Thank you for your consideration.

Sincerely,

Daphna Lee

Daphna Lee
442 Maplewood Ave
San Jose, Ca. 95117
(408) 243-8557

97 - 036

County of Santa Clara

Roads and Airports Department
Land Development and Permits

101 Skyport Drive
San Jose, California 95110



February 5, 1998

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FEB 10 1998

Ms. Julie Caporgno
City of San Jose
Department of Planning
801 North First Street
San Jose, CA 95110-1795

CITY OF SAN JOSE
PLANNING DEPARTMENT

**Subject: Draft Environmental Impact Report
Town and Country Village
File No.: PDCSH 97-06-036, SCH No. 97072085**

Dear Ms. Caporgno:

County of Santa Clara Roads and Airports Department staff have reviewed the subject document submitted with your January 8, 1998 letter. Our comments are as follows:

1. Table 27 - Cumulative Intersection Levels of Service (page 113): LOS for San Tomas/Stevens Creek intersection is F for existing PM peak hour and E for existing AM peak hour. The CMP approved existing solution should be used for this intersection. The intersection of San Tomas/Saratoga should be included in the traffic analysis.
2. Appendix E - Level of Service Calculations CMP Method:
 - a. San Tomas/Stevens Creek (Existing Conditions AM Peak Hour Scenario 1): NBT has only two lanes during the AM commute. The third lane is designated HOV/Bus lane only. NB has two critical movements which is an error.
 - b. San Tomas/Moorpark (Existing Conditions AM Peak Hour Scenario 1): WBR cannot be a critical movement. NBT has two lanes during the AM commute.

Thank you for the opportunity to review and comment on this project. If you have any questions, please call me at 573-2460.

Sincerely,

Ed Evangelista
Project Engineer

cc: M. Akbarzadeh
Central File

Project File

97 - 036

epe682 Ref:030





EDUCATION BEYOND THE EXPECTED

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FEB 05 1998

CITY OF SAN JOSE
PLANNING DEPARTMENT

January 29, 1998

Ms. Julie Caporgno
Department of Planning, Building & Code Enforcement
801 North First Street
San Jose, CA 95110-1795

Dear Ms. Caporgno:

Subject: File No. PDSCH97-06-036, SCH No. 97072085

I am in receipt of the Town and Country Village Draft Environmental Impact Report. Having received this report, on behalf of the Campbell Union School District, I have serious concerns that the students who would be generated by this project would severely overcrowd our northern schools. To house an additional 204+ students would be extremely difficult or impossible given the current loading factor in our north-end learning community.

Hence, if this project were to be approved, I believe the Campbell Union School District would need some substantial mitigation in order for the District to accommodate these students.

If I can be of further assistance in this matter, please feel free to call me. I can be reached at 408-341-7214.

Sincerely yours,

Richard A. McCann
Deputy Superintendent, Administrative Services

bj

cc: M. Plumleigh, Superintendent
M. Mitchell, Director I, Administrative Services

155 North Third Street

Campbell

California

95008-2086

Ph.: (408)364-4200

Fax: (408)341-7280

Website:

<http://www.campbellusd.k12.ca.us>

Governing Board Members:

Lois Adams

(408)379-5965

Leon Beauchman

(408)559-7917

Janet W. Johnson

(408)379-7284

Mary Perry

(408)978-6649

John Snelham

(408)354-9483

Superintendent:

Marcia Plumleigh, Ph.D.

(408)341-7211

97 - 036

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JAN 30 1998

County of Santa Clara

Environmental Resources Agency
Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032
(408) 358-3741 FAX 358-3245
Reservations (408) 358-3751 TDD (408) 356-7146

CITY OF SAN JOSE
PLANNING DEPARTMENT



January 27, 1998

Julie Caporgno
City Hall Annex, Room 400
801 North First Street
San Jose, CA 95110-1795

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

Dear Ms. Caporgno:

Thank for the opportunity to comment on this project. Our comments are focused on pedestrian and bicycle circulation and trail and park opportunities.

Consistency with the County of Santa Clara General Plan. The subject project is not located along the route of any of the proposed routes identified in the Countywide Trails Master Plan. Nor is it located adjacent to any regional County park facilities. Therefore, the project will not have a direct impact on County facilities.

City's Park and Trails Objectives. The proposed project is not providing any additional public park facilities. However, the DEIR has indicated that the project will be in compliance with the parkland dedication ordinance. We are assuming that compliance will be met through the dedication of in lieu fees that will be dedicated to parkland elsewhere in the city.

Pedestrian Circulation Requirements. The DEIR has indicated that the project will be providing or retaining sidewalks to meet internal and external pedestrian circulation requirements. As this project proposes high density residential and commercial use of the project site, the project applicant needs to coordinate with the Valley Transportation Authority to ensure that residents and shoppers opportunity to use transit is maximized.

Bicycle Circulation. The project applicant needs to coordinate with the City of San Jose bicycle coordinator, Joan Collins and the City Bicycle Advisory Committee to maximize the safety of bicyclists using Winchester as a travel route.

Sincerely,

Julie Bondurant
Park Planner

cc: Carla Ruigh, City Parks
Joan Collins, Bicycle Coordinator
Sylvia Star-Lack, Valley Transportation Authority

jb/towmeir1

97 - 036



Board of Supervisors: Donald F. Gage, Blanca Alvarado, Peter McHugh, James T. Beall Jr., S. Joseph Simitian
County Executive: Richard Wittenberg

THE CITY OF SANTA CLARA CALIFORNIA

PLANNING DIVISION
CITY HALL
1500 MARBURTON AVE
SANTA CLARA, CA 95050
(408) 984-3111
(FAX) (408) 241-3823

January 23, 1998

RECEIVED
JAN 26 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

Jim Derryberry, Director of Planning,
Building and Code Enforcement
City of San Jose
801 North First Street, Room 400
San Jose, CA 95110

Dear *Jim* Mr. Derryberry,

Thank you for the two week extension on the response deadline for comments on the Valley Fair Mall Expansion Draft Environmental Impact Report. We had requested this extension to allow time for concurrent review of the related Town & Country Draft EIR, which we recently received. We may update these comments as part of any comments on the Town & Country EIR.

It is our understanding that the only significant new construction in Santa Clara relative to the proposed expansion is part of the parking structure A located on the south side of the Mall and parking structure B at the northwestern corner of the Mall. Neither the Valley Fair expansion nor the Town & Country reconstruction would directly result in an expansion of square footage of retail uses in Santa Clara. Our comments, which are primarily transportation-related, therefore relate to impacts from development proposed entirely in San Jose and are as follows:

1) It is our understanding that, according to the Barton Aschman traffic studies for these two developments, the proposed addition of 438,000 square feet of retail space (211,000 square feet of gross leasable area) to Valley Fair would not be, on its own, cause for consideration of street widening and intersection improvements at Winchester and Stevens Creek Boulevard in Santa Clara. However, when combined with the proposed reconstruction and intensification of uses on the Town & Country Shopping Center site, this intersection would be significantly impacted by the proposed changes in this area.

We are concerned that the newly proposed addition of double left turn lanes at the northern part of this intersection (southbound Winchester) cannot be accommodated

97 - 036

within the existing public right-of-way nor within the planned right-of-way. The City has no adopted Plan Line for further widening of this intersection. It should be noted that this intersection was previously widened, reducing onsite parking and required landscaping for commercial businesses in our city, to provide for the 1980's expansion of Valley Fair. The property owners of the shopping center at the northwest corner of Winchester and Stevens Creek Boulevard, the Winchester Shopping Center, have contacted Santa Clara staff to express their opposition to the newly proposed widening, including the alternative which would result in a reduced width of the public sidewalk and landscaping at this corner.

We recently learned from a Longs Drug Store representative that their lease with Valley Fair, through Safeway, protects their onsite parking so further reduction (to accomplish alternative widening on Valley Fair's side of the intersection) appears to be limited. The grocery store and drug store parking should not be reduced.

We understand that the changes to this intersection necessary to accomplish two left-turn lanes would result in the removal of the elevated traffic islands and the loss of the free right-turn lanes where they exist at the northeast, southeast and southwest corners.

Without this improvement, the intersection would operate at Level of Service (LOS) E, based on the cumulative developments included in this traffic analysis. LOS E still falls within the acceptable Congestion Management Program guidelines.

2) Overall, the traffic analysis may be inadequate at this time. It cannot be determined whether cumulative impacts on area streets and intersections have been adequately addressed as, according to Gary Black of Barton Aschman, San Jose provided the traffic consultants with only a numbered list of related projects. Page 70 of the Draft EIR notes that the traffic volumes were calculated from San Jose's approved trip inventory. It is not clear whether Santa Clara's approved projects were considered.

We know of at least one approved project in Santa Clara, the pending addition of 727,500 square feet of office/research and development space to the Hewlett Packard site at Lawrence Expressway and Steven Creeek Boulevard, which will contribute significant traffic to an intersection identified as being significantly impacted anew by the Valley Fair/Town & Country proposals. According to the Barton Aschman-prepared EIR for Hewlett Packard, that intersection is San Tomas Expressway and Stevens Creek Boulevard, which is already operating at an unacceptable level of service. That intersection is identified as a planned grade-separated intersection in the City of Santa Clara General Plan, but we know of no near-term plans by the County for accomplishing this improvement in traffic movement. If approved, the Valley Fair and Town & Country projects should contribute to the county-wide Deficiency Plan to help fund improvements to area Freeways and Expressways. San Jose should strive to accomplish the San Tomas grade separation as soon as possible. Santa Clara will cooperate in this prioritization effort.

We have attached a list of approved projects in our city (as of September 1997) for your use in preparing subsequent environmental documents related to these projects. Barton-Aschman has used this list in recent Santa Clara EIR's.

3) We understand that the Town & Country redevelopment would involve multiple movie theaters with their primary access from Winchester Boulevard at the Olin Drive and Olsen Drive intersections which are already impacted by the Century Movie Theaters. As the theaters also impact the Winchester and Stevens Creek intersection, does the Valley Fair EIR include a detailed traffic analysis relative to peak hour traffic for the proposed theaters? In order for that analysis to consider the worst case, San Jose needs to clarify what will be the maximum number of seats and the maximum number of theaters which could be constructed

As theater (and Town & Country) traffic also funnels through from Olin to Stevens Creek Boulevard via Spar Avenue, Hanson Avenue, and Maplewood, it would also be appropriate to identify where the break in the median on Stevens Creek Boulevard will be preserved and whether a traffic signal is warranted there now or in the future. Currently, partially due to the bus stops on both sides of Stevens Creek near Hanson, there is unprotected pedestrian movement crossing Stevens Creek, as well as a fairly significant u-turn movement at Hanson of westbound Stevens Creek traffic heading southbound on Winchester.

Please note that the City of Santa Clara General Plan does not support a continuous median planter on Stevens Creek, primarily due to its adverse impacts on access to the automobile sales dealerships there. The traffic analysis for Valley Fair does not identify whether the existing median on Stevens Creek west of Winchester will need to be lengthened for additional queuing of eastbound Stevens Creek traffic heading northbound on Winchester. Left-turn movements at Hanson (both southbound into Hanson and northbound into the Winchester Shopping Center) may also need to be protected. This should be addressed now.

4) We note that San Jose is in the process of drafting an update to its method of determining level of service. We welcome a more realistic analysis of cumulative impacts. What is the anticipated timing for review and adoption of this update?

5) The document does not discuss the County's planned extension of Light Rail service from Downtown San Jose via San Carlos Street and Stevens Creek Boulevard to Cupertino. We understand from discussions with San Jose Redevelopment Agency staff, at this time there is insufficient public right-of-way to accomplish this improvement, at least along the San Carlos portion. The EIR should identify whether right-of-way is adequate near Valley Fair. Can all of the Stevens Creek turn-lanes for entrances to Valley Fair and Town & Country be maintained after Light Rail improvements are completed? Contributions and/or dedication of right-of-way by Town & Country to assist in funding of timely implementation of this transit improvement should be

considered if it is determined that Light Rail will help mitigate any identified "unavoidable" impacts on area roads and highways.

6) This EIR does not identify what percentage of Mall employees and customers are anticipated to use mass transit. The 1981 EIR adopted for the previous expansion of Valley Fair projected that, if the shopping center merchants' association instituted and maintained a program to encourage transit use by patrons and employees (including bus fare reimbursement for employees and posting of bus schedules at various locations in the Mall for customers), approximately six percent of the patrons and ten percent of the employees would use transit. Were these measures implemented? If so, how successful have they been? A shopper survey at that time indicated that 3.6% of shoppers used transit. What is the percentage use of transit by employees and customers now and projected into the future? Will Light Rail on Stevens Creek significantly help the traffic and parking situation?

7) The history of the Mall has documented that San Jose's retail parking requirement may not be adequate for development of this scale. It is not possible to determine from the Draft EIR to determine what parking is being allocated for what new and existing uses. For example, the existing bank on Winchester Boulevard is shown as "Not a Part" but its driveway entrance and most of its parking, including areas being used for temporary parking while accessing the outdoor automatic teller machines, is shown as being located on Valley Fair property.

The Draft EIR does not establish whether proposed onsite parking will be adequate for projected increased numbers of employees at the Mall. The document does not establish projections for number of increased temporary employees during the Christmas season (currently this reflects an increase in employee population of 67%). Presently, Valley Fair operates a shuttle service for employees (and customers at Christmas) from an offsite parking location a significant distance away. Will this continue? What percentage of employees are anticipated to use this shuttle? Might it not be more realistic to identify year-round "Employee Parking Only" areas onsite, such as at the top of the parking structures (or underground)?

8) The Draft EIR does not identify any traffic mitigation measures to encourage Mall employee or customer use of bicycles to access the site. The City of Santa Clara 1997 Bicycle Map should be referenced in the EIR. This Council-adopted document identifies a Bike Lane on Monroe Street extending from Sunnyvale on the west through Santa Clara to the San Jose City limits at Newhall. This map also identifies an existing Bike/Pedestrian Bridge at the south end of Monroe at Tisch Way and extending over Highway 280 to Moorpark (the only park in the immediate area is on Monroe at Tisch Way). There is also a bicycle/pedestrian bridge over 280 connecting Moorpark to Cypress Avenue west of Valley Fair.

According to information provided to our Traffic Engineering staff by San Jose staff, San Jose has identified future Bike Lanes on Hedding and Naglee (this street connects to Forest Avenue) near Valley Fair. The City of San Jose should include accomplishing the continuation/connection of these bikeways along Forest and Monroe in conjunction with the Valley Fair and Town & Country developments. Bike racks and bike lockers to be provided and maintained onsite should be called out on the new development plans.

9) The proposed design of the existing and new parking structures limits the effectiveness of their use. As they are not connected above-ground, if all levels are full it will be necessary for drivers to repeatedly exit the structures and use onsite driveways as well as city streets. The structures could be structurally designed to accommodate an additional level if parking proves inadequate for future demand and/or to accommodate possible future expansion of Valley Fair retail for that part of the shopping center in Santa Clara. The exterior elevations of all parking structures should be of a high quality of design and the structures should function in a pedestrian-friendly manner. Substantial landscaping should be provided where the parking structure is proposed to be located in close proximity to a public street.

If any portion of parking structures A or B within the City of Santa Clara is proposed to exceed fifty (50) feet in height (parking structure towers are proposed to extend to 58 feet), a Modification approval for height must be issued by the City Planner acting as the Zoning Administrator or else a Variance approval must be granted by the Planning Commission. The document does not identify this requirement. There is also the related Architectural Review process for any exterior changes to the portion of the Center in Santa Clara.

10) The site plan shows only one direct access to the Safeway and Longs Drugs stores from Forest Avenue. As this driveway also will be the only access point for ingress/egress to parking structure B for the shopping center, onsite circulation problems may develop. Valley Fair should maintain the current onsite driveway aisle providing direct access to the parking aisle which runs along the east side of the Safeway building from the street opening on Forest opposite Beechwood/Sylvan Avenues.

It appears from the site plan that the driveway entrance from Winchester next to Goodyear will continue to provide connection to this same aisle connecting with Safeway. Santa Clara does not anticipate supporting a median on Winchester near Forest unless the left-turn movement from southbound Winchester to this driveway is preserved. Any such improvement to Winchester should include plans for a future cross-turning movement from northbound Winchester onto the State Agricultural Center site, which is identified in our General Plan as appropriate for Moderate Density Residential development. The Final EIR should address this.

Please also note that Santa Clara staff would support a repeat of San Jose Traffic staff's recommendation to a prior City Council that the connection of Forest west of Winchester

to Winchester be closed and the double traffic light at this intersection be updated to a single light.

11) Santa Clara has a concern regarding the adequacy of access for Fire Protection equipment and personnel in the event of an emergency at either Valley Fair, Town & Country or the area nearby. San Jose's primary station, Station 10 at the southern end of Monroe near Tisch Way, has two ways to reach the Mall: via Monroe Street and Stevens Creek and via Tisch Way and Winchester Boulevard. All of these streets will have a worsened traffic condition as a result of these two proposed developments.

Santa Clara's closest Fire station is Station 4 on Pruneridge east of Saratoga. The primary access for Santa Clara's Fire response is via Pruneridge and Winchester and Forest. The intersection of Winchester and Dorcich would be the only direct access to Valley Fair buildings in Santa Clara and this limited width driveway onsite is often blocked with customers entering and exiting the Mall.

The Fire Department usually does not find acceptable an accessway through a parking garage such as is proposed through new parking structure B from Forest. It cannot be determined from the information provided in the Draft EIR whether the required minimum 14 foot high clearance in the structure is being provided and what the driveway width will be in this area (includes vehicle parking along one side). The Draft EIR does not clarify whether additional Fire personnel and/or apparatus will also be needed in Santa Clara as a result of the intensification of use at these two centers. San Jose staff and the developers should meet with Santa Clara Fire Department staff and obtain that Department's written comments/clearance before the Final EIR is prepared.

Similarly, a meeting should be scheduled and written comments received from Santa Clara's Chief of Police before the Final EIR is prepared. Santa Clara police are responsible for our portion of the Mall, all of Winchester from the northern half of the intersection of Winchester and Stevens Creek northward, and westbound Stevens Creek Boulevard westward from the City limits line (east of the main driveway entrance to Town & Country). The Draft EIR identifies impacts on police personnel and/or equipment, but does not discuss Santa Clara police service issues specifically.

The Final EIR should address adequacy of staffing for Mall security. The need for increased security staffing is especially an issue with the addition of multi-level parking structures.

12) Regarding impacts on landscaping in Santa Clara, the EIR does not address mitigation of the loss of existing trees in parking lots and on street frontages due to this project.

13) The EIR does not clearly resolve what is the proposed reconfiguration of the multiple parcels on the Valley Fair site. The Final EIR should clearly delineate existing and proposed lot lines. Easement issues need to be addressed. Buildings and/or parking

structures should not be allowed to cross property lines. A lot line adjustment to combine this parcel with the rest of Valley Fair would not be supported during the life of the grocery store and drug store leases unless it resulted in the perpetuation of these uses.

14) There is inadequate discussion in the Draft EIR of cumulative impacts on growth as a result of these proposed developments. Housing advocates maintain that new housing units are needed for the continued employment growth in this area, including affordable housing for service employees. An increase in employment of 1,000 permanent jobs is significant. What percentage of the new housing proposed on Town & Country will be required to be affordable to service workers?

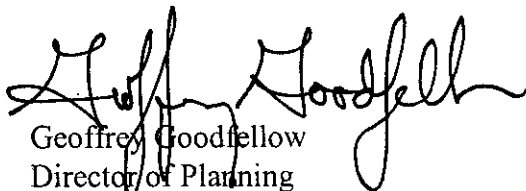
15) Cumulative impacts on nearby Freeways, especially where stacking on those Freeway off-ramps may result in blocking of a freeway lane such as that which provides an important connection from northbound 280 to northbound 17, should seriously be evaluated. Stacking for traffic at the meter light for northbound 17 already impacts northbound 280 traffic's access to Stevens Creek Boulevard towards the two shopping centers. Solutions to resolve these conflicts should be identified now, as commitment from San Jose will be required to support implementation of alternative designs. Cumulative impacts from these developments could be partially mitigated if the Town & Country development is phased to coincide with resolution of existing connecting ramp design constraints.

16) Alternatives to this project considered by the EIR should include expansion of Valley Fair retail in Santa Clara now or at some time in the future.

17) The City of Santa Clara Electric Utility/Silicon Valley Power provides electricity to the Santa Clara portion of the shopping center and sufficient capacity exists to accommodate service for an expansion such as that proposed. We would anticipate that our City Council would welcome a contractual commitment from the property owner(s) ensuring continuation/expansion of that relationship.

Thank you for continuing to include our city in this important process of review. If you have any questions regarding these comments, please contact me, City Planner Art Henriques, or Advance Planning Coordinator Doug Handerson at (408) 261-5260.

Sincerely,


Geoffrey Goodfellow
Director of Planning
& Inspection

Attachment

RECEIVED
JAN 26 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

97 - 036

Cc: Carol Painter, Principal Planner
Sue Lasher, Mark Sorich, property owners
Safeway, Longs
City Engineer, City Traffic Engineer, City Manager, City Attorney,
Fire Chief, Police Chief, Building Official

dvh\GGSERVER\DATAFILE\PLANNING\1998\Subject\Valley Fair EIR Comments 1-20.doc

**APPROVED DEVELOPMENTS
CITY OF SANTA CLARA
(as of September 1997)**

<u>Project</u>	<u>Location</u>	<u>Description</u>
McCandless	3955 Freedom Circle	220,000 s.f. office
Intel SC-12 Regency	2250 Mission College Blvd.	650,000 s.f. office
3Com	5420 Bayfront Plaza	405,000 s.f. office/mfg
Peery Arillaga	2500 Freedom Circle (south side)	850,000 s.f. office
Nexus	2805-2807 Mission College Blvd.	132,000 s.f. office
Mercado SC	3000 Mission College Blvd.	109,000 s.f. retail
		21,000 s.f. restaurant
		4,500 s.f. seat theater
HOPE	4401 Lafayette Street	400,000 s.f. industrial
Fairway Glen/Interland	4600 Lick Mill Blvd.	1,466 d.u. apartments
Applied Materials	3333 Scott Blvd.	840,000 s.f. office/R&D
Centennial Banquet Facility	Tasman and Centennial	6,000 s.f. banquet hall
Intel SC-12 Walsh	at Northwestern Parkway	300,000 s.f. office
Kaiser	Homestead and Lawrence	745,000 s.f. office
		675,000 s.f. medical office
		35,000 s.f. central plan
Hewlett-Packard	Stevens Creek at Lawrence	727,500 s.f. (net) office/R&D
Sobrato (Verifone)	Great America Parkway and Tasman Drive	137,315 s.f. office
3Com Pal Site	Great America Parkway and Yerba Buena Way	540,000 s.f. office/R&D
Hunter/Storm	451-475 El Camino Real	10,000 s.f. retail
		230,000 s.f. R&D
		110 Room Hotel

DH:ey
I:p/1998/approveddevelopments

97 - 036

Job No. 97010B

October 28, 1997

Ms. Julie Caporgno
Department of Planning
City of San Jose
801 north First Street
San Jose, California 95110-1795

Re: Town and Country Village
City File No. PDC SH 97-06-036

Dear Ms. Caporgno:

Reference is made to your letter of September 29, 1997, to Mr. David North of David Powers and Associates, Inc., that contained the comments of the City's review of the Administrative Draft EIR for the referenced project. Page 3 of this letter contains an item that stated "that the downstream sanitary sewer capacity is inadequate for this project," and contained possible mitigation measures.

This comment raised questions with the design team, and a meeting was held on October 16, 1997, with Mr. Tony Leung, Mr. Calvin Matsui, Mr. Jim Tanner and Mr. Ken Salvail of the City's Public Works Department staff to discuss this sanitary sewer issue. During the course of the meeting, it became apparent that due to a lack of current information on the existing sewer system and on project itself, it is unknown if there is adequate capacity in the downstream sanitary sewer.

In light of this meeting, it appears that the Sanitary Sewer Section of the EIR would be more appropriately revised to reflect that the downstream 8-inch sewer that flows from Stevens Creek Boulevard into the Valley Fair site and the 10-inch sewer that flows through the Valley Fair site may or may not have adequate capacity for this project. Should the downstream 8-inch sewer prove to be inadequate, the following mitigation measure may be required:

- a) Up-size the existing 8-inch sanitary sewer line that goes from Stevens Creek Boulevard to the existing 10-inch sewer in the Valley Fair site.

Should the downstream 10-inch sewer prove to be inadequate, one of the following mitigations may be required:

- b) Sewer the project from both the 10-inch line (item a) and the 6-inch sanitary sewer line that goes under Route 280 from Dudley Avenue to Moorpark Avenue.

m:97010B\csjss.ltr

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NOV 03 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

R+G

Ruth and Going, Inc.

Engineering
Architecture
Planning

1630 Zanker Road
San Jose, CA 95112
Ph: (408) 452-5700
Fax: (408) 452-5790

Mailing Address:
P.O. Box 611600
San Jose
CA 95161-1600

97 - 036

Ms. Julie Caporgno
October 28, 1997
Page 2

- c) Up-size the existing 10-inch sanitary sewer line that goes through the Valley Fair site from Stevens Creek Boulevard to Forest Avenue.
- d) Construct a new sanitary sewer line along Winchester Boulevard from the project site to Forest Avenue.

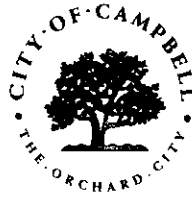
As such, until further analysis is undertaken during the PD Permit stage, the exact mitigation required, if any, will not be conclusively known. Should you have any questions regarding the above, please do not hesitate to give us a call.

Very truly yours:



Peter L. Huttlinger

cc: David North, David J. Powers & associates, Inc.
John Richman, Federal Realty Investment Trust
Tony Leung, City of San Jose



CITY OF CAMPBELL
Community Development Department

RECEIVED
SEP 16 1997
CITY OF SAN JOSE
PLANNING DEPARTMENT

September 17, 1997

Lori Neff
City of San Jose
Department of Planning
801 N. First Street
San Jose, CA 95110-1795

Subject **TrizecHahn Centers**
 File Number H97-02-012
 and
 Federal Realty Investment Trust
 File Number PD97-06-036

Dear Ms. Neff:

We appreciate the opportunity to comment on the Notice of Preparation sent to the City of Campbell for the above referenced projects, the expansion of the Valley Fair Shopping Center and of the Town and Country Village Project.

Our Traffic Engineer has asked that you include an analysis of the intersection of Winchester Boulevard and Hamilton Avenue and that the EIR's include an analysis of the cumulative impact of the two projects.

I appreciate your attention to our concerns and look forward to receiving a copy of the Draft EIR for each project. Should you have any questions, please do not hesitate to contact me at (408) 866-2141.

Sincerely,

Sharon Fierro
Senior Planner

cc: Steven Piasecki, Community Development Director
 Robert Kass, Public Works Department
 Peter Eakland, Traffic Engineer

97 - 086



CITY OF SAN JOSE
DEPARTMENT OF CITY PLANNING AND BUILDING
801 NORTH FIRST STREET, ROOM 400
SAN JOSE, CA 95110-1795
Phone: (408) 277-4576
FAX: (408) 277-3250

NOTICE OF PREPARATION FAX TRANSMITTAL

TO: David North FILE # PDC97-6-36
David J. Powers & Assoc.
1885 The Alameda Ste 204 FAX # (408) 248-9641
San Jose, CA 95126
RE: NOP for Town & Country Village

WE ARE SENDING YOU THE FOLLOWING NOP RESPONSES:

DATE	NO. OF PGS. (INCL THIS PG.)	DESCRIPTION
9/5/97	20	Clearinghouse
		Historical Resources Information Systems
		Cal/EPA
		Santa Clara County Roads & Airports
		The City of Santa Clara
		The City of Campbell
		SCVWD
		MTA
		CALTRANS

SENT BY: Doni Noff

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (not signatures) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (adjacent property owners to be marked with an asterisk[*]). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 274 43 037
MACY & CO INC R H
7 W 7TH ST
CINCINNATI, OH 45202-2424

2 274 43 040
AMERICAN SAVINGS BANK F A
PO BOX 1048
STOCKTON, CA 95201-1048

3 274 43 041
STEVENS CREEK ASSOCIATES
2855 STEVENS CREEK BLVD
SANTA CLARA, CA 95050-6709

4 274 43 043
STEVENS CREEK ASSOCIATES
5918 STONERIDGE MALL RD
PLEASANTON, CA 94588-3229

5 274 43 055
AMERICAN SAVINGS BANK F A
PO BOX 1048
STOCKTON, CA 95201-1048

6 274 43 056
STEVENS CREEK ASSOCIATES
4350 LA JOLLA VILLAGE DR
SAN DIEGO, CA 92122-1243

7 274 43 060
CARTER HAWLEY HALESTORES I
7 W 7TH ST
CINCINNATI, OH 45202-2424

8 274 43 061
STEVENS CREEK ASSOCIATES
4350 LN JOLLA VLG DR 700
SAN DIEGO, CA 92122

9 277 33 001
GUARANTY SAVINGS & LOAN AS
9200 OAKDALE AVE #N1144
CHATSWORTH, CA 91311-6519

10 277 33 002, 004, 005, 007
San Jose Town Frit & COUNTRY VIL
1626 E JEFFERSON ST
ROCKVILLE, MD 20852-4041

11 277 33 003
FRIT SAN JOSE TOWN & COUNTR
Jose Residential San
350 S WINCHESTER BLVD
SAN JOSE, CA 95128-2035

12 277 33 006, 009, 010, 011
LINCAL INC
PO BOX 610880
SAN JOSE, CA 95161-0880

13 277 33 008
Sadegh & Sepideh Sadeghi
325 S REDWOOD AVE
SAN JOSE, CA 95128-5109

14 277 33 012
Chung & Amy Chow
1625 GLENFIELD DR
SAN JOSE, CA 95125-5027

15 277 33 014
Donny & Michelle Gregg
2148 KING CT
SANTA CLARA, CA 95051-1921

16 277 33 015
Yooshieh Gahramani
381 S REDWOOD AVE
SAN JOSE, CA 95128-5109

17 277 36 020, 021, 022, 023, 024
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

18 277 36 025, 026
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

19 277 36 027, 028, 029, 030, 031
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

20 277 36 032
Chun Lin Yeh & Mei Chun Kuo
707 VILLA CENTRE WAY
SAN JOSE, CA 95128-5141

21 277 36 033
Brian Kim
667 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

22 277 36 034
Kim & Maribet Mason
653 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

23 277 36 035
Lawrence Chu & Hong Huang
649 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

24 277 36 036
James Mallory & Valerie Kane
645 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

25 277 36 037
Feng Yang & Jiao Liao
641 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

26 277 36 038
Richard & Tina Perkins
637 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 277 36 042
Vaughn Scott Moyer
621 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

2 277 36 043
Jens-Ingo Farley
617 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

3 277 36 045, 046, 047, 048
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

4 277 36 049
Yu Chen
636 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

5 277 36 050
Liang Kuang Sun & Chung Jung Liu
640 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

6 277 36 051
Wing Lun & Geraldine Heng Lam
644 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

7 277 36 052
Xiangbing Li & Ling Zhuang
648 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

8 277 36 053
Amir Abbasi & Zahedeh Hatamkhany
652 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

9 277 36 054
Gordon Robert Perry & Lee Vaughn Pa
12683 TERRACE DR
CUPERTINO, CA 95014

10 277 36 055
Naresh & Champa Puri
129 DEACON DR
MERCERVILLE, NJ 08619-1355

11 277 36 056
Ung Chan & Bok Soon Ahn
664 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

12 277 36 057
Johnson Tsay
668 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

13 277 36 058, 059, 061, 064, 065
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

14 277 36 060
Scott Yamasaki & Liane Ishii
680 VILLA CENTRE WAY
SAN JOSE, CA 95128

15 277 36 062
Peter & Mary Ligeti
160 FREMONT AVE
LOS ALTOS, CA 94022-3957

16 277 36 063
Raymond Chun-Ching Tang
692 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

17 277 36 066
Adam Talcott
704 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

18 277 36 067, 068, 069, 070, 071
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

19 277 38 001
SAN JOSE CITY OF
S BAYWOOD AV
SAN JOSE, CA 95128

20 277 38 002
PACIFIC BELL
S BAYWOOD AV
SAN JOSE, CA 95128

21 277 38 003
Souzan & Safwat Gaballah
PO BOX 391771
MOUNTAIN VIEW, CA 94039-1771

22 277 38 004
DUDLEY AVENUE ASSOCIATES
1777 HAMILTON AVE #106
SAN JOSE, CA 95125-5401

23 277 38 005
Stanley & Marilyn Gadway
2155 LILAC LN
MORGAN HILL, CA 95037-9559

24 277 38 006
PACIFIC BELL
NO STREET NAME or NUMBER
SAN JOSE, CA 95128

25 277 39 001
PGP-SOUTH BAY OFFICE TOWER I
3031 TISCH WAY
SAN JOSE, CA 95128-2541

26 277 39 007, 008, 009, 010, 013
S Stephen & Sally Nakashima
440 S WINCHESTER BLVD
SAN JOSE, CA 95128-2534

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 277 39 011
CALIFORNIA STATE AUTOMOBIL
100 VAN NESS AVE #11TH
SAN FRANCISCO, CA 94102-5209

2 277 39 012
C S A A Inter-Insurance Bureau
100 VAN NESS AVE #11TH
SAN FRANCISCO, CA 94102-5209

3 277 40 003
San Jose Town Frit & COUNTRY VIL
1626 E JEFFERSON ST
ROCKVILLE, MD 20852-4041

4 277 43 001, 002, 003, 004, 005, 006
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

5 277 43 007, 008, 009, 010, 011, 012
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

6 277 43 013, 014, 015
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

7 277 43 033, 034, 035, 036, 037
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

8 277 43 038, 039, 040, 041, 042
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

9 277 43 043
Kurt & Lynn Shimada
592 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

10 277 43 044
Steven & Diana Sumida
596 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

11 277 43 045
Rodney & Bernadette Willis
600 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

12 277 43 046
Donald Scettrini
604 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

13 277 43 047
Saeid Montazeri
608 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

14 277 43 048
Tony Tran Dang
612 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

15 303 18 049
GEORGE SORICH COMPANY
14614 LA RINCONADA DR
LOS GATOS, CA 95032-1720

16 303 18 050
Sue Lasher
3181 CECIL AVE
SAN JOSE, CA 95117-1101

17 303 38 001
WINCHESTER RANCH INC
500 CHARLES CALI DR
SAN JOSE, CA 95117-1612

18 303 38 503
Peggy Patterson
600 WATER WITCH WAY
SAN JOSE, CA 95117-1654

19 303 38 504
Eugene Sanfilippo
601 WATER WITCH WAY
SAN JOSE, CA 95117-1654

20 303 38 505
Natalie Wright
559 DRY YARD DR
SAN JOSE, CA 95117-1618

21 303 38 506
Eugene & Bitia Bertoni
607 PRUNE WAY
SAN JOSE, CA 95117-1646

22 303 38 507
Weston & Dorothy Milleson
593 WATER WITCH WAY
SAN JOSE, CA 95117-1654

23 303 38 508
Jean Cardiff
525 WATER WITCH WAY
SAN JOSE, CA 95117-1653

24 303 38 509
Frank & Liberta Holland
513 DIPPER CIR
SAN JOSE, CA 95117-1615

25 303 38 510
William & Jessie Gravett
540 WATER WITCH WAY
SAN JOSE, CA 95117-1653

26 303 38 511
John Pappalardo
535 COT CT
SAN JOSE, CA 95117-1614

(Continue list on a separate sheet)

97-036

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (not signatures) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (adjacent property owners to be marked with an asterisk[*]). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000 - 00 - 000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

9 303 39 044
EXXON CORP
PO BOX 53
HOUSTON, TX 77001-0053

18 303 39 062
Scott & Tani McBain
PO BOX 2455
SARATOGA, CA 95070-0455

1 303 38 512
Sam Riggio
557 DRY YARD DR
SAN JOSE, CA 95117-1618

10 303 39 046
Richard Messina
721 N CAPITOL AVE
SAN JOSE, CA 95133-2603

19 303 40 014 , 015, 018, 020
WINCHESTER PROPERTIES INC
1654 THE ALAMEDA #220
SAN JOSE, CA 95126-2206

2 303 39 001 , 016
Winston & Phyllis Weber
16140 KENNEDY RD
LOS GATOS, CA 95032-6506

11 303 39 047
LYON'S RESTAURANTS INC
1165 TRITON DR
FOSTER CITY, CA 94404-1213

20 274 43 037
Current Resident
2899 STEVENS CREEK BLVD
SAN JOSE, CA 95128

3 303 39 017
Lucille Williams
374 SPAR AVE
SAN JOSE, CA 95117-1651

12 303 39 048
Robert Berry
15225 SOBEY RD
SARATOGA, CA 95070-6255

21 274 43 040
Current Resident
STEVENS CREEK
SANTA CLARA, CA 95050

4 303 39 018
George & Marion Amstutz
366 SPAR AVE
SAN JOSE, CA 95117-1651

13 303 39 049
Robert Berry
15225 SOBEY RD
SARATOGA, CA 95070-6255

22 274 43 043
Current Resident
3071 STEVENS CREEK BLVD
SANTA CLARA, CA 95050-6704

5 303 39 019
Paul & Charlotte Monte
358 SPAR AVE
SAN JOSE, CA 95117-1651

14 303 39 051
BAY BOTTLERS LTD
818 BURLWAY RD
BURLINGAME, CA 94010-1706

23 274 43 055
Current Resident
2915 STEVENS CREEK BLVD
SAN JOSE, CA 95128

6 303 39 022
Joseph & Dolores Lonigro
338 SPAR AVE
SAN JOSE, CA 95117-1651

15 303 39 052
Glenford Dennee Jr.
2265 EL CAMINO REAL #3
SANTA CLARA, CA 95050-4064

24 274 43 056
Current Resident
2855 STEVENS CREEK BLVD
SAN JOSE, CA 95128

7 303 39 023
Hank Vanderhulst Jr.
332 SPAR AVE
SAN JOSE, CA 95117-1651

16 303 39 055, 056, 057, 058, 061
Glenford Dennee Jr.
2265 EL CAMINO REAL
SANTA CLARA, CA 95050-4064

25 274 43 060
Current Resident
3051 STEVENS CREEK BLVD
SANTA CLARA, CA 95050-6704

8 303 39 041
GCA ENTERPRIZES
990 E HAMILTON AVE
CAMPBELL, CA 95008-0615

17 303 39 059 , 060
MOSKOVITZ PROPERTIES
700 MISSION ST
SAN FRANCISCO, CA 94103-3130

26 277 33 001
Current Resident
360 S WINCHESTER BLVD
SAN JOSE, CA 95128-2035

97-036

(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example					
APN 000 - 00 - 000					
JOAN DOE					
123 MAIN STREET					
SAN JOSE, CA 95000					
1	277 33 002 Current Resident 370 S WINCHESTER BLVD SAN JOSE, CA 95128-2035	9	277 33 012 Current Resident 357 S REDWOOD AVE SAN JOSE, CA 95128-5109	18	277 36 026 Current Resident 523 VILLA CENTRE WAY SAN JOSE, CA 95128-5135
2	277 33 004 Current Resident 3030 STEVENS CREEK BLVD SAN JOSE, CA 95128-2025	10	277 33 013 Current Resident 365 S REDWOOD AVE SAN JOSE, CA 95128-5109	19	277 36 027 Current Resident 519 VILLA CENTRE WAY SAN JOSE, CA 95128-5135
3	277 33 005 Current Resident 2980 STEVENS CREEK BLVD SAN JOSE, CA 95128-2023	11	277 33 014 Current Resident 373 S REDWOOD AVE SAN JOSE, CA 95128-5109	20	277 36 028 Current Resident 515 VILLA CENTRE WAY SAN JOSE, CA 95128-5135
4	277 33 006 Current Resident 2960 STEVENS CREEK BLVD SAN JOSE, CA 95128-2022	12	277 36 020 Current Resident 547 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	21	277 36 029 Current Resident 510 VILLA CENTRE WAY SAN JOSE, CA 95128-5134
5	277 33 007 Current Resident 2980 STEVENS CREEK BLVD SAN JOSE, CA 95128-2023	13	277 36 021 Current Resident 543 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	22	277 36 030 Current Resident 725 VILLA CENTRE WAY SAN JOSE, CA 95128-5142
6	277 33 009 Current Resident 333 S REDWOOD AVE SAN JOSE, CA 95128-5109	14	277 36 022 Current Resident 539 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	23	277 36 031 Current Resident 715 VILLA CENTRE WAY SAN JOSE, CA 95128-5142
7	277 33 010 Current Resident 341 S REDWOOD AVE SAN JOSE, CA 95128-5109	15	277 36 023 Current Resident 535 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	24	277 36 033 Current Resident 657 VILLA CENTRE WAY SAN JOSE, CA 95128-5138
8	277 33 011 Current Resident 349 S REDWOOD AVE SAN JOSE, CA 95128-5109	16	277 36 024 Current Resident 531 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	25	277 36 039 Current Resident 633 VILLA CENTRE WAY SAN JOSE, CA 95128-5138
		17	277 36 025 Current Resident 527 VILLA CENTRE WAY SAN JOSE, CA 95128-5135	26	277 36 040 Current Resident 629 VILLA CENTRE WAY SAN JOSE, CA 95128-5138

