

Memorandum

Responses to Comments on the 1090 S. De Anza Boulevard Hotel Project IS-MND

Date December 8, 2017

To Krinjal Mathur, Planner, City of San José

From Abe Leider, Principal, Rincon Consultants, Inc.

Subject 1090 S. De Anza Boulevard Hotel Project Initial Study and Mitigated Negative Declaration Response to Comments

This memorandum includes comments received during the circulation of the Draft Initial Study/Mitigated Negative Declaration (IS-MND) prepared for the 1090 S. De Anza Boulevard Hotel Project (proposed project).

The IS-MND was initially circulated for a 20-day public review period, but was extended to a 31-day review period per the request of the neighborhood. Thus the public review period began on August 25, 2017 and ended on September 25, 2017. The City of San José received 46 comment letters on the Draft IS-MND during the public review period and three comments after the end of the review period. The commenters and the page number on which each commenter's letter appear are listed below.

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The responses are transcribed in Table 1 below, with the comment letters provided after the Table. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

The comments and responses shown in this Response to Comments Memorandum do not require any “substantial revisions” to the IS-MND as defined in the California Environmental Quality Act (CEQA) Guidelines Section 15073.5. No new unavoidable significant impacts have been identified and no mitigation measures or project revisions must be added in order to reduce the effect to less-than-significant levels. Accordingly, recirculation of the IS-MND is not required.

Corrections or additional text discussed in the responses to comments are also shown in the text of the Final IS-MND in ~~striketrough~~ (for deleted text) and underline (for added text) format. Other minor clarifications, minor changes to the Project Description, and corrections to typographical errors not based on responses to comments are also shown in ~~striketrough~~/underline format in the Final IS-MND. None of these changes introduces significant new information or affect the conclusions of the IS-MND.)

This Response to Comments Memorandum, together with the December 2017 IS-MND, constitutes the Final IS-MND for the proposed project.

Table 1 Response to Comments for 1090 S. De Anza Boulevard Hotel Project

Comment No.	Comment	Response
Comment Letter 1: Alex Fridlib, September 22, 2017		
1.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during contraction and operation.</p> <p>The mitigation study incorrectly minimizes or disregards these effects.</p> <p>I am writing to register my opposition to the project. Please take into consideration my concern.</p>	<p>The IS-MND analyzes the traffic and parking required for the proposed project in Section 16, Transportation; aesthetics in Section 1, Aesthetics; air pollution in Section 3, Air Quality; noise in Section 12, Noise; tree impacts in Section 1 and in Section 4, Biological Resources; and hazardous materials during construction and operation in Section 8, Hazards and Hazardous Materials. Additional analysis and discussion on these resource areas are in the respective sections of the IS-MND, as referenced above.</p> <p>All impacts were analyzed and concluded to be less than significant, or less than significant with mitigation. The required mitigation measures for the project include pre-construction bird surveys to avoid disturbance to nesting and special-status birds; clearance of existing underground storage tank violations; soil sampling for historic agricultural pesticide contamination; and the development of a site management plan for potential hazardous soils removal during construction. The redwood trees proposed for removal would be replaced with appropriate ratios, as required by City of San José standard permitting procedures, shown in Table 6 of the IS-MND, and would be incorporated into the</p>

Comment No.	Comment	Response
		<p>permit as a condition of approval.</p> <p>Additional information has been added to the IS-MND that outlines tree protection measures and discusses the standard City permit condition of having an arborist on site during work that could damage trees. This new information does not change the analysis of conclusions of the IS-MND.</p> <p>The commenter does not provide specific details or information about the proposed project or the Draft IS-MND upon which to provide a more specific response. Nevertheless, these comments will be forwarded to the City’s decision makers for their consideration along with the Final IS-MND.</p>

Comment Letter 2: Alex Xu, September 21, 2017

<p>2.1</p>	<p>I have no idea how your team did the investigation and research for this project which stated that there is no impact on the neighborhood.</p> <p>This 4 story building will have a huge impact on the neighborhood. The view, noise, everything. THERE IS NOT A SINGLE 4 story building in that area within a 1 mile circle!!!</p>	<p>Section 1, Aesthetics, of the Draft IS-MND analyzes the project’s impacts to views. It discusses the project impact on the site’s visual character. With the incorporation of design elements the project would be generally consistent with the character of the commercial development in the area, and it was determined the project would have a less than significant aesthetic impact.</p> <p>Noise impacts are discussed in Section 12, Noise. Operational and construction noise was reviewed and compared with the City’s thresholds. Impacts in these issue areas were found to be less than significant or less than significant with mitigation.</p> <p>The commenter does not provide specific details or information about the proposed project or the Draft IS-MND upon which to provide a more specific response. Nevertheless, these comments will be forwarded to the City’s decision makers for their consideration along with the Final IS-MND.</p>
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Comment Letter 3: Bill Chase, September 23, 2017

<p>3.1</p>	<p>The proposed 4 story hotel at 1090 S. De Anza Blvd. will have a serious impact upon our neighborhood parking and traffic, air and noise pollution, and removal of Redwood trees lining Via Vico. Please consider my opposition to the project.</p>	<p>Please see response to Comment 1.1.</p>
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Comment Letter 4: Bill Cho, September 21, 2017

<p>4