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(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (not signatures) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (adjacent property owners to be marked with an asterisk[*]). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000 - 00 - 000

JOAN DOE

123 MAIN STREET

SAN JOSE, CA 95000

1 277 36 041
Current Resident
625 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

2 277 36 044
Current Resident
616 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

3 277 36 045
Current Resident
620 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

4 277 36 046
Current Resident
624 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

5 277 36 047
Current Resident
628 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

6 277 36 048
Current Resident
632 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

7 277 36 054
Current Resident
656 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

8 277 36 055
Current Resident
660 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

9 277 36 058
Current Resident
672 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

10 277 36 059
Current Resident
676 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

11 277 36 061
Current Resident
684 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

12 277 36 062
Current Resident
688 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

13 277 36 064
Current Resident
696 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

14 277 36 065
Current Resident
700 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

15 277 36 067
Current Resident
708 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

16 277 36 068
Current Resident
712 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

17 277 36 069
Current Resident
716 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

18 277 36 070
Current Resident
720 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

19 277 36 071
Current Resident
724 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

20 277 38 004
Current Resident
534 DUDLEY AVE
SAN JOSE, CA 95128-2002

21 277 38 003
Current Resident
544 DUDLEY AVE
SAN JOSE, CA 95128-2003

22 277 38 005
Current Resident
524 DUDLEY AVE
SAN JOSE, CA 95128-2001

23 277 39 007
Current Resident
S WINCHESTER BLVD
SAN JOSE, CA 95128

24 277 39 008
Current Resident
S WINCHESTER BLVD
SAN JOSE, CA 95128

25 277 39 009
Current Resident
S WINCHESTER BLVD
SAN JOSE, CA 95128

26 277 39 011
Current Resident
TISCH WAY
SAN JOSE, CA 95128

97 - 03 6

(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (*not signatures*) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (*adjacent property owners to be marked with an asterisk(*)*). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000-00-000

JOAN DOE

123 MAIN STREET

SAN JOSE, CA 95000

9 277 43 006
Current Resident
2872 HEMLOCK AVE
SAN JOSE, CA 95128-5133

18 277 43 015
Current Resident
2836 HEMLOCK AVE
SAN JOSE, CA 95128-5132

1 277 39 012
Current Resident
550 S WINCHESTER BLVD
SAN JOSE, CA 95128-2544

10 277 43 007
Current Resident
2868 HEMLOCK AVE
SAN JOSE, CA 95128-5133

19 277 43 033
Current Resident
552 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

2 277 39 013
Current Resident
S WINCHESTER BLVD
SAN JOSE, CA 95128

11 277 43 008
Current Resident
2864 HEMLOCK AVE
SAN JOSE, CA 95128-5133

20 277 43 034
Current Resident
556 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

3 277 40 003
Current Resident
2980 STEVENS CREEK BLVD
SAN JOSE, CA 95128-2023

12 277 43 009
Current Resident
2860 HEMLOCK AVE
SAN JOSE, CA 95128-5133

21 277 43 035
Current Resident
560 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

4 277 43 001
Current Resident
2892 HEMLOCK AVE
SAN JOSE, CA 95128-5133

13 277 43 010
Current Resident
2856 HEMLOCK AVE
SAN JOSE, CA 95128-5133

22 277 43 036
Current Resident
564 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

5 277 43 002
Current Resident
2888 HEMLOCK AVE
SAN JOSE, CA 95128-5133

14 277 43 011
Current Resident
2852 HEMLOCK AVE
SAN JOSE, CA 95128-5132

23 277 43 037
Current Resident
568 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

6 277 43 003
Current Resident
2884 HEMLOCK AVE
SAN JOSE, CA 95128-5133

15 277 43 012
Current Resident
2848 HEMLOCK AVE
SAN JOSE, CA 95128-5132

24 277 43 038
Current Resident
572 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

7 277 43 004
Current Resident
2880 HEMLOCK AVE
SAN JOSE, CA 95128-5133

16 277 43 013
Current Resident
2844 HEMLOCK AVE
SAN JOSE, CA 95128-5132

25 277 43 039
Current Resident
576 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

8 277 43 005
Current Resident
2876 HEMLOCK AVE
SAN JOSE, CA 95128-5133

17 277 43 014
Current Resident
2840 HEMLOCK AVE
SAN JOSE, CA 95128-5132

26 277 43 040
Current Resident
580 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example

APN 000-00-000

JOAN DOE

123 MAIN STREET

SAN JOSE, CA 95000

1 277 43 041
Current Resident
584 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

2 277 43 042
Current Resident
588 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

3 303 18 049
Current Resident
3121 STEVENS CREEK BLVD
SANTA CLARA, CA 95050

4 303 18 050
Current Resident
3137 STEVENS CREEK BLVD
SANTA CLARA, CA 95050

5 303 38 001
Current Resident
555 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

6 303 38 001
Current Resident
555 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

7 303 39 001
Current Resident
390 SPAR AVE
SAN JOSE, CA 95117-1600

8 303 39 016
Current Resident
382 SPAR AVE
SAN JOSE, CA 95117-1651

9 303 39 041
Current Resident
3100 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

10 303 39 044
Current Resident
425 S WINCHESTER BLVD
SAN JOSE, CA 95128-2005

11 303 39 046
Current Resident
385 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

12 303 39 047
Current Resident
335 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

13 303 39 048
Current Resident
3136 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

14 303 39 049
Current Resident
3132 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

15 303 39 052
Current Resident
350 SPAR AVE
SAN JOSE, CA 95117-1651

16 303 39 056
Current Resident
S WINCHESTER AVE
SAN JOSE, CA 95117

17 303 39 057
Current Resident
369 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

18 303 39 058
Current Resident
369 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

19 303 39 059
Current Resident
315 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

20 303 39 060
Current Resident
319 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

21 303 39 061
Current Resident
SPAR AVE
SAN JOSE, CA 95117

22 303 39 062
Current Resident
395 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

23 303 40 014
Current Resident
(LAND ONLY)
SAN JOSE, CA 95117

24 303 40 015
Current Resident
449 S WINCHESTER BLVD
SAN JOSE, CA 95128-2535

25 303 40 018
Current Resident
525 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

26 303 40 020
Current Resident
525 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 274 43 037
MACY & CO INC R H
7 W 7TH ST
CINCINNATI, OH 45202-2424

2 274 43 040
AMERICAN SAVINGS BANK F A
PO BOX 1048
STOCKTON, CA 95201-1048

3 274 43 041
STEVENS CREEK ASSOCIATES
2855 STEVENS CREEK BLVD
SANTA CLARA, CA 95050-6709

4 274 43 043
STEVENS CREEK ASSOCIATES
5918 STONERIDGE MALL RD
PLEASANTON, CA 94588-3229

5 274 43 055
AMERICAN SAVINGS BANK F A
PO BOX 1048
STOCKTON, CA 95201-1048

6 274 43 056
STEVENS CREEK ASSOCIATES
4350 LA JOLLA VILLAGE DR
SAN DIEGO, CA 92122-1243

7 274 43 060
CARTER HAWLEY HALESTORES I
7 W 7TH ST
CINCINNATI, OH 45202-2424

8 274 43 061
STEVENS CREEK ASSOCIATES
4350 LN JOLLA VLG DR 700
SAN DIEGO, CA 92122

9 277 33 001
GUARANTY SAVINGS & LOAN AS
9200 OAKDALE AVE #N1144
CHATSWORTH, CA 91311-6519

10 277 33 002, 004, 005, 007
San Jose Town Frit & COUNTRY VIL
1626 E JEFFERSON ST
ROCKVILLE, MD 20852-4041

11 277 33 003
FRIT SAN JOSE TOWN & COUNTR
Jose Residential San
350 S WINCHESTER BLVD
SAN JOSE, CA 95128-2035

12 277 33 006, 009, 010, 011
LINCAL INC
PO BOX 610880
SAN JOSE, CA 95161-0880

13 277 33 008
Sadegh & Sepideh Sadeghi
325 S REDWOOD AVE
SAN JOSE, CA 95128-5109

14 277 33 012
Chung & Amy Chow
1625 GLENFIELD DR
SAN JOSE, CA 95125-5027

15 277 33 014
Donny & Michelle Gregg
2148 KING CT
SANTA CLARA, CA 95051-1921

16 277 33 015
Yooshieh Gahramani
381 S REDWOOD AVE
SAN JOSE, CA 95128-5109

17 277 36 020, 021, 022, 023, 024
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

18 277 36 025, 026
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

19 277 36 027, 028, 029, 030, 031
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

20 277 36 032
Chun Lin Yeh & Mei Chun Kuo
707 VILLA CENTRE WAY
SAN JOSE, CA 95128-5141

21 277 36 033
Brian Kim
667 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

22 277 36 034
Kim & Maribet Mason
653 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

23 277 36 035
Lawrence Chu & Hong Huang
649 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

24 277 36 036
James Mallory & Valerie Kane
645 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

25 277 36 037
Feng Yang & Jiao Liao
641 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

26 277 36 038
Richard & Tina Perkins
637 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

(Continue list on a separate sheet)

97 - 03 6

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (not signatures) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (adjacent property owners to be marked with an asterisk[*]). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 277 36 042
Vaughn Scott Moyer
621 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

2 277 36 043
Jens-Ingo Farley
617 VILLA CENTRE WAY
SAN JOSE, CA 95128-5138

3 277 36 045, 046, 047, 048
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

4 277 36 049
Yu Chen
636 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

5 277 36 050
Liang Kuang Sun & Chung Jung Liu
640 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

6 277 36 051
Wing Lun & Geraldine Heng Lam
644 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

7 277 36 052
Xiangbing Li & Ling Zhuang
648 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

8 277 36 053
Amir Abbasi & Zahedeh Hatamkhany
652 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

9 277 36 054
Gordon Robert Perry & Lee Vaughn Pa
12683 TERRACE DR
CUPERTINO, CA 95014

10 277 36 055
Naresh & Champa Puri
129 DEACON DR
MERCERVILLE, NJ 08619-1355

11 277 36 056
Ung Chan & Bok Soon Ahn
664 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

12 277 36 057
Johnson Tsay
668 VILLA CENTRE WAY
SAN JOSE, CA 95128-5139

13 277 36 058, 059, 061, 064, 065
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

14 277 36 060
Scott Yamasaki & Liane Ishii
680 VILLA CENTRE WAY
SAN JOSE, CA 95128

15 277 36 062
Peter & Mary Ligeti
160 FREMONT AVE
LOS ALTOS, CA 94022-3957

16 277 36 063
Raymond Chun-Ching Tang
692 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

17 277 36 066
Adam Talcott
704 VILLA CENTRE WAY
SAN JOSE, CA 95128-5140

18 277 36 067, 068, 069, 070, 071
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

19 277 38 001
SAN JOSE CITY OF
S BAYWOOD AV
SAN JOSE, CA 95128

20 277 38 002
PACIFIC BELL
S BAYWOOD AV
SAN JOSE, CA 95128

21 277 38 003
Souzan & Safwat Gaballah
PO BOX 391771
MOUNTAIN VIEW, CA 94039-1771

22 277 38 004
DUDLEY AVENUE ASSOCIATES
1777 HAMILTON AVE #106
SAN JOSE, CA 95125-5401

23 277 38 005
Stanley & Marilyn Gadway
2155 LILAC LN
MORGAN HILL, CA 95037-9559

24 277 38 006
PACIFIC BELL
NO STREET NAME or NUMBER
SAN JOSE, CA 95128

25 277 39 001
PGP-SOUTH BAY OFFICE TOWER I
3031 TISCH WAY
SAN JOSE, CA 95128-2541

26 277 39 007, 008, 009, 010, 013
S Stephen & Sally Nakashima
440 S WINCHESTER BLVD
SAN JOSE, CA 95128-2534

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

List Assessor Parcel Numbers and names and addresses (*not signatures*) of property owners and tenants, if different, within 300 feet of the property affected by this application, as listed on the most recent assessment rolls of the County of Santa Clara (*adjacent property owners to be marked with an asterisk(*)*). This form may be copied onto a label sheet for your convenience.

TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

1 277 39 011
CALIFORNIA STATE AUTOMOBIL
100 VAN NESS AVE #11TH
SAN FRANCISCO, CA 94102-5209

2 277 39 012
C S A A Inter-Insurance Bureau
100 VAN NESS AVE #11TH
SAN FRANCISCO, CA 94102-5209

3 277 40 003
San Jose Town Frit & COUNTRY VIL
1626 E JEFFERSON ST
ROCKVILLE, MD 20852-4041

4 277 43 001, 002, 003, 004, 005, 006
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

5 277 43 007, 008, 009, 010, 011, 012
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

6 277 43 013, 014, 015
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

7 277 43 033, 034, 035, 036, 037
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

8 277 43 038, 039, 040, 041, 042
1ST AMERICAN TITLE GUARANTY
404 SARATOGA AVE #100
SANTA CLARA, CA 95050-7000

9 277 43 043
Kurt & Lynn Shimada
592 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

10 277 43 044
Steven & Diana Sumida
596 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

11 277 43 045
Rodney & Bernadette Willis
600 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

12 277 43 046
Donald Scettrini
604 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

13 277 43 047
Saeid Montazeri
608 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

14 277 43 048
Tony Tran Dang
612 VILLA CENTRE WAY
SAN JOSE, CA 95128-5137

15 303 18 049
GEORGE SORICH COMPANY
14614 LA RINCONADA DR
LOS GATOS, CA 95032-1720

16 303 18 050
Sue Lasher
3181 CECIL AVE
SAN JOSE, CA 95117-1101

17 303 38 001
WINCHESTER RANCH INC
500 CHARLES CALI DR
SAN JOSE, CA 95117-1612

18 303 38 503
Peggy Patterson
600 WATER WITCH WAY
SAN JOSE, CA 95117-1654

19 303 38 504
Eugene Sanfilippo
601 WATER WITCH WAY
SAN JOSE, CA 95117-1654

20 303 38 505
Natalie Wright
559 DRY YARD DR
SAN JOSE, CA 95117-1618

21 303 38 506
Eugene & Bita Bertoni
607 PRUNE WAY
SAN JOSE, CA 95117-1646

22 303 38 507
Weston & Dorothy Milleson
593 WATER WITCH WAY
SAN JOSE, CA 95117-1654

23 303 38 508
Jean Cardiff
525 WATER WITCH WAY
SAN JOSE, CA 95117-1653

24 303 38 509
Frank & Liberta Holland
513 DIPPER CIR
SAN JOSE, CA 95117-1615

25 303 38 510
William & Jessie Gravett
540 WATER WITCH WAY
SAN JOSE, CA 95117-1653

26 303 38 511
John Pappalardo
535 COT CT
SAN JOSE, CA 95117-1614

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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Example

APN 000 - 00 - 000

JOAN DOE

123 MAIN STREET

SAN JOSE, CA 95000

303 38 512

Sam Riggio

557 DRY YARD DR

SAN JOSE, CA 95117-1618

303 39 001 ,016

Winston & Phyllis Weber

16140 KENNEDY RD

LOS GATOS, CA 95032-6506

303 39 017

Lucille Williams

374 SPAR AVE

SAN JOSE, CA 95117-1651

303 39 018

George & Marion Amstutz

366 SPAR AVE

SAN JOSE, CA 95117-1651

303 39 019

Paul & Charlotte Monte

358 SPAR AVE

SAN JOSE, CA 95117-1651

303 39 022

Joseph & Dolores Lonigro

338 SPAR AVE

SAN JOSE, CA 95117-1651

303 39 023

Hank Vanderhulst Jr.

332 SPAR AVE

SAN JOSE, CA 95117-1651

303 39 041

GCA ENTERPRISES

990 E HAMILTON AVE

CAMPBELL, CA 95008-0615

9

303 39 044

EXXON CORP

PO BOX 53

HOUSTON, TX 77001-0053

10

303 39 046

Richard Messina

721 N CAPITOL AVE

SAN JOSE, CA 95133-2603

11

303 39 047

LYON'S RESTAURANTS INC

1165 TRITON DR

FOSTER CITY, CA 94404-1213

12

303 39 048

Robert Berry

15225 SOBEY RD

SARATOGA, CA 95070-6255

13

303 39 049

Robert Berry

15225 SOBEY RD

SARATOGA, CA 95070-6255

14

303 39 051

BAY BOTTLERS LTD

818 BURLWAY RD

BURLINGAME, CA 94010-1706

15

303 39 052

Glenford Dennee Jr.

2265 EL CAMINO REAL #3

SANTA CLARA, CA 95050-4064

16

303 39 055, 056, 057, 058, 061

Glenford Dennee Jr.

2265 EL CAMINO REAL

SANTA CLARA, CA 95050-4064

17

303 39 059, 060

MOSKOVITZ PROPERTIES

700 MISSION ST

SAN FRANCISCO, CA 94103-3130

18

303 39 062

Scott & Tani McBain

PO BOX 2455

SARATOGA, CA 95070-0455

19

303 40 014, 015, 018, 020

WINCHESTER PROPERTIES INC

1654 THE ALAMEDA #220

SAN JOSE, CA 95126-2206

20

274 43 037

Current Resident

2899 STEVENS CREEK BLVD

SAN JOSE, CA 95128

21

274 43 040

Current Resident

STEVENS CREEK

SANTA CLARA, CA 95050

22

274 43 043

Current Resident

3071 STEVENS CREEK BLVD

SANTA CLARA, CA 95050-6704

23

274 43 055

Current Resident

2915 STEVENS CREEK BLVD

SAN JOSE, CA 95128

24

274 43 056

Current Resident

2855 STEVENS CREEK BLVD

SAN JOSE, CA 95128

25

274 43 060

Current Resident

3051 STEVENS CREEK BLVD

SANTA CLARA, CA 95050-6704

26

277 33 001

Current Resident

360 S WINCHESTER BLVD

SAN JOSE, CA 95128-2035

97-036

(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example
APN 000 - 00 - 000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

9 277 33 012
 Current Resident
 357 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

18 277 36 026
 Current Resident
 523 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

277 33 002
 Current Resident
 370 S WINCHESTER BLVD
 SAN JOSE, CA 95128-2035

10 277 33 013
 Current Resident
 365 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

19 277 36 027
 Current Resident
 519 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

277 33 004
 Current Resident
 3030 STEVENS CREEK BLVD
 SAN JOSE, CA 95128-2025

11 277 33 014
 Current Resident
 373 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

20 277 36 028
 Current Resident
 515 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

277 33 005
 Current Resident
 2980 STEVENS CREEK BLVD
 SAN JOSE, CA 95128-2023

12 277 36 020
 Current Resident
 547 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

21 277 36 029
 Current Resident
 510 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5134

277 33 006
 Current Resident
 2960 STEVENS CREEK BLVD
 SAN JOSE, CA 95128-2022

13 277 36 021
 Current Resident
 543 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

22 277 36 030
 Current Resident
 725 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5142

277 33 007
 Current Resident
 2980 STEVENS CREEK BLVD
 SAN JOSE, CA 95128-2023

14 277 36 022
 Current Resident
 539 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

23 277 36 031
 Current Resident
 715 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5142

277 33 009
 Current Resident
 333 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

15 277 36 023
 Current Resident
 535 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

24 277 36 033
 Current Resident
 657 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5138

277 33 010
 Current Resident
 341 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

16 277 36 024
 Current Resident
 531 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

25 277 36 039
 Current Resident
 633 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5138

277 33 011
 Current Resident
 349 S REDWOOD AVE
 SAN JOSE, CA 95128-5109

17 277 36 025
 Current Resident
 527 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5135

26 277 36 040
 Current Resident
 629 VILLA CENTRE WAY
 SAN JOSE, CA 95128-5138

97-036

(Continue list on a separate sheet)

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City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example APN 000 - 00 - 000 JOAN DOE 123 MAIN STREET SAN JOSE, CA 95000	9 277 36 058 Current Resident 672 VILLA CENTRE WAY SAN JOSE, CA 95128-5139	18 277 36 070 Current Resident 720 VILLA CENTRE WAY SAN JOSE, CA 95128-5140
277 36 041 Current Resident 625 VILLA CENTRE WAY SAN JOSE, CA 95128-5138	10 277 36 059 Current Resident 676 VILLA CENTRE WAY SAN JOSE, CA 95128-5139	19 277 36 071 Current Resident 724 VILLA CENTRE WAY SAN JOSE, CA 95128-5140
277 36 044 Current Resident 616 VILLA CENTRE WAY SAN JOSE, CA 95128-5137	11 277 36 061 Current Resident 684 VILLA CENTRE WAY SAN JOSE, CA 95128-5139	20 277 38 004 Current Resident 534 DUDLEY AVE SAN JOSE, CA 95128-2002
277 36 045 Current Resident 620 VILLA CENTRE WAY SAN JOSE, CA 95128-5137	12 277 36 062 Current Resident 688 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	21 277 38 003 Current Resident 544 DUDLEY AVE SAN JOSE, CA 95128-2003
277 36 046 Current Resident 624 VILLA CENTRE WAY SAN JOSE, CA 95128-5137	13 277 36 064 Current Resident 696 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	22 277 38 005 Current Resident 524 DUDLEY AVE SAN JOSE, CA 95128-2001
277 36 047 Current Resident 628 VILLA CENTRE WAY SAN JOSE, CA 95128-5137	14 277 36 065 Current Resident 700 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	23 277 39 007 Current Resident S WINCHESTER BLVD SAN JOSE, CA 95128
277 36 048 Current Resident 632 VILLA CENTRE WAY SAN JOSE, CA 95128-5137	15 277 36 067 Current Resident 708 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	24 277 39 008 Current Resident S WINCHESTER BLVD SAN JOSE, CA 95128
277 36 054 Current Resident 656 VILLA CENTRE WAY SAN JOSE, CA 95128-5139	16 277 36 068 Current Resident 712 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	25 277 39 009 Current Resident S WINCHESTER BLVD SAN JOSE, CA 95128
277 36 055 Current Resident 660 VILLA CENTRE WAY SAN JOSE, CA 95128-5139	17 277 36 069 Current Resident 716 VILLA CENTRE WAY SAN JOSE, CA 95128-5140	26 277 39 011 Current Resident TISCH WAY SAN JOSE, CA 95128 97 - 03 6

(Continue list on a separate sheet)

MAILING LIST

City of San Jose

Department of City Planning, Building and Code Enforcement

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TYPEWRITTEN PLEASE

Example

APN 000-00-000
JOAN DOE
123 MAIN STREET
SAN JOSE, CA 95000

9
277 43 006
Current Resident
2872 HEMLOCK AVE
SAN JOSE, CA 95128-5133

18
277 43 015
Current Resident
2836 HEMLOCK AVE
SAN JOSE, CA 95128-5132

1
277 39 012
Current Resident
550 S WINCHESTER BLVD
SAN JOSE, CA 95128-2544

10
277 43 007
Current Resident
2868 HEMLOCK AVE
SAN JOSE, CA 95128-5133

19
277 43 033
Current Resident
552 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

2
277 39 013
Current Resident
S WINCHESTER BLVD
SAN JOSE, CA 95128

11
277 43 008
Current Resident
2864 HEMLOCK AVE
SAN JOSE, CA 95128-5133

20
277 43 034
Current Resident
556 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

3
277 40 003
Current Resident
2980 STEVENS CREEK BLVD
SAN JOSE, CA 95128-2023

12
277 43 009
Current Resident
2860 HEMLOCK AVE
SAN JOSE, CA 95128-5133

21
277 43 035
Current Resident
560 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

4
277 43 001
Current Resident
2892 HEMLOCK AVE
SAN JOSE, CA 95128-5133

13
277 43 010
Current Resident
2856 HEMLOCK AVE
SAN JOSE, CA 95128-5133

22
277 43 036
Current Resident
564 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

5
277 43 002
Current Resident
2888 HEMLOCK AVE
SAN JOSE, CA 95128-5133

14
277 43 011
Current Resident
2852 HEMLOCK AVE
SAN JOSE, CA 95128-5132

23
277 43 037
Current Resident
568 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

6
277 43 003
Current Resident
2884 HEMLOCK AVE
SAN JOSE, CA 95128-5133

15
277 43 012
Current Resident
2848 HEMLOCK AVE
SAN JOSE, CA 95128-5132

24
277 43 038
Current Resident
572 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

7
277 43 004
Current Resident
2880 HEMLOCK AVE
SAN JOSE, CA 95128-5133

16
277 43 013
Current Resident
2844 HEMLOCK AVE
SAN JOSE, CA 95128-5132

25
277 43 039
Current Resident
576 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

8
277 43 005
Current Resident
2876 HEMLOCK AVE
SAN JOSE, CA 95128-5133

17
277 43 014
Current Resident
2840 HEMLOCK AVE
SAN JOSE, CA 95128-5132

26
277 43 040
Current Resident
580 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

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TYPEWRITTEN PLEASE

Example

APN 000-00-000

JOAN DOE

123 MAIN STREET

SAN JOSE, CA 95000

9 303 39 041
Current Resident
3100 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

18 303 39 058
Current Resident
369 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

1 277 43 041
Current Resident
584 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

10 303 39 044
Current Resident
425 S WINCHESTER BLVD
SAN JOSE, CA 95128-2005

19 303 39 059
Current Resident
315 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

2 277 43 042
Current Resident
588 VILLA CENTRE WAY
SAN JOSE, CA 95128-5136

11 303 39 046
Current Resident
385 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

20 303 39 060
Current Resident
319 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

3 303 18 049
Current Resident
3121 STEVENS CREEK BLVD
SANTA CLARA, CA 95050

12 303 39 047
Current Resident
335 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

21 303 39 061
Current Resident
SPAR AVE
SAN JOSE, CA 95117

4 303 18 050
Current Resident
3137 STEVENS CREEK BLVD
SANTA CLARA, CA 95050

13 303 39 048
Current Resident
3136 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

22 303 39 062
Current Resident
395 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

5 303 38 001
Current Resident
555 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

14 303 39 049
Current Resident
3132 STEVENS CREEK BLVD
SAN JOSE, CA 95117-1140

23 303 40 014
Current Resident
(LAND ONLY)
SAN JOSE, CA 95117

6 303 38 001
Current Resident
555 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

15 303 39 052
Current Resident
350 SPAR AVE
SAN JOSE, CA 95117-1651

24 303 40 015
Current Resident
449 S WINCHESTER BLVD
SAN JOSE, CA 95128-2535

7 303 39 001
Current Resident
390 SPAR AVE
SAN JOSE, CA 95117-1600

16 303 39 056
Current Resident
S WINCHESTER AVE
SAN JOSE, CA 95117

25 303 40 018
Current Resident
525 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

8 303 39 016
Current Resident
382 SPAR AVE
SAN JOSE, CA 95117-1651

17 303 39 057
Current Resident
369 S WINCHESTER BLVD
SAN JOSE, CA 95128-2036

26 303 40 020
Current Resident
525 S WINCHESTER BLVD
SAN JOSE, CA 95128-2537

INDIVIDUALS REQUESTING TO BE NOTIFIED OF HEARINGS :

Kerry Fields
125 N. Henry Avenue
San Jose, CA 95117

Janet Gaubill
2404 Tulip Road
San Jose, CA 95128

Robert Colver
2711 Scott Street
San Jose, CA 95128

Rita Carr
2425 Beechwood Avenue
San Jose, CA 95128

97-036

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454

RECEIVED
SEP 03 1997



CITY OF SAN JOSE
August 28, 1997 PLANNING DEPARTMENT

SCL-280-7.449
SCL280212

Ms. Lori Neff
Department of Planning, Building & Code Enforcement
City of San Jose
801 North First Street, Room 400
San Jose, CA 95110-1795

Dear Ms. Neff:

Re: Town and Country Village Project

Thank you for including the California State Department of Transportation (Caltrans) in the early stages of the environmental review process. We have reviewed the above referenced application and forward the following comments:

1. We recommend that a complete traffic study be conducted for this project, to determine impacts on SR880 and SR280 and all significantly affected streets, crossroads, and controlling intersections. Traffic impacts should be analyzed in terms of:
 - a. Trip generation, distribution and assignment. The methodologies used in compiling the information should be explained. Data needs to be current.
 - b. Average Daily Traffic (ADT), and AM and PM peak hour volumes for SR880, SR280, and all other significantly affected streets and roadways, including crossroads and controlling intersections, for existing and future traffic.
2. Any work or traffic control done within State right-of-way will require an encroachment permit. To apply for a Caltrans permit, the applicant should submit a completed application, environmental documentation and five sets of plans to the following address:

G. J. Battaglini, District Office Chief
Caltrans, District 4
Office of Permits
P.O. Box 23660
Oakland, CA 94623-0660

97-036

Neff/SCL280212
August 28, 1997
Page 2

We appreciate the opportunity to work with you on this project. Should you require additional information or have any questions regarding this letter, please call James S. L. Jung of my staff at (510) 286-5725.

Sincerely,

HARRY Y. YAHATA
District Director

By: 

PHILLIP BADAL
District Branch Chief
IGR/CEQA

97-036



RECEIVED

AUG 28 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

August 26, 1997

City of San Jose
Department of Planning and Building
801 North First Street
San Jose, CA 95110

Attention: Lori Neff

Subject: City File No. PDC97-06-036 / Town and Country Village

Dear Ms. Neff:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Notice of Preparation of a Draft EIR for the project referenced above to allow redevelopment of a 39-acre site with mixed use development at the southeast corner of South Winchester Boulevard and Stevens Creek Boulevard. The project will include 800-1,200 residential units, 525,000-650,000 square feet of commercial development, 100-200 hotel rooms, and 8 parking structures with a capacity of up to 4,500 spaces. VTA comments follow, and are separated into *Transit Service* and *Congestion Management Program (CMP)* issues to reflect our dual role in reviewing the project.

Transit Service

General

The NOP states that the "*EIR traffic analysis will identify the existing roadway conditions and other elements (bus routes, bike routes, et.)....*" We request that a separate section entitled "Transit Service" be added to the Environmental Setting, Impacts, and Mitigation Measures chapter of this project's Draft EIR.

Bus Service

The project site is served by *Line 60* along Winchester Boulevard. *Line 60* serves the site with 15 minute peak period headways and 30 minute off-peak period headways.

VTA maintains two bus stops on Winchester Boulevard, one north of Olson Drive and another north of Olin Drive, adjacent to the proposed project. There are about 60 daily boardings for these two stops. Winchester Boulevard in the vicinity of the project is a busy 6-lane arterial with a northbound curb lane that varies in width from 16.5 feet at the Olson Drive bus stop to 19

97 - 086

feet at the Olin Drive bus stop. The width of both curb lanes is less than the VTA minimum standard curb lane width of 22 feet.

Therefore, in order to reduce potential traffic conflicts, enhance passenger convenience, and reduce project generated vehicle trips, VTA staff recommend that the City condition the developer to provide the following transit improvements:

- Bus duckouts (modified depth acceptable) with PCC pavement pads at the Olson Drive and Olin Drive bus stops consistent with *VTA Typical Bus Duckout and Bus Stop Pavement Details (Figures 22 and 26 and Technical Specifications, attached)*.
- A sidewalk along Winchester Boulevard with a minimum width of 8 feet at the bus duckouts in compliance with *Americans with Disabilities (ADA)* bus stop access standards.
- A 7' X 25' PCC shelter pad with a #5 pull box, 1" conduit, capped stub-up and pull string behind the sidewalk at the Olson Drive bus stop consistent with *Stub-Up Details in VTA Bus Stop Configuration (Figure 20, attached)*.
- Wheelchair curb ramps at all street and driveway intersections in compliance with *ADA* pedestrian circulation standards.

Site Design

We also recommend that the project incorporate design features to take advantage of the close proximity of this high density, mixed use project to transit service. Specifically, pedestrian networks which enable safe and convenient travel within the facility should be included, along with provisions for well defined, lighted pedestrian links between the project site and the bus stops.

Congestion Management Program (CMP)

CMP staff have the following recommendations concerning the traffic analysis for this project:

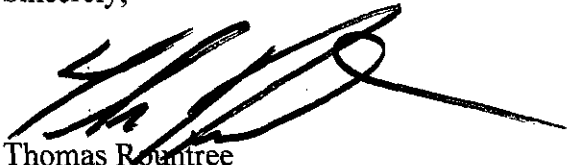
- Specific CMP facilities that should be analyzed in the Draft EIR and the Transportation Impact Analysis (TIA) include: I-880, I-280, Stevens Creek Boulevard, and San Thomas Expressway. The proposed project may also have impacts to Saratoga Avenue.
- When evaluating transportation facilities located in adjacent jurisdictions, there should be coordination with staff from these other jurisdictions.
- Also, the analysis of intersections and freeway ramps should include the impact of ramp metering, if metering is present or planned.
- CMP statutes require that a local jurisdiction use a computer model consistent with the designated CMP transportation model when determining transportation impacts of land use decisions on the CMP network. Therefore because the Draft EIR will address transportation

impacts on the CMP's designated roadway, transit, and bicycle network, the TIA for the Draft EIR should use trip distribution standards and land use projections consistent with the CMA model maintained by the Center for Urban Analysis.

- In addition, the TIA should be coordinated with the traffic analysis being completed for the proposed Valley Fair expansion project. The Valley Fair expansion project should be included in the cumulative impact analysis.

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

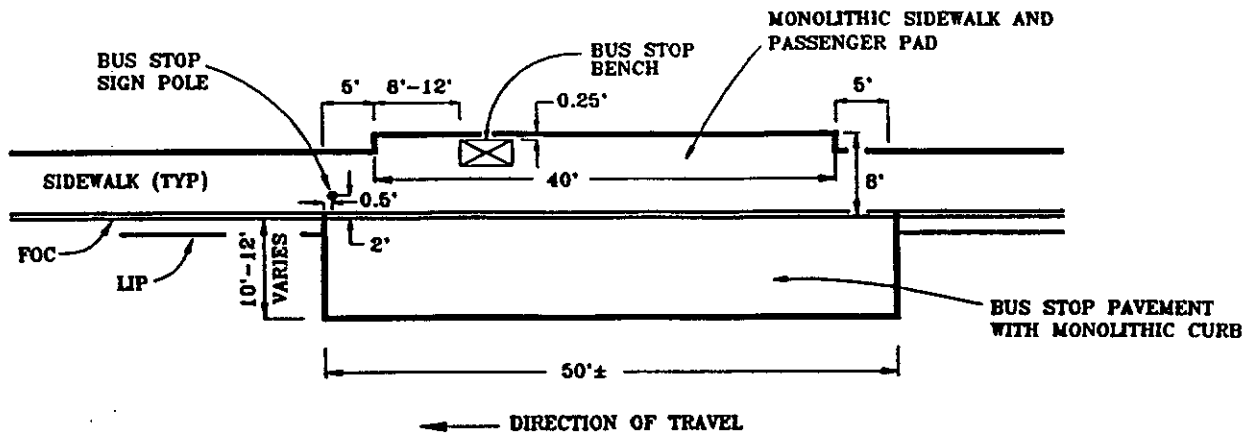
Sincerely,

A handwritten signature in black ink, appearing to read 'T. Rountree', with a long horizontal flourish extending to the right.

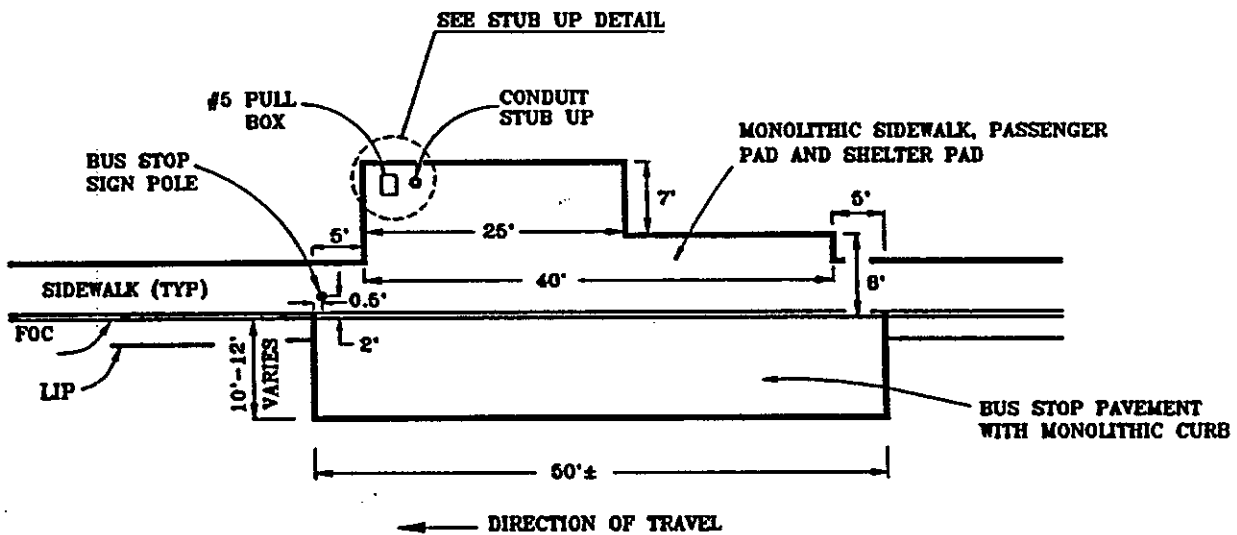
Thomas Rountree
Environmental Program Manager

TDR:RM:sr

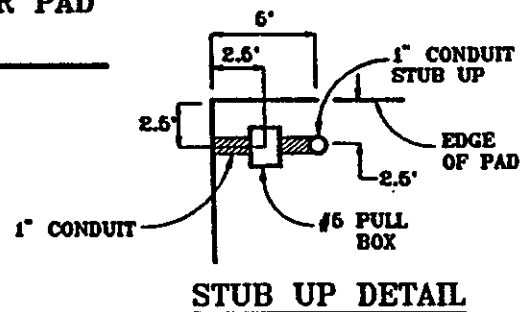
cc: Ron Conn, San Jose Public Works Department



**BUS STOP AND PASSENGER PAD
WITHOUT SHELTER**



**BUS STOP AND PASSENGER PAD
WITH SHELTER**

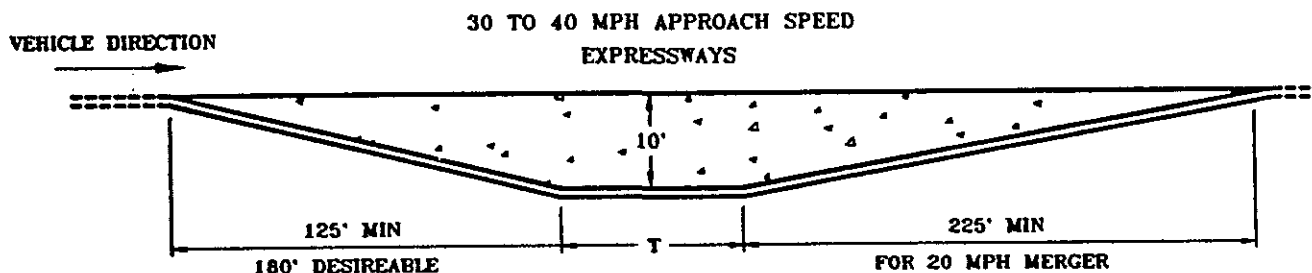
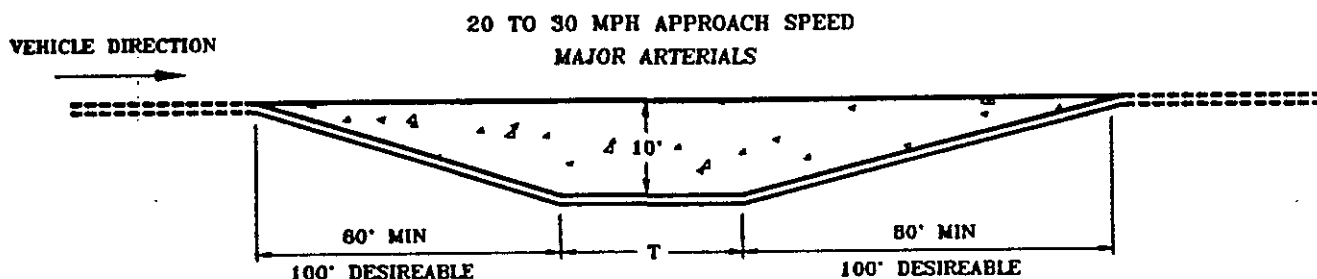
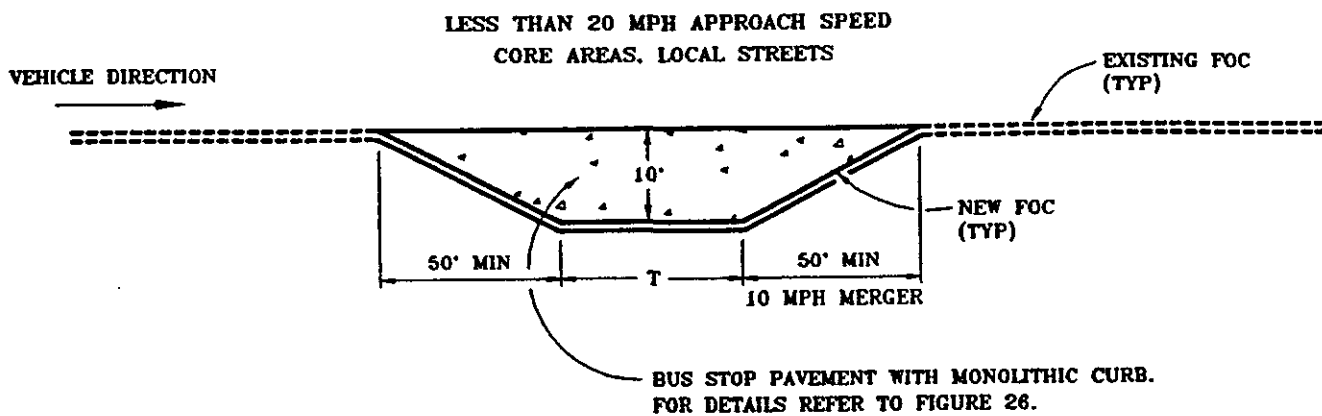


STUB UP DETAIL

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

BUS STOP CONFIGURATION

FIGURE 20



PLAN VIEW

NOTE:

T (TANGENT LENGTH) = 55' REQUIRED FOR ONE STANDARD BUS STOP
AND 75' FOR ONE ARTICULATED BUS STOP.

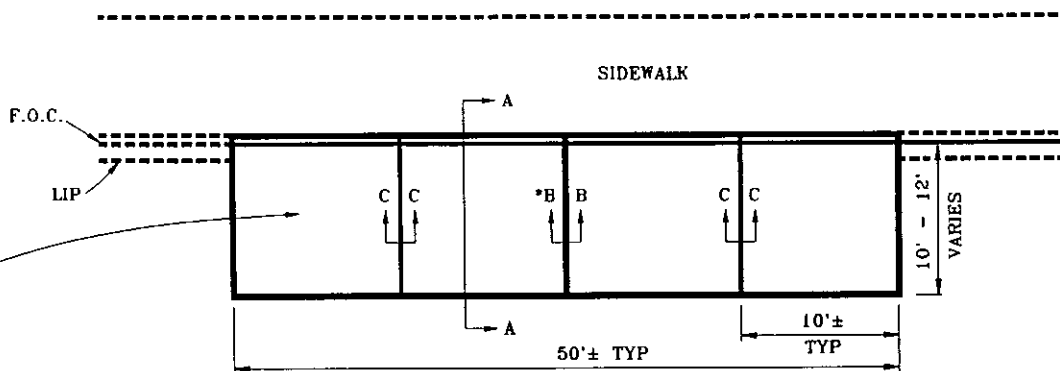
= $T + 70' (X - 1)$, WHERE $X = \#$ OF BUSES
(USE AT MAJOR TRANSFER TERMINAL)

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

TYPICAL BUS DUCKOUT

FIGURE 22

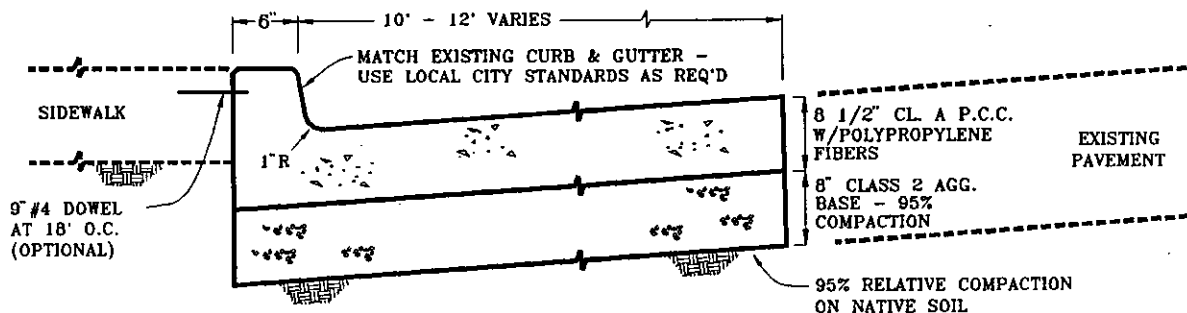
97 - 036



SAWCUT AND EXCAVATE EXISTING PAVEMENT, INCLUDING CURB & GUTTER. REPLACE WITH P.C.C. PAVEMENT SECTION AND MONOLITHIC CURB.

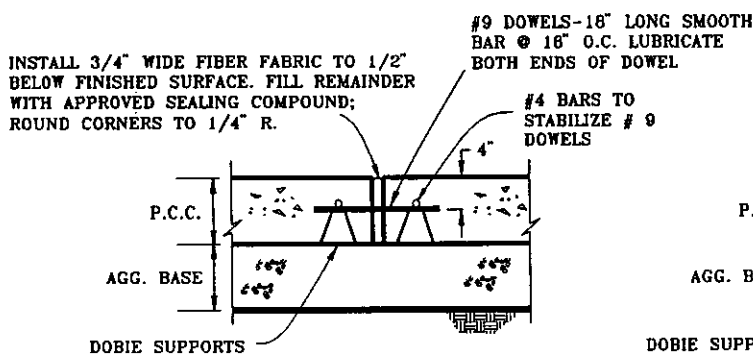
*WHEN PAD IS 75' OR LONGER, PLACE EXPANSION JOINT AT 1/2 THE LENGTH OF THE P.C.C. PAD. IN LONG PADS, EXPANSION JOINTS SHALL BE PLACED AT APPROXIMATELY 75-FOOT INTERVALS OR AS SPECIFIED BY THE ENGINEER.

PLAN VIEW



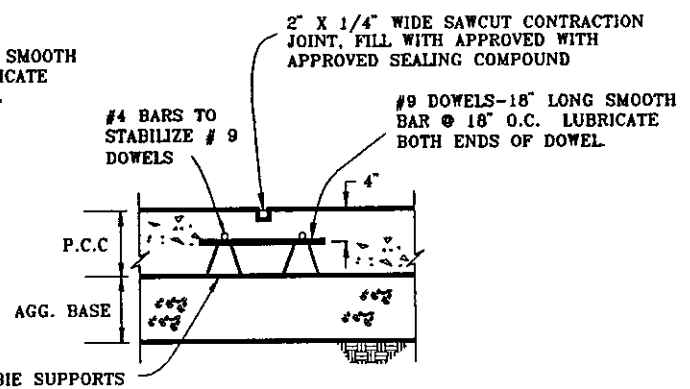
SECTION A-A

PCC PAVEMENT WITH MONOLITHIC CURB



SECTION B-B

EXPANSION JOINT



SECTION C-C

CONTRACTION JOINT

NOTE: FOR TECHNICAL SPECIFICATIONS REFER TO ATTACHMENT 1.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

BUS STOP PAVEMENT DETAILS

FIGURE 26

TECHNICAL SPECIFICATIONS

1. P.C.C. pavement with monolithic curb and gutter shall conform to the provisions in Section 40, "PORTLAND CEMENT CONCRETE PAVEMENT," and Section 90, "PORTLAND CEMENT CONCRETE" of the State Standard Specifications and these special provisions.
2. P.C.C. pavement shall be class A with a compressive strength of 4000 psi at the age of 28 days. Polypropylene fibers (Fibermesh or approved equal), length 1/2", shall be added to the concrete at a rate of 1 1/2 lbs/cy.
3. After spreading and compacting, P.C.C. shall be given a preliminary finish which shall be smooth and true to grade. In advance of curing operations, the pavement shall be given a final rough broom finish with grooves having a depth of 1/8" perpendicular to the curb and gutter.
4. All newly - placed concrete shall be cured in accordance with the provisions in Section 90-7, "Curing Concrete," of the State Standard Specifications. Curing compound to be used shall be applied to the P.C.C. following the surface finishing operations immediately before the moisture sheen disappears from the surface and before any drying, shrinkage or craze cracks begin to appear. Curing compound shall be applied at a nominal rate of one gallon per 150 square feet. At any point, the application rate shall be within +/- 50 square feet per gallon of the nominal rate specified.
5. Sawcutting of the contraction joints must be performed within 24 hours after concrete has received final surface finish.
6. Contractor shall protect P.C.C. pad as specified in Section 90-8.03, "Protecting Concrete Pavement." Where public traffic will be required to cross over new pavement, and if directed by the Engineer, Type III Portland Cement shall be used in concrete. When Type III Portland Cement is used in concrete, and if permitted in writing by the Engineer, the pavement may be opened to traffic as soon as the concrete has developed a modulus of rupture of 550 pounds per square inch. The modulus of rupture will be determined by California Test Method 523.

No traffic or Contractor's equipment, except as hereinafter provided, will be permitted on the pavement before a period of ten (10) calendar days has elapsed after the concrete has been placed, nor before the concrete has developed a modulus of rupture of at least 550 pounds per square inch. Concrete that fails to attain a modulus of rupture of 550 pounds per square inch within 10 days shall not be opened to traffic until directed by the Engineer.

Equipment for sawing contraction joints (weakened plane joints) will be permitted on the pavement as specified in Section 40-1.08B, "Weakened Plane Joints," of the State Standard Specifications.

7. Contraction joints, expansion joints and gaps between the P.C.C. pad and the existing pavement section shall be cleaned and sealed prior to permitting traffic on the pad. Removable cap joint shall be placed around the perimeter of the concrete pad excluding curb and gutter. Joint sealing compound shall be type "A" joint seal and shall conform to the provisions of Section 51-1.12F of the State Standard Specifications. The Z component polyurethane sealant shall be State Specification 8030 - 61J - 01 or approved equal.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

BUS STOP PAVEMENT DETAILS

97 - 036

ATTACHMENT 1 FOR FIGURE 26

Santa Clara Valley Water District



5750 ALMADEN EXPRESSWAY
SAN JOSE, CA 95118-3686
TELEPHONE (408) 265-2600
FACSIMILE (408) 266-0271

AN AFFIRMATIVE ACTION EMPLOYER

August 25, 1997

Department of Planning, Building,
and Code Enforcement
City of San Jose
Attention: Ms. Lori Neff
City Hall Annex,
801 N 1st St Rm 400
San Jose, CA 95110-1704

Dear Ms. Neff:

Subject: Town and Country Village Project, File Number PDC97-06-036

Santa Clara Valley Water District (District) staff have reviewed the Notice of Preparation of the Environmental Impact Report (EIR) for the subject project, received by us on July 28, 1997. It is noted that Drainage and Water Quality issues were not included. District concerns include changes in the quantity and quality of drainage and water quality. Storm water and other runoff will eventually be conveyed to a District facility such as San Tomas Aquino Creek. Redevelopment of this site will result in potential short-term and long-term changes. Please include these issues in the EIR.

The redevelopment of the shopping center will offer opportunities to design storm water quality control measures for the parking lots and other structures. The use of parking structures is generally advantageous from an urban runoff quality standpoint since the area of parking that is exposed to storm water is reduced. However, care should be taken so that maintenance activities, such as cleaning, do not result in pollutants entering the storm drain system and, thus, District facilities. The design of exterior parking should include consideration of parking lot best management practices (BMPs). Recommendations are contained in the *Parking Lot BMP Manual* produced by the Santa Clara Valley Urban Runoff Pollution Prevention Program (Program). Additional recommendations for site design that reduces storm water pollution are presented in the Bay Area Stormwater Management Agencies Association's *Start at the Source*. Both of these are available from the City of San Jose's urban runoff coordinator or from the Program, (800) 794-2482.

According to the Federal Emergency Management Agency's Flood Insurance Rate Map, this area is not subject to flooding during a 100-year, or 1 percent, event.

Our records do not indicate any wells at this site. In accordance with District Ordinance 90-1, any unregistered wells must be located and registered or properly destroyed. For additional information, please call Mr. Dave Zozaya, (408) 265-2607, extension 2650.

97 - 036

Ms. Lori Neff

2

August 25, 1997

Thank you for allowing us to comment on this Notice of Preparation. We look forward to the chance to review the draft EIR. If you have any comments or questions, write me or call me at (408) 265-2607, extension 2259.

Sincerely,

Sue Tippetts

for

William C. Springer, P.E.
Associate Civil Engineer
Community Projects Review Unit

97 - 036

THE CITY OF SANTA CLARA CALIFORNIA

PLANNING DIVISION
CITY HALL
1500 WARBURTON AVE
SANTA CLARA, CA 95050
(408) 984-3111
(FAX) (408) 241-3823

August 25, 1997

Lori Neff
City of San Jose, Dept. of Planning & Code Enforcement
City Hall Annex, Room 400
801 N. First Street
San Jose, CA 95110-1795

Dear Ms. Neff:

We are in receipt of the NOP for the redevelopment of the Town and Country Village Shopping Center at Winchester Boulevard and Stevens Creek Boulevard in the City of San Jose. We understand the project consists of a rezoning from Commercial (C-3) to Planned Development A(PD) to allow construction of a mixed use development, including up to 1,200 new residential units, up to 650,000 square feet of Commercial and retail space, up to 200 new hotel rooms, and eight parking structures with a total capacity of up to 4,500 parking spaces. We further understand that primary access to the site would remain from Stevens Creek Boulevard and Winchester Boulevard, with additional site access to be provided from northeast along Hemlock Avenue and from the south from Dudley Avenue.

The City of Santa Clara requests that a Transportation Impact Analysis (TIA) be prepared, based upon the Santa Clara Valley Transportation Authority's Congestion Management Program Guidelines.

Sincerely,


Arthur E. Henriques
City Planner

I:\PLANNING\1997\sjosetwn&cntrynop.ltr.doc

97 - 036

County of Santa Clara

Roads and Airports Department
Land Development and Permits

101 Skyport Drive
San Jose, California 95110



August 11, 1997

Ms. Lori Neff
City of San Jose
Department of Planning
801 North First Street
San Jose, CA 95110

RECEIVED
AUG 12 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

**Subject: Notice Of Preparation Of An
Environmental Impact Report (EIR) For The
Town And Country Village Project
City File No.: PDC 97-06-036**

Dear Ms. Neff:

We have reviewed the subject Notice of Preparation. Our comments are as follows:

1. Under Transportation, the EIR should address the potential traffic impacts and mitigation measures by this project for the County's San Tomas Expressway.
2. The EIR should also address the cumulative traffic impacts and mitigation measures resulting from this project combined with other proposed development in the area.

Thank you for the opportunity to review and comment on this project. If you have any questions, please call me at 573-2460.

Sincerely,

Ed Evangelista
Project Engineer

cc: M. Akbarzadeh
Central File
Project File

epe644

Ref:0523



August 11, 1997

Cal/EPA

Pete Wilson
Governor

James M. Strock
Secretary for
Environmental
Protection

Department of
Toxic Substances
Control

700 Heinz Avenue
Suite 200
Berkeley, CA
94710-2737

Ms. Lori Neff
City of San Jose Department of Planning
Building & Code Enforcement
City Hall Annex, Room 400
801 N. First Street
San Jose, California 95110-1795

RECEIVED
AUG 12 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

Dear Ms. Neff:

**TOWN AND COUNTRY VILLAGE SHOPPING CENTER
RESPONSE TO CEQA NOTICE OF PREPARATION
FILE NO. PDC97-06-036**

The Department of Toxic Substances Control (DTSC) has received the California Environmental Quality Act (CEQA) Notice of Preparation for the Town and Country Village Project in San Jose, California (Project). DTSC looks forward to seeing the Project come to fruition and working cooperatively with the planning agencies involved with the Project. As a responsible agency under CEQA, DTSC plans to use the Environmental Impact Report (EIR) prepared by the City of San Jose.

Federal Realty Investment Trust (FRIT) has performed the environmental characterization work. The characterization documents indicate that there are areas of the Project site that require remediation to address soils contaminated with tetrachloroethene (PCE), arsenic, lead, and chlorinated pesticides. DTSC expects the remedy for the Site to consist of a mix of excavation and offsite disposal and consolidation and capping in place.

The EIR must account for potential impacts of the cleanup work on earthen structures, air quality, surface and ground water, animal and plant life, land use, natural resources, risk of upset, public resources, energy, utilities, noise, public health and safety, aesthetics, cultural and paleontological resources, traffic, population, housing, recreation, and cumulative effects.

Since the CEQA documents for the Project should address potential effects of the cleanup work conducted before the development as well as the development itself, DTSC should be brought into the CEQA process early on to ensure that the full scope of effects is addressed. At your earliest convenience, please call Ben Hargrove at (510) 540-3845 to arrange a time to meet with DTSC to discuss these issues.

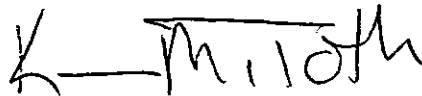
97 - 036



Printed on Recycled Paper

Ms. Lori Neff
August 11, 1997
Page Two

Sincerely,

A handwritten signature in black ink, appearing to read "K. M. Toth".

Karen M. Toth, P.E.
Unit Chief
Northern California Coastal
Cleanup Operations Branch

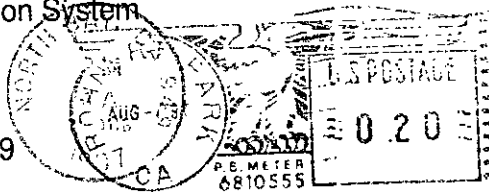
cc: Ms. Tamara J. Gabel
Berliner Cohen
10 Almaden Boulevard, 11th Floor
San Jose, California 95113

Ms. Nancy Herman
Environmental Coordinator
Federal Realty Investment Trust
1626 E. Jefferson Street
Rockville, Maryland 20852

Mr. Guenther Moskat
Department of Toxic Substances Control
Office of Program Audits & Environmental Analysis
Planning and Environmental Analysis Section
400 P Street
Sacramento, California 95814

97 - 036

Historical Resources Information System
Northwest Information Center
Sonoma State University
1801 East Cotati Avenue
Rohnert Park, CA 94928-3609



City of San Jose
Department of Planning
Building & Code Enforcement
Attn: Lori Neff
City Hall Annex, Room 400
801 N. First Street
San Jose, CA 95110-1795

August 7, 1997

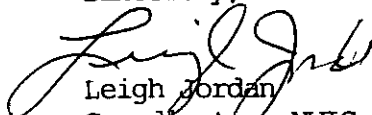
File No.: 97-SC-69E

re: Federal Realty Investment Trust.
File # PDC97-06-036

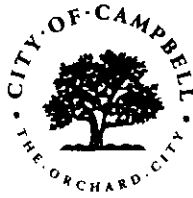
Dear Staff:

Our office has no additional comment on the above referenced document. However, thank you for your continued concern for protecting historical resources.

Sincerely,


Leigh Jordan
Coordinator, NWIC

97-036



RECEIVED
AUG 04 1997

CITY OF SAN JOSE
PLANNING DEPARTMENT

CITY OF CAMPBELL

Community Development Department · Current Planning

July 30, 1997

Ms. Lori Neff
City of San Jose Planning Office
City Hall Annex, Room 400
801 N. First Street
San Jose, CA 95110-1795

Re: Environmental Documents PDC 97-06-036 & H 97-02-012

Dear Ms. Neff:

The City of Campbell appreciates receiving the notice regarding the preparation of the environmental documents for the Town and Country Village Project and the Valley Fair Expansion Project. We would appreciate having a copy of each EIR sent to the following address:

Tim J. Haley, Associate Planner
City of Campbell
Community Development Department
70 N. First Street
Campbell, CA 95008

Thanks in advance for your assistance with this request. If you have any questions, I can be reached at (408) 866-2144.

Sincerely,

Tim J. Haley
Associate Planner

97 - 036



PETE WILSON
GOVERNOR

State of California

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO 95814



LEE GRISSOM
DIRECTOR

DATE: July 28, 1997
TO: Reviewing Agencies
RE: TOWN AND COUNTRY VILLAGE PROJECT
SCH# 97072085

RECEIVED
AUG 01 1997
CITY OF SAN JOSE
PLANNING DEPARTMENT

Attached for your comment is the Notice of Preparation for the TOWN AND COUNTRY VILLAGE PROJECT draft Environmental Impact Report (EIR).

Responsible agencies must transmit their concerns and comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of this notice. We encourage commenting agencies to respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

LORI NEFF
CITY OF SAN JOSE
CITY HALL ANNEX ROOM 400
801 N. FIRST STREET
SAN JOSE, CA 95110-1795

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

If you have any questions about the review process, call Kristen Derscheid at (916) 445-0613.

Sincerely,

ANTERO A. RIVASPLATA
Chief, State Clearinghouse

Attachments

cc: Lead Agency

97-036

NOP Distribution List

S = sent by lead agency
X = sent by SCH

Resources Agency

☒ **Nadell Gayou**
Resources Agency
1020 Ninth Street, Third Floor
Sacramento, CA 95814
916/327-1722 Fax 916/327-1648

☐ **Nicole Letria**
Dept. of Boating & Waterways
1629 S Street
Sacramento, CA 95814
916/445-6281 916/327-7250

☐ **Elizabeth A. Fuchs**
California Coastal Commission
45 Fremont Street, Suite 1970
San Francisco, CA 94105-2219
415/904-5200 Fax 415/904-5400

☐ **Reed Hollerman**
State Coastal Conservancy
1330 Broadway, Suite 100
Oakland, CA 94612
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☐ **Keren Yowell**
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Sacramento, CA 95814
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☐ **Dale Wierman**
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1416 Ninth Street, Room 1516-2
Sacramento, CA 95814
916/653-9451 Fax 916/653-0989

☒ **Rang Kreutzberg**
Office of Historic Preservation
P.O. Box 942896
Sacramento, CA 94296-0001
916/653-9107 Fax 916/653-9824

☒ **Environmental Review**
Dept. of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001
916/653-0538

☐ **Environmental Review**
Reclamation Board
1020 Ninth Street, Room 240
Sacramento, CA 95814
916/327-1531 Fax 916/327-1600

☐ **Steve McAdam**
S.F. Bay Conservation & Dev't Comm.
30 Van Ness Avenue, Room 2011
San Francisco, CA 94102
415/557-3686 Fax 415/557-3767

☐ **Nadell Gayou**
Department of Water Resources
1020 Ninth Street, Third Floor
Sacramento, CA 95814
916/327-1722 Fax 916/327-1648

Health & Welfare

☐ **Kim Dinh**
Dept. of Health
601 N. 7th Street, PO Box 942732
Sacramento, CA 94234-7320
916/233-6111 Fax 916/327-6092

Fish and Game - Regional Offices

☐ **Richard L. Elliott, Regional Manager**
Department of Fish and Game
601 Locust
Redding, CA 96001
916/225-2363 Fax 916/225-2381

☐ **Ryan Brodbeck, Regional Manager**
Department of Fish & Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
916/338-2900 Fax 916/338-2912

☒ **Brian Hunter, Regional Manager**
Department of Fish and Game
P.O. Box 47
Yountville, CA 94599
707/944-5518 Fax 707/944-5563

☐ **George Nokes, Regional Manager**
Department of Fish and Game
1234 East Shaw Avenue
Fresno, CA 93710
209/445-6152 Fax 209/445-6607

☐ **Environmental Services**
330 Golden Shore, Suite 50
Long Beach, CA 90802
310/590-5132 Fax 310/590-5192

Independent Commissions/Agencies

☐ **California Energy Commission**
1516 Ninth Street, MS-15
Sacramento, CA 95814
916/654-3944

☐ **Native American Heritage Comm.**
915 Capitol Mall, Room 364
Sacramento, CA 95814
916/653-4082 Fax 916/657-5390

☐ **Douglas Long**
Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
415/703-2011 Fax 415/703-1965

☒ **Betty Silva**
State Lands Commission
100 Howe Avenue, Suite 100-S
Sacramento, CA 95826
916/574-1872 Fax 916/574-1885

☐ **Gerald R. Zimmerman**
Colorado River Board
710 Fairmont Avenue, Suite 100
Glendale, CA 91203-1035
818/543-4676 Fax 818/543-543-4685

☐ **Taboe Regional Planning**
Environmental Review
P.O. Box 1038
Zephyr Cove, NV 89448
702/588-4547 Fax 702/588-4527

☐ **Thomas Ottoman**
Office of Emergency Services
P.O. Box 29998
San Francisco, CA 94129
415/666-9300

☐ **Debby Eddy**
Delta Protection Commission
P.O. Box 530
Walnut Grove, CA 95690
916/776-2290 FAX 776-2293

Department of Transportation District Contacts

☐ **Martin Urkowsky**
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1650 Union Street
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707/445-5812 Fax 707/445-5869

☐ **Gary Utterback**
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☐ **Jeff P. Iverson**
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Marysville, CA 95901
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☒ **Philip Radal**
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☐ **Lawrence Newland**
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501 Highway 50
San Luis Obispo, CA 93405
558-93405

☐ **Marc Blumbaum**
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Fresno, CA 93778-2616
209/445-4088 Fax 209/448-4101

☐ **Stephen J. Buswell**
Caltrans - District 7
120 South Spring Street
Los Angeles, CA 90012
213/697-4429 Fax 213/697-4358

☐ **Harvey Sawyer**
Caltrans - District 8
P.O. Box 231
San Bernardino, CA 92402
909/383-4808 Fax 909/383-7934

☐ **Robert Rubnik**
Caltrans - District 9
500 South Main Street
Bishop, CA 93314
619/872-0689 Fax 619/872-0678

☐ **Dana Cowell**
Caltrans - District 10
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Stockton, CA 95201
209/948-7906 Fax 209/948-7906

☐ **Lou Salazar**
Caltrans - District 11
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2829 Ju in Street
San Diego, CA 92186-5406
619/688-4002 Fax 619/688-2511

☐ **Allen Kennedy**
Caltrans - District 12
2501 Pullman St.
Santa Ana, CA 92705
714/723-2239 Fax 714/724-2592

Business, Transportation, & Housing

☐ **Sandy Hesnard**
Caltrans - Division of Aeronautics
P.O. Box 942874
Sacramento, CA 94274-0001
916/445-1833 Fax 916/527-9093

☒ **SA-531A**
Office of Highway Patrol
California Highway Patrol
Office of Special Projects
Planning and Analysis Division
2555 1st Ave.
Sacramento, CA 95818
916/657-7222 Fax 916/452-3151

☒ **Ron Hedgeson**
Caltrans - Planning
P.O. Box 942874
Sacramento, CA 94274-0001
916/653-9966 Fax 916/653-0001

☐ **State and Consumer Services**
Robert Steppy
Dept. of General Services
400 R Street, Suite 5100
Sacramento, CA 95814
916/324-0214 Fax 916/322-3987

☐ **Office of Local Assistance**
501 J Street, Suite 400
Sacramento, CA 95814
916/445-3160

☐ **California Environmental Protection Agency**
Mike Tollstrup
Air Resources Board
2020 L Street
Sacramento, CA 95815
916/322-8267 Fax 916/322-5982

☐ **Mark deBie**
Calif. Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826
916/255-4164 Fax 916/255-4071

☐ **Wayne Hubbard**
State Water Resources Control Board
Division of Clean Water Programs
P.O. Box 944312
Sacramento, CA 94244-2120
916/227-4408 Fax 916/227-4549

☐ **Phil Zentner**
State Water Resources Control Board
Division of Water Quality
P.O. Box 944213
Sacramento, CA 94244-2130
916/657-0912 Fax 916/657-2388

☐ **Mike Falkenstein**
State Water Resources Control Board
Division of Water Rights
901 P Street, 3rd Floor
Sacramento, CA 95814
916/657-1377 Fax 916/657-1485

☐ **Dept. of Toxic Substances Control**
CEQA Tracking Center
400 P Street, Fourth Floor
P.O. Box 806
Sacramento, CA 95812-0806
916/324-3119 Fax 916/324-1788

Regional Water Quality Control Board

☐ **NORTH COAST REGION (1)**
5550 Skyline Blvd., Suite A
Santa Rosa, CA 95403
707/576-2220 Fax 707/523-0135

☒ **SAN FRANCISCO BAY REGION (2)**
2101 Webster, Suite 500
Oakland, CA 94612
510/286-1255 Fax 510/286-1380

☐ **CENTRAL COAST REGION (3)**
81 Higuera Street, Suite 200
San Luis Obispo, CA 93401-5427
805/549-3147 Fax 805/543-0397

☐ **LOS ANGELES REGION (4)**
101 Centre Plaza Drive
Monterey Park, CA 91754-2156
213/266-7556 Fax 213/266-7600

☐ **CENTRAL VALLEY REGION (5)**
3443 Router Road, Suite A
Sacramento, CA 95827-3098
916/255-3000 Fax 916/255-3015

☐ **Fresno Branch Office**
3614 East Ashlan Avenue
Fresno, CA 93726
209/445-5116 Fax 209/445-5910

☐ **Redding Branch Office**
415 Knollcrest Drive
Redding, CA 96002
916/224-4845 Fax 916/224-4857

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916/542-5400 Fax 916/544-2271

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Riverside, CA 92501-3339
714/782-4130 Fax 909/781-6288

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9771 Claremont Mesa Blvd., Suite B
San Diego, CA 92124-1331
619/467-2952 Fax 619/571-6972

☐ **OTHER:**

☐ **OTHER:**

File No. PDC97-6-36

DECLARATION OF MAILING

I hereby certify that the attached

- ☐ Public Scoping Notice
- ☒ Notice of Preparation
- ☐ Draft
- ☐ Notice of Public Hearing

was mailed to the project applicant and those legally required to be noticed by the San José Municipal Code as shown on the project mailing list. Said notice was mailed on the date indicated below.

7/24/97
Date Mailed

Lori Neff
Signature

EVDECMLG.WS/HD:pl

97 - 036

**NOTICE OF PREPARATION
OF AN
ENVIRONMENTAL IMPACT REPORT
FOR THE
TOWN AND COUNTRY VILLAGE PROJECT**

Project Applicant: Federal Realty Investment Trust
File No.: PDC97-06-036

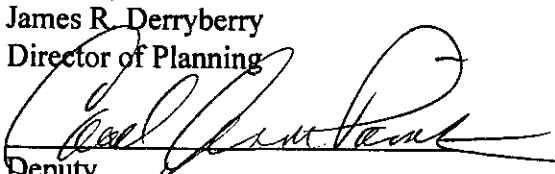
As the Lead Agency, the City of San Jose will prepare an Environmental Impact Report (EIR) for the above-reference project and would like your view regarding the scope and content of the environmental information to be addressed in the EIR. This EIR may be used by your agency when considering approvals for this project.

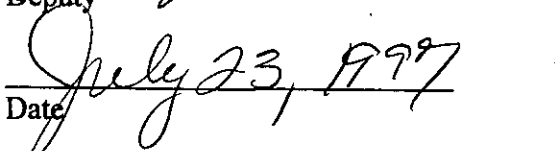
The project description, location, and a brief summary of potential environmental effects are attached.

According to State law, the deadline for your response is 30 days after receipt of this notice. We would appreciate an earlier response, if possible. Please identify a contact person and send your response to:

City of San Jose
Department of Planning
Building & Code Enforcement
Attn.: Lori Neff
City Hall Annex, Room 400
801 N. First Street
San Jose, CA 95110-1795
Phone: (408) 277-4576

James R. Derryberry
Director of Planning


Deputy


Date

97 - 036

**NOTICE OF PREPARATION
OF AN
ENVIRONMENTAL IMPACT REPORT
FOR THE
TOWN AND COUNTRY VILLAGE PROJECT**

July 7, 1997

Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide public agencies with the environmental information required to evaluate a proposed project, establish methods for reducing adverse environmental impacts, and consider alternatives prior to approval.

In accordance with Section 15163 of the California Environmental Quality Act (CEQA) Guidelines, the City of San Jose will prepare an EIR for the proposed Town and Country Village Project. The EIR will include the following:

- A summary of the project
- A project description
- A description of the existing environmental setting, environmental impacts, and mitigation measures
- Alternatives to the project as proposed
- Environmental consequences, including: (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irremediable commitments of resources, (c) the growth-including impacts of the proposed projects, (d) effects found not to be significant, and (e) cumulative impacts.

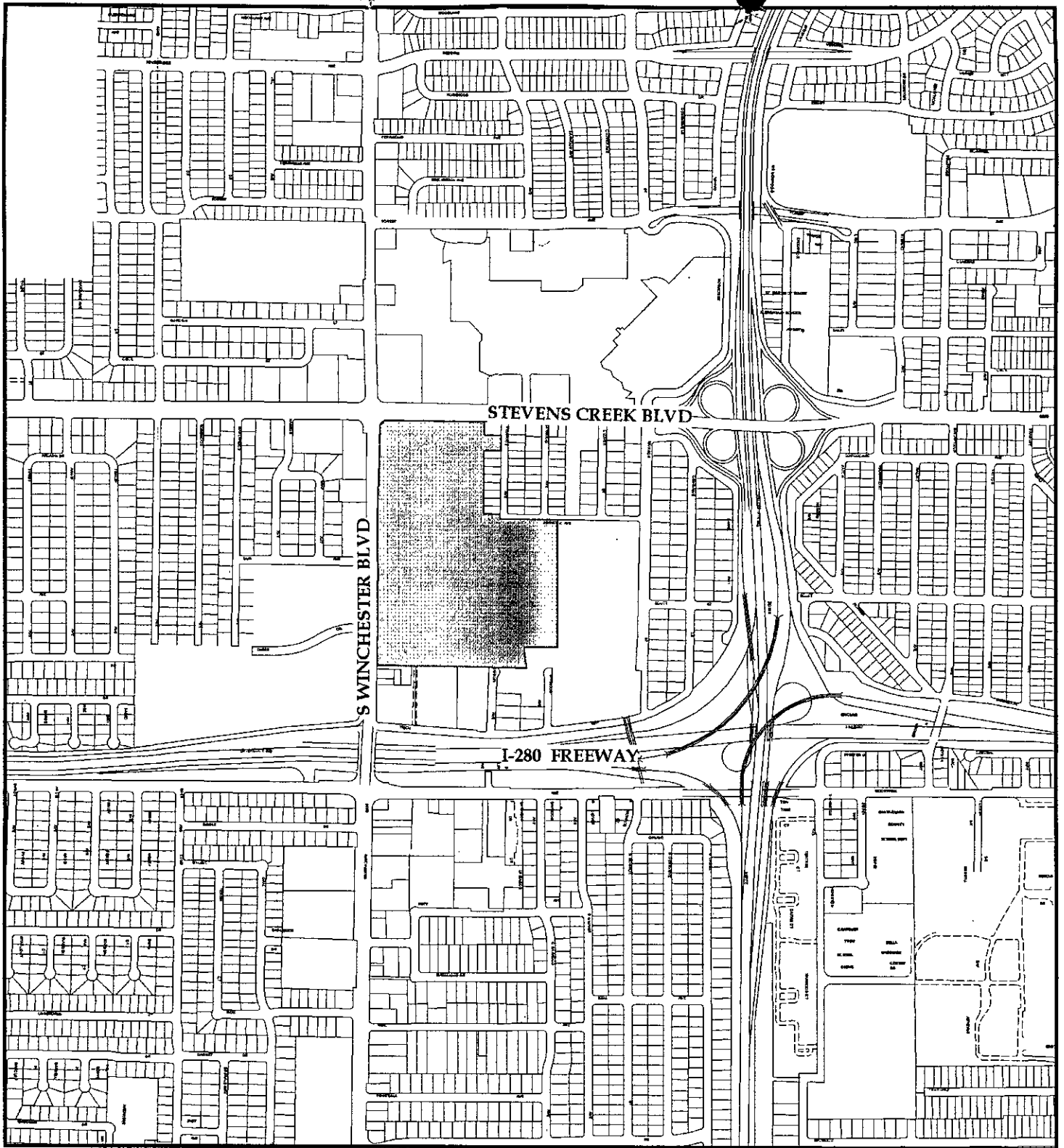
Project Location

The project site is located on the southeasterly corner of the intersection of Stevens Creek and Winchester Boulevard in the City of San Jose (refer to Figure 1 and 2). The existing development on the site consists of approximately 325,000 square foot of retail uses, a movie theater, a car dealership, and tennis courts on approximately 39 acres. Access to the project site is available from Winchester Boulevard to the west and Stevens Creek Boulevard to the north.

Assessor's Parcel Numbers

277-40-002, 277-36-003 (portion), 277-33-002, -004, -005, and -007.

97 - 036 - -



Scale: 1"= 500'

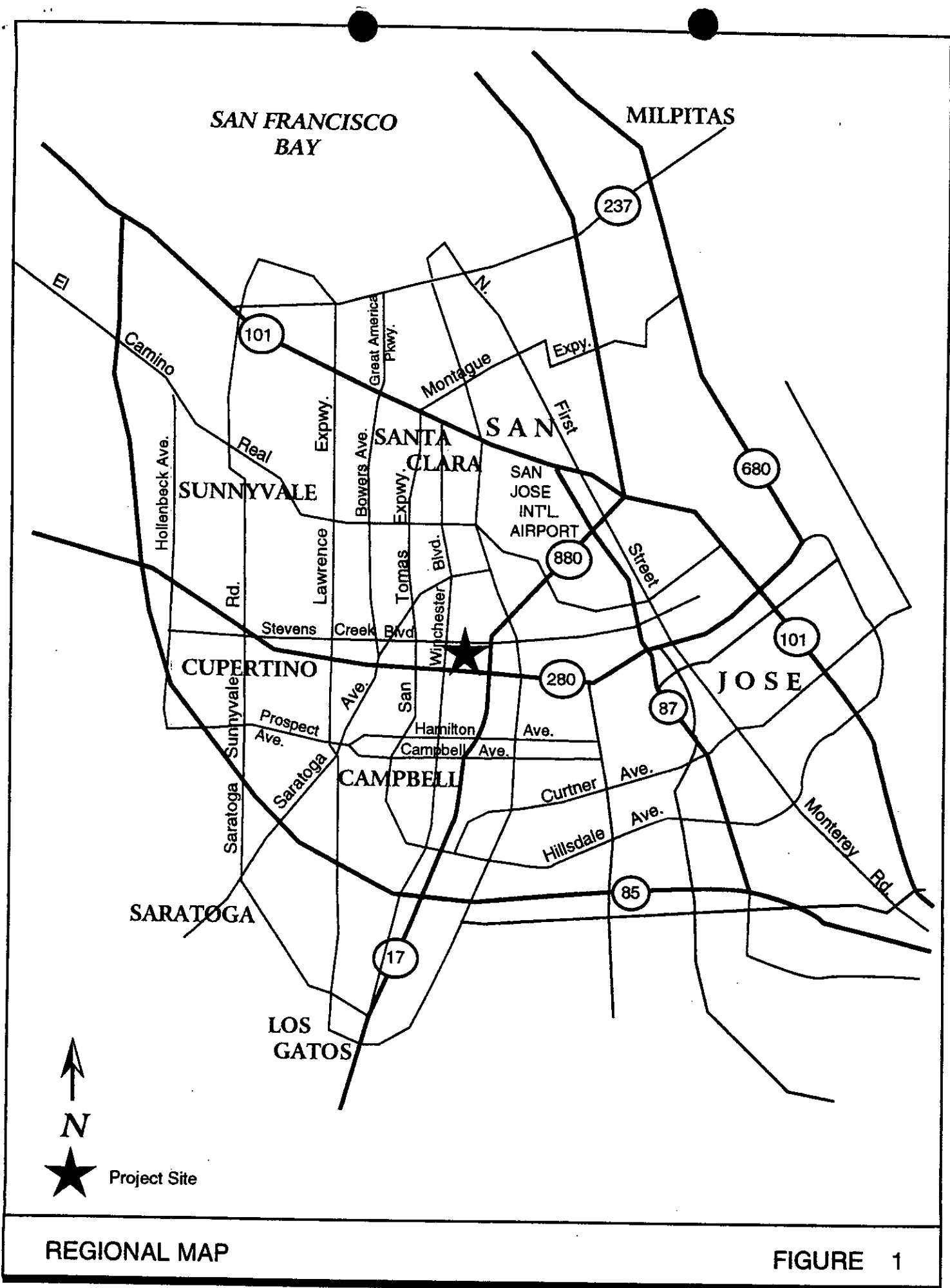


File No: PDC97-06-036

District: 06

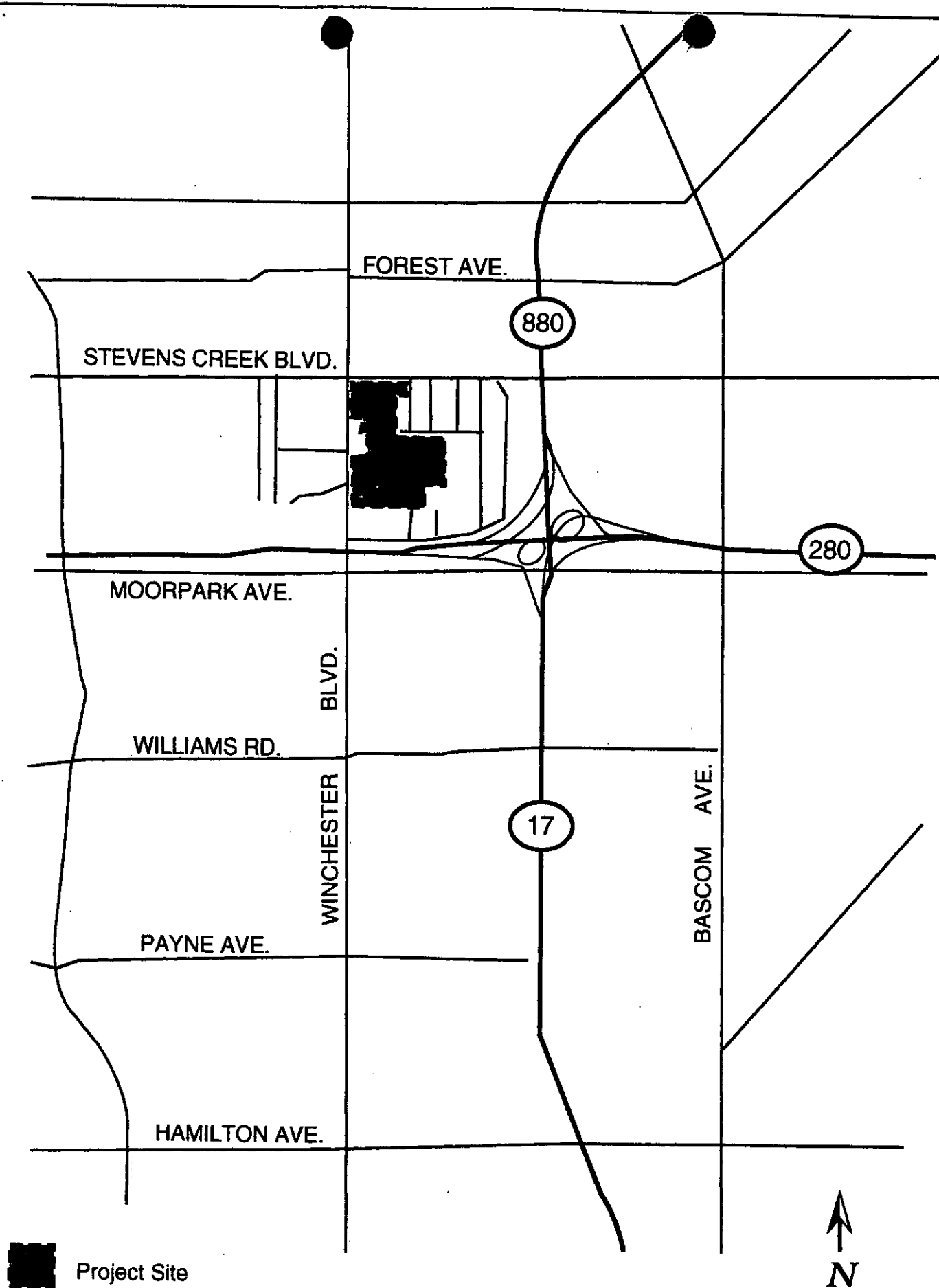
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97 - 036



REGIONAL MAP

FIGURE 1



VICINITY MAP

97 - 03.6

FIGURE 2

Project Description

The proposed project consists of the rezoning of the project site from Commercial (C-3) to Planned Development A(PD) to allow the redevelopment of the Town and Country Village shopping center with a mixed use development that will include commercial, retail, hotel, and residential uses. The proposed land use intensities are presented on the following table.

PROPOSED LAND USE INTENSITY TOWN & COUNTRY VILLAGE				
	Residential Units	Commercial Square Footage	Hotel Rooms	Auto Dealership
Totals With Auto Dealership	800	525,000	100	1
Auto Dealership Equivalent	400	125,000	100	0
Totals Without Auto Dealership	1,200	650,000	200	0

The proposed project will include the development of eight parking structures with a total parking capacity of up to 4,500 parking spaces. Primary access to the site will remain from Stevens Creek Boulevard and Winchester Boulevard; however, additional site access will be provided from northeast along Hemlock Avenue and from the south from Dudley Avenue.

Project approvals will be required from the City of San Jose. City approvals include a zoning change to A(PD), and the issuance of a PD Permit, demolition permit and a grading permit. It has been determined by the City of San Jose that consideration of these approvals will require the preparation of an EIR, in accordance with CEQA. The City will use the information in the EIR as the basis for the approval or denial of the proposed project.

Environmental Impacts of the Project

The project EIR is anticipated to address primarily the following issues: land use, geology and soils, transportation, air quality, noise, biological resources, cultural resources, hazardous materials, public utilities and services, and energy. A brief discussion of the probable environmental impacts is presented below.

Land Use The EIR will evaluate land use conflicts associated with the development of a mixed use project and intensification of uses at this location. The discussion will address visual impacts from the project, and the project's relationship with adjacent and nearby land uses.

Geology and Soils The EIR will address the geologic impacts associated with the development of this site. Demolition and grading impacts will be addressed and mitigation identified.

Transportation The EIR traffic analysis will identify the existing roadway conditions and other elements (bus routes, bike routes, etc.) of the transportation system in and

around the project area, including the local streets and intersections, regional facilities, and freeways. The analysis will discuss the effects of project-generated traffic on the local and regional transportation facilities. Appropriate mitigation for significant impacts will be identified.

Air Quality The EIR will include a project-specific air quality analysis which will address both local and regional air quality impacts associated with build out of the project, including the effects of traffic impacts. The air quality discussion will also address short term impacts associated with demolition and grading, and will identify appropriate mitigation for construction impacts.

Noise A noise analysis will identify the existing noise environment and the noise levels associated with the project operation and project traffic. The EIR will address noise impacts to the project itself and to the adjacent land uses in conformance with City of San Jose Noise Guidelines.

Biological Resources The EIR will describe the biological habitats and plant species occurring on the site and the potential for special status plant and animal species. The EIR will discuss the impacts of the development upon biological resources and identify appropriate mitigation for significant impacts.

Cultural Resources The EIR will discuss the potential for subsurface archaeological resources to be impacted by the project, and will identify appropriate mitigation.

Hazardous Materials The EIR will address the existing conditions on and adjacent to the site, including the potential for any existing contamination to impact the proposed project. Hazardous materials impacts on the project site and mitigation for significant impacts will be identified.

Utilities and Service Systems The EIR will address the capacity of the existing and planned utility and service systems to accommodate this project.

Energy The EIR will discuss the energy consumption impacts of the project.

Availability of Public Facilities In conformance with recent case law, the EIR will address the availability of public facilities to meet demands generated as a result of this project. Impacts will not be identified as environmental unless the project triggers a need for the construction of new facilities.

Alternatives to the Project Alternatives to the project as proposed, including "No Project" will be addressed. Other alternatives analyzed will include an alternative land use mix and a reduced scale project.

Cumulative Impacts The EIR will include a Cumulative Impacts section which will address the significant cumulative impacts of the project when considered with other past, present and reasonably foreseeable future projects in the area.

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and Down + Country (PDC 97-6-36) NOPs

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SAN JOSE CA 95110

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22221 MC CLELLAN RD
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SAN JOSE CA 95198

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70 NORTH FIRST ST
CAMPBELL CA 95008

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GOVERNMENTS ✓
PO BOX 2050
OAKLAND CA 94604

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STATE CLEARINGHOUSE
1400 10TH ST RM 121
SACRAMENTO CA 95814

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CAL EPA REGION 2 ✓
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BERKELEY CA 94710

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SC CO. PARKS & REC ADMIN OFFICES ✓
298 GARDEN HILL DR
LOS GATOS CA 95030

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SUE TIPPETS ✓
SC VALLEY WATER DISTRICT
5750 ALMADEN EXPWY
SAN JOSE CA 95118

198

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NATIVE PLANT SOCIETY
SANTA CLARA VALLEY CHAPTER
3921 E BAYSHORE RD #205 ✓
PALO ALTO CA 94303

201

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374 WEST SANTA CLARA ST
SAN JOSE CA 95113

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1500 WARBURTON AVE
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CALTRANS DISTRICT 4 ✓
PO BOX 23660
OAKLAND CA 94623-0660

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WATER RESOURCES BOARD ✓
PO BOX 100
SACRAMENTO CA 95801

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CHIEF, ENVIRONMENTAL BRANCH ✓
US ARMY CORPS OF ENGINEERS
333 MARKET ST 7TH 8TH 9TH FL
SAN FRANCISCO CA 94105-2102

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VTA BUILDING B SECOND FLOOR ✓
3331 NORTH FIRST ST
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196

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3921 EAST BAYSHORE RD
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2600 CAMINO RAMON #1N202
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101 8TH ST 3RD FLOOR
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REGIONAL ADMINISTRATOR ✓
EPA REGION 9
75 HAWTHORNE ST
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JOEL MEDLIN FIELD SUPERVISOR ✓
US FISH AND WILDLIFE SERVICE
2800 COTTAGE WY RM E-1803
SACRAMENTO CA 95825

THE CITY OF SANTA CLARA

CALIFORNIA

PLANNING DIVISION
CITY HALL
1500 WARBURTON AVENUE
SANTA CLARA, CA 95050
(408) 261-5260
FAX (408) 247-9857

August 27, 1992

Gary Schoennauer
Director of Planning
City of San Jose
801 North First Street
San Jose, CA 95110-1795

Dear Gary,

We are writing in response to your staff's request for preliminary comments on Metropolitan Life Insurance's conceptual proposal for the redevelopment of the Town and Country Village Shopping Center, as well as the Courtesy Chevrolet dealership at the southeast corner of Winchester and Stevens Creek Boulevards.

The Metropolitan Life proposal, at this conceptual stage, seems out-of-scale for the nature of existing development in this area. Ninety foot high buildings and 1.8 million square feet of development (especially 1.3 million square feet of new office development) may severely impact already overburdened intersections in this area. Also potentially adversely impacted are established residential neighborhoods near the project, unless significant mitigation measures can be provided.

As a specific example, we call your attention to the information provided in the Draft Environmental Impact Report for Prometheus Development's now-withdrawn proposal for the Marchese Orchard at Homestead and Lawrence Expressway in our City (excerpt attached).

That EIR's Alternatives Analysis in March of 1991 evaluated possible redevelopment of the Town and Country site and found that both the Winchester/ Hedding and San Tomas Expressway/ Stevens Creek intersections are currently operating at a Level of Service F. A development such as Prometheus', at two-thirds the density of the conceptual MetLife proposal, would worsen the existing traffic congestion at these and ten other area intersections, according to that EIR.

97 - 03 6

City of Santa Clara Letter
Town & Country, Page 2

We suggest that a detailed Traffic Study be conducted. This study should consider the future impacts of losing one lane in each direction on Stevens Creek Boulevard for the County-planned Light Rail line, as well as the existing congested condition of the southbound State Highway 17/880 connection to Stevens Creek and State Highway 280.

The Traffic Study should also note that Stevens Creek Boulevard does not function as effectively - capacity-wise - as other streets of this width in the County, because of its commercial nature and the number of existing traffic signals in front of Valley Fair. Any Town and Country Village expansion or redevelopment should consider a connection of onsite parking areas to Stevens Creek Boulevard via Monroe Street on the east to better distribute traffic, as well as possible freeway improvements at Stevens Creek/ 880 and/or Winchester/ 280.

Please note that our recently adopted comprehensive General Plan Update did not result in any change in our allowed development densities along this part of Stevens Creek: three stories (35 foot height limit), except for Valley Fair where building heights up to fifty feet are permitted.

We urge you to carefully evaluate the cumulative impacts of the conceptual MetLife proposal. This evaluation should include a fiscal analysis of possible adverse fiscal impacts from reduced sales tax revenues at Valley Fair if traffic conditions are worsened in this highly sensitive area and shoppers are discouraged due to traffic congestion. This analysis could also examine whether the loss of a highly visible motor vehicle dealership at this end of Stevens Creek Boulevard would contribute to reduced auto sales revenues along the rest of the Boulevard. Santa Clara's General Plan protects motor vehicle sales lots along most of Stevens Creek Boulevard from higher density developments such as Mixed Use.

From a preliminary environmental, fiscal and market standpoint, it would seem that more appropriate locations exist, such as in San Jose's Downtown, for the one million, two hundred and fifty thousand (1,250,000) square feet of speculative office development proposed by MetLife.

We recommend that San Jose work with MetLife to refine the scale and mix of development for the inappropriate parts of this proposal in order to accomplish a better balanced retail/ residential redevelopment more in keeping with your regional vision.

City of Santa Clara Letter
Town & Country, Page 3

We will closely review the Scoping Request and the Environmental Impact Report for this project when it is received and anticipate providing additional comments at that time.

Sincerely,

Geoffrey Goodfellow
Director of Planning
and Inspection

cc: Jeff Roche and Carol Hamilton

dvh7/TwnLtr

97 - 036

APPROVED DEVELOPMENTS
CITY OF SANTA CLARA
(as of September 1997)

<u>Project</u>	<u>Location</u>	<u>Description</u>
McCandless	3955 Freedom Circle	220,000 s.f. office
Intel SC-12 Regency	2250 Mission College Blvd.	650,000 s.f. office
3Com	5420 Bayfront Plaza	405,000 s.f. office/mfg
Peery Arillaga	2500 Freedom Circle (south side)	850,000 s.f. office
Nexus	2805-2807 Mission College Blvd.	132,000 s.f. office
Mercado SC	3000 Mission College Blvd.	109,000 s.f. retail
		21,000 s.f. restaurant
		4,500 s.f. seat theater
HOPE	4401 Lafayette Street	400,000 s.f. industrial
Fairway Glen/Interland	4600 Lick Mill Blvd.	1,466 d.u. apartments
Applied Materials	3333 Scott Blvd.	840,000 s.f. office/R&D
Centennial Banquet Facility	Tasman and Centennial	6,000 s.f. banquet hall
Intel SC-12 Walsh	at Northwestern Parkway	300,000 s.f. office
Kaiser	Homestead and Lawrence	745,000 s.f. office
		675,000 s.f. medical office
		35,000 s.f. central plan
Hewlett-Packard	Stevens Creek at Lawrence	727,500 s.f. (net) office/R&D
Sobrato (Verifone)	Great America Parkway and Tasman Drive	137,315 s.f. office
3Com Pal Site	Great America Parkway and Yerba Buena Way	540,000 s.f. office/R&D
Hunter/Storm	451-475 El Camino Real	10,000 s.f. retail
		230,000 s.f. R&D
		110 Room Hotel

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C

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Real Estate and Urban Economics

12100 Wilshire Boulevard
Suite 1050
Los Angeles, California 90025

Tel 310 820-0900
Fax 310 820-1703
www.kmgconsult.com

REVISED DRAFT

The Impact of the Proposed
Town and Country Shopping Center Redevelopment
on Downtown San Jose, California

Prepared for
The Redevelopment Agency of the
City of San Jose

by
KMG Consulting
(Kotin Mouchly Group)

December 18, 1997

97 - 036

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V	Planning Issues for Town and Country Shopping Center	19

Exhibits:

- II-1 Classes of Entertainment Retail Projects
- III-1 Map of Overlapping Trade Areas
- III-2 Demographics of 3, 5 & 10 Mile Trade Area - Downtown
- III-3 Demographics of 3, 5 & 10 Mile Trade Area - Town and Country Village
- IV-1 Downtown San Jose - Existing Entertainment Retailers
- IV-2 Downtown San Jose - Potential Entertainment Retailers
- IV-3 Near-Term Events Impacting Downtown Retailing
- V-1 Comparison of Town and Country Requested Planned Development (PD) vs. Entitlements Under C-3 Zoning



I. INTRODUCTION

For many years the City and Redevelopment Agency of San Jose have been deeply committed to the revitalization of Downtown San Jose. There are many elements to the revitalization, the most notable of which are reestablishment of a strong and vibrant office market, the creation of housing, the creation of critical cultural facilities and the prospective relocation of the San Jose City Hall to a location in Downtown San Jose.

Historically, the most difficult part of reestablishing downtown areas is to reestablish a strong and viable retail base, particularly one that operates outside the normal business hours of the office buildings. At several points in the past, the Redevelopment Agency has made significant commitments to the revitalization of retail. Without the critical mass of office development and the emerging demand created by residential housing, there has not been the opportunity for retail revitalization to materialize.

Precisely because of the commitment to growth and the apparent possibility of the imminent realization of some of the retail ambitions for Downtown, the proposed massive redevelopment of the Town and Country Shopping Center at a location approximately three miles from Downtown has created understandable concern on the part of the Redevelopment Agency. To address this concern, the Redevelopment Agency has retained KMG Consulting (Kotin Mouchly Group) to address three key issues. The first, and perhaps the most critical is to determine the extent to which the proposed development will, in fact, be competing with Downtown retail and the extent to which success of Town and Country will preclude or hinder potential success in attracting key tenants to the Downtown area. A second and related objective is whether or not the emergence of Downtown San Jose as a viable focused retail attraction is a reasonable expectation. Finally, the third objective of the KMG Consulting effort is to identify at a very general level the extent to which the entitlements requested by Federal Realty in connection with the redevelopment of the Town and Country site represent reasonable extensions of the general planning process or in fact represent special concessions requested of the City.

The following analysis was prepared by KMG to crystallize and identify critical issues for the benefit of the Redevelopment Agency and is not intended as either a definitive market study nor as a critical marketing plan for Downtown retail.



II EXECUTIVE SUMMARY

KMG Consulting has concluded an analysis and market study of the retail and residential components of both the Downtown San Jose redevelopment core and the proposed Town and Country Village mixed-use project at Stevens Creek and Highway 17. The conclusion is that the retail component, particularly to the extent it is defined as entertainment retailing, will compete directly with Downtown San Jose for most major tenants. The location, adjoining the most successful regional mall in the trade area; the concept, designed to replicate an urban environment; and the quality of the owner/developer/operator will contribute to making Town and Country Village a formidable competitor to Downtown San Jose for entertainment retailing tenants.

The proposed project will also compete for residential tenants, but to a far lesser degree than the entertainment retailing component. The extremely high demand for residential housing at an affordable price in the Santa Clara County area indicates that housing in the Town and Country Village project can be fully absorbed in addition to any housing currently planned in Downtown San Jose. To the extent however, that a densely populated, substitute downtown is created at Town and Country Village, the residential absorption in Downtown San Jose will suffer. To the extent that such an urban village is created, in what has been an historically suburban location, it will severely damage the efforts to date in Downtown San Jose and impair future efforts to attract and retain retail, entertainment and residential tenants in the urban core.

Overlapping and Competing Markets

The two projects, Downtown San Jose and Town and Country Village, serve basically the same regional market. Except for very localized service support retail such as dry cleaners, grocery stores, copying shops, fast food, etc., which have typically a one to two mile trade radius, all major retailing will have three to ten mile trade radii or larger. Most retail and entertainment retailers consider their trade radius to be somewhere between five and twenty miles, or even greater. Located approximately three miles apart and within five to eight minutes of each other by freeway, the two sites have trade areas that overlap extensively at five miles and are almost identical trade populations at a ten-mile radius or larger.

Attached as Exhibit II-1 is a matrix describing the four general classes of entertainment retail projects. The first two of those, the Festival Marketplace and the Urban Entertainment District, are applicable to Downtown San Jose while the fourth, the Entertainment Retail

Center, is proposed for Town and Country with a very large residential component. While they are different in concept, in design and in implementation, they share a desire for many of the same tenants, and in that sense are directly competitive.

Federal Realty Trust is considered one of the premier developers/redevelopers of entertainment retailing concept locations. They are typically associated with downtown urban environments and they have a group of major entertainment retailing tenants that they have been able to bring with them into a variety of locations across the country. Their relationship with those retailers would potentially lock those tenants into the Town and Country project and preclude them from opening stores in Downtown San Jose. The kind of tenants Town and Country Village would like to attract are specifically the type that would be vital to creating a recreation/entertainment retail center in Downtown San Jose. For example, themed restaurants such as Planet Hollywood, Hard Rock Cafe or House of Blues would not cannibalize their own markets by locating two units three miles apart.

To the extent that Town and County Village is successful in creating a high-density urban environment that appears to incorporate both a lively nighttime ambiance and a city-like mixed use intensity of residential, commercial, hotel and live-work facilities, the opportunity to create similar environments Downtown will be severely impaired, or potentially lost forever. A successful new "Downtown," three miles from the original, will create more pressure for greater density and an expansion of the concept onto neighboring sites, such as the Century 21 Theater sites. It may also encourage hotel development on nearby properties, either in San Jose, conflicting with the San Jose 2020 General Plan, or in neighboring Santa Clara, taking potential room nights from Downtown San Jose hotels.

Viable Downtown San Jose Retail

Downtown San Jose may be considered to be at a crossroads. Office development will inevitably continue due to the strong economy and the success of Redevelopment Agency efforts to stimulate office development. That Downtown will become a true 24 hour activity center is still uncertain. The existing, largely unfocused retail and entertainment development Downtown is encouraging but it still lacks a well-defined center. The opportunity to create such a focus is just now emerging with the completion of the Repertory Theater and the prospective relocation of City Hall. However, the ability to obtain critical credit anchor tenants is by no means assured. The strong tenants necessary to forge a strong sense of place are precisely the targets of the proposed Town and Country Village

plan. Proximity eliminates any possibility that strong entertainment retail in both Town and Country Village and Downtown San Jose can coexist in the foreseeable future.

Downtown San Jose has a viable entertainment retailing opportunity. The Downtown currently has eleven live entertainment venues, including the almost completed San Jose Repertory Theater. It also has 14 movie screens, five museums, 24 nightclubs and bars and 126 restaurants. That does not include the Convention Center and Downtown's 1,400 existing hotel rooms, plus another 500 to 600 planned rooms. That compares favorably to Third Street Promenade in Santa Monica, California with three cinemas, five nightclubs, two live theaters and 84 food and beverage operations. Similarly it exceeds Old Pasadena with two cinemas with 50,000 square feet, entertainment with 115,261 square feet and food and beverage with 295,765 square feet within the 18 block district.

Downtown San Jose already has more direct "entertainment retailing" than either of the two most frequently quoted successful California entertainment-related streetscapes. Where it fails is in attracting major national and regional hard and soft goods retailers. There are two primary related reasons: (1) the retailers in Downtown San Jose are spread over a larger geographic area than either of the other two, and (2) there is therefore no clear sense of place ... no sense of where the "There" is when you get there. In an enclosed mall, a retailer may locate or not based on whether he can be within a few feet of another specific anchor, or at a specific entrance or gathering point. The retailer has more, rather than less concerns when the location is streetscape, without common ownership or control.

The lack of common ownership of retail square footage Downtown San Jose is both a burden and a competitive advantage. It requires the City and/or the Redevelopment Agency to take a much larger role in coordinating, planning and implementing a cohesive retail strategy. However, it gives retailers and building owners the opportunity to own their own spaces, unlike the proposed Town and Country Village. The nascent retail development taking place in Downtown San Jose is both poised for future growth and simultaneously vulnerable. The current level of retailing can provide a solid basis for the continued enrichment of the Downtown, with excitement, diversity, culture and a unique urban experience. Strong competition for identical tenants by Town and Country Village would delay, weaken or even derail that process, and can even threaten that which is already in place. It is a fallacy to believe that there is a large enough quantity of good retailers to populate both projects. With nearly identical trade areas, successful entertainment retailing at one, will come at the expense of the other.

The Impact of the Proposed Town and Country
Shopping Center Redevelopment on Downtown San Jose

The request for two 100 room limited service hotels goes directly opposite the stated goal of the General Plan to locate all major hotels in the Downtown core. Two hotels totaling 200 rooms is the equivalent of one major hotel. Limited service does not necessarily mean low budget, or affordable. Limited service normally means only that there is no restaurant or food service on premises. Since the hotels will be located in a retail complex, they can have food easily available close-by, and even provide limited room service.

Theaters, restaurants, nightclubs and hotels all require Conditional Use Permits under C-3 zoning. Entertainment retail at Town and Country should be approved at levels of seats, screens, number of facilities, square footages, etc., that do not severely impact Downtown's ability to continue to attract and expand that base, within the context of an overall City commitment to support nighttime entertainment Downtown. Otherwise, without the foot traffic Downtown, additional retailers will not locate Downtown, and attendees at major facilities funded by public monies will go home without spending additional discretionary dollars because there is not enough "There" to keep them there.

Restaurants, nightclubs and other nighttime entertainment are working in Downtown San Jose. Valley Fair Shopping Center and Town and Country are not now a factor in attracting and retaining both resident and visitor customers for nighttime entertainment Downtown. Urban development at the scale proposed for Town and Country Village, combined with the proposed expansion of Valley Fair could create a sufficiently strong draw to not only dislocate resident dining and entertainment patterns away from Downtown but even cause significant numbers of convention attendees and business travelers to choose to shuttle the three miles to Town and Country for dinner and nightlife rather than patronize Downtown retailers.

There is a real possibility that Town and Country's successful development could doom Downtown San Jose to a fate similar to Downtown Los Angeles. There, despite monumental efforts by the Los Angeles CRA, retail and entertainment barely survive. Even the office market, while large and impressive in scale, remains vulnerable to market swings and extremely high vacancies. Precisely because it lacks a sense of place, it remains much weaker and more vacant than both competing markets in Los Angeles County and other West Coast downtown markets which are thriving with much smaller economic bases.

**III. DOWNTOWN SAN JOSE, TOWN AND COUNTRY VILLAGE OVERLAPPING AND
COMPETING MARKETS**

The Redevelopment Agency to date has contributed more than \$800 million into Downtown redevelopment and infrastructure and that number will climb to over \$1 billion in the near future. That is coupled with over \$1 billion in private investment funds that have already been brought into the Downtown area as well. To the extent that Town and Country Village represents an alternative urban landscape incorporating many of the elements which are offered in the Downtown core, the Town and Country project will be counterproductive to the City of San Jose's and the Redevelopment Agency's goals to achieve a vibrant and exciting place to live and work and play in the Downtown core.

Same Trade Areas

The two projects, Downtown San Jose and Town and Country Village, serve basically the same regional market. Except for very localized service support retail such as dry cleaners, grocery stores, copying shops, fast food, etc., which have typically a one- to two-mile trade radius, all major retailing will have three to ten mile trade radii or larger. Located approximately three miles apart and within five to eight minutes of each other by freeway, the two sites have trade areas that overlap approximately 40% at three miles, extensively at five miles and are almost identical trade populations at a ten-mile radius or larger (see Exhibit III-1). Most entertainment retailers consider their trade radius to be somewhere between five and twenty miles depending upon the type of entertainment retailer.

The distance a resident is willing to travel to an entertainment destination or attraction is a function of length of stay, which is determined by the characteristics and uniqueness of the attraction. A general rule of thumb states that a consumer will travel roughly one half of his total length of stay to arrive at the attraction. Therefore, total travel time is equal to length of stay. Newly emerging entertainment centers such as CityWalk and Sony's Yerba Buena Entertainment Center in San Francisco are changing market area determination. For example, when the attraction consists of several anchors, including a state-of-the-art cinema, large format cinema, one-of-a-kind concept retail stores, game centers, and restaurants, the market draw is expanded. Further, each component in the mix has its own length of stay.

Consider the multiplex cinema, where length of stay is 90 to 120 minutes. In this case, the formula for entertainment market area determination does not hold. In fact, cinema exhibition zones were formerly classified as a three-mile radius around the site. Today, the

industry is evolving, so that some exhibitors claim their movie patrons travel 25 miles and more to the facility.

Game centers and nightclubs have length of stays in the 60 to 90 minute range. When the consumer is doing more than one activity at the facility, (*i.e.*, dinner and a movie, window shopping and movie, dinner and a nightclub, etc.) the matrix becomes even more complicated. For purposes of analysis, and to assure that the market analysis includes a broad enough geography, we generally define a primary market of 25 miles, and a secondary of 50 miles.

One of the purposes of the investment of significant public dollars into cultural and entertainment related venues in the Downtown area was to provide additional regional draws to bring people into Downtown other than those who reside or work in the area. The existence of those draws expands the trade area for retailers who locate there. The potential customer base for retailers adjoining the Arena, the Repertory Theater or other large-scale venues is now drawn from an area more akin to a Themed Entertainment Retail project. In such projects, the secondary trade area can extend to a 50-mile radius and beyond. The key to a successful capture of that market's additional expenditures is having additional opportunities to spend in the Downtown area on retail goods and services which they cannot obtain in their own neighborhood. Once the consumer has made the decision to stay Downtown beyond the time of the single purpose which brought them there, other traditional retailers can succeed because of the shopper traffic generated. However, to the extent that the same entertainment and shopping experience can be obtained elsewhere in the trade area, there will be nothing unique to keep the event attendee remaining in the Downtown beyond their initial purpose.

There is a secondary impact which can be extracted from the travel distances which consumers will accept. Downtown San Jose has a substantial number of business traveler and convention attendees which have historically been captive audience for the restaurant and evening entertainment venues Downtown. Since the total commute time by taxi or rental car from Downtown San Jose to the new proposed Town and Country Village is only five to eight minutes, it is not a significant deterrent to Downtown overnight visitors. Conventioneers Downtown looking for some fun in the evening are as likely to get into a car and drive to Town and Country as they are to walk six or eight blocks to a restaurant Downtown. Currently, Town and Country Village and its neighbor, Valley Fair Shopping Center, are not significant competitors for Downtown business and convention travelers. There is not a critical mass of entertainment-related opportunities to justify the additional

commute. If that changes such that Town and Country Village becomes an exciting place to be in the evenings, it can have a serious impact on the existing restaurant trade in Downtown San Jose. It would also deter business travelers from staying Downtown if they can find accommodations elsewhere on the west side. If the alternative accommodations are new hotel rooms built in Santa Clara or Cupertino or Campbell, then those bed tax revenues will also be lost to the City of San Jose.

Market Demographics

The demographics of the two sites are quite similar. Obviously, because of the extensive overlapping, the larger the ring, the closer to identical the trade area demographics become. At 10 miles the demographics are almost indistinguishable (see Exhibits III-2 and III-3). The population counts and household counts are surprisingly similar, even at the three-mile ring. While Town and Country has somewhat higher income levels and smaller household sizes, Downtown has had significantly higher recent growth rates. The trade area for Town and Country Village is largely built out while Downtown still has growth, both in the periphery and in the redevelopment of Downtown and the neighborhoods adjoining it.

The total 10-mile market is approximately 454,209 households. Household incomes in excess of \$50,000 comprise 64.27% of the population. Adults in the age range of 18 to 54 comprise 62.56% of the population, or approximately 822,511 persons. College educated population comprises roughly 29.45% which is above the national norm of 20.3%. These factors which describe an educated and affluent population are supportive of an entertainment retail project. Summary market demographics for the two 10-mile trade areas are presented on the following page.



The Impact of the Proposed Town and Country
Shopping Center Redevelopment on Downtown San Jose

WORKING DRAFT SUBJECT TO REVISION
December 18, 1997 (11:54AM)

	Town and Country		Downtown San Jose	
	5 miles	10 miles	5 miles	10 miles
Population	500,295	1,361,897	589,558	1,311,558
Households	189,184	475,775	194,785	454,209
21-59 Age Group	60.06%	59.43%	57.14%	59.15%
Median Household Income	\$60,005	\$64,438	\$56,617	\$64,172
Percent Earning \$50,000	59.36%	64.33%	56.40%	64.27%
Percent White Collar	67.16%	66.77%	57.50%	66.16%
Percent College Grads	29.96%	30.61%	22.04%	29.45%
Percent Manager/ Exec./Prof.	33.70%	33.62%	25.69%	32.79%
Percent Housing Units Owner Occupied	42.44%	50.97%	45.77%	52.08%
Single Population				
Males (Age 16+)	26.52%	24.44%	26.78%	24.32%
Females (Age 16+)	25.85%	23.89%	25.70%	23.80%

The analysis for potential spending at adult oriented entertainment retail is based on these considerations, *i.e.*, size of population base, relative affluence and educational attainment, number of individuals in the 21-59 age category, and number of single individuals (these consumers tend to support nightclubs, entertainment facilities, restaurants, etc., more than other parts of the population). The two market areas are large, relatively affluent, with a huge population in the appropriate age group and relatively well educated. This population group will provide an excellent basis for patronage to either the Town and Country Village location or to Downtown San Jose.

Developer/Owner of Town and Country Village

Federal Realty Trust is considered one of the premier developers/redevelopers of entertainment retailing concept locations. They are typically associated with downtown urban environments and are one of the largest property owners on the Third Street Promenade in Santa Monica, California. They have a group of major entertainment retailing tenants that they have been able to bring with them into a variety of locations across the country. Their relationship with those retailers would potentially lock those tenants into the Town and Country project and preclude them from opening stores in Downtown San Jose. Federal's relationship tenants include such major retailers as Williams - Sonoma, Barnes and Noble, Pottery Barn, J. Crew, The Gap, Victoria's Secret, Urban Outfitters and Z Gallerie. Many of their tenants, particularly the larger, higher sales volume tenants, would not locate in two projects as close together as three miles. The kind of tenants Town and Country Village would like to attract are specifically the type that would be vital to creating a recreation/entertainment retail center in Downtown San Jose. For example, themed restaurants such as Planet Hollywood, Hard Rock Cafe or House of Blues would not cannibalize their own markets by locating two units three miles apart (see Exhibit IV-2 for a list of potential entertainment retail tenants for whom both projects would likely compete).

To the extent that Town and Country Village is successful in creating an entertainment retailing venue, it will deprive the Downtown residents of some of the types of shopping ambiance they would otherwise enjoy. There is currently a notable shortage of national retailers Downtown and availability of an alternative location only three miles away will keep some away that would have considered Downtown as San Jose solidifies its Downtown resident, tourist and entertainment base.

IV. VIABILITY OF DOWNTOWN SAN JOSE RETAIL

Downtown San Jose has the opportunity to create viable retailing. The opportunity exists for the creation of community retailing which is documented in the study by THK. With a growing residential base in the Downtown, and with the adjoining San Jose State University residential community, there is a currently under-served need for additional neighborhood and community shopping. In addition, Downtown San Jose already serves as a strong entertainment retailing area with a wide diversity of entertainment and entertainment retail venues.

Not only is it possible to create viable Downtown San Jose retailing, it is imperative to do so. Retailing in downtown environments is the most difficult of product types to restore to viability. So many factors enter into the success or failure of retail shopping that it is difficult to recreate all of the ingredients in place at once. However, in case after case it has been clearly shown that downtowns that do not develop retail eventually decay and lose their ability to attract tenants of all types. Cities such as Los Angeles, Oakland, Sacramento, and Albuquerque have all seen their downtowns continue to endure high vacancy rates and have struggled with attempts to make downtowns viable 24 hour locations for their citizens. In contrast, cities such as San Diego, San Francisco and Portland have managed to incorporate retail into their downtowns in ways that not only sustain the retailers, but also provide synergy to other uses.

Both San Diego and Portland have shown over a long period a strong commitment to strengthening their respective city cores, and each today serves as an example of how cities can succeed. San Diego gambled with a heavy public investment in Horton Plaza and made it a destination, within a downtown (Gas Lamp District, Convention Center, hotels, etc.) that supported that sense of place. Portland combined a substantial transit investment with intriguing adaptive reuse of old buildings and the creation of their downtown Civic Center as truly a public place, in order to create downtown as a unique destination.

The City must support downtown retailing by continuing to encourage retailers to locate there, by discouraging the development of conflicting uses in other parts of the city that would directly compete for the same target markets and the City and Agency must provide a consistent vision of what retailing Downtown will look like over time. Failure to do that will not only keep Downtown San Jose from obtaining a dynamic and viable retail core, but could actually degrade the quality of retail that is currently existing and struggling to survive. With proper guidance and strong support, Downtown San Jose has the opportunity to create a strong and exciting retail presence to be the envy of other cities.

Entertainment Retail

Downtown San Jose already has the basis for viable entertainment retailing. The Downtown currently has 11 live entertainment venues, including the almost completed San Jose Repertory Theater. It also has 14 movie screens, five museums, 24 nightclubs and bars and 126 restaurants (see Exhibit IV-1 for a list of facilities). That does not include the Convention

Center and Downtown's 1,400 existing hotel rooms, plus another 500 to 600 planned rooms. Movie theaters, clubs, galleries and restaurants occupy 620,923 square feet Downtown in 1997, out of total retail square footage of 1,083,580, or 57.3%.

That compares to Third Street Promenade in Santa Monica, California with three cinemas, five nightclubs, two live theaters and 84 food and beverage operations. Similarly it compares to Old Pasadena with two cinemas with 50,000 square feet, entertainment with 115,261 square feet and food and beverage with 295,765 square feet within the 18 block district.

Downtown San Jose already has more direct "entertainment retailing" than either of the two most frequently quoted successful California entertainment-related streetscapes. Where it fails is in attracting major national and regional hard and soft goods retailers. There are two primary related reasons: (1) the retailers listed in Downtown San Jose are spread over a larger geographic area than either of the other two, and (2) there is therefore no clear sense of place . . . no sense of where the "There" is when you get there. National and regional high-volume sales retailers need to understand their location within that sense of place. In an enclosed mall, a retailer may locate or not based on whether he can be within a few feet of another specific anchor, or at a specific entrance or gathering point. He has more, rather than less concerns when the location is streetscape, without common ownership or control. San Jose has an opportunity at this moment to create interesting, exciting retailing Downtown and capture that sense of place. It can take advantage of a large and growing entertainment district, an abundance of cultural centers and draws Downtown, and the impending completion of the Repertory theater and the Tech Museum. But to do that requires a clear vision of how to create that sense of place and to identify the "Place." It requires consistent and predictable support for the vision by the Agency and the City, as well as a variety of community groups.

Suggestions

In order to create viable retailing in Downtown San Jose, a strong, concerted, dedicated effort will be required from the City, the Redevelopment Agency and a number of public, private and quasi-public entities working together. A series of highly interrelated, mutually supportive events must happen to change the buying and browsing patterns of San Jose consumers to see Downtown as "THE" place to be for dining, entertainment and related leisure and shopping experience. The exact structure and details are part of an interactive process that includes the various stakeholders, public and private, in the Downtown area. The following is an outline of elements that are suggested in this format, but are required in some form if Downtown retailing is to be successful.

Goal to be Accomplished	Technique or Suggestion
Create a sense of place; a "THERE"; a ground-zero; an identifiable situs that creates a sense of having arrived at someplace very special	Center the experience on the open area in front of the new Repertory Theater, the street in front and the plaza in front of the cinemas; use that as "ground zero"; make the excitement radiate out from there.
Create a critical mass at ground zero; have enough venues, experiences and excitement to make it worthwhile for someone who comes there for one thing to stay for another; for someone to want to come there from the Arena or other Downtown location at least to see it.	Consider adding a second major first run theater exhibitor multi screen theater and landmark entertainment retail on Block 3, the parcel to the north of the Repertory Theater. The combination of the existing two level retail with an additional eight or more first run screens and new streetscape major entertainment retail can create critical mass. Consider adding a European style small hotel to the project site in the 100 room size range. Integrate retail on Block 2 to reinforce a "bridge" between "ground zero" and the street retail to the north.
Create excitement	Bring in a major name entertainment facility to anchor the street such as a House of Blues or Planet Hollywood, even if it requires subsidy. Use of banners, light post theme identifiers, posters at the Theaters. Encourage street entertainers, musicians, jugglers etc.
Establish sense of nighttime safety	Establish an active police presence Downtown during all business hours, outside of patrol cars. Put them on horseback or bicycle or on foot. Use private, distinctively dressed "Downtown helpers." Can be used as clean up crews, provide directions, discourage panhandling, etc.

Make Downtown San Jose a comfortable size	Encourage neighborhood Identification. There are several distinct areas of Downtown, They need to be reinforced and linked. For illustration, there is the SOFA district, "Old San Jose," Financial District, the Paseo de San Antonio, and San Pedro Square. If each can establish its own identity, each can have its own set of draws and unique experience.
Make it easy to go from one place to another Downtown.	Make cheap or free public transportation available looping all around Downtown. If you parked at the Arena for an event, you should be able to leave your car there and catch a convenient shuttle to your Downtown restaurant or club and back to your parking.
Improve public perception of parking Downtown	Make available free, or inexpensive parking for nighttime entertainment and shopping (i.e., after 5:00 p.m.) and publicize it. Make future parking above grade (structured). Shoppers prefer to not go underground to park. Structured parking also improves perception of availability... people can see it.
Landmark identification of "There"	At key entrances to the Paseo create highly visible, architectural focus points that say you have arrived at a very special place and that are visible at a significant distance. For example, at Market Street, visible from the Convention Center and the Tech Museum.

Improve public knowledge of what's
"There"; help people find "It."

Consider City/Agency support of "Smart
Guides," interactive kiosks at convenient
locations throughout Downtown and at
every major venue. On touch screens,
consumers can see maps of what's
Downtown, how far it is, where
transportation runs, how often. The
system could be expanded to include
theater schedules, restaurant menus,
special events; You can put terminals in
hotel lobbies and let them help defray
costs.

These suggestions are neither the right answers, nor complete, but they focus on some of the
issues that must be addressed if San Jose's Downtown is to be the exciting, vibrant and
complete urban experience that the City and its residents deserve.

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V. PLANNING ISSUES FOR TOWN AND COUNTRY SHOPPING CENTER**Town and Country Village Planned Development (PD) Request**

The current C-3 zoning for the site theoretically may allow significantly more square footage to be built at the site than is being requested under the PD because of a 3.0 FAR. However, other limitations far outweigh the theory. The San Jose 2020 General Plan specifies a 45-foot height limit except in special circumstances. All major office development is encouraged to be located in the Downtown core. No major hotels may be built outside of the Downtown area until such time as the goals of Downtown are met. Entertainment uses such as theaters, restaurants, clubs, as well as hotels, require Conditional Use Permits under C-3 zoning. No residential use is currently allowed on the site.

The owners have requested up to 1,200 residential units on the site. By shifting to a residential use, Federal takes advantage of an incredibly "hot" residential market today, simultaneously reducing construction costs and parking requirements for residential vs. commercial, while utilizing the acreage for which there was either no current market or no current entitlements.

Federal has extensive experience creating exciting urban spaces, much of which has been done in old downtowns similar to San Jose's. By opting for the redevelopment of Town and Country Village, they are gambling that they can create that same environment without the benefit of historic buildings and neighborhoods to build upon. To the extent that they are successful in obtaining approvals to do that, they directly undermine the ability of the City and the Redevelopment Agency to create similar environments Downtown.

The proposed maximum height at Town and Country Village is 90 feet. The text of the draft EIR mentions a maximum of seven stories, although the elevations only show a maximum of five stories. That proposed height represents 50% greater height than the tallest structure at Valley Fair Shopping Center. The current Nordstrom and the new proposed Nordstrom are the two tallest structures at 60 feet. Use of 90 foot tall structures, combined with minimal setbacks and a streetscape feel, is specifically intended to replicate the sense of a dense urban setting, essentially creating a second San Jose Downtown.

The request for two 100 room limited service hotels goes directly opposite the stated goal to locate all major hotels in the Downtown core. Two hotels totaling 200 rooms is the equivalent of one major hotel. Limited service does not necessarily mean low budget, or affordable. Limited service normally means only that there is no restaurant or food service on premises. Since the hotels will be located in a retail complex, they can have food easily available close-by, and even provide limited room service. An upscale bed and breakfast or European small hotel could pre-empt a similar facility from being successful Downtown.

Applicable Sections of the San Jose 2020 General Plan

The following sections of the San Jose 2020 General Plan are directly applicable to the Town and Country requested PD. They illustrate clearly the extent to which the proposed development violates the intent of the City to support retail in Downtown and avoid increasing densities outside the Downtown which will negatively impact the surrounding communities. The Administrative Draft of the EIR for Town and Country Village clearly indicates that at its current density there are both traffic impacts and air quality impacts which will be unavoidable.

Goals and Policies, pages 48-49

"Any new regional-scale commercial development should be encouraged to locate in the Downtown Core Area rather than in suburban locations."

"New hotel development should be located in the Downtown Core Area in order to support convention center development and other Downtown revitalization objectives."

"Hotel/motel development elsewhere in the City may be allowed when it would not interfere with the Downtown revitalization Major Strategy. This policy is effective until the City Council finds that Downtown hotel development objectives are substantially achieved."

"The City should encourage retail and service establishments to locate in the Downtown Core Area."

Downtown Core and Frame Area, pages 116 to 117

"An established downtown serves as a focal point for business and vacation travelers and thus improves a city's economic and cultural image. The difference between a suburban community and a great city can be distinguished by the presence of a vital downtown."

"In San Jose, the City's Downtown Revitalization Strategy establishes a long-term commitment to development of a downtown urban environment where the highest social, cultural and economic achievements of city dwellers can find expression."

"In order to realize the aims of the Revitalization Strategy, future downtown development in San Jose is directed by the Downtown Strategy Plan."

"The major goals of the Strategy Plan include: attracting new retail development as well as retaining existing retail downtown, emphasizing the need for downtown housing, developing corporate office headquarters downtown, continuing to locate major hotel development in the downtown, and providing downtown civic and cultural facilities."

"The intent of retail strategy for the downtown is to develop new businesses while retaining existing ones. The Downtown Strategy Plan recognizes that retail business is central to the downtown's function and image. The Plan calls for the creation of new opportunities for retail development that will attract more people downtown and revitalize existing retail establishments. The downtown retail market is well-suited to accommodate restaurant, entertainment, specialty and convenience center uses designed to serve employees and visitors to office, university, and entertainment centers."

Core Area, page 167

"Such entertainment uses as nightclubs, dance halls and comedy clubs should be located within the Core Area provided that such uses do not adversely impact existing or planned residential uses or conflict with other General Plan goals and policies."

Theaters, restaurants, nightclubs and hotels all require Conditional Use Permits under C-3 zoning. They should have the same restrictive eye applied to them under the PD process, within the context of an overall City commitment to support nighttime entertainment Downtown. Entertainment retail at Town and Country Village should only be approved at levels of seats, screens, number of facilities, square footages, etc., that do not severely impact Downtown's ability to continue to attract and expand that base. Otherwise, the scenario to be expected is that large numbers of residents of San Jose and the adjoining communities, especially those to the west of Downtown, will come Downtown to an event at the Arena, a live theater event or to visit a museum. They will then get back in their cars and drive to the nightlife in Town and Country Village, ignoring the restaurants and shops and alternative evening destinations in Downtown San Jose. Even worse, some of those who leave will change their minds en-route, just going home instead, or to another community, losing sales tax revenues for the City. Similarly, without the foot traffic Downtown, additional retailers will not locate Downtown, perpetuating the cycle. Attendees at major facilities funded by public monies will go home without spending additional discretionary dollars because there is not enough "There" to keep them there.

Density at Town and Country Village should be maintained at a level that preserves the suburban character of the area and does not constitute a new urban landscape in direct competition with Downtown. The excitement, diversity, culture and unique urban

The Impact of the Proposed Town and Country
Shopping Center Redevelopment on Downtown San Jose

experience should be reserved for a great city's Downtown Core. To do otherwise deserts the businesses, residents and public agencies that have worked so hard and invested so much in a just-blossoming effort to reestablish the benefits of an urban culture in Downtown San Jose. Approval of Town and Country Village's application at its current density, building heights, and configuration will potentially derail significant retail development downtown, both for the immediate future and long into the 21st century.

CLASSES OF ENTERTAINMENT RETAIL PROJECTS

EXHIBIT II-1

Project Type	Type of Development	Example Projects	Elements of Project		Applicability to Town & Country or Downtown
			Drawing Power		
Festival Marketplace	Renovated historic buildings and surrounding street areas.	Faneuil Hall, Boston South Street Seaport, NY Navy Pier, Chicago	Historic and unique urban location. Often located near tourist destinations and convention centers.	Not applicable to Town & Country. Lacks historic structures and locale. Applicable to Downtown San Jose.	
Urban Entertainment District	Redeveloped shopping streets, some historic renovation.	Old Town, Pasadena Third Street Promenade, Santa Monica	Unusual architecture. Historic buildings. Pedestrian environments in urban area. Special sense of place.	Not applicable to Town & Country. Lacks historic structures. Applicable to Downtown San Jose.	
Themed Entertainment Retail Destination	"Created" environments. New development.	City Walk, Universal City The Forum Shops, Las Vegas	Located near or adjacent to tourist destinations. Theme park elements and pedestrian friendly environments.	Not applicable to either project. Lacks adjacency to tourist destinations.	
Entertainment Retail Center	Themed shopping centers. New development.	Spectrum, Irvine Promenade, Thousand Oaks	Unusual architecture. Clustering of entertainment, retail and restaurants. Sense of place created in otherwise suburban environment.	Applicable to Town & Country. Creative architecture and pedestrian environment can be developed on site, to create special sense of place.	

Account Number : 324721

Tuesday November 25, 1997

POP-FACTS: FULL DATA REPORT
 (CENSUS '90, UPDATES & PROJECTIONS)
 BY NATIONAL DECISION SYSTEMS 800-866-6510
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 KMG CONSULTING

DOWNTOWN S.J.
EXHIBIT III-2

S 2ND ST AT E SAN FERNANDO ST
 SAN JOSE, CA

SITE: 470483
 COORD: 37:20.10 121:53.23

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
POPULATION			
2002 PROJECTION	244674	634323	1374491
1997 ESTIMATE	224239	589140	1311558
1990 CENSUS	207700	544932	1230299
1980 CENSUS	164776	442829	1057608
GROWTH 1980 - 1990	26.05%	23.06%	16.33%
HOUSEHOLDS			
2002 PROJECTION	75387	208227	481331
1997 ESTIMATE	71249	194785	454209
1990 CENSUS	66100	177885	420671
1980 CENSUS	61275	157934	370918
GROWTH 1980 - 1990	7.87%	12.63%	13.41%
1997 ESTIMATED POPULATION BY RACE	224239	589140	1311558
WHITE	49.94%	51.19%	58.38%
BLACK	4.69%	4.92%	4.12%
ASIAN & PACIFIC ISLANDER	21.90%	27.21%	27.04%
OTHER RACES	23.46%	16.68%	10.46%
1997 ESTIMATED POPULATION HISPANIC ORIGIN	224239 43.65%	589140 33.36%	1311558 24.10%
OCCUPIED UNITS	66100	177885	420671
OWNER OCCUPIED	42.29%	53.08%	59.71%
RENTER OCCUPIED	57.71%	46.92%	40.29%
1990 PERSONS PER HOUSEHOLD	3.00	2.99	2.88
1997 ESTIMATED HOUSEHOLDS BY INCOME	71249	194785	454209
\$150,000 +	4.57%	4.83%	7.40%
\$100,000 TO \$149,999	10.46%	12.32%	14.39%
\$ 75,000 TO \$ 99,999	12.00%	15.08%	17.32%
\$ 50,000 TO \$ 74,999	20.90%	24.17%	25.16%
\$ 35,000 TO \$ 49,999	14.18%	13.76%	12.41%
\$ 25,000 TO \$ 34,999	11.52%	9.65%	8.01%
\$ 15,000 TO \$ 24,999	11.75%	9.15%	7.05%
\$ 5,000 TO \$ 14,999	11.81%	8.98%	6.61%
UNDER \$5,000	2.80%	2.07%	1.66%
1997 ESTIMATED AVERAGE HH INCOME	\$64,586	\$70,907	\$82,706
1997 ESTIMATED MEDIAN HH INCOME	\$47,816	\$56,617	\$64,172
1997 ESTIMATED PER CAPITA INCOME	\$21,462	\$23,890	\$28,918

Account Number : 324721

Tuesday November 25, 1997

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S 2ND ST AT E SAN FERNANDO ST
 SAN JOSE, CA

SITE: 470483
 COORD: 37:20.10 121:53.23

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
1997 ESTIMATED POPULATION BY SEX	224239	589140	1311558
MALE	52.48%	51.24%	50.90%
FEMALE	47.52%	48.76%	49.10%
MARITAL STATUS	162329	426659	974152
SINGLE MALE	23.85%	20.55%	18.43%
SINGLE FEMALE	15.29%	14.16%	12.84%
MARRIED	42.08%	47.52%	51.88%
PREVIOUSLY MARRIED MALE	6.91%	6.23%	5.89%
PREVIOUSLY MARRIED FEMALE	11.86%	11.54%	10.96%
HOUSEHOLDS WITH CHILDREN	24714	68505	158436
MARRIED COUPLE FAMILY	64.54%	69.74%	74.42%
OTHER FAMILY - MALE HEAD	9.36%	7.80%	6.45%
OTHER FAMILY - FEMALE HEAD	24.30%	20.92%	17.72%
NON FAMILY	1.81%	1.54%	1.40%
1997 ESTIMATED POPULATION BY AGE	224239	589140	1311558
UNDER 5 YEARS	9.29%	8.86%	8.17%
5 TO 9 YEARS	7.80%	7.61%	7.19%
10 TO 14 YEARS	6.08%	6.11%	5.89%
15 TO 17 YEARS	3.67%	3.68%	3.58%
18 TO 20 YEARS	4.77%	4.05%	3.41%
21 TO 24 YEARS	7.37%	6.26%	5.27%
25 TO 29 YEARS	10.24%	9.71%	9.01%
30 TO 34 YEARS	10.32%	10.06%	9.84%
35 TO 39 YEARS	8.44%	8.63%	8.75%
40 TO 49 YEARS	12.26%	13.39%	15.22%
50 TO 59 YEARS	7.64%	9.09%	11.06%
60 TO 64 YEARS	2.45%	2.84%	3.13%
65 TO 69 YEARS	2.46%	2.86%	3.00%
70 TO 74 YEARS	2.37%	2.53%	2.50%
75 + YEARS	4.85%	4.31%	4.00%
MEDIAN AGE	30.38	31.85	33.80
AVERAGE AGE	32.68	33.60	34.83

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S 2ND ST AT E SAN FERNANDO ST
 SAN JOSE, CA

SITE: 470483
 COORD: 37:20.10 121:53.23

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
1997 EST. FEMALE POPULATION BY AGE	106547	287290	644038
UNDER 5 YEARS	9.34%	8.72%	7.96%
5 TO 9 YEARS	7.87%	7.54%	7.07%
10 TO 14 YEARS	6.18%	6.12%	5.86%
15 TO 17 YEARS	3.57%	3.61%	3.53%
18 TO 20 YEARS	4.44%	3.80%	3.21%
21 TO 24 YEARS	6.89%	6.06%	5.12%
25 TO 29 YEARS	9.22%	8.90%	8.34%
30 TO 34 YEARS	9.50%	9.26%	9.10%
35 TO 39 YEARS	7.68%	8.06%	8.32%
40 TO 49 YEARS	12.21%	13.47%	15.57%
50 TO 59 YEARS	7.95%	9.45%	11.25%
60 TO 64 YEARS	2.72%	3.10%	3.31%
65 TO 69 YEARS	2.90%	3.27%	3.36%
70 TO 74 YEARS	3.00%	3.02%	2.86%
75 + YEARS	6.53%	5.62%	5.16%
FEMALE MEDIAN AGE	31.31	32.83	34.90
FEMALE AVERAGE AGE	34.16	34.92	36.00
POPULATION BY HOUSEHOLD TYPE	207700	544932	1230299
FAMILY HOUSEHOLDS	78.39%	82.71%	83.88%
NON FAMILY HOUSEHOLDS	17.06%	15.02%	14.52%
GROUP QUARTERS	4.55%	2.28%	1.61%
HOUSEHOLDS BY TYPE	66100	177885	420671
SINGLE MALE	12.13%	10.34%	9.75%
SINGLE FEMALE	13.33%	11.90%	10.92%
MARRIED COUPLE	42.84%	49.53%	54.41%
OTHER FAMILY - MALE HEAD	6.89%	5.97%	5.02%
OTHER FAMILY - FEMALE HEAD	13.91%	12.71%	10.91%
NON FAMILY - MALE HEAD	6.85%	5.90%	5.63%
NON FAMILY - FEMALE HEAD	4.05%	3.64%	3.35%
POPULATION BY URBAN VS RURAL	207856	544845	1230279
URBAN	100.00%	100.00%	99.69%
RURAL	0.00%	0.00%	0.31%

97 - 036

Account Number : 324721

Tuesday November 25, 1997

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S 2ND ST AT E SAN FERNANDO ST
 SAN JOSE, CA

SITE: 470483
 COORD: 37:20.10 121:53.23

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
FEMALES 16+ WITH CHILDREN 0-17	76111	206353	476013
EMPLOYED/CHILD 0-5	5.10%	5.54%	5.54%
UNEMPLOYED/CHILD 0-5	0.45%	0.46%	0.36%
NOT IN LABOR FORCE/CHILD 0-5	4.60%	3.86%	3.49%
EMPLOYED/CHILD 6-17	7.87%	9.61%	10.87%
UNEMPLOYED/CHILD 6-17	0.83%	0.60%	0.48%
NOT IN LABOR FORCE/CHILD 6-17	3.63%	3.63%	3.71%
EMPLOYED/CHILD 0-5&6-17	3.63%	3.81%	3.66%
UNEMPLOYED/CHILD 0-5&6-17	0.41%	0.34%	0.23%
NOT IN LABOR FORCE/CHILD 0-5&6-17	3.86%	3.24%	2.91%
EMPLOYED/NO CHILDREN	36.67%	38.60%	40.64%
UNEMPLOYED/NO CHILDREN	2.80%	2.40%	2.06%
NOT IN LABOR FORCE/NO CHILDREN	30.14%	27.90%	26.03%
HOUSEHOLDS: AGE BY POVERTY STATUS	66661	178636	422056
ABOVE POVERTY UNDER AGE 65	72.13%	76.94%	80.93%
ABOVE POVERTY AGE 65 +	15.03%	14.08%	12.97%
BELOW POVERTY UNDER AGE 65	10.73%	7.34%	5.00%
BELOW POVERTY AGE 65 +	2.11%	1.64%	1.10%
POPULATION 16+ BY EMPLOYMENT STATUS	160008	419928	959368
EMPLOYED IN ARMED FORCES	0.14%	0.17%	0.28%
EMPLOYED CIVILIANS	62.57%	66.23%	68.96%
UNEMPLOYED CIVILIANS	5.29%	4.43%	3.58%
NOT IN LABOR FORCE	32.00%	29.18%	27.17%
POPULATION 16+ BY OCCUPATION	100111	278109	661581
EXECUTIVE AND MANAGERIAL	10.10%	12.25%	15.70%
PROFESSIONAL SPECIALTY	10.95%	13.44%	17.09%
TECHNICAL SUPPORT	4.57%	5.39%	6.05%
SALES	8.70%	9.52%	10.85%
ADMINISTRATIVE SUPPORT	15.79%	16.90%	16.47%
SERVICE: PRIVATE HOUSEHOLD	0.48%	0.35%	0.28%
SERVICE: PROTECTIVE	1.77%	1.52%	1.40%
SERVICE: OTHER	13.79%	10.97%	8.43%
FARMING FORESTRY & FISHING	2.46%	1.65%	1.17%
PRECISION PRODUCTION & CRAFT	14.14%	13.23%	11.36%
MACHINE OPERATOR	9.06%	8.00%	5.88%
TRANSPORTATION & MATERIAL MOVING	3.26%	2.90%	2.40%
LABORERS	4.94%	3.90%	2.93%

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S 2ND ST AT E SAN FERNANDO ST
 SAN JOSE, CA

SITE: 470483
 COORD: 37:20.10 121:53.23

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
FAMILIES BY NUMBER OF WORKERS	43313	123244	299683
NO WORKERS	12.16%	10.12%	8.28%
ONE WORKER	27.49%	25.54%	24.77%
TWO WORKERS	43.58%	45.73%	48.65%
THREE + WORKERS	16.77%	18.60%	18.31%
HISPANIC POPULATION BY TYPE	207700	544932	1230299
NOT HISPANIC	55.32%	66.73%	78.05%
MEXICAN	39.17%	28.30%	17.75%
PUERTO RICAN	0.73%	0.63%	0.51%
CUBAN	0.13%	0.14%	0.13%
OTHER HISPANIC	4.65%	4.20%	3.56%
1997 HISPANIC RACE BASE	97879	196518	316023
WHITE	42410	89944	163678
BLACK	759	2045	3433
ASIAN & PACIFIC ISLANDER	2202	6591	12818
OTHER	52508	97939	136095
POPULATION BY TRANSPORTATION TO WORK	98284	273173	651706
DRIVE ALONE	68.88%	74.36%	78.50%
CAR POOL	16.55%	15.47%	12.91%
PUBLIC TRANSPORTATION	6.41%	4.24%	3.06%
MOTORCYCLE	0.49%	0.42%	0.46%
WALKED ONLY	3.68%	2.27%	1.72%
OTHER MEANS	1.95%	1.37%	1.18%
WORKED AT HOME	2.04%	1.87%	2.17%
POPULATION BY TRAVEL TIME TO WORK	98284	273173	651706
UNDER 10 MINUTES / WORK AT HOME	11.27%	10.29%	11.21%
10 TO 29 MINUTES	57.47%	56.63%	55.07%
30 TO 59 MINUTES	26.31%	28.27%	29.06%
60 TO 89 MINUTES	3.72%	3.65%	3.54%
90+ MINUTES	1.22%	1.16%	1.12%
AVERAGE TRAVEL TIME IN MINUTES	22.49	23.17	23.29
HOUSEHOLDS BY NUMBER OF VEHICLES	66120	177741	420507
NO VEHICLES	12.01%	8.05%	5.37%
ONE VEHICLE	36.03%	31.29%	27.71%
TWO VEHICLES	34.16%	37.74%	40.66%
THREE + VEHICLES	17.79%	22.93%	26.26%
ESTIMATED TOTAL VEHICLES	106646	320154	811815

Account Number : 324721

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
POPULATION 25+ BY EDUCATION	124880	339166	797044
ELEMENTARY (0-8)	21.11%	14.08%	8.56%
SOME HIGH SCHOOL (9-11)	16.27%	14.17%	10.65%
HIGH SCHOOL GRADUATE (12)	19.29%	20.94%	19.80%
SOME COLLEGE (13-15) NO DEGREE	18.30%	20.72%	22.75%
ASSOCIATE DEGREE ONLY	6.58%	8.04%	8.78%
BACHELOR DEGREE ONLY	12.75%	15.20%	19.59%
GRADUATE DEGREE	5.70%	6.84%	9.86%
POPULATION ENROLLED IN SCHOOL	59901	157667	349867
PUBLIC PRE-PRIMARY	3.00%	3.12%	3.29%
PRIVATE PRE-PRIMARY	1.15%	1.87%	2.90%
PUBLIC ELEMENTARY & HIGH SCHOOL	53.67%	52.96%	51.42%
PRIVATE ELEMENTARY & HIGH SCHOOL	3.38%	4.66%	5.56%
COLLEGE	38.80%	37.39%	36.83%
HOUSING UNITS BY OCCUPANCY STATUS	69054	184848	436624
OCCUPIED	95.72%	96.23%	96.35%
VACANT	4.28%	3.77%	3.65%
VACANT UNITS	2954	6963	15953
FOR RENT	54.81%	53.95%	52.17%
FOR SALE ONLY	15.05%	19.77%	21.71%
SEASONAL	2.36%	2.35%	3.70%
OTHER	27.78%	23.93%	22.42%
OWNER OCCUPIED PROPERTY VALUES	24183	84446	227376
UNDER \$25,000	0.39%	0.34%	0.21%
\$ 25,000 TO \$ 49,999	0.84%	0.81%	0.71%
\$ 50,000 TO \$ 74,999	0.59%	0.37%	0.38%
\$ 75,000 TO \$ 99,999	1.80%	1.07%	0.54%
\$100,000 TO \$149,999	7.48%	4.97%	2.56%
\$150,000 TO \$199,999	15.13%	10.48%	5.76%
\$200,000 TO \$299,999	35.41%	35.41%	26.09%
\$300,000 TO \$399,999	20.89%	26.61%	29.12%
\$400,000 TO \$499,999	10.17%	12.69%	16.53%
\$500,000+	7.30%	7.25%	18.10%
MEDIAN PROPERTY VALUE	\$284,095	\$303,728	\$355,923
TOTAL RENTAL UNITS	37274	81568	165518
MEDIAN RENT	\$602	\$664	\$721

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 SAN JOSE, CA

SITE: 470483
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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
PERSONS IN UNIT	66100	177885	420671
1 PERSON	25.46%	22.25%	20.68%
2 PERSONS	27.30%	28.80%	30.83%
3 PERSONS	15.59%	16.82%	18.11%
4 PERSONS	12.59%	14.22%	15.75%
5 PERSONS	7.62%	7.88%	7.45%
6 PERSONS	4.55%	4.38%	3.49%
7+ PERSONS	6.89%	5.65%	3.69%
YEAR ROUND UNITS IN STRUCTURE	69054	184848	436624
SINGLE UNITS DETACHED	43.36%	50.49%	56.32%
SINGLE UNITS ATTACHED	9.90%	9.15%	9.12%
DOUBLE UNITS	4.95%	2.83%	1.93%
3 TO 9 UNITS	16.51%	13.03%	11.23%
10 TO 19 UNITS	9.16%	7.17%	5.56%
20 TO 49 UNITS	5.99%	6.06%	5.55%
50 + UNITS	4.98%	5.40%	5.19%
MOBILE HOME OR TRAILER	3.55%	4.62%	4.13%
ALL OTHER	1.60%	1.24%	0.96%
SINGLE/MULTIPLE UNIT RATIO	1.28	1.73	2.22
HOUSING UNITS BY YEAR BUILT	66120	177741	420507
BUILT 1989 TO MARCH 1990	1.19%	1.17%	1.16%
BUILT 1985 TO 1988	6.98%	7.39%	7.19%
BUILT 1980 TO 1984	6.87%	7.74%	7.50%
BUILT 1970 TO 1979	16.70%	25.22%	28.43%
BUILT 1960 TO 1969	17.26%	22.88%	27.79%
BUILT 1950 TO 1959	16.40%	18.76%	18.26%
BUILT 1940 TO 1949	13.54%	7.59%	4.86%
BUILT 1939 OR EARLIER	21.06%	9.26%	4.80%

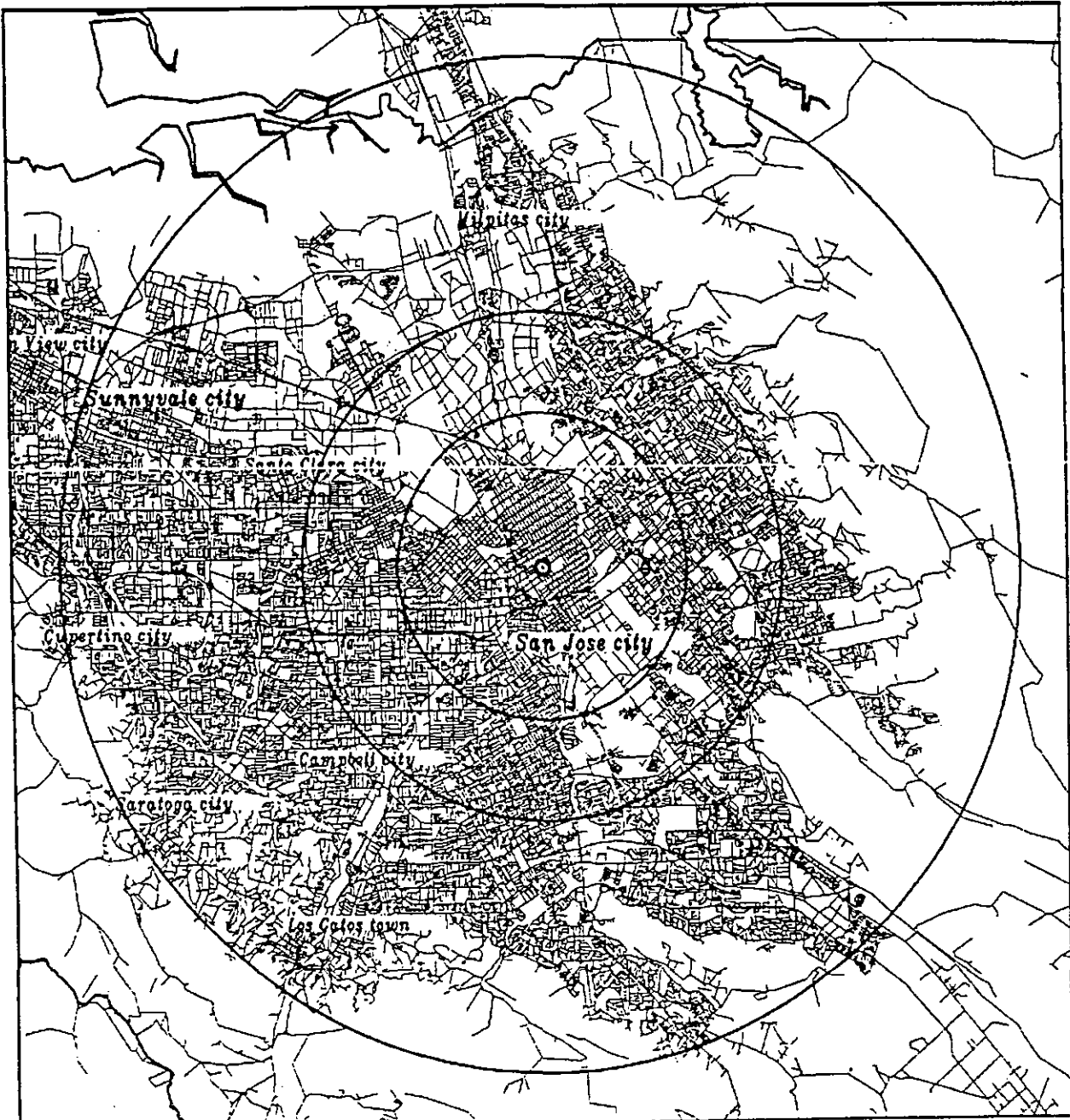
Account Number : 324721

Tuesday November 25, 1997

TIGER SITE MAP
3, 5 AND 10 MILE RADII
BY NATIONAL DECISION SYSTEMS 800-866-6510
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S 2ND ST AT E SAN FERNANDO ST
SAN JOSE, CA

SITE : 470483
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3.14 Miles

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TOWN & COUNTRY
EXHIBIT III-3

STEVENS CREEK BLVD AND 17 FRWY
 SAN JOSE, CA

SITE: 470482
 COORD: 37:19.39 121:56.44

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
POPULATION			
2002 PROJECTION	220265	519138	1424649
1997 ESTIMATE	210159	500295	1361897
1990 CENSUS	200806	482123	1280534
1980 CENSUS	182769	444341	1105565
GROWTH 1980 - 1990	9.87%	8.50%	15.83%
HOUSEHOLDS			
2002 PROJECTION	86412	194547	502450
1997 ESTIMATE	84448	189184	475775
1990 CENSUS	82345	182922	443045
1980 CENSUS	77829	172073	392287
GROWTH 1980 - 1990	5.80%	6.31%	12.94%
1997 ESTIMATED POPULATION BY RACE			
WHITE	71.49%	67.13%	58.94%
BLACK	4.35%	3.40%	4.12%
ASIAN & PACIFIC ISLANDER	16.02%	19.59%	26.69%
OTHER RACES	8.14%	9.88%	10.25%
1997 ESTIMATED POPULATION HISPANIC ORIGIN			
	22.95%	24.50%	23.80%
OCCUPIED UNITS			
OWNER OCCUPIED	42.96%	50.62%	58.86%
RENTER OCCUPIED	57.04%	49.38%	41.14%
1990 PERSONS PER HOUSEHOLD	2.37	2.57	2.84
1997 ESTIMATED HOUSEHOLDS BY INCOME			
\$150,000 +	5.86%	6.22%	7.80%
\$100,000 TO \$149,999	12.24%	13.42%	14.48%
\$ 75,000 TO \$ 99,999	15.00%	16.33%	17.24%
\$ 50,000 TO \$ 74,999	23.51%	23.39%	24.81%
\$ 35,000 TO \$ 49,999	13.73%	12.89%	12.39%
\$ 25,000 TO \$ 34,999	10.27%	9.30%	8.02%
\$ 15,000 TO \$ 24,999	8.78%	8.30%	7.05%
\$ 5,000 TO \$ 14,999	8.55%	8.11%	6.58%
UNDER \$5,000	2.06%	2.04%	1.63%
1997 ESTIMATED AVERAGE HH INCOME			
	\$73,732	\$76,700	\$83,813
1997 ESTIMATED MEDIAN HH INCOME			
	\$57,028	\$60,005	\$64,438
1997 ESTIMATED PER CAPITA INCOME			
	\$30,272	\$29,496	\$29,579

Account Number : 324721

Tuesday November 25, 1997

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 PREPARED FOR
 KMG CONSULTING

STEVENS CREEK BLVD AND 17 FRWY
 SAN JOSE, CA

SITE: 470482
 COORD: 37:19.39 121:56.44

DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
1997 ESTIMATED POPULATION BY SEX	210159	500295	1361897
MALE	50.44%	50.92%	50.91%
FEMALE	49.56%	49.08%	49.09%
MARITAL STATUS	167635	395213	1018160
SINGLE MALE	20.11%	19.78%	18.51%
SINGLE FEMALE	14.27%	13.48%	12.88%
MARRIED	44.39%	47.63%	51.68%
PREVIOUSLY MARRIED MALE	7.44%	6.74%	5.93%
PREVIOUSLY MARRIED FEMALE	13.79%	12.37%	11.01%
HOUSEHOLDS WITH CHILDREN	22194	56041	163030
MARRIED COUPLE FAMILY	66.23%	70.10%	74.39%
OTHER FAMILY - MALE HEAD	8.00%	7.28%	6.45%
OTHER FAMILY - FEMALE HEAD	23.79%	20.87%	17.76%
NON FAMILY	1.99%	1.75%	1.41%
1997 ESTIMATED POPULATION BY AGE	210159	500295	1361897
UNDER 5 YEARS	7.11%	7.51%	8.07%
5 TO 9 YEARS	5.78%	6.28%	7.08%
10 TO 14 YEARS	4.50%	4.96%	5.79%
15 TO 17 YEARS	2.42%	2.76%	3.52%
18 TO 20 YEARS	3.37%	3.42%	3.37%
21 TO 24 YEARS	5.94%	5.84%	5.27%
25 TO 29 YEARS	11.13%	10.16%	9.09%
30 TO 34 YEARS	11.44%	10.68%	9.90%
35 TO 39 YEARS	9.22%	8.87%	8.80%
40 TO 49 YEARS	13.82%	14.04%	15.29%
50 TO 59 YEARS	9.26%	10.47%	11.08%
60 TO 64 YEARS	3.21%	3.43%	3.15%
65 TO 69 YEARS	3.55%	3.51%	3.03%
70 TO 74 YEARS	3.23%	2.98%	2.53%
75 + YEARS	6.02%	5.10%	4.04%
MEDIAN AGE	34.26	34.25	33.95
AVERAGE AGE	36.74	36.18	34.98

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
1997 EST. FEMALE POPULATION BY AGE	104161	245530	668566
UNDER 5 YEARS	6.86%	7.34%	7.87%
5 TO 9 YEARS	5.62%	6.16%	6.96%
10 TO 14 YEARS	4.42%	4.95%	5.77%
15 TO 17 YEARS	2.31%	2.68%	3.46%
18 TO 20 YEARS	3.25%	3.22%	3.16%
21 TO 24 YEARS	6.07%	5.70%	5.12%
25 TO 29 YEARS	10.24%	9.29%	8.40%
30 TO 34 YEARS	10.21%	9.66%	9.16%
35 TO 39 YEARS	8.32%	8.19%	8.35%
40 TO 49 YEARS	13.61%	14.13%	15.64%
50 TO 59 YEARS	9.50%	10.81%	11.25%
60 TO 64 YEARS	3.51%	3.69%	3.34%
65 TO 69 YEARS	4.09%	3.96%	3.39%
70 TO 74 YEARS	3.88%	3.46%	2.89%
75 + YEARS	8.11%	6.76%	5.23%
FEMALE MEDIAN AGE	35.61	35.62	35.06
FEMALE AVERAGE AGE	38.54	37.71	36.17
POPULATION BY HOUSEHOLD TYPE	200806	482123	1280534
FAMILY HOUSEHOLDS	72.71%	77.48%	83.25%
NON FAMILY HOUSEHOLDS	24.29%	20.07%	15.06%
GROUP QUARTERS	3.00%	2.44%	1.69%
HOUSEHOLDS BY TYPE	82345	182922	443045
SINGLE MALE	13.73%	11.91%	10.12%
SINGLE FEMALE	16.39%	13.76%	11.17%
MARRIED COUPLE	41.60%	47.10%	53.82%
OTHER FAMILY - MALE HEAD	4.78%	4.99%	4.93%
OTHER FAMILY - FEMALE HEAD	11.09%	10.96%	10.74%
NON FAMILY - MALE HEAD	7.39%	6.93%	5.75%
NON FAMILY - FEMALE HEAD	5.02%	4.36%	3.46%
POPULATION BY URBAN VS RURAL	200722	482374	1280865
URBAN	100.00%	100.00%	99.63%
RURAL	0.00%	0.00%	0.37%

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
FEMALES 16+ WITH CHILDREN 0-17	83347	193122	497114
EMPLOYED/CHILD 0-5	5.41%	5.14%	5.53%
UNEMPLOYED/CHILD 0-5	0.44%	0.37%	0.35%
NOT IN LABOR FORCE/CHILD 0-5	3.40%	3.63%	3.47%
EMPLOYED/CHILD 6-17	7.92%	8.91%	10.70%
UNEMPLOYED/CHILD 6-17	0.40%	0.41%	0.47%
NOT IN LABOR FORCE/CHILD 6-17	2.31%	2.84%	3.65%
EMPLOYED/CHILD 0-5&6-17	2.33%	2.77%	3.62%
UNEMPLOYED/CHILD 0-5&6-17	0.11%	0.15%	0.23%
NOT IN LABOR FORCE/CHILD 0-5&6-17	1.75%	2.40%	2.82%
EMPLOYED/NO CHILDREN	45.52%	43.61%	41.14%
UNEMPLOYED/NO CHILDREN	2.04%	2.10%	2.03%
NOT IN LABOR FORCE/NO CHILDREN	28.37%	27.67%	26.00%
HOUSEHOLDS: AGE BY POVERTY STATUS	82435	183642	444570
ABOVE POVERTY UNDER AGE 65	77.07%	77.64%	80.99%
ABOVE POVERTY AGE 65 +	16.04%	15.27%	13.04%
BELOW POVERTY UNDER AGE 65	5.12%	5.57%	4.89%
BELOW POVERTY AGE 65 +	1.76%	1.51%	1.09%
POPULATION 16+ BY EMPLOYMENT STATUS	165776	390673	1003251
EMPLOYED IN ARMED FORCES	0.14%	0.22%	0.48%
EMPLOYED CIVILIANS	68.87%	68.50%	69.06%
UNEMPLOYED CIVILIANS	3.33%	3.50%	3.52%
NOT IN LABOR FORCE	27.66%	27.78%	26.94%
POPULATION 16+ BY OCCUPATION	114177	267616	692796
EXECUTIVE AND MANAGERIAL	16.06%	16.06%	16.04%
PROFESSIONAL SPECIALTY	17.95%	17.64%	17.58%
TECHNICAL SUPPORT	5.48%	5.69%	6.12%
SALES	11.28%	11.00%	10.76%
ADMINISTRATIVE SUPPORT	17.46%	16.77%	16.27%
SERVICE: PRIVATE HOUSEHOLD	0.33%	0.34%	0.29%
SERVICE: PROTECTIVE	1.49%	1.49%	1.36%
SERVICE: OTHER	8.50%	8.70%	8.39%
FARMING FORESTRY & FISHING	0.98%	1.28%	1.18%
PRECISION PRODUCTION & CRAFT	10.48%	10.62%	11.09%
MACHINE OPERATOR	4.74%	5.02%	5.74%
TRANSPORTATION & MATERIAL MOVING	2.64%	2.52%	2.32%
LABORERS	2.62%	2.87%	2.87%

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
FAMILIES BY NUMBER OF WORKERS	47973	117095	311844
NO WORKERS	10.42%	9.86%	8.19%
ONE WORKER	27.23%	26.23%	24.87%
TWO WORKERS	49.44%	48.84%	48.98%
THREE + WORKERS	12.91%	15.06%	17.97%
HISPANIC POPULATION BY TYPE	200806	482123	1280534
NOT HISPANIC	80.71%	78.92%	78.50%
MEXICAN	15.00%	16.95%	17.30%
PUERTO RICAN	0.49%	0.47%	0.51%
CUBAN	0.17%	0.14%	0.13%
OTHER HISPANIC	3.63%	3.52%	3.57%
1997 HISPANIC RACE BASE	48235	122593	324118
WHITE	29599	69105	168909
BLACK	556	1077	3569
ASIAN & PACIFIC ISLANDER	1221	3478	13131
OTHER	16859	48932	138510
POPULATION BY TRANSPORTATION TO WORK	112167	263286	684427
DRIVE ALONE	79.12%	78.46%	78.44%
CAR POOL	10.55%	11.18%	12.75%
PUBLIC TRANSPORTATION	3.40%	3.50%	3.09%
MOTORCYCLE	0.50%	0.52%	0.46%
WALKED ONLY	2.58%	2.48%	1.76%
OTHER MEANS	1.43%	1.51%	1.26%
WORKED AT HOME	2.42%	2.34%	2.24%
POPULATION BY TRAVEL TIME TO WORK	112167	263286	684427
UNDER 10 MINUTES / WORK AT HOME	12.60%	12.22%	11.56%
10 TO 29 MINUTES	61.87%	59.81%	56.11%
30 TO 59 MINUTES	22.16%	24.39%	27.86%
60 TO 89 MINUTES	2.45%	2.62%	3.37%
90+ MINUTES	0.93%	0.97%	1.10%
AVERAGE TRAVEL TIME IN MINUTES	20.87	21.46	22.87
HOUSEHOLDS BY NUMBER OF VEHICLES	82219	182898	443090
NO VEHICLES	7.94%	7.20%	5.31%
ONE VEHICLE	35.93%	32.03%	28.18%
TWO VEHICLES	38.20%	39.51%	40.64%
THREE + VEHICLES	17.93%	21.27%	25.87%
ESTIMATED TOTAL VEHICLES	139535	327568	851788

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
POPULATION 25+ BY EDUCATION	138977	325150	835301
ELEMENTARY (0-8)	7.02%	8.56%	8.38%
SOME HIGH SCHOOL (9-11)	10.59%	10.57%	10.37%
HIGH SCHOOL GRADUATE (12)	20.94%	19.96%	19.41%
SOME COLLEGE (13-15) NO DEGREE	23.32%	22.66%	22.55%
ASSOCIATE DEGREE ONLY	8.31%	8.28%	8.68%
BACHELOR DEGREE ONLY	19.99%	19.95%	20.08%
GRADUATE DEGREE	9.84%	10.01%	10.53%
POPULATION ENROLLED IN SCHOOL	50913	128405	360245
PUBLIC PRE-PRIMARY	3.67%	3.50%	3.32%
PRIVATE PRE-PRIMARY	2.91%	2.93%	2.97%
PUBLIC ELEMENTARY & HIGH SCHOOL	39.53%	44.06%	50.83%
PRIVATE ELEMENTARY & HIGH SCHOOL	5.42%	5.33%	5.68%
COLLEGE	48.47%	44.18%	37.19%
HOUSING UNITS BY OCCUPANCY STATUS	86151	190487	460181
OCCUPIED	95.58%	96.03%	96.28%
VACANT	4.42%	3.97%	3.72%
VACANT UNITS	3805	7565	17137
FOR RENT	61.63%	56.68%	52.76%
FOR SALE ONLY	12.34%	15.75%	20.96%
SEASONAL	3.30%	3.47%	3.97%
OTHER	22.72%	24.11%	22.31%
OWNER OCCUPIED PROPERTY VALUES	30440	80850	234573
UNDER \$25,000	0.18%	0.18%	0.21%
\$ 25,000 TO \$ 49,999	0.52%	0.66%	0.69%
\$ 50,000 TO \$ 74,999	0.29%	0.36%	0.38%
\$ 75,000 TO \$ 99,999	0.48%	0.49%	0.53%
\$100,000 TO \$149,999	1.89%	2.09%	2.47%
\$150,000 TO \$199,999	4.58%	4.47%	5.55%
\$200,000 TO \$299,999	25.77%	23.29%	25.00%
\$300,000 TO \$399,999	35.73%	33.29%	27.93%
\$400,000 TO \$499,999	19.75%	21.01%	16.39%
\$500,000+	10.81%	14.15%	20.84%
MEDIAN PROPERTY VALUE	\$349,513	\$359,599	\$362,150
TOTAL RENTAL UNITS	46175	88579	177808
MEDIAN RENT	\$672	\$688	\$721

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DESCRIPTION	3.0 MILE RADIUS	5.0 MILE RADIUS	10.0 MILE RADIUS
PERSONS IN UNIT	82345	182922	443045
1 PERSON	30.12%	25.67%	21.29%
2 PERSONS	34.72%	33.60%	31.21%
3 PERSONS	16.74%	17.72%	17.99%
4 PERSONS	10.98%	13.00%	15.40%
5 PERSONS	4.44%	5.51%	7.23%
6 PERSONS	1.63%	2.29%	3.36%
7+ PERSONS	1.37%	2.21%	3.53%
YEAR ROUND UNITS IN STRUCTURE	86151	190487	460181
SINGLE UNITS DETACHED	41.16%	49.41%	55.50%
SINGLE UNITS ATTACHED	8.89%	8.80%	9.05%
DOUBLE UNITS	3.10%	2.97%	2.00%
3 TO 9 UNITS	16.49%	13.90%	11.24%
10 TO 19 UNITS	9.22%	7.50%	5.75%
20 TO 49 UNITS	10.05%	7.18%	5.86%
50 + UNITS	9.30%	7.20%	5.63%
MOBILE HOME OR TRAILER	0.68%	1.97%	4.00%
ALL OTHER	1.11%	1.07%	0.97%
SINGLE/MULTIPLE UNIT RATIO	1.04	1.50	2.12
HOUSING UNITS BY YEAR BUILT	82219	182898	443090
BUILT 1989 TO MARCH 1990	0.26%	0.67%	1.14%
BUILT 1985 TO 1988	5.71%	5.46%	6.82%
BUILT 1980 TO 1984	5.55%	5.40%	7.23%
BUILT 1970 TO 1979	19.52%	18.60%	27.48%
BUILT 1960 TO 1969	25.23%	28.09%	27.87%
BUILT 1950 TO 1959	24.58%	25.38%	19.35%
BUILT 1940 TO 1949	9.00%	7.64%	5.21%
BUILT 1939 OR EARLIER	10.15%	8.75%	4.90%

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Tuesday November 25, 1997

TIGER SITE MAP
3, 5 AND 10 MILE RADII
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3.14 Miles

97 - 036

DOWNTOWN SAN JOSE
EXISTING ENTERTAINMENT RETAILERS

EXHIBIT IV-1

Movie Theaters

Camera One
Camera 3
U.A. Pavilion 8
IMAX (1998)

Live Theatre Arts

American Musical Theatre
Arena, San Jose
Big Lil's Cabaret
Center for the Performing Arts
City Lights Theatre
McCabe Hall
Opera San Jose
San Jose Cleveland Ballet
San Jose Repertory Theatre
San Jose Stage Company
San Jose Symphony

Hotels and Motels

Best Western Inn
Fairmont Hotel
Hilton Hotel
Holiday Inn
Hotel De Anza
Hyatt Sainte Claire
Townhouse Motel

Museums

American Museum of Quilts &
Textiles
Children's Discovery Museum
Fallon House/Peralta Adobe
San Jose Museum of Art
The Tech Museum of Innovation

Bakeries

Le Cake
Thanh Bach Bakery

Art Galleries

Bingham Gallery
de Silva Gallery
d.p. Fong Galleries
Gallery of Life
Kismet Gallery
Holmes Art Gallery
Machu Picchu Gallery of the
Americas
Magi Sales
Mexica Gallery & Framing
San Jose Institute of Contemporary
Art
Showcase of Success
Works Gallery

Health Clubs

Fitness 101
San Jose Athletic Club
Second Street Athletic Club

Books and Magazines

Best Friends Books
City News & Tobacco
Friends of the Library Bookstore
May Hong Bookstore
Memorabilia of San Jose
Nolo Press Outlet Books
Recycle Book Store
Sainte Claire Newsstand
Thush Books
Toan Thu
Van Uyen
Waldenbooks
Woodruff & Thush Books

Nightclubs and Bars

Agenda
America's Original Sports
Bar: San Jose Live!
B-Hive
Banker's Club
Cactus Club
The Caravan
Cinebar
Club IBEX
Club Miami
Coach's Corner
Dimensions Nightclub
Dos Locos Cantina
Fuel 44
Katie Bloom's
Lido
Mac's Club
The Mission Ale House
Paradise Beach
Planet X
Toon's
The Usual
Tropicana
Waves
Wine Galleria

Billiards

Phong Giang Billiards
South First Billiards

Music and Videos

Discoteca Amore
Discoteca Chelo's
Hoa Viet Video
New Video Town II
Pirate Cat Records
Radio Free Records
The Wherehouse
Upstairs Records
Vietnam International Video

DOWNTOWN SAN JOSE EXISTING ENTERTAINMENT RETAILERS

EXHIBIT IV-1

Restaurants and Cafes

71 Saint Peter
 Abyssinian Garden
 Agenda
 Andiamo Pizza & Pasta
 AP Stumps
 Banh Thai Restaurant
 Bangkok Palace
 Bella Mia
 Bellino
 Ben's Restaurant
 Blake's Steakhouse & Bar
 Bo Town
 BrewMakers
 Cafe 1850
 Cafe De Matisse
 Caffè Dolce
 Caffè La Pastaia (2)
 Caffè Zucco
 Cafe Fame
 California Sushi Bar & Grill
 Camera Cafe
 Casa Castillo
 Casa Diaz Mexican Restaurant
 Chacho's
 Chieu Anh
 China Chen Restaurant
 China Wok
 City Bagels
 City Cafe & Deli
 City Cafe & Grill, Hilton Hotel
 Coach's Corner Grub & Brew
 Cozine
 Dakao Vietnamese Restaurant
 Emile's Restaurant
 Eulipia Restaurant
 Flying Pig Pub
 Fountain, Fairmont Hotel
 Freshly Baked Eatery
 Fuji Restaurant
 George's Arena Grill
 Germania at the Hochburg
 Gordon Biersch Brewery

Grande Pizzeria Restaurant
 Guadalajara
 Hamburger Mary's
 Happy Juice
 Harold's Snack Bar
 Henry's Hi-Life
 Hong Kong Wah Kee
 House of Siam
 Hung Won BBQ
 Inca Gardens
 Iguanas Taqueria
 Il Fornaio, Hyatt Sainte Claire
 Jack in the Box
 Johnie's Pizza
 Johnny Rockets
 Kako Boat Sushi Bar
 Keegan's Kafe
 Keystone Coffee Store
 Kukar's House of Pizza
 La Boulangerie Cafe
 Lan Gardens
 La Pastaia, Hotel De Anza
 La Penita
 La Taqueria
 Laurel's Delights
 Le Boulanger
 Les Olivers
 Les Saisons, Fairmont Hotel
 Maria Elena's
 McDonald's
 Muchos!
 The Noodle Works
 O Deli
 Old Spaghetti Factory
 Original Joe's
 Pagoda, Fairmont Hotel
 Palermo Ristorante Italiano
 Paolo's Restaurant
 Parrot Restaurant, Holiday Inn
 Pasquale's
 Peggy Sue's
 Peking House Restaurant

Picasso's
 Pizza a go go
 Pizza Chicago
 Pizzeria Uno
 Pot Belly Deli
 Pronto Cafe & Deli
 Ravioli's
 Rock 'N Tacos
 Rorshack's
 Rue de Paris
 Sal & Luigi's Pizza
 Salsa Fresh
 Sandwich Works
 San Jose Deli
 Scott's Seafood Grill & Bar
 Second Street Deli
 Second Cup
 Senora Emma's
 Sharks Cafe
 Shark & Rose
 Speedsters
 Spiedo
 Sports City Cafe
 Starbucks Coffee (2)
 Stratta Grill & Cafe
 Subway
 Super Egg Roll Etc.
 Teske's Germania Restaurant
 Thai Hue
 Thanh Huong Sandwich Shop
 Thepthai Thai Cuisine
 The Witness Stand
 Tico's Tacos
 Tied House Cafe & Brewery
 Togo's
 Trials Bistro
 Trieu Chau Restaurant
 Trines Cafe
 Vigal Coffee Roasting Co.
 White Lotus
 Yeung's Sung Yuan
 Yoshinoya

DOWNTOWN SAN JOSE
POTENTIAL ENTERTAINMENT RETAILERS

EXHIBIT IV-2

Theaters

American Multi Cinema Theaters
Angelika Theaters
Carmike Cinemas
Cinemerica Theaters
Cinema Cal Enterprises
Cinemark USA
Cineplex Odeon Corp.
Edwards Theaters
Famous Players
General Cinema Theaters
Hoyt's Cinema
Kent Theaters
Landmark Theater Corp.
Loews Theaters
Magic Johnson Theaters
Marcus Theaters
Muvico Theaters
Pacific Theaters
Planet Movies at AMC
Sony Theaters
Star Theaters
Virgin Cinemas
Warner Brothers Int'l. Theaters
Wehrenberg Theaters

Amusement & Recreation

Actual Reality	New Horizon Kids Quest
All American Sportspark	02 Bar
Alligator Adventures	Paramount Parks
Café USA	Playdium
Carousel Magic	Q Zar Inc.
Champions	Red's Rec. Room
Cinema Ride	Reebok Sports Club/NY
Club Disney	Ripley Entertainment
Disney Quest	Showscan Entertainment
Enchanted Castle	Sim Ex Theater
Explorations	SITES
Falconer Entertainment	SlamSite
Fun Factory	South Mountain Kids Quest
GameWorks	Spectrum Theaters
Ice Chalet	The Sports Club
IMAX Corp.	Sports Plus
IWERKS	Ultrazone
Jackson Digital Imaging Corp.	Underwater World
Jeepers	University Billiards & Western Arcade
Kiddie Koncepts	Virtual Sport Fishing
LaserOne Fun Centers	Vistascope
Laserstorm	Waterworks
Mde. Tussaud's Wax Museum	The Wonder Lab
Mountasia	The World of Coca Cola
NAMCO	XS Centers

Events & Live Entertainment

Livent Inc.
Niles show
Wild Horse Saloon

Toys, Gifts & Novelty

Basic Brown Bear	Learning Express
Bay Retail	Mighty Magnets
Calendar Club	Museum International
Candle Boutique	NASCAR Thunder
Candleman Corp.	The Nature Co.
Cigar Shop and More	Natural Wonders
Discovery Channel Store	The NFL Store
Discovery Destinations	Ocean Fun
The Disney Store	Planet Hollywood Superstore
The Endangered Species Store	Play Co Toys
The ESPN Store	Scents of Nature
FAO Schwartz	Scientific Revolution
The Franklin Mint	Sony Style
Gags and Gifts	Spencer Gifts
Glow	Space Invaders
Grand Havana Room	Things Remembered
The Great Train Store	Tinderbox
Havana Republic	Viacom Entertainment
Historical Research Center	Virtual Emporium
Imaginarium	Warner Brothers Studio Store
Jungle Fun	World of Science
Kay Bee Toys	Wyland Galleries of Florida
Lava Enterprises	Zany Brainy
	Zero Gravity

DOWNTOWN SAN JOSE
POTENTIAL ENTERTAINMENT RETAILERS

EXHIBIT IV-2

Themed Restaurants

Alabama Grill	Dick Clark's American	National Lampoon
Alan Jackson Showcar Cafe	Bandstand Grill	News Café
Apple Café	Dive!	Off Broadway
BET Soundstage	Dixie Stampede	Opryland Beuregard's
Billboard Live!	Easyriders	Pat O'Brien's
The Brown Derby	Ed Debevic's	Planet Hollywood
Bubba Gumps Shrimp Co.	Ed Sullivan's	Planet Ocean
Bugaboo Creek Steakhouse	Elvis Presley Memphis	Race Rock International
Café @ Play	The Encounter	Rainforest Café
Café Tu Tu Tango	Entros	Rock Bottom
The Cheesecake Factory	Fantasea Reef	Star Trek: The Experience
Chefs of the World	Fashion Café	Television City
Chuck E. Cheese Pizza	Funhouse	TV Café
The City Tower	The Hard Rock Café	Twins
Club Kokomo	Harley Davidson Cafe	USA Café
Comedy Nation	Homestyle Harmony	Vegas!
Country Star	House of Blues	Velocity Grill
Cybersmith Café	Jekyll and Hyde	Virtua Café
Damon's International	Medieval Café	Wildhorse Saloon
Dave and Busters	Michael Jordan's Motown Café	World Mardi Gras
David Copperfield's	NASCAR Café	X Treme Sports Cafe
Underground Magic	Nashville Country Club	

TYPICAL LIFESTYLE RETAILERS

Apparel, Housewares & Music

Abercrombie & Fitch, Inc.	Modell's Sporting Goods
Aerosoles SW	Nevada Bob's Sporting Goods
Anthropologie	Niketown
Antique Boutique	Off Rodeo Drive
Banana Republic	Old Navy
BIG Entertainment	Original Levi's
Blockbuster Entertainment	Premier Concepts
Blowout Entertainment	Pro Image
The Bombay Co.	REI
Coconuts	Ritmo Latino
Color Inc.	Russel Corp.
Compact Disc World	Saturday Maintenance
Cost Plus World Markets	Soundwaves
Crate and Barrel	Strawberries/Waxie Maxies
Crazy Shirts	Sports Authority
Docker Outlet	The Sweatshirt Company
Docker Shop	Timberland Sporting Retail
Eddie Bauer	Urban Outfitters
Espirit de Corp.	Vasari
Fredricks of Hollywood	Virgin Megastore
Gadzooks	The Walking Co.
The Knot Shop	Williams Sonoma
Land's End	Wow!
Levi's Outlet	Z Galleries
Lids	Zipperhead
Maxine Bleu	

Books, etc.

B. Dalton
Barnes and Noble
The Benjamin Co.
Borders Group
Brentano's
Buck-A-Book
Color Me Mine
Creativity
Crown Book Corp.
Double Day
Froozels
Half Price Book
The Little Professor
Book Centers
Planet Comics
Scribners

DOWNTOWN SAN JOSE
NEAR-TERM EVENTS IMPACTING DOWNTOWN RETAILING

EXHIBIT IV-3

1. Over 1,150 New Residential Units Under Development or Proposed Currently
2. Opening of the San Jose Repertory Theatre Fall 1997
3. Issuance of RFP for "Hotel East" (200+ rooms) Fall 1997
4. Opening of Guadalupe River Park & Gardens Spring 1998
5. Occupancy of Adobe Systems - 2nd high-rise Spring 1998
6. Completion of Tech Museum of Innovation Fall 1998
7. Addition of the Fairmont Hotel Annex (260 rooms) Date Uncertain
8. Relocation of City Hall to Downtown Est. 2002

COMPARISON OF TOWN and COUNTRY REQUESTED PLANNED DEVELOPMENT
(PD) vs. ENTITLEMENTS UNDER C-S ZONING
EXHIBIT V-1

Proposed Development (APD)	Entitlements Under Current C-3 Zoning & SJ 2020 General Plan
Maximum of five stories on elevations; text indicates maximum of seven	Maximum eight stories
FAR estimated at 1.5; impossible to determine without more specific plans	Citywide Avg. Commercial FAR 0.4 per General Plan; FAR 3.0 per C-3 Zoning
Maximum proposed height - 90 feet	Height Limit - 45 feet per General Plan 100 feet per C-3 Zoning
Proposed 1,200 residential units	Residential - Not permitted
Amount Not Specified	Restaurants - Require Conditional Use Permit (CUP)
Amount Not Specified	Nightclubs - Require Conditional Use Permit (CUP)
Amount Not Specified	Theaters - Require Conditional Use Permit (CUP)
Proposed two hotels of 100 units each	Hotels - Require Conditional Use Permit (CUP) - Major hotels must be built downtown per 2020 General Plan
Proposed 600,000 sq. ft. of commercial plus 50,000 on auto dealership site	Commercial - Office or retail to maximum FAR

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DRAFT MEMORANDUM

TO: David Gazek, San Jose Redevelopment Agency

FROM: Glen A. Williams and Allan D. Kotin

SUBJECT: IMPACTS OF TOWN & COUNTRY VILLAGE ON THE CITY OF SAN JOSE

DATE: February 24, 1998

You have asked us to restate and clarify some of the observations KMG made to the Redevelopment Agency, some of which were included in the draft report we presented in December, 1997 regarding the Impact of the Proposed Town & Country Village Shopping Center development on Downtown San Jose. In our report, we commented on the adverse, and potentially disastrous impacts the proposed development would have on the City's efforts to build Downtown San Jose into a dynamic and viable 24-hour urban core. Our comments in this memo fall into three categories:

1. **COMPETITION** The proposed development would compete directly with the Downtown for retail and entertainment tenants, and most of those tenants would not open stores in both locations. The types of retail tenants Federal Realty would like to attract are precisely the tenants that Downtown needs in order to prosper and thrive..
2. **DOWNTOWN RETAILING AND THE "CAPTURE" OF VISITOR DOLLARS** If the Downtown has sufficient retail attractions to keep visitors there, the effect is to retain sales tax dollars in San Jose. If not, the visitor is far more likely to go home or to an adjoining city, than to go to Town & Country Village.
3. **"SPREAD EFFECTS"** When significant development occurs, neighboring landowners capitalize on the success and traffic generated by the new development by upgrading, expanding, redeveloping or changing the usage of their properties as well. The effect at Downtown San Jose is much more significant than the effect at Town & Country Village.

COMPETITION

The density of development as proposed creates an urban mass that will look and feel like another downtown; newer, master-planned, and across the street from the most successful



IMPACTS OF TOWN & COUNTRY VILLAGE ON THE CITY OF SAN JOSE

WORKING DRAFT SUBJECT TO REVISION

February 24, 1998

regional shopping mall in the trade area. It is likely to be successfully absorbed at whatever level it is developed, and its success will limit or preclude future retailing success downtown.

DOWNTOWN RETAILING

One of the purposes of the investment of significant public dollars into cultural and entertainment related venues in the Downtown area is to provide additional draws to bring people into Downtown other than just those who reside or work in the area. The existence of those draws creates opportunities for Downtown retailers. The key to a successful Downtown is having additional opportunities for visitors to spend their money on retail goods and services which they cannot obtain in their own neighborhood. However, to the extent that the same entertainment and shopping experience can be obtained elsewhere in the trade area, there will be nothing unique to keep the event attendee remaining in the Downtown beyond their initial purpose.

The added complexity for retail is that it becomes a vicious circle. If new tenants locate at Town & Country rather than coming Downtown, there is less to keep the visitor Downtown. If a sufficient mass is created at Town & Country that the visitor is attracted to go there, rather than stay Downtown, he now fuels the next round of tenants who locate at Town & Country. Some of those tenants may be from Downtown, further reducing the reason for the visitor to stay and shop Downtown.

The City is the net loser. While the visitor is Downtown, the City has a captive consumer. Give the consumer good opportunities to eat, drink and shop while Downtown and the sales tax revenues stay in San Jose. If there is not enough unique shopping opportunities Downtown, he will get in the car and leave. Once he leaves Downtown, he is just as likely to go home and spend nothing, go to dinner in Campbell, go to a movie in Santa Clara or go shopping in Los Gatos. The net effect is less sales tax revenue for the City.

The City of San Jose would not allow another "Arena" to be built today three miles away from Downtown; the City has far too much invested in the Arena to approve adjoining competition that would virtually assure financial disaster for the Arena. It is no less foolhardy to approve development of an alternate "downtown" that will severely damage the ability of the City to attract and retain entertainment/urban retailers in the Downtown core, after having spent billions of public and private dollars creating the infrastructure of offices, hotels, museums, restaurants, entertainment and conference facilities, and parking. Public investment in the Arena, the Performing Arts Center, the Repertory Theater, the Museums, and the adjoining parking are costs that only produce positive returns to the City from the retailing that develops around them and captures the discretionary dollars of the visitor.

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IMPACTS OF TOWN & COUNTRY VILLAGE ON THE CITY OF SAN JOSE

WORKING DRAFT SUBJECT TO REVISION

February 24, 1998

"SPREAD EFFECTS"

When significant development occurs, whether it is at the Town & Country location or Downtown San Jose, it has an ancillary benefit, called the "spread effect". The area immediately around the new development experiences additional development pressure. Neighboring landowners capitalize on the success and traffic generated by the new development by upgrading, expanding, redeveloping or changing the usage of their properties as well. The amount and specifics of that impact will vary, both depending on the level of success achieved by the project and by the base from which it starts. In the cases of Town & Country Village and Downtown San Jose, the spread effects are quite different.

Town & Country Village is both geographically limited, and starting from a high base. Since spread effect tends to move down major transportation corridors, Stevens Creek Blvd. and Winchester Blvd are the likely beneficiaries. However, the 17 Freeway serves as a natural barrier to that benefit on the east, and moving west on Stevens Creek puts you outside San Jose. The property values are already quite high on both those corridors, thus acting as a deterrent to further development. Both factors severely limit any "spread effect" benefit the City will get from encouraging intense development at Town & Country.

Downtown San Jose is just the reverse. There are no natural barriers to get in the way of adjacent development to new investments in the Downtown. Any "piggy-backing" on the success of any one development creates new sales tax and property tax revenues for the City of San Jose, regardless of the direction or distance from the project. The relatively low property values of many Downtown parcels provide the perfect base for benefitting from the "spread effects" of development.

CONCLUSION

The development of Town & Country Village at the currently requested levels (1200 apartments, 650,000 sq. Ft. of retail, and 2 hotels) will have an extremely negative impact on the ability of Downtown San Jose to attract and retain the kind of quality entertainment retailers that are vital to the long term success of Downtown.

The development of Town & Country Village at the level indicated in their pre-purchase agreement with the EPA (600 apartments and 350,000 sq. Ft. of retail) would still compete with Downtown and would keep Downtown from securing some of the retailers that it would like to have, but dramatically less so.

The key difference between the two scenarios is that in the first case, the density, height, and sheer quantity of retail space recreates an urban environment, duplicating the essence of what makes a Downtown special. Downtown San Jose must have something unique to offer, in order to compete effectively for retail consumers. The current proposal for Town and Country takes away that uniqueness from the Downtown, and the City is the ultimate loser.

MEMORANDUM

TO: David Gazek and Francine Principe

FROM: Glen A. Williams, Allan D. Kotin and Ricky Chan

SUBJECT: FINANCIAL ANALYSIS OF FEDERAL REALTY PROPOSAL

DATE: March 13, 1998

KMG Consulting was retained by the San Jose Redevelopment Agency to analyze various aspects of the Federal Realty proposal to redevelop Town & Country Village. As part of that assignment, KMG prepared a financial analysis of the proposed development plan, using the best assumptions that could be developed from Federal's documents, publicly available data and industry norms, and KMG's knowledge of other similar projects. KMG also prepared a financial analysis of Federal Realty's proposed development plans as defined in Federal's signed Prospective Purchaser Agreement with the State of California Environmental Protection Agency, in which they stated their intent to expand the existing shopping center by only 30,000 square feet and add only 500-600 units of residential to the site.

CONCLUSIONS

The approval of higher densities, or more profitable uses than currently are in place, or were even expected by the owner at the time of purchasing the property, constitutes the granting by the City of windfall profits to a specific private developer. Not only does that constitute a questionable act by a public body, it is particularly disturbing when it flies in the face of public policy goals for the Downtown. It also establishes a very difficult precedent when approached by other developers and owners of property looking for increased density or a change to a more profitable use.

In this case, the impact is clear on its face. Land today for multi-family development in Silicon Valley (very scarce) is selling for \$35,000 and up per unit. Federal Realty Trust paid Metropolitan Life \$42.8 million for the entire property in 1997. Approval by the City of 1200 units of residential development alone equates to \$35,667 of land cost per unit, if no land cost is attributed to either the 650,000 square feet of retail or the two hotels proposed. Thus the land value for those two uses approximates the amount of windfall being granted to Federal Realty by the City.

It is KMG's rough estimate that the City of San Jose conferring the requested density on Federal Realty's project would amount to granting them "windfall profits" of approximately \$38 million. That represents the residual land value of the overall project above the \$42.8 million Federal Realty paid. That equates to about \$50 per net rentable foot of retail, plus \$25,000 per "key" for the hotels. We are basing that residual value on a return on cost of approximately 11.7%, slightly higher than we calculated for the lower density configuration.

Federal Realty Filing with the EPA

As part of our due diligence for this assignment we obtained a copy of the Prospective Purchaser Agreement that Federal Realty signed February 4, 1997 with the EPA. This was the first of such agreements to be negotiated and signed by the EPA. Federal Realty represented that they planned to build 500 to 600 new apartments and add 30,000 square feet of new retail space to the 320,000 square feet already existing. We would conclude from that application that Federal Realty had already determined that approvals at that level would constitute sufficient profit to justify moving forward on the purchase. They proceeded to close on the purchase all-cash four weeks later on March 5, 1997. We are including as KMG's second analysis that configuration, which shows a return on cost of 11.4%.

The Model

The model which we are using to evaluate Town & Country Village's economics includes components for residential, retail (including cinema and restaurant) and hotel. We believe our assumptions are within a reasonable range, and that we have not overlooked a significant factor, but the results are inherently only accurate as "order of magnitude" comparisons. There is a danger in representing the alternatives with a higher degree of precision than the accuracy of the inputs, particularly given the "outsider" nature of this evaluation. KMG specifically acknowledges that, while every attempt has been made to verify the reasonableness of each of the inputs, KMG does not warrant that any of these results would be achieved, nor that these would be the same costs and returns that would be expected or used by Federal Realty in their analysis and plans. Each of their assumptions may be higher or lower than those used in our analysis.

Residential

We have broken the residential into three projects of 400 units each, in order to allow us to include different potential configurations. We are assuming all three of them to be rental projects, particularly because of the REIT status of the developer, but all up-scale. The first of the rental projects is assumed to consist of primarily studios and one bedrooms, catering primarily to a young professional singles clientele, with an average size of 700 square feet and an average rental rate of \$2.50 per square foot in 1999. We believe that rate is aggressive but, based on the continued tightness of the market and current rents for smaller units in

such projects as The Enclave, Elan at River Oaks and Fountain at River Oaks the rate is achievable. We also assume an average of 1.1 parking spaces per unit, including guest parking.

We have assumed a larger unit size for the second rental project, with mostly one and two bedrooms, some with dens, with an average unit size of 1100 square feet and an average rental rate in 1999 of \$2.10 per square foot. Based on the comparable projects mentioned above, as well as Villa Torino and newer units being built in Cupertino and Campbell, we believe the rents are achievable. For parking we have assumed an average of 1.37 spaces per unit, allowing for a larger percentage of 2 bedroom units.

For the third example, we believe that average rents in 1999 of approximately \$2.00 per square foot are achievable on two and three bedroom units averaging 1,250 square feet. These upscale homes for couples and small families wanting an urban lifestyle, assume an average of two parking spaces per unit. Again, based on the comparable projects mentioned above, as well as Villa Torino and newer units being built in Cupertino and Campbell, we believe the rents are achievable.

Construction costs are based on available industry information for above-average construction.

Retail/Commercial

For purposes of the current proposal, we are starting by assuming 50,000 square feet of cinema, 100,000 square feet of restaurants, and 500,000 square feet of other retail. Parking is assumed to be allowed at one per four seats for the cinema because of crossover; five per thousand square feet of retail and eight per thousand square feet of restaurant. Rents are expected to be high, averaging \$3.75 per square foot for retail, \$4.50 for restaurant and \$2.00 for the cinema. Although high, similar and higher rents are being achieved across the street in Valley Fair and in other urban, high-end retail centers around the country. Likewise sales are expected to be very high, averaging over \$400 per square foot. The resulting residual land value for the retail use is about \$33 million.

Hotel

Rather than do detailed pro formas of this portion of the proposal, KMG decided that the same result can be obtained by estimating the value of the land to a third party developer to build the hotels. We believe that given today's average ADR of around \$132 per night and occupancy in San Jose of 78%, a land price of \$25,000 per key is easily achievable. Therefore, for purposes of the model, we simply included the hotels as a \$2,500,000 land value each and a sale of the land in 1999.

Parking

We assumed structured parking can be delivered for approximately \$8,500 per space, on average.

Returns

Even with our additional \$38 million land value "add-on", the returns to the developer on an all cash basis are approximately 11.7%, well within the range of satisfactory returns for major developers, who would typically expect between 11% and 12% returns, depending on the product type and the riskiness of the project. If we remove the imputed \$38 million of land value from the model, the return on cost for the project escalates to 12.8%.

DETAILED ASSUMPTIONS

Attached to this memo is a set of the detailed assumptions, and the resulting 10 year pro-forma for Federal's current requested density. A second set of assumptions and a pro-forma are included for the density as Federal originally proposed it to the EPA in their Prospective Purchaser Agreement..

Please call Glen Williams with any questions you may have.

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Unified Model Assumptions

Global Assumptions:

New (1) or Existing (0) Project	
Base year	
Sale year	
Avg. Rent/mo. (Units for Apt./SQ. FT for all else)	
Number of Parking Spaces	
Parking Income/space/mo.	
Vacancy Factor	
Lease-up Months	
Pre-leased Factor	
CPI - Revenue	
CPI - Expense	
Debt Service Coverage	
Permanent Loan Rate	
Permanent Loan Term	
Cap. Rate for Sale	
Land Cost (per unit for Apt./lump sum for Others)	
"Hard" Improvement Costs (per Unit for Apt. & Hotel/lump sum for Office & Hotel))	
"Soft" Costs (per Unit for Apt. & Hotel/lump sum for Office & Retail)	
Concessions & Lease-up Costs (per Unit for Apt. & Hotel/lump sum for Office & Hotel)	
Debt Financing Fees	
Interim Loan Rate	
Construction Cycle (mos.)	
Funds Outstanding Factor	
Sale Costs	
Depreciation Term	
Development/Acquisition Profit Margin	

Apartment Only:

Laundry Income/unit/mo.	
Number of Units	
Variable Expenses (% of Gr. Income less Vacancy)	
Fixed Expenses (% of Gross Income)	

Retail/Office Only:

Gross Space (sq. ft.)	
Building Efficiency Factor (%)	
Operating Costs per SQ FT	
Percentage Rents as a Percent of Sales	
Retail Sales per Square Foot (monthly)	
Retail Sales Growth Rate	

Residential

Apt Proj #1 Apt Proj #2 Apt Proj #3

1	1	1
1999	1999	1999
2009	2009	2009
\$1,750	\$2,300	\$2,500
440	550	800
\$0.00	\$0.00	\$0.00
5.0%	5.0%	5.0%
12	12	12
20.0%	20.0%	20.0%
3.5%	3.5%	3.5%
3.5%	3.5%	3.5%
2.00	2.00	2.00
7.00%	7.00%	7.00%
30	30	30
8.50%	8.50%	8.50%
\$35,000	\$35,000	\$35,000
\$54,000	\$76,625	\$89,500
\$24,500	\$38,500	\$43,750
\$500	\$500	\$500
1.0%	1.0%	1.0%
8.00%	8.00%	8.00%
12	12	12
50.0%	50.0%	50.0%
3.0%	3.0%	3.0%
27.5	27.5	27.5
11.0%	11.0%	11.0%

Retail

Cinema Restaurant Retail

1	1	1
1999	1999	1999
2009	2009	2009
\$2.00	\$4.50	\$3.75
625	800	2,450
\$0.0	\$0.0	\$0.0
0.0%	10.0%	10.0%
0	12	24
100.0%	50.0%	50.0%
3.5%	3.5%	3.5%
3.5%	3.5%	3.5%
2.00	2.00	2.00
8.00%	8.00%	8.00%
25	25	25
8.75%	8.75%	8.75%
\$0	\$9,000,000	\$24,000,000
\$12,000,000	\$18,800,000	\$81,250,000
\$2,025,000	\$8,000,000	\$35,000,000
0	0	0
1.0%	1.0%	1.0%
8.00%	8.00%	8.00%
12	12	12
50.0%	50.0%	50.0%
3.0%	3.0%	3.0%
27.5	27.5	27.5
12.0%	12.0%	12.0%

n/a	n/a	n/a
n/a	n/a	n/a
n/a	n/a	n/a
n/a	n/a	n/a

50,000	100,000	500,000
100.00%	100.00%	100.00%
\$11.00	\$11.00	\$11.00
0.00%	7.00%	6.00%
\$20.00	\$60.00	\$40.00
3.50%	3.50%	3.50%

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Apartment Building #1 Cash Flow

	Pro Forma in 1999 \$'s												
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow (000)													
Scheduled Gross Rental Income	8,400		8,694	8,998	9,313	9,639	9,977	10,326	10,687	11,061	11,448	11,849	
Scheduled Laundry/Park/Oth. Income	48		50	51	53	55	57	59	61	63	65	68	
(-) Vacancy	(422)		(3,443)	(452)	(468)	(485)	(502)	(519)	(537)	(556)	(576)	(596)	
Gross Revenues	8,026		5,301	8,597	8,898	9,210	9,532	9,866	10,211	10,568	10,938	11,321	
(-) Operating Expenses	(2,612)		(2,171)	(2,807)	(2,906)	(3,007)	(3,112)	(3,221)	(3,334)	(3,451)	(3,572)	(3,697)	
Net Operating Income	5,413		3,130	5,790	5,993	6,202	6,419	6,644	6,877	7,117	7,366	7,624	
(-) Debt Service	(2,707)		(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	(2,707)	
Operating Cash Flow	2,707		423	3,083	3,286	3,496	3,713	3,938	4,170	4,411	4,660	4,918	
Capital Cash Flow (000)													
	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Sources of Funds													
Operating Cash Flow	36,097		0	423	3,083	3,286	3,496	3,713	3,938	4,170	4,411	4,918	
Interim Loan	33,902	33,902	0	0	0	0	0	0	0	0	0	0	
Permanent Loan	33,902	0	33,902	0	0	0	0	0	0	0	0	0	
Sale Proceeds	92,837	0	0	0	0	0	0	0	0	0	0	92,837	
	196,737		33,902	34,325	3,083	3,286	3,496	3,713	3,938	4,170	4,411	4,660	97,754
Uses of Funds													
Land Cost	14,000	14,000	0	0	0	0	0	0	0	0	0	0	
"Hard" Improvement Costs	21,600	21,600	0	0	0	0	0	0	0	0	0	0	
"Soft" Costs	9,800	9,800	0	0	0	0	0	0	0	0	0	0	
Concessions & Lease-up Costs	200	0	200	0	0	0	0	0	0	0	0	0	
Debt Financing Fees	339	339	0	0	0	0	0	0	0	0	0	0	
Interim Loan Interest	1,356	1,356	0	0	0	0	0	0	0	0	0	0	
Interim Loan Payoff	33,902	0	33,902	0	0	0	0	0	0	0	0	0	
Sale Costs	2,785	0	0	0	0	0	0	0	0	0	0	2,785	
Permanent Loan Payoff	29,092	0	0	0	0	0	0	0	0	0	0	29,092	
	113,074		47,095	34,102	0	0	0	0	0	0	0	31,877	
Capital Cash Flow	83,663		(13,193)	223	3,083	3,286	3,496	3,713	3,938	4,170	4,411	4,660	65,877
Cumulative Cash flow			(13,193)	(12,970)	(9,887)	(6,601)	(3,105)	608	4,545	8,715	13,126	17,786	83,663

Taxable Income Analysis (000)

	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	36,097		423	3,083	3,286	3,496	3,713	3,938	4,170	4,411	4,660	4,918
(+) Principal Payments	4,810		344	369	396	425	455	488	523	561	602	645
(-) Depreciation - Impvts (27.5 yrs)	(11,418)		(1,142)	(1,142)	(1,142)	(1,142)	(1,142)	(1,142)	(1,142)	(1,142)	(1,142)	(1,142)
(-) Amortization - Loan fees & int.	(565)		(57)	(57)	(57)	(57)	(57)	(57)	(57)	(57)	(57)	(57)
(+) Net Proceeds from Sale	90,052		0	0	0	0	0	0	0	0	0	90,052
(-) Adjusted Cost Basis	(35,312)		0	0	0	0	0	0	0	0	0	(35,312)
Taxable Income / Loss	83,663		(431)	2,254	2,484	2,722	2,970	3,227	3,495	3,774	4,063	59,105

Performance & Returns (000)

	Pro Forma											
Annual Vacancy Factors	5.00%		39.4%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	2.00		1.16	2.14	2.21	2.29	2.37	2.45	2.54	2.63	2.72	2.82
Free and Clear Cash (NOI/Cost)	11.4%		6.6%	12.2%	12.7%	13.1%	13.6%	14.0%	14.5%	15.0%	15.6%	16.1%
Permanent Loan: 72%	\$33,902											
Equity Investment: 28%	\$13,193	\$13,193	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$47,095											
Project Value (next yr. NOI/Cap. Rate)	\$65,914		\$38,107	\$70,501	\$72,969	\$75,523	\$78,166	\$80,902	\$83,733	\$86,664	\$89,697	\$92,837
Profit Margin	28.25%		0%	33%	35%	37%	39%	42%	44%	45%	47%	49%
Cash-on-Cash Return (CF/Investment)	20.52%		2%	23%	25%	26%	28%	30%	32%	33%	35%	499%
Total Costs	\$47,295											
Total Costs / unit	\$118.24											
Loan To Cost	72%											
Tot. Cost/unit w/o Land Cost	\$83.24											

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Apartment Building #2 Cash Flow

	Pro Forma in 1999 \$'s												
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow (000)													
Scheduled Gross Rental Income	11,040		11,426	11,826	12,240	12,669	13,112	13,571	14,046	14,538	15,046	15,573	
Scheduled Laundry/Park/Oth. Income	72		75	77	80	83	86	89	92	95	98	102	
(-) Vacancy	(556)		(4,528)	(595)	(616)	(638)	(660)	(683)	(707)	(732)	(757)	(784)	
Gross Revenues	10,556		6,972	11,308	11,704	12,114	12,538	12,977	13,431	13,901	14,387	14,891	
(-) Operating Expenses	(3,433)		(2,855)	(3,691)	(3,820)	(3,954)	(4,092)	(4,236)	(4,384)	(4,537)	(4,696)	(4,861)	
Net Operating Income	7,123		4,118	7,617	7,884	8,160	8,445	8,741	9,047	9,363	9,691	10,030	
(-) Debt Service	(3,561)		(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	(3,561)	
Operating Cash Flow	3,561		556	4,056	4,322	4,598	4,884	5,179	5,485	5,802	6,130	6,469	
Capital Cash Flow (000)													
	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Sources of Funds													
Operating Cash Flow	47,481		0	556	4,056	4,322	4,598	4,884	5,179	5,485	5,802	6,130	6,469
Interim Loan	44,610	44,610	0	0	0	0	0	0	0	0	0	0	
Permanent Loan	44,610	0	44,610	0	0	0	0	0	0	0	0	0	
Sale Proceeds	122,133	0	0	0	0	0	0	0	0	0	0	122,133	
	258,834	44,610	45,166	4,056	4,322	4,598	4,884	5,179	5,485	5,802	6,130	128,602	
Uses of Funds													
Land Cost	14,000	14,000	0	0	0	0	0	0	0	0	0	0	
"Hard" Improvement Costs	30,650	30,650	0	0	0	0	0	0	0	0	0	0	
"Soft" Costs	15,400	15,400	0	0	0	0	0	0	0	0	0	0	
Concessions & Lease-up Costs	200	0	200	0	0	0	0	0	0	0	0	0	
Debt Financing Fees	446	446	0	0	0	0	0	0	0	0	0	0	
Interim Loan Interest	1,784	1,784	0	0	0	0	0	0	0	0	0	0	
Interim Loan Payoff	44,610	0	44,610	0	0	0	0	0	0	0	0	0	
Sale Costs	3,664	0	0	0	0	0	0	0	0	0	0	3,664	
Permanent Loan Payoff	38,281	0	0	0	0	0	0	0	0	0	0	38,281	
	149,035	62,280	44,810	0	0	0	0	0	0	0	0	41,945	
Capital Cash Flow	109,799	(17,671)	356	4,056	4,322	4,598	4,884	5,179	5,485	5,802	6,130	86,657	
Cumulative Cash flow		(17,671)	(17,314)	(13,259)	(8,937)	(4,338)	545	5,725	11,210	17,012	23,141	109,799	

Taxable Income Analysis (000)	Life of Project	Development										
		Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	47,481		556	4,056	4,322	4,598	4,884	5,179	5,485	5,802	6,130	6,469
(+) Principal Payments	6,329		453	486	521	559	599	642	689	739	792	849
(-) Depreciation - Impvts (27.5 yrs)	(16,745)		(1,675)	(1,675)	(1,675)	(1,675)	(1,675)	(1,675)	(1,675)	(1,675)	(1,675)	(1,675)
(-) Amortization - Loan fees & int.	(743)		(74)	(74)	(74)	(74)	(74)	(74)	(74)	(74)	(74)	(74)
(+) Net Proceeds from Sale	118,469		0	0	0	0	0	0	0	0	0	118,469
(-) Adjusted Cost Basis	(44,992)		0	0	0	0	0	0	0	0	0	(44,992)
Taxable Income / Loss	109,799		(740)	2,793	3,094	3,408	3,734	4,073	4,425	4,792	5,173	79,047

Performance & Returns (000)		Pro Forma										
Annual Vacancy Factors	5.00%		39.4%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	2.00		1.16	2.14	2.21	2.29	2.37	2.45	2.54	2.63	2.72	2.82
Free and Clear Cash (NOI/Cost)	11.4%		6.6%	12.2%	12.6%	13.1%	13.5%	14.0%	14.5%	15.0%	15.5%	16.1%
Permanent Loan: 72%	\$44,610											
Equity Investment: 28%	\$17,671	\$17,671	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$62,280											
Project Value (next yr. NOI/Cap. Rate)	\$86,733	\$50,139	\$92,749	\$95,996	\$99,356	\$102,833	\$106,432	\$110,157	\$114,013	\$118,003	\$122,133	
Profit Margin	27.96%		0%	33%	35%	37%	39%	41%	43%	45%	47%	49%
Cash-on-Cash Return (CF/Investment)	20.15%		2%	23%	24%	26%	28%	29%	31%	33%	35%	40%
Total Costs	\$62,480											
Total Costs / unit	\$156.20											
Loan To Cost	71%											
Tot. Cost/unit w/o Land Cost	\$121.20											

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Apartment Building #3 Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Scheduled Gross Rental Income	12,000		12,420	12,855	13,305	13,770	14,252	14,751	15,267	15,802	16,355	16,927	
Scheduled Laundry/Park/Oth. Income	72		75	77	80	83	86	89	92	95	98	102	
(-) Vacancy	(604)		(4,920)	(647)	(669)	(693)	(717)	(742)	(768)	(795)	(823)	(851)	
Gross Revenues	11,468		7,575	12,285	12,715	13,160	13,621	14,098	14,591	15,102	15,630	16,177	
(-) Operating Expenses	(3,732)		(3,102)	(4,011)	(4,151)	(4,297)	(4,447)	(4,603)	(4,764)	(4,931)	(5,103)	(5,282)	
Net Operating Income	7,736		4,473	8,274	8,564	8,864	9,174	9,495	9,827	10,171	10,527	10,896	
(-) Debt Service	(4,298)		(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	(4,298)	
Operating Cash Flow	3,438		174	3,976	4,265	4,565	4,875	5,196	5,529	5,873	6,229	6,597	
Capital Cash Flow (000)													
		Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds													
Operating Cash Flow	47,280		0	174	3,976	4,265	4,565	4,875	5,196	5,529	5,873	6,229	6,597
Interim Loan	53,840		53,840	0	0	0	0	0	0	0	0	0	0
Permanent Loan	53,840		0	53,840	0	0	0	0	0	0	0	0	0
Sale Proceeds	132,670		0	0	0	0	0	0	0	0	0	0	132,670
	287,630		53,840	54,014	3,976	4,265	4,565	4,875	5,196	5,529	5,873	6,229	139,267
Uses of Funds													
Land Cost	14,000		14,000	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	35,800		35,800	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	17,500		17,500	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	200		0	200	0	0	0	0	0	0	0	0	0
Debt Financing Fees	538		538	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	2,154		2,154	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	53,840		0	53,840	0	0	0	0	0	0	0	0	0
Sale Costs	3,980		0	0	0	0	0	0	0	0	0	0	3,980
Permanent Loan Payoff	46,201		0	0	0	0	0	0	0	0	0	0	46,201
	174,213		69,992	54,040	0	0	0	0	0	0	0	0	50,181
Capital Cash Flow	113,416		(16,152)	(26)	3,976	4,265	4,565	4,875	5,196	5,529	5,873	6,229	89,086
Cumulative Cash flow			(16,152)	(16,178)	(12,202)	(7,937)	(3,371)	1,504	6,701	12,229	18,102	24,331	113,416

Taxable Income Analysis (000)

	Life of Project	Development										
		Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	47,280		174	3,976	4,265	4,565	4,875	5,196	5,529	5,873	6,229	6,597
(+) Principal Payments	7,639		547	586	629	674	723	775	831	891	956	1,025
(-) Depreciation - Impvts (27.5 yrs)	(19,382)		(1,938)	(1,938)	(1,938)	(1,938)	(1,938)	(1,938)	(1,938)	(1,938)	(1,938)	(1,938)
(-) Amortization - Loan fees & int.	(897)		(90)	(90)	(90)	(90)	(90)	(90)	(90)	(90)	(90)	(90)
(+) Net Proceeds from Sale	128,690		0	0	0	0	0	0	0	0	0	128,690
(-) Adjusted Cost Basis	(49,913)		0	0	0	0	0	0	0	0	0	(49,913)
Taxable Income / Loss	113,416		(1,307)	2,534	2,866	3,212	3,571	3,944	4,332	4,736	5,157	84,371

Performance & Returns (000)

	Pro Forma											
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Annual Vacancy Factors	5.00%		39.4%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	1.80		1.04	1.92	1.99	2.06	2.13	2.21	2.29	2.37	2.45	2.53
Free and Clear Cash (NOI/Cost)	11.0%		6.4%	11.8%	12.2%	12.6%	13.1%	13.5%	14.0%	14.5%	15.0%	15.5%
Permanent Loan: 77%	\$53,840											
Equity Investment: 23%	\$16,178	\$16,152	\$26	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$70,018											
Project Value (next yr. NOI/Cap. Rate)	\$94,202	\$54,460	\$100,751	\$104,277	\$107,927	\$111,704	\$115,614	\$119,661	\$123,849	\$128,183	\$132,670	
Profit Margin	25.49%		0%	30%	33%	35%	37%	39%	41%	43%	45%	47%
Cash-on-Cash Return (CF/Investment)	21.25%		0%	25%	26%	28%	30%	32%	34%	36%	39%	551%
Total Costs	\$70,192											
Total Costs / unit	\$175.48											
Loan To Cost	77%											
Tot. Cost/unit w/o Land Cost	\$140.48											

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Retail Summary Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Scheduled Gross Rental Income	29,100		30,119	31,173	32,264	33,393	34,562	35,771	37,023	38,319	39,660	41,048	
% Overage (of Retail Sales)	0		0	0	0	0	0	0	0	0	0	0	0
Scheduled Parking Income	0		0	0	0	0	0	0	0	0	0	0	0
NNN Reimbursements	4,684		4,648	6,412	7,196	7,447	7,708	7,978	8,257	8,546	8,845	9,155	
(-) Vacancy	(2,790)		(10,704)	(5,198)	(3,093)	(3,202)	(3,314)	(3,430)	(3,550)	(3,674)	(3,802)	(3,936)	
Gross Revenues	30,994		24,262	32,387	36,366	37,639	38,956	40,320	41,731	43,191	44,703	46,268	
(-) Operating Expenses	(7,150)		(7,400)	(7,659)	(7,927)	(8,205)	(8,492)	(8,789)	(9,097)	(9,415)	(9,745)	(10,086)	
Net Operating Income	23,844		16,862	24,727	28,439	29,434	30,464	31,530	32,634	33,776	34,958	36,182	
(-) Debt Service	(11,922)		(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	(11,922)	
Operating Cash Flow	11,922		4,940	12,805	16,517	17,512	18,542	19,608	20,712	21,854	23,036	24,260	
Capital Cash Flow (000)													
		Life of Project	Development Period										
Sources of Funds			2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow	179,786		0	4,940	12,805	16,517	17,512	18,542	19,608	20,712	21,854	23,036	24,260
Interim Loan	110,647	110,647	0	0	0	0	0	0	0	0	0	0	0
Permanent Loan	128,723	0	128,723	0	0	0	0	0	0	0	0	0	0
Sale Proceeds	427,980	0	0	0	0	0	0	0	0	0	0	0	427,980
	847,136	110,647	133,663	12,805	16,517	17,512	18,542	19,608	20,712	21,854	23,036	452,239	
Uses of Funds													
Land Cost	33,000	33,000	0	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	112,050	112,050	0	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	45,025	45,025	0	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	0	0	0	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	1,287	1,287	0	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	5,149	5,149	0	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	128,723	0	128,723	0	0	0	0	0	0	0	0	0	0
Sale Costs	12,839	0	0	0	0	0	0	0	0	0	0	0	12,839
Permanent Loan Payoff	103,961	0	0	0	0	0	0	0	0	0	0	0	103,961
	442,035	196,511	128,723	0	0	0	0	0	0	0	0	0	116,801
Capital Cash Flow	405,101	(85,864)	4,940	12,805	16,517	17,512	18,542	19,608	20,712	21,854	23,036	335,439	
Cumulative Cash flow		(85,864)	(80,924)	(68,119)	(51,602)	(34,090)	(15,548)	4,060	24,772	46,626	69,662	405,101	

Taxable Income Analysis (000)	Life of Project	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	179,786	4,940	12,805	16,517	17,512	18,542	19,608	20,712	21,854	23,036	24,260
(+) Principal Payments	24,762	1,685	1,825	1,976	2,141	2,318	2,511	2,719	2,945	3,189	3,454
(-) Depreciation - Impvts (27.5 yrs)	(57,118)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)	(5,712)
(-) Amortization - Loan fees & int.	(2,574)	(257)	(257)	(257)	(257)	(257)	(257)	(257)	(257)	(257)	(257)
(+) Net Proceeds from Sale	415,140	0	0	0	0	0	0	0	0	0	415,140
(-) Adjusted Cost Basis	(136,819)	0	0	0	0	0	0	0	0	0	(136,819)
Taxable Income / Loss	423,177	656	8,661	12,524	13,683	14,891	16,150	17,462	18,829	20,256	300,066
Performance & Returns (000)	Pro Forma										
Annual Vacancy Factors	6.67%	35.5%	16.7%	9.6%	9.6%	9.6%	9.6%	9.6%	9.6%	9.6%	9.6%
Debt Service Coverage	2.00	1.41	2.07	2.39	2.47	2.56	2.64	2.74	2.83	2.93	3.03
Free and Clear Cash (NOI/Cost)	12.1%	8.6%	12.6%	14.5%	15.0%	15.5%	16.0%	16.6%	17.2%	17.8%	18.4%
Permanent Loan: 60%	\$128,723										
Equity Investment: 40%	\$85,864	\$85,864	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$214,587										
Project Value (next yr. NOI/Cap. Rate)	\$282,042	\$199,452	\$292,490	\$336,388	\$348,162	\$360,347	\$372,960	\$386,013	\$399,524	\$413,507	\$427,980
Profit Margin	30.3%	1.5%	32.8%	41.6%	43.6%	45.5%	47.3%	49.1%	50.8%	52.5%	54.1%
Cash-on-Cash Return (CF/Investment)	13.9%	5.8%	14.9%	19.2%	20.4%	21.6%	22.8%	24.1%	25.5%	26.8%	390.7%
Total Costs	\$196,511										
Loan To Cost	66%										

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Restaurant Cash Flow

		Pro Forma in 1999 \$'s											
			1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Scheduled Gross Rental Income	5,400			5,589	5,785	5,987	6,197	6,414	6,638	6,870	7,111	7,360	7,617
% Overage (of Retail Sales)	0			0	0	0	0	0	0	0	0	0	0
Scheduled Parking Income	0			0	0	0	0	0	0	0	0	0	0
NNN Reimbursements	788			816	1,061	1,098	1,136	1,176	1,217	1,260	1,304	1,349	1,396
(-) Vacancy	(540)			(1,584)	(578)	(599)	(620)	(641)	(664)	(687)	(711)	(736)	(762)
Gross Revenues	5,648			4,821	6,267	6,486	6,713	6,948	7,191	7,443	7,703	7,973	8,252
(-) Operating Expenses	(1,100)			(1,139)	(1,178)	(1,220)	(1,262)	(1,306)	(1,352)	(1,400)	(1,448)	(1,499)	(1,552)
Net Operating Income	4,548			3,683	5,088	5,266	5,451	5,642	5,839	6,043	6,255	6,474	6,700
(-) Debt Service	(2,274)			(2,274)	(2,274)	(2,274)	(2,274)	(2,274)	(2,274)	(2,274)	(2,274)	(2,274)	(2,274)
Operating Cash Flow	2,274			1,409	2,814	2,992	3,177	3,367	3,565	3,769	3,981	4,200	4,426
Capital Cash Flow (000)													
		Life of Project	Development										
			Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds													
Operating Cash Flow	33,699		0	1,409	2,814	2,992	3,177	3,367	3,565	3,769	3,981	4,200	4,426
Interim Loan	6,478		6,478	0	0	0	0	0	0	0	0	0	0
Permanent Loan	24,554		0	24,554	0	0	0	0	0	0	0	0	0
Sale Proceeds	79,255		0	0	0	0	0	0	0	0	0	0	79,255
	143,987		6,478	25,963	2,814	2,992	3,177	3,367	3,565	3,769	3,981	4,200	83,682
Uses of Funds													
Land Cost	9,000		9,000	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	18,800		18,800	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	8,000		8,000	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	0		0	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	246		246	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	982		982	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	24,554		0	24,554	0	0	0	0	0	0	0	0	0
Sale Costs	2,378		0	0	0	0	0	0	0	0	0	0	2,378
Permanent Loan Payoff	19,831		0	0	0	0	0	0	0	0	0	0	19,831
	83,791		37,028	24,554	0	0	0	0	0	0	0	0	22,209
Capital Cash Flow	60,197		(30,549)	1,409	2,814	2,992	3,177	3,367	3,565	3,769	3,981	4,200	61,473
Cumulative Cash flow			(30,549)	(29,141)	(26,327)	(23,334)	(20,158)	(16,790)	(13,226)	(9,457)	(5,476)	(1,276)	60,197

Taxable Income Analysis (000)	Life of Project	Development Period										
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow	33,699	1,409	2,814	2,992	3,177	3,367	3,565	3,769	3,981	4,200	4,426	
(+) Principal Payments	4,723	321	348	377	408	442	479	519	562	608	659	
(-) Depreciation - Impvts (27.5 yrs)	(9,745)	(975)	(975)	(975)	(975)	(975)	(975)	(975)	(975)	(975)	(975)	
(-) Amortization - Loan fees & int.	(491)	(49)	(49)	(49)	(49)	(49)	(49)	(49)	(49)	(49)	(49)	
(+) Net Proceeds from Sale	76,878	0	0	0	0	0	0	0	0	0	76,878	
(-) Adjusted Cost Basis	(26,791)	0	0	0	0	0	0	0	0	0	(26,791)	
Taxable Income / Loss	78,273	706	2,139	2,346	2,561	2,786	3,020	3,264	3,519	3,784	54,148	
Performance & Returns (000)	Pro Forma											
Annual Vacancy Factors	10.00%	28.3%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	
Debt Service Coverage	2.00	1.62	2.24	2.32	2.40	2.48	2.57	2.66	2.75	2.85	2.95	
Free and Clear Cash (NOI/Cost)	12.3%	10%	14%	14%	15%	15%	16%	16%	17%	17%	18%	
Permanent Loan: 45%	\$24,554											
Equity Investment: 55%	\$30,549	\$30,549	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Total Project Capital	\$55,104											
Project Value (next yr. NOI/Cap. Rate)	\$53,800	\$43,563	\$60,188	\$62,294	\$64,474	\$66,731	\$69,067	\$71,484	\$73,986	\$76,575	\$79,255	
Profit Margin	31.2%	15.0%	38.5%	40.6%	42.6%	44.5%	46.4%	48.2%	50.0%	51.6%	53.3%	
Cash-on-Cash Return (CF/Investment)	7.4%	4.6%	9.2%	9.8%	10.4%	11.0%	11.7%	12.3%	13.0%	13.7%	201.2%	
Total Costs	\$37,028											
Loan To Cost	66%											

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Retail Project Cash Flow

		Pro Forma in 1999 \$'s												
			1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow (000)														
Scheduled Gross Rental Income	22,500		23,288	24,103	24,946	25,819	26,723	27,658	28,626	29,628	30,665	31,738		
% Overage (of Retail Sales)	0		0	0	0	0	0	0	0	0	0	0	0	
Scheduled Parking Income	0		0	0	0	0	0	0	0	0	0	0	0	
NNN Reimbursements	3,346		3,463	4,762	5,488	5,680	5,879	6,085	6,298	6,518	6,746	6,982		
(-) Vacancy	(2,250)		(9,121)	(4,620)	(2,495)	(2,582)	(2,672)	(2,766)	(2,863)	(2,963)	(3,067)	(3,174)		
Gross Revenues	23,596		17,630	24,245	27,940	28,918	29,930	30,977	32,061	33,184	34,345	35,547		
(-) Operating Expenses	(5,500)		(5,693)	(5,892)	(6,098)	(6,311)	(6,532)	(6,761)	(6,998)	(7,242)	(7,496)	(7,758)		
Net Operating Income	18,096		11,937	18,354	21,842	22,606	23,397	24,216	25,064	25,941	26,849	27,789		
(-) Debt Service	(9,048)		(9,048)	(9,048)	(9,048)	(9,048)	(9,048)	(9,048)	(9,048)	(9,048)	(9,048)	(9,048)		
Operating Cash Flow	9,048		2,889	9,306	12,794	13,558	14,350	15,168	16,016	16,893	17,801	18,741		
Capital Cash Flow (000)			Life of Project	Development Period										
				2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Sources of Funds														
Operating Cash Flow	137,516		0	2,889	9,306	12,794	13,558	14,350	15,168	16,016	16,893	17,801	18,741	
Interim Loan	97,691		97,691	0	0	0	0	0	0	0	0	0	0	
Permanent Loan	97,691		0	97,691	0	0	0	0	0	0	0	0	0	
Sale Proceeds	328,702		0	0	0	0	0	0	0	0	0	0	328,702	
			661,599	97,691	100,580	9,306	12,794	13,558	14,350	15,168	16,016	16,893	17,801	347,443
Uses of Funds														
Land Cost	24,000		24,000	0	0	0	0	0	0	0	0	0	0	
"Hard" Improvement Costs	81,250		81,250	0	0	0	0	0	0	0	0	0	0	
"Soft" Costs	35,000		35,000	0	0	0	0	0	0	0	0	0	0	
Concessions & Lease-up Costs	0		0	0	0	0	0	0	0	0	0	0	0	
Debt Financing Fees	977		977	0	0	0	0	0	0	0	0	0	0	
Interim Loan Interest	3,908		3,908	0	0	0	0	0	0	0	0	0	0	
Interim Loan Payoff	97,691		0	97,691	0	0	0	0	0	0	0	0	0	
Sale Costs	9,861		0	0	0	0	0	0	0	0	0	0	9,861	
Permanent Loan Payoff	78,898		0	0	0	0	0	0	0	0	0	0	78,898	
			331,585	145,135	97,691	0	0	0	0	0	0	0	0	88,759
Capital Cash Flow	330,015		(47,444)	2,889	9,306	12,794	13,558	14,350	15,168	16,016	16,893	17,801	258,683	
Cumulative Cash flow			(47,444)	(44,555)	(35,249)	(22,455)	(8,897)	5,453	20,621	36,637	53,530	71,331	330,015	

Taxable Income Analysis (000)	Life of Project	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	137,516	2,889	9,306	12,794	13,558	14,350	15,168	16,016	16,893	17,801	18,741
(+) Principal Payments	18,792	1,279	1,385	1,500	1,624	1,759	1,905	2,063	2,235	2,420	2,621
(-) Depreciation - Impvts (27.5 yrs)	(42,273)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)	(4,227)
(-) Amortization - Loan fees & int.	(1,954)	(195)	(195)	(195)	(195)	(195)	(195)	(195)	(195)	(195)	(195)
(+) Net Proceeds from Sale	318,841	0	0	0	0	0	0	0	0	0	318,841
(-) Adjusted Cost Basis	(100,908)	0	0	0	0	0	0	0	0	0	(100,908)
Taxable Income / Loss	330,015	(255)	6,268	9,871	10,760	11,686	12,651	13,657	14,705	15,799	234,872
Performance & Returns (000)	Pro Forma										
Annual Vacancy Factors	10.00%	39.2%	19.2%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%
Debt Service Coverage	2.00	1.32	2.03	2.41	2.50	2.59	2.68	2.77	2.87	2.97	3.07
Free and Clear Cash (NOI/Cost)	12.5%	8%	13%	15%	16%	16%	17%	17%	18%	18%	19%
Permanent Loan: 67%	\$97,691										
Equity Investment: 33%	\$47,444	\$47,444	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$145,135										
Project Value (next yr. NOI/Cap. Rate)	\$214,048	\$141,198	\$217,098	\$258,357	\$267,399	\$276,758	\$286,445	\$296,470	\$306,847	\$317,586	\$328,702
Profit Margin	32.2%	0.0%	33.1%	43.8%	45.7%	47.6%	49.3%	51.0%	52.7%	54.3%	55.8%
Cash-on-Cash Return (CF/Investment)	19.1%	6.1%	19.6%	27.0%	28.6%	30.2%	32.0%	33.8%	35.6%	37.5%	45.2%
Total Costs	\$145,135										
Loan To Cost	67%										

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Hotel Summary Cash Flow

	Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)												
Revenues:												
Rooms	0	0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0	0	0	0	0	0	0	0	0	0	0	0
Telephone	0	0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0	0	0	0	0	0	0	0	0	0	0	0
Total Revenues	0	0	0	0	0	0	0	0	0	0	0	0
Departmental Costs and Expenses:												
Rooms	0	0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0	0	0	0	0	0	0	0	0	0	0	0
Telephone	0	0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0	0	0	0	0	0	0	0	0	0	0	0
(-) Total Costs and Expenses	0	0	0	0	0	0	0	0	0	0	0	0
Total Operated Departmental Income	0	0	0	0	0	0	0	0	0	0	0	0
Undistributed Operating Expenses:												
Administrative & General	0	0	0	0	0	0	0	0	0	0	0	0
Franchise Fees	0	0	0	0	0	0	0	0	0	0	0	0
Marketing and Guest Entertainment	0	0	0	0	0	0	0	0	0	0	0	0
Property Operation and Maintenance	0	0	0	0	0	0	0	0	0	0	0	0
Energy Costs	0	0	0	0	0	0	0	0	0	0	0	0
Other Unallocated Operated Departments	0	0	0	0	0	0	0	0	0	0	0	0
Total Undistributed Expenses	0	0	0	0	0	0	0	0	0	0	0	0
Income before Fixed Charges	0	0	0	0	0	0	0	0	0	0	0	0
Management Fees, Property Taxes, & Insurance:												
Management Fees	0	0	0	0	0	0	0	0	0	0	0	0
Property Taxes and Other Municipal Charges	0	0	0	0	0	0	0	0	0	0	0	0
Insurance on Buildings and Contents	0	0	0	0	0	0	0	0	0	0	0	0
Total Management Fees, Taxes, Insurance	0	0	0	0	0	0	0	0	0	0	0	0
Income before Other Fixed Charges (NOI)	0	0	0	0	0	0	0	0	0	0	0	0
(-) Debt Service	0	0	0	0	0	0	0	0	0	0	0	0
Operating Cash Flow	0	0	0	0	0	0	0	0	0	0	0	0

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Hotel Project #1 Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Revenues:													
Rooms	0	0	0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0
Telephone	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Revenues	0	0	0	0	0	0	0	0	0	0	0	0	0
Departmental Costs and Expenses:													
Rooms	0	0	0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0
Telephone	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0	0	0	0	0	0	0	0	0	0	0	0	0
(-) Total Costs and Expenses	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Operated Departmental Income	0	0	0	0	0	0	0	0	0	0	0	0	0
Undistributed Operating Expenses:													
Administrative & General	0	0	0	0	0	0	0	0	0	0	0	0	0
Franchise Fees	0	0	0	0	0	0	0	0	0	0	0	0	0
Marketing and Guest Entertainment	0	0	0	0	0	0	0	0	0	0	0	0	0
Property Operation and Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0
Energy Costs	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Unallocated Operated Departments	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Undistributed Expenses	0	0	0	0	0	0	0	0	0	0	0	0	0
Income before Fixed Charges	0	0	0	0	0	0	0	0	0	0	0	0	0
Management Fees, Property Taxes, & Insurance:													
Management Fees	0	0	0	0	0	0	0	0	0	0	0	0	0
Property Taxes and Other Municipal Charges	0	0	0	0	0	0	0	0	0	0	0	0	0
Insurance on Buildings and Contents	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Management Fees, Taxes, Insurance	0	0	0	0	0	0	0	0	0	0	0	0	0
Income before Other Fixed Charges (NOI)	0	0	0	0	0	0	0	0	0	0	0	0	0
(-) Debt Service	0	0	0	0	0	0	0	0	0	0	0	0	0
Operating Cash Flow	0	0	0	0	0	0	0	0	0	0	0	0	0

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Hotel Project #1 Cash Flow

Capital Cash Flow (000)

Sources of Funds

Operating Cash Flow
Interim Loan
Permanent Loan
Sale Proceeds

Uses of Funds

Land Cost
"Hard" Improvement Costs
"Soft" Costs
Concessions & Lease-up Costs
Debt Financing Fees
Interim Loan Interest
Interim Loan Payoff
Sale Costs
Permanent Loan Payoff

Capital Cash Flow

Cumulative Cash Flow

Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	0	2,500	0	0	0	0	0	0	0	0	0
2,500	0	2,500	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
0	(2,500)	2,500	0	0	0	0	0	0	0	0	0
	(2,500)	0	0	0	0	0	0	0	0	0	0

Taxable Income Analysis (000)

Operating Cash Flow
(+) Principal Payments
(-) Depreciation - Impvts (0.0 yrs)
(-) Amortization - Loan fees & int.
(+) Net Proceeds from Sale
(-) Adjusted Cost Basis
Taxable Income / Loss

Life of Project	Acquisition Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
(2,500)	(2,500)	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0

Performance & Returns (000)

Annual Vacancy Factors
Debt Service Coverage
Free and Clear Cash (NOI/Cost)
Permanent Loan: 0%
Equity Investment: 100%
Total Project Capital
Project Value
Profit Margin
Cash-on-Cash Return (CF/Investment)
Total Costs
Total Costs / room
Loan To Cost
Tot. Cost/room w/o Land Cost

Pro Forma											
0.00%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$0											
\$2,500	\$2,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$2,500											
\$2,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$2,500											
n/a											
0%											
n/a											

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Hotel Project #2 Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Revenues:													
Rooms	0		0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0		0	0	0	0	0	0	0	0	0	0	0
Telephone	0		0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0		0	0	0	0	0	0	0	0	0	0	0
Total Revenues	0		0	0	0	0	0	0	0	0	0	0	0
Departmental Costs and Expenses:													
Rooms	0		0	0	0	0	0	0	0	0	0	0	0
Food/Beverage/Other Revenue	0		0	0	0	0	0	0	0	0	0	0	0
Telephone	0		0	0	0	0	0	0	0	0	0	0	0
Other Related Departments/Rentals	0		0	0	0	0	0	0	0	0	0	0	0
(-) Total Costs and Expenses	0		0	0	0	0	0	0	0	0	0	0	0
Total Operated Departmental Income	0		0	0	0	0	0	0	0	0	0	0	0
Undistributed Operating Expenses:													
Administrative & General	0		0	0	0	0	0	0	0	0	0	0	0
Franchise Fees	0		0	0	0	0	0	0	0	0	0	0	0
Marketing and Guest Entertainment	0		0	0	0	0	0	0	0	0	0	0	0
Property Operation and Maintenance	0		0	0	0	0	0	0	0	0	0	0	0
Energy Costs	0		0	0	0	0	0	0	0	0	0	0	0
Other Unallocated Operated Departments	0		0	0	0	0	0	0	0	0	0	0	0
Total Undistributed Expenses	0		0	0	0	0	0	0	0	0	0	0	0
Income before Fixed Charges	0		0	0	0	0	0	0	0	0	0	0	0
Management Fees, Property Taxes, & Insurance:													
Management Fees	0		0	0	0	0	0	0	0	0	0	0	0
Property Taxes and Other Municipal Charges	0		0	0	0	0	0	0	0	0	0	0	0
Insurance on Buildings and Contents	0		0	0	0	0	0	0	0	0	0	0	0
Total Management Fees, Taxes, Insurance	0		0	0	0	0	0	0	0	0	0	0	0
Income before Other Fixed Charges (NOI)	0		0	0	0	0	0	0	0	0	0	0	0
(-) Debt Service	0		0	0	0	0	0	0	0	0	0	0	0
Operating Cash Flow	0		0	0	0	0	0	0	0	0	0	0	0

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Hotel Project #2 Cash Flow

Capital Cash Flow (000)

Sources of Funds

Operating Cash Flow
Interim Loan
Permanent Loan
Sale Proceeds

Uses of Funds

Land Cost
"Hard" Improvement Costs
"Soft" Costs
Concessions & Lease-up Costs
Debt Financing Fees
Interim Loan Interest
Interim Loan Payoff
Sale Costs
Permanent Loan Payoff

Capital Cash Flow
Cumulative Cash flow

Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	0	2,500	0	0	0	0	0	0	0	0	0
2,500	0	2,500	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
0	(2,500)	2,500	0	0	0	0	0	0	0	0	0
	(2,500)	0	0	0	0	0	0	0	0	0	0

Taxable Income Analysis (000)

Operating Cash Flow
(+) Principal Payments
(-) Depreciation - Impvts (0.0 yrs)
(-) Amortization - Loan fees & int.
(+) Net Proceeds from Sale
(-) Adjusted Cost Basis
Taxable Income / Loss

Life of Project	Acquisition Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
2,500	2,500	0	0	0	0	0	0	0	0	0	0
(2,500)	(2,500)	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0

Performance & Returns (000)

Annual Vacancy Factors
Debt Service Coverage
Free and Clear Cash (NOI/Cost)
Permanent Loan 0%
Equity Investment 100%
Total Project Capital
Project Value
Profit Margin
Cash-on-Cash Return (CF/Investment)
Total Costs
Total Costs / room
Loan To Cost
Tot. Cost/room w/o Land Cost

Pro Forma											
0.00%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
\$0											
2,500	2,500	0	0	0	0	0	0	0	0	0	0
\$2,500											
\$2,500	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
\$2,500											
n/a											
0%											
n/a											

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Unified Model Assumptions

Global Assumptions:

New (1) or Existing (0) Project			
Base year	1999	1999	n/a
Sale year	2009	2009	0
Avg. Rent/mo. (Units for Apt, SQ. FT for all else)	\$1,750	\$2,300	0
Number of Parking Spaces	330	410	0
Parking Income/space/mo.	\$0.0	\$0.0	0
Vacancy Factor	5.0%	5.0%	0
Lease-up Months	12	12	0
Pre-leased Factor	20.0%	20.0%	0
CPI - Revenue	3.5%	3.5%	0
CPI - Expense	3.5%	3.5%	0
Debt Service Coverage	2.00	2.00	0
Permanent Loan Rate	7.00%	7.00%	0
Permanent Loan Term	30	30	0
Cap. Rate for Sale	8.50%	8.50%	0
Land Cost (per unit for Apt./lump sum for Others)	\$35,000	\$35,000	0
"Hard" Improvement Costs (per Unit for Apt. & Hotel/lump sum for Office & Hotel))	\$54,000	\$76,625	0
"Soft" Costs (per Unit for Apt. & Hotel/lump sum for Office & Retail)	\$24,500	\$38,500	0
Concessions & Lease-up Costs (per Unit for Apt. & Hotel/lump sum for Office & Hotel)	\$500	\$500	0
Debt Financing Fees	1.0%	1.0%	0
Interim Loan Rate	8.00%	8.00%	0
Construction Cycle (mos.)	12	12	0
Funds Outstanding Factor	50.0%	50.0%	0
Sale Costs	3.0%	3.0%	0
Depreciation Term	27.5	27.5	0
Development/Acquisition Profit Margin	11.0%	11.0%	0

Apartment Only:

Laundry Income/unit/mo.	\$10.0	\$15.0	0
Number of Units	300	300	0
Variable Expenses (% of Gr. Income less Vacancy)	18.0%	18.0%	0
Fixed Expenses (% of Gross Income)	14.0%	14.0%	0

Retail/Office Only:

Gross Space (sq. ft.)			
Building Efficiency Factor (%)			
Operating Costs per SQ FT			
Percentage Rents as a Percent of Sales			
Retail Sales per Square Foot (monthly)			
Retail Sales Growth Rate			

Residential

Apt Proj #1 Apt Proj #2 N/A

1	1	n/a
1999	1999	0
2009	2009	0
\$1,750	\$2,300	0
330	410	0
\$0.0	\$0.0	0
5.0%	5.0%	0
12	12	0
20.0%	20.0%	0
3.5%	3.5%	0
3.5%	3.5%	0
2.00	2.00	0
7.00%	7.00%	0
30	30	0
8.50%	8.50%	0
\$35,000	\$35,000	0
\$54,000	\$76,625	0
\$24,500	\$38,500	0
\$500	\$500	0
1.0%	1.0%	0
8.00%	8.00%	0
12	12	0
50.0%	50.0%	0
3.0%	3.0%	0
27.5	27.5	0
11.0%	11.0%	0

Retail

Cinema Restaurant Retail

1	1	1
1999	1999	1999
2009	2009	2009
\$2.00	\$4.50	\$3.75
625	400	1,200
\$0.0	\$0.0	\$0.0
0.0%	10.0%	10.0%
0	12	24
100.0%	50.0%	50.0%
3.5%	3.5%	3.5%
3.5%	3.5%	3.5%
2.00	2.00	2.00
8.00%	8.00%	8.00%
25	25	25
8.75%	8.75%	8.75%
\$1,000,000	\$6,000,000	\$14,800,000
\$12,000,000	\$9,400,000	\$40,625,000
\$2,025,000	\$4,000,000	\$17,500,000
0	0	0
1.0%	1.0%	1.0%
8.00%	8.00%	8.00%
12	12	12
50.0%	50.0%	50.0%
3.0%	3.0%	3.0%
27.5	27.5	27.5
12.0%	12.0%	12.0%
n/a	n/a	n/a
n/a	n/a	n/a
n/a	n/a	n/a
n/a	n/a	n/a
50,000	50,000	250,000
100.00%	100.00%	100.00%
\$11.00	\$11.00	\$11.00
0.00%	7.00%	6.00%
\$20.00	\$60.00	\$40.00
3.50%	3.50%	3.50%

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Consolidated Summary Cash Flow

Operating Cash Flow (000)	Pro Forma in 0's	0	1	2	3	4	5	6	7	8	9	10
Gross Revenues	30,309	22,242	32,060	34,605	35,816	37,069	38,367	39,710	41,100	42,538	44,027	
(-) Operating Expenses	(8,384)	(7,754)	(8,996)	(9,313)	(9,639)	(9,976)	(10,325)	(10,687)	(11,061)	(11,448)	(11,849)	
Net Operating Income	21,924	14,487	23,062	25,292	26,177	27,093	28,041	29,023	30,039	31,090	32,178	
(-) Debt Service	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	(10,962)	
Operating Cash Flow	10,962	3,525	12,100	14,330	15,215	16,131	17,079	18,061	19,077	20,128	21,216	
Capital Cash Flow (000)	Life of Project	Development Period	1	2	3	4	5	6	7	8	9	10
Sources of Funds												
Operating Cash Flow	156,861	0	3,525	12,100	14,330	15,215	16,131	17,079	18,061	19,077	20,128	21,216
Interim Loan	120,686	120,686	0	0	0	0	0	0	0	0	0	0
Permanent Loan	126,484	0	126,484	0	0	0	0	0	0	0	0	0
Sale Proceeds	385,229	0	0	0	0	0	0	0	0	0	0	385,229
	789,260	120,686	130,010	12,100	14,330	15,215	16,131	17,079	18,061	19,077	20,128	406,445
Uses of Funds												
Land Cost	42,800	42,800	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	101,213	101,213	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	42,425	42,425	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	300	0	300	0	0	0	0	0	0	0	0	0
Debt Financing Fees	1,265	1,265	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	5,059	5,059	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	126,484	0	126,484	0	0	0	0	0	0	0	0	0
Sale Costs	11,557	0	0	0	0	0	0	0	0	0	0	11,557
Permanent Loan Payoff	105,126	0	0	0	0	0	0	0	0	0	0	105,126
	436,229	192,762	126,784	0	0	0	0	0	0	0	0	116,683
Capital Cash Flow	353,031	(72,076)	3,225	12,100	14,330	15,215	16,131	17,079	18,061	19,077	20,128	289,762
Cumulative Cash flow		(48,928)	(46,137)	(39,392)	(30,768)	(21,624)	(11,940)	(1,699)	9,121	20,538	32,574	207,934

Taxable Income Analysis:

	Life of Project	Development Period	1	2	3	4	5	6	7	8	9	10
Operating Cash Flow	156,861		3,525	12,100	14,330	15,215	16,131	17,079	18,061	19,077	20,128	21,216
(+) Principal Payments	21,358		1,483	1,600	1,726	1,862	2,008	2,166	2,337	2,521	2,720	2,935
(-) Depreciation - Impvts (27.5 yrs)	(52,232)		(5,223)	(5,223)	(5,223)	(5,223)	(5,223)	(5,223)	(5,223)	(5,223)	(5,223)	(5,223)
(-) Amortization - Loan fees & int.	(2,333)		(233)	(233)	(233)	(233)	(233)	(233)	(233)	(233)	(233)	(233)
(+) Net Proceeds from Sale	373,672		0	0	0	0	0	0	0	0	0	373,672
(-) Adjusted Cost Basis	(138,496)		0	0	0	0	0	0	0	0	0	(138,496)
Taxable Income / Loss	358,830		(448)	8,243	10,599	11,620	12,683	13,789	14,941	16,141	17,392	253,870

Performance & Returns

	Pro Forma	1	2	3	4	5	6	7	8	9	10
Debt Service Coverage	2.00	1.32	2.10	2.31	2.39	2.47	2.56	2.65	2.74	2.84	2.94
Free and Clear Cash (NOI/Cost)	11.4%	7.5%	11.9%	13.1%	13.6%	14.0%	14.5%	15.0%	15.6%	16.1%	16.7%
Internal Rate of Return (IRR) - bef. tax	25.6%	-95.5%	-56.7%	-30.4%	-14.6%	-4.6%	2.0%	6.6%	9.9%	12.4%	25.6%
Permanent Loan (000): 64%	\$126,484										
Equity Investment (000): 36%	\$72,076	\$72,076	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$198,561										
Project Value (next yr. NOI/Cap. Rate)	\$262,603	\$173,256	\$276,286	\$302,786	\$313,384	\$324,352	\$335,704	\$347,454	\$359,615	\$372,202	\$385,229
Profit Margin	26.5%	0.0%	30.1%	36.2%	38.4%	40.5%	42.5%	44.4%	46.3%	48.1%	49.9%
Cash-on-Cash Return (CF/Investment)	15.2%	4.5%	16.8%	19.9%	21.1%	22.4%	23.7%	25.1%	26.5%	27.9%	402.0%
Total Costs	\$193,062										
Loan To Cost	51%										

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Residential Summary Cash Flow

Operating Cash Flow (000)	Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Scheduled Gross Rental Income	14,580		15,090	15,618	16,165	16,731	17,316	17,923	18,550	19,199	19,871	20,567
Scheduled Laundry/Park/Oth. Income	90		93	96	100	103	107	111	115	119	123	127
(-) Vacancy	(734)		(5,978)	(786)	(813)	(842)	(871)	(902)	(933)	(966)	(1,000)	(1,035)
Gross Revenues	13,937		9,205	14,929	15,452	15,992	16,552	17,132	17,731	18,352	18,994	19,659
(-) Operating Expenses	(4,534)		(3,770)	(4,874)	(5,044)	(5,221)	(5,404)	(5,593)	(5,789)	(5,991)	(6,201)	(6,418)
Net Operating Income	9,402		5,435	10,055	10,407	10,771	11,148	11,539	11,943	12,361	12,793	13,241
(-) Debt Service	(4,701)		(4,701)	(4,701)	(4,701)	(4,701)	(4,701)	(4,701)	(4,701)	(4,701)	(4,701)	(4,701)
Operating Cash Flow	4,701		734	5,354	5,706	6,070	6,447	6,838	7,241	7,659	8,092	8,540
Capital Cash Flow (000)	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds												
Operating Cash Flow	62,683	0	734	5,354	5,706	6,070	6,447	6,838	7,241	7,659	8,092	8,540
Interim Loan	58,884	58,884	0	0	0	0	0	0	0	0	0	0
Permanent Loan	58,884	0	58,884	0	0	0	0	0	0	0	0	0
Sale Proceeds	161,228	0	0	0	0	0	0	0	0	0	0	161,228
	341,678	58,884	59,618	5,354	5,706	6,070	6,447	6,838	7,241	7,659	8,092	169,767
Uses of Funds												
Land Cost	21,000	21,000	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	39,188	39,188	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	18,900	18,900	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	300	0	300	0	0	0	0	0	0	0	0	0
Debt Financing Fees	589	589	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	2,355	2,355	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	58,884	0	58,884	0	0	0	0	0	0	0	0	0
Sale Costs	4,837	0	0	0	0	0	0	0	0	0	0	4,837
Permanent Loan Payoff	50,530	0	0	0	0	0	0	0	0	0	0	50,530
	196,582	82,032	59,184	0	0	0	0	0	0	0	0	55,366
Capital Cash Flow	145,096	(23,148)	434	5,354	5,706	6,070	6,447	6,838	7,241	7,659	8,092	114,401
Cumulative Cash flow		0	0	0	0	0	0	0	0	0	0	0

Taxable Income Analysis:

	Life of Project	Development										
		Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	62,683		734	5,354	5,706	6,070	6,447	6,838	7,241	7,659	8,092	8,540
(+) Principal Payments	8,354		598	641	688	737	791	848	909	975	1,045	1,121
(-) Depreciation - Impmts (27.5 yrs)	(21,123)		(2,112)	(2,112)	(2,112)	(2,112)	(2,112)	(2,112)	(2,112)	(2,112)	(2,112)	(2,112)
(-) Amortization - Loan fees & int.	(981)		(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)
(+) Net Proceeds from Sale	156,391		0	0	0	0	0	0	0	0	0	156,391
(-) Adjusted Cost Basis	(60,228)		0	0	0	0	0	0	0	0	0	(60,228)
Taxable Income / Loss	145,096		(878)	3,785	4,184	4,597	5,028	5,475	5,940	6,424	6,927	103,614

Performance & Returns

	Pro Forma	Development										
		Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Annual Vacancy Factors	3.33%		39.6%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	2.00		1.16	2.14	2.21	2.29	2.37	2.45	2.54	2.63	2.72	2.82
Free and Clear Cash (NOI/Cost)	11.4%		7%	12%	13%	13%	14%	14%	15%	15%	16%	16%
Internal Rate of Return (IRR) - bef. tax	29.5%		-98.1%	-51.0%	-24.4%	-8.7%	1.0%	7.4%	11.8%	14.9%	17.1%	29.5%
Permanent Loan: 72%	58,884											
Equity Investment: 28%	23,148	23,148	0	0	0	0	0	0	0	0	0	0
Total Project Capital	\$82,032											
Project Value (next yr. NOI/Cap. Rate)	\$114,485		\$66,184	\$122,438	\$126,723	\$131,159	\$135,749	\$140,500	\$145,418	\$150,508	\$155,775	\$161,228
Profit Margin	28%		0%	33%	35%	37%	39%	41%	43%	45%	47%	49%
Cash-on-Cash Return (CF/Investment)	\$0		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5
Total Costs	\$82,332											
Total Costs / unit	\$137.22											
Loan To Cost	72%											
Tot. Cost/unit w/o Land Cost	\$102.22											

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Apartment Building #1 Cash Flow

	Pro Forma in 1999 \$'s												
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow (000)													
Scheduled Gross Rental Income	6,300		6,521	6,749	6,985	7,229	7,482	7,744	8,015	8,296	8,586	8,887	
Scheduled Laundry/Park/Oth. Income	36		37	39	40	41	43	44	46	47	49	51	
(-) Vacancy	(317)		(2,582)	(339)	(351)	(364)	(376)	(389)	(403)	(417)	(432)	(447)	
Gross Revenues	6,019		3,976	6,448	6,674	6,907	7,149	7,399	7,658	7,926	8,204	8,491	
(-) Operating Expenses	(1,959)		(1,628)	(2,105)	(2,179)	(2,255)	(2,334)	(2,416)	(2,501)	(2,588)	(2,679)	(2,772)	
Net Operating Income	4,060		2,347	4,342	4,494	4,652	4,815	4,983	5,157	5,338	5,525	5,718	
(-) Debt Service	(2,030)		(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	(2,030)	
Operating Cash Flow	2,030		317	2,313	2,465	2,622	2,785	2,953	3,128	3,308	3,495	3,688	
Capital Cash Flow (000)													
	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Sources of Funds													
Operating Cash Flow	27,073		0	317	2,313	2,465	2,622	2,785	2,953	3,128	3,308	3,495	3,688
Interim Loan	25,426	25,426	0	0	0	0	0	0	0	0	0	0	0
Permanent Loan	25,426	0	25,426	0	0	0	0	0	0	0	0	0	0
Sale Proceeds	69,628	0	0	0	0	0	0	0	0	0	0	69,628	
	147,553	25,426	25,744	2,313	2,465	2,622	2,785	2,953	3,128	3,308	3,495	73,316	
Uses of Funds													
Land Cost	10,500	10,500	0	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	16,200	16,200	0	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	7,350	7,350	0	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	150	0	150	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	254	254	0	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	1,017	1,017	0	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	25,426	0	25,426	0	0	0	0	0	0	0	0	0	0
Sale Costs	2,089	0	0	0	0	0	0	0	0	0	0	2,089	
Permanent Loan Payoff	21,819	0	0	0	0	0	0	0	0	0	0	21,819	
	84,806	35,321	25,576	0	0	0	0	0	0	0	0	23,908	
Capital Cash Flow	62,747	(9,895)	167	2,313	2,465	2,622	2,785	2,953	3,128	3,308	3,495	49,408	
Cumulative Cash flow		(9,895)	(9,728)	(7,415)	(4,951)	(2,329)	456	3,409	6,536	9,844	13,339	62,747	

Taxable Income Analysis (000)	Life of Project	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	27,073	317	2,313	2,465	2,622	2,785	2,953	3,128	3,308	3,495	3,688
(+) Principal Payments	3,607	258	277	297	318	341	366	393	421	451	484
(-) Depreciation - Impvts (27.5 yrs)	(8,564)	(856)	(856)	(856)	(856)	(856)	(856)	(856)	(856)	(856)	(856)
(-) Amortization - Loan fees & int.	(424)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)	(42)
(+) Net Proceeds from Sale	67,539	0	0	0	0	0	0	0	0	0	67,539
(-) Adjusted Cost Basis	(26,484)	0	0	0	0	0	0	0	0	0	(26,484)
Taxable Income / Loss	62,747	(323)	1,691	1,863	2,042	2,227	2,421	2,621	2,830	3,048	44,328
Performance & Returns (000)	Pro Forma										
Annual Vacancy Factors	5.00%	39.4%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	2.00	1.16	2.14	2.21	2.29	2.37	2.45	2.54	2.63	2.72	2.82
Free and Clear Cash (NOI/Cost)	11.4%	6.6%	12.2%	12.7%	13.1%	13.6%	14.0%	14.5%	15.0%	15.6%	16.1%
Permanent Loan: 72%	\$25,426										
Equity Investment: 28%	\$9,895	\$9,895	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$35,321										
Project Value (next yr. NOI/Cap. Rate)	\$49,435	\$28,580	\$52,876	\$54,727	\$56,642	\$58,625	\$60,676	\$62,800	\$64,998	\$67,273	\$69,628
Profit Margin	28.25%	0%	33%	35%	37%	39%	42%	44%	45%	47%	49%
Cash-on-Cash Return (CF/Investment)	20.52%	2%	23%	25%	26%	28%	30%	32%	33%	35%	49%
Total Costs	\$35,471										
Total Costs / unit	\$118.24										
Loan To Cost	72%										
Tot. Cost/unit w/o Land Cost	\$83.24										

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Apartment Building #2 Cash Flow

	Pro Forma											
	in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)												
Scheduled Gross Rental Income	8,280		8,570	8,870	9,180	9,501	9,834	10,178	10,534	10,903	11,285	11,680
Scheduled Laundry/Park/Oth. Income	54		56	58	60	62	64	66	69	71	74	76
(-) Vacancy	(417)		(3,396)	(446)	(462)	(478)	(495)	(512)	(530)	(549)	(568)	(588)
Gross Revenues	7,917		5,229	8,481	8,778	9,085	9,403	9,732	10,073	10,426	10,790	11,168
(-) Operating Expenses	(2,575)		(2,141)	(2,768)	(2,865)	(2,966)	(3,069)	(3,177)	(3,288)	(3,403)	(3,522)	(3,645)
Net Operating Income	5,342		3,088	5,713	5,913	6,120	6,334	6,556	6,785	7,023	7,268	7,523
(-) Debt Service	(2,671)		(2,671)	(2,671)	(2,671)	(2,671)	(2,671)	(2,671)	(2,671)	(2,671)	(2,671)	(2,671)
Operating Cash Flow	2,671		417	3,042	3,242	3,449	3,663	3,884	4,114	4,351	4,597	4,852
Capital Cash Flow (000)												
	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds												
Operating Cash Flow	35,611	0	417	3,042	3,242	3,449	3,663	3,884	4,114	4,351	4,597	4,852
Interim Loan	33,457	33,457	0	0	0	0	0	0	0	0	0	0
Permanent Loan	33,457	0	33,457	0	0	0	0	0	0	0	0	0
Sale Proceeds	91,600	0	0	0	0	0	0	0	0	0	0	91,600
	194,125	33,457	33,875	3,042	3,242	3,449	3,663	3,884	4,114	4,351	4,597	96,452
Uses of Funds												
Land Cost	10,500	10,500	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	22,988	22,988	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	11,550	11,550	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	150	0	150	0	0	0	0	0	0	0	0	0
Debt Financing Fees	335	335	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	1,338	1,338	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	33,457	0	33,457	0	0	0	0	0	0	0	0	0
Sale Costs	2,748	0	0	0	0	0	0	0	0	0	0	2,748
Permanent Loan Payoff	28,711	0	0	0	0	0	0	0	0	0	0	28,711
	111,776	46,710	33,607	0	0	0	0	0	0	0	0	31,459
Capital Cash Flow	82,349	(13,253)	267	3,042	3,242	3,449	3,663	3,884	4,114	4,351	4,597	64,993
Cumulative Cash flow		(13,253)	(12,986)	(9,944)	(6,702)	(3,254)	409	4,293	8,407	12,759	17,356	82,349

Taxable Income Analysis (000)	Life of Project	Development Period 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009										
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow	35,611	417	3,042	3,242	3,449	3,663	3,884	4,114	4,351	4,597	4,852	
(+) Principal Payments	4,747	340	364	391	419	449	482	517	554	594	637	
(-) Depreciation - Impvts (27.5 yrs)	(12,559)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	(1,256)	
(-) Amortization - Loan fees & int.	(558)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	(56)	
(+) Net Proceeds from Sale	88,852	0	0	0	0	0	0	0	0	0	88,852	
(-) Adjusted Cost Basis	(33,744)	0	0	0	0	0	0	0	0	0	(33,744)	
Taxable Income / Loss	82,349	(555)	2,094	2,321	2,556	2,800	3,055	3,319	3,594	3,880	59,285	
Performance & Returns (000)												
	Pro Forma	1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009										
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Annual Vacancy Factors	5.00%		39.4%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
Debt Service Coverage	2.00		1.16	2.14	2.21	2.29	2.37	2.45	2.54	2.63	2.72	2.82
Free and Clear Cash (NOI/Cost)	11.4%		6.6%	12.2%	12.6%	13.1%	13.5%	14.0%	14.5%	15.0%	15.5%	16.1%
Permanent Loan: 72%	\$33,457											
Equity Investment: 28%	\$13,253	\$13,253	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$46,710											
Project Value (next yr. NOI/Cap. Rate)	\$65,049	\$37,604	\$69,562	\$71,997	\$74,517	\$77,125	\$79,824	\$82,618	\$85,510	\$88,502	\$91,600	
Profit Margin	27.96%		0%	33%	35%	37%	39%	41%	43%	45%	47%	49%
Cash-on-Cash Return (CF/Investment)	20.15%		2%	23%	24%	26%	28%	29%	31%	33%	35%	490%
Total Costs	\$46,860											
Total Costs / unit	\$156.20											
Loan To Cost	71%											
Tot. Cost/unit w/o Land Cost	\$121.20											

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Retail Summary Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Scheduled Gross Rental Income	15,150		15,680	16,229	16,797	17,385	17,993	18,623	19,275	19,950	20,648	21,371	
% Overage (of Retail Sales)	0		0	0	0	0	0	0	0	0	0	0	
Scheduled Parking Income	0		0	0	0	0	0	0	0	0	0	0	
NNN Reimbursements	2,617		2,709	3,501	3,903	4,039	4,181	4,327	4,478	4,635	4,797	4,965	
(-) Vacancy	(1,395)		(5,352)	(2,599)	(1,547)	(1,601)	(1,657)	(1,715)	(1,775)	(1,837)	(1,901)	(1,968)	
Gross Revenues	16,372		13,037	17,131	19,153	19,823	20,517	21,235	21,979	22,748	23,544	24,368	
(-) Operating Expenses	(3,850)		(3,985)	(4,124)	(4,269)	(4,418)	(4,573)	(4,733)	(4,898)	(5,070)	(5,247)	(5,431)	
Net Operating Income	12,522		9,052	13,006	14,885	15,405	15,945	16,503	17,080	17,678	18,297	18,937	
(-) Debt Service	(6,261)		(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	(6,261)	
Operating Cash Flow	6,261		2,791	6,745	8,623	9,144	9,684	10,242	10,819	11,417	12,036	12,676	
Capital Cash Flow (000)													
Sources of Funds	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow	94,178	0	2,791	6,745	8,623	9,144	9,684	10,242	10,819	11,417	12,036	12,676	
Interim Loan	61,802	61,802	0	0	0	0	0	0	0	0	0	0	
Permanent Loan	67,601	0	67,601	0	0	0	0	0	0	0	0	0	
Sale Proceeds	224,001	0	0	0	0	0	0	0	0	0	0	224,001	
	447,582	61,802	70,392	6,745	8,623	9,144	9,684	10,242	10,819	11,417	12,036	236,677	
Uses of Funds													
Land Cost	21,800	21,800	0	0	0	0	0	0	0	0	0	0	
"Hard" Improvement Costs	62,025	62,025	0	0	0	0	0	0	0	0	0	0	
"Soft" Costs	23,525	23,525	0	0	0	0	0	0	0	0	0	0	
Concessions & Lease-up Costs	0	0	0	0	0	0	0	0	0	0	0	0	
Debt Financing Fees	676	676	0	0	0	0	0	0	0	0	0	0	
Interim Loan Interest	2,704	2,704	0	0	0	0	0	0	0	0	0	0	
Interim Loan Payoff	67,601	0	67,601	0	0	0	0	0	0	0	0	0	
Sale Costs	6,720	0	0	0	0	0	0	0	0	0	0	6,720	
Permanent Loan Payoff	54,597	0	0	0	0	0	0	0	0	0	0	54,597	
	239,647	110,730	67,601	0	0	0	0	0	0	0	0	61,317	
Capital Cash Flow	207,934	(48,928)	2,791	6,745	8,623	9,144	9,684	10,242	10,819	11,417	12,036	175,361	
Cumulative Cash flow		(48,928)	(46,137)	(39,392)	(30,768)	(21,624)	(11,940)	(1,699)	9,121	20,538	32,574	207,934	

Taxable Income Analysis (000)

	Life of Project	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	94,178	2,791	6,745	8,623	9,144	9,684	10,242	10,819	11,417	12,036	12,676
(+) Principal Payments	13,004	885	958	1,038	1,124	1,217	1,318	1,428	1,546	1,675	1,814
(-) Depreciation - Impvts (27.5 yrs)	(31,109)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)	(3,111)
(-) Amortization - Loan fees & int.	(1,352)	(135)	(135)	(135)	(135)	(135)	(135)	(135)	(135)	(135)	(135)
(+) Net Proceeds from Sale	217,281	0	0	0	0	0	0	0	0	0	217,281
(-) Adjusted Cost Basis	(78,269)	0	0	0	0	0	0	0	0	0	(78,269)
Taxable Income / Loss	213,733	430	4,458	6,415	7,022	7,655	8,314	9,001	9,717	10,465	150,256

Performance & Returns (000)

	Pro Forma	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Annual Vacancy Factors	6.67%	34.1%	16.0%	9.2%	9.2%	9.2%	9.2%	9.2%	9.2%	9.2%	9.2%
Debt Service Coverage	2.00	1.45	2.08	2.38	2.46	2.55	2.64	2.73	2.82	2.92	3.02
Free and Clear Cash (NOI/Cost)	11.3%	8.2%	11.7%	13.4%	13.9%	14.4%	14.9%	15.4%	16.0%	16.5%	17.1%
Permanent Loan: 58%	\$67,601										
Equity Investment: 42%	\$48,928	\$48,928	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$116,529										
Project Value (next yr. NOI/Cap. Rate)	\$148,118	\$107,071	\$153,848	\$176,063	\$182,225	\$188,603	\$195,204	\$202,036	\$209,107	\$216,426	\$224,001
Profit Margin	25.2%	0.0%	28.0%	37.1%	39.2%	41.3%	43.3%	45.2%	47.0%	48.8%	50.6%
Cash-on-Cash Return (CF/Investment)	12.8%	5.7%	13.8%	17.6%	18.7%	19.8%	20.9%	22.1%	23.3%	24.6%	358.4%
Total Costs	\$110,730										
Loan To Cost	61%										

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Cinema Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow (000)														
Scheduled Gross Rental Income	1,200			1,242	1,285	1,330	1,377	1,425	1,475	1,527	1,580	1,635	1,693	
% Overage (of Retail Sales)	0			0	0	0	0	0	0	0	0	0	0	
Scheduled Parking Income	0			0	0	0	0	0	0	0	0	0	0	
NNN Reimbursements	550			569	589	610	631	653	676	700	724	750	776	
(-) Vacancy	0			0	0	0	0	0	0	0	0	0	0	
Gross Revenues	1,750			1,811	1,875	1,940	2,008	2,078	2,151	2,226	2,304	2,385	2,469	
(-) Operating Expenses	(550)			(569)	(589)	(610)	(631)	(653)	(676)	(700)	(724)	(750)	(776)	
Net Operating Income	1,200			1,242	1,285	1,330	1,377	1,425	1,475	1,527	1,580	1,635	1,693	
(-) Debt Service	(600)			(600)	(600)	(600)	(600)	(600)	(600)	(600)	(600)	(600)	(600)	
Operating Cash Flow	600			642	685	730	777	825	875	927	980	1,035	1,093	
Capital Cash Flow (000)														
		Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Sources of Funds														
Operating Cash Flow	8,570			0	642	685	730	777	825	875	927	980	1,035	1,093
Interim Loan	6,478			6,478	0	0	0	0	0	0	0	0	0	0
Permanent Loan	6,478			0	6,478	0	0	0	0	0	0	0	0	0
Sale Proceeds	20,022			0	0	0	0	0	0	0	0	0	0	20,022
	41,549			6,478	7,120	685	730	777	825	875	927	980	1,035	21,115
Uses of Funds														
Land Cost	1,000			1,000	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	12,000			12,000	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	2,025			2,025	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	0			0	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	65			65	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	259			259	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	6,478			0	6,478	0	0	0	0	0	0	0	0	0
Sale Costs	601			0	0	0	0	0	0	0	0	0	0	601
Permanent Loan Payoff	5,232			0	0	0	0	0	0	0	0	0	0	5,232
	27,660			15,349	6,478	0	0	0	0	0	0	0	0	5,833
Capital Cash Flow	13,889			(8,871)	642	685	730	777	825	875	927	980	1,035	15,282
Cumulative Cash flow				(8,871)	(8,229)	(7,543)	(6,813)	(6,036)	(5,211)	(4,335)	(3,409)	(2,428)	(1,393)	13,889

Taxable Income Analysis (000)	Life of Project	Development Period									
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	8,570	642	685	730	777	825	875	927	980	1,035	1,093
(+) Principal Payments	1,246	85	92	99	108	117	126	137	148	160	174
(-) Depreciation - Impvts (27.5 yrs)	(5,100)	(510)	(510)	(510)	(510)	(510)	(510)	(510)	(510)	(510)	(510)
(-) Amortization - Loan fees & int.	(130)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)
(+) Net Proceeds from Sale	19,422	0	0	0	0	0	0	0	0	0	19,422
(-) Adjusted Cost Basis	(10,119)	0	0	0	0	0	0	0	0	0	(10,119)
Taxable Income / Loss	13,889	204	254	307	362	419	478	541	605	673	10,046
Performance & Returns (000)	Pro Forma										
Annual Vacancy Factors	0.00%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Debt Service Coverage	2.00	2.07	2.14	2.22	2.30	2.38	2.46	2.54	2.63	2.73	2.82
Free and Clear Cash (NOI/Cost)	7.8%	8%	8%	9%	9%	9%	10%	10%	10%	11%	11%
Permanent Loan: 42%	\$6,478										
Equity Investment: 58%	\$8,871	\$8,871	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$15,349										
Project Value (next yr. NOI/Cap. Rate)	\$14,194	\$14,691	\$15,205	\$15,737	\$16,288	\$16,858	\$17,448	\$18,059	\$18,691	\$19,345	\$20,022
Profit Margin	0.0%	0.0%	0.0%	2.5%	5.8%	9.0%	12.0%	15.0%	17.9%	20.7%	23.3%
Cash-on-Cash Return (CF/Investment)	6.8%	7.2%	7.7%	8.2%	8.8%	9.3%	9.9%	10.4%	11.0%	11.7%	12.3%
Total Costs	\$15,349										
Loan To Cost	42%										

Restaurant Cash Flow

		Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow (000)													
Scheduled Gross Rental Income	2,700		2,795	2,892	2,994	3,098	3,207	3,319	3,435	3,555	3,680	3,809	
% Overage (of Retail Sales)	0		0	0	0	0	0	0	0	0	0	0	0
Scheduled Parking Income	0		0	0	0	0	0	0	0	0	0	0	0
NNN Reimbursements	394		408	530	549	568	588	608	630	652	675	698	
(-) Vacancy	(270)		(792)	(289)	(299)	(310)	(321)	(332)	(344)	(356)	(368)	(381)	
Gross Revenues	2,824		2,411	3,133	3,243	3,357	3,474	3,596	3,721	3,852	3,986	4,126	
(-) Operating Expenses	(550)		(569)	(589)	(610)	(631)	(653)	(676)	(700)	(724)	(750)	(776)	
Net Operating Income	2,274		1,841	2,544	2,633	2,725	2,821	2,919	3,022	3,127	3,237	3,350	
(-) Debt Service	(1,137)		(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	(1,137)	
Operating Cash Flow	1,137		704	1,407	1,496	1,588	1,684	1,782	1,885	1,990	2,100	2,213	
Capital Cash Flow (000)													
		Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds													
Operating Cash Flow	16,850		0	704	1,407	1,496	1,588	1,684	1,782	1,885	1,990	2,100	2,213
Interim Loan	6,478		6,478	0	0	0	0	0	0	0	0	0	0
Permanent Loan	12,277		0	12,277	0	0	0	0	0	0	0	0	0
Sale Proceeds	39,628		0	0	0	0	0	0	0	0	0	0	39,628
	75,233		6,478	12,981	1,407	1,496	1,588	1,684	1,782	1,885	1,990	2,100	41,841
Uses of Funds													
Land Cost	6,000		6,000	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	9,400		9,400	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	4,000		4,000	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	0		0	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	123		123	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	491		491	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	12,277		0	12,277	0	0	0	0	0	0	0	0	0
Sale Costs	1,189		0	0	0	0	0	0	0	0	0	0	1,189
Permanent Loan Payoff	9,915		0	0	0	0	0	0	0	0	0	0	9,915
	43,395		20,014	12,277	0	0	0	0	0	0	0	0	11,104
Capital Cash Flow	31,838		(13,536)	704	1,407	1,496	1,588	1,684	1,782	1,885	1,990	2,100	30,737
Cumulative Cash flow			(13,536)	(12,831)	(11,424)	(9,928)	(8,340)	(6,656)	(4,874)	(2,989)	(999)	1,101	31,838

Taxable Income Analysis (000)	Life of Project	Development Period										
		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	
Operating Cash Flow	16,850	704	1,407	1,496	1,588	1,684	1,782	1,885	1,990	2,100	2,213	
(+) Principal Payments	2,362	161	174	189	204	221	239	259	281	304	329	
(-) Depreciation - Impvts (27.5 yrs)	(4,873)	(487)	(487)	(487)	(487)	(487)	(487)	(487)	(487)	(487)	(487)	
(-) Amortization - Loan fees & int.	(246)	(25)	(25)	(25)	(25)	(25)	(25)	(25)	(25)	(25)	(25)	
(+) Net Proceeds from Sale	38,439	0	0	0	0	0	0	0	0	0	38,439	
(-) Adjusted Cost Basis	(14,896)	0	0	0	0	0	0	0	0	0	(14,896)	
Taxable Income / Loss	37,636	353	1,069	1,173	1,281	1,393	1,510	1,632	1,759	1,892	25,574	
Performance & Returns (000)	Pro Forma											
	Annual Vacancy Factors	10.00%	28.3%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	
	Debt Service Coverage	2.00	1.62	2.24	2.32	2.40	2.48	2.57	2.66	2.75	2.85	
	Free and Clear Cash (NOI/Cost)	11.4%	9%	13%	13%	14%	14%	15%	15%	16%	17%	
	Permanent Loan: 48%	\$12,277										
	Equity Investment: 52%	\$13,536	\$13,536	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	Total Project Capital	\$25,813										
	Project Value (next yr. NOI/Cap. Rate)	\$26,900	\$21,782	\$30,094	\$31,147	\$32,237	\$33,366	\$34,533	\$35,742	\$36,993	\$38,288	
	Profit Margin	25.6%	8.1%	33.5%	35.7%	37.9%	40.0%	42.0%	44.0%	45.9%	47.7%	
	Cash-on-Cash Return (CF/Investment)	8.4%	5.2%	10.4%	11.1%	11.7%	12.4%	13.2%	13.9%	14.7%	15.5%	
	Total Costs	\$20,014										
	Loan To Cost	61%										

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Retail Project Cash Flow

Operating Cash Flow (000)	Pro Forma in 1999 \$'s	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Scheduled Gross Rental Income	11,250		11,644	12,051	12,473	12,910	13,361	13,829	14,313	14,814	15,333	15,869
% Overage (of Retail Sales)	0		0	0	0	0	0	0	0	0	0	0
Scheduled Parking Income	0		0	0	0	0	0	0	0	0	0	0
NNN Reimbursements	1,673		1,731	2,381	2,744	2,840	2,940	3,042	3,149	3,259	3,373	3,491
(-) Vacancy	(1,125)		(4,560)	(2,310)	(1,247)	(1,291)	(1,336)	(1,383)	(1,431)	(1,481)	(1,533)	(1,587)
Gross Revenues	11,798		8,815	12,123	13,970	14,459	14,965	15,489	16,031	16,592	17,173	17,774
(-) Operating Expenses	(2,750)		(2,846)	(2,946)	(3,049)	(3,156)	(3,266)	(3,380)	(3,499)	(3,621)	(3,748)	(3,879)
Net Operating Income	9,048		5,969	9,177	10,921	11,303	11,699	12,108	12,532	12,971	13,425	13,894
(-) Debt Service	(4,524)		(4,524)	(4,524)	(4,524)	(4,524)	(4,524)	(4,524)	(4,524)	(4,524)	(4,524)	(4,524)
Operating Cash Flow	4,524		1,445	4,653	6,397	6,779	7,175	7,584	8,008	8,447	8,901	9,370
Capital Cash Flow (000)	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Sources of Funds												
Operating Cash Flow	68,758		0	1,445	4,653	6,397	6,779	7,175	7,584	8,008	8,447	8,901
Interim Loan	48,845	48,845	0	0	0	0	0	0	0	0	0	0
Permanent Loan	48,845	0	48,845	0	0	0	0	0	0	0	0	0
Sale Proceeds	164,351	0	0	0	0	0	0	0	0	0	0	164,351
Uses of Funds	330,800	48,845	50,290	4,653	6,397	6,779	7,175	7,584	8,008	8,447	8,901	173,721
Land Cost	14,800	14,800	0	0	0	0	0	0	0	0	0	0
"Hard" Improvement Costs	40,625	40,625	0	0	0	0	0	0	0	0	0	0
"Soft" Costs	17,500	17,500	0	0	0	0	0	0	0	0	0	0
Concessions & Lease-up Costs	0	0	0	0	0	0	0	0	0	0	0	0
Debt Financing Fees	488	488	0	0	0	0	0	0	0	0	0	0
Interim Loan Interest	1,954	1,954	0	0	0	0	0	0	0	0	0	0
Interim Loan Payoff	48,845	0	48,845	0	0	0	0	0	0	0	0	0
Sale Costs	4,931	0	0	0	0	0	0	0	0	0	0	4,931
Permanent Loan Payoff	39,449	0	0	0	0	0	0	0	0	0	0	39,449
Capital Cash Flow	162,207	75,367	48,845	0	0	0	0	0	0	0	0	44,380
Cumulative Cash flow		(26,522)	1,445	4,653	6,397	6,779	7,175	7,584	8,008	8,447	8,901	129,342
		(26,522)	(25,077)	(20,424)	(14,028)	(7,248)	(74)	7,511	15,519	23,965	32,866	162,207

Taxable Income Analysis (000)

Taxable Income Analysis (000)	Life of Project	Development Period	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Operating Cash Flow	68,758		1,445	4,653	6,397	6,779	7,175	7,584	8,008	8,447	8,901	9,370
(+) Principal Payments	9,396		639	693	750	812	880	953	1,032	1,117	1,210	1,311
(-) Depreciation - Impvts (27.5 yrs)	(21,136)		(2,114)	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)
(-) Amortization - Loan fees & int.	(977)		(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)	(98)
(+) Net Proceeds from Sale	159,420		0	0	0	0	0	0	0	0	0	159,420
(-) Adjusted Cost Basis	(53,254)		0	0	0	0	0	0	0	0	0	(53,254)
Taxable Income / Loss	162,207		(127)	3,134	4,936	5,380	5,843	6,326	6,828	7,353	7,899	114,636

Performance & Returns (000)

Performance & Returns (000)	Pro Forma											
Annual Vacancy Factors	10.00%		39.2%	19.2%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%	10.0%
Debt Service Coverage	2.00		1.32	2.03	2.41	2.50	2.59	2.68	2.77	2.87	2.97	3.07
Free and Clear Cash (NOI/Cost)	12.0%		8%	12%	14%	15%	16%	16%	17%	17%	18%	18%
Permanent Loan: 65%	\$48,845											
Equity Investment: 35%	\$26,522	\$26,522	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Project Capital	\$75,367											
Project Value (next yr. NOI/Cap. Rate)	\$107,024		\$70,599	\$108,549	\$129,178	\$133,700	\$138,379	\$143,222	\$148,235	\$153,423	\$158,793	\$164,351
Profit Margin	29.6%		0.0%	30.6%	41.7%	43.6%	45.5%	47.4%	49.2%	50.9%	52.5%	54.1%
Cash-on-Cash Return (CF/Investment)	17.1%		5.4%	17.5%	24.1%	25.6%	27.1%	28.6%	30.2%	31.8%	33.6%	437.7%
Total Costs	\$75,367											
Loan To Cost	65%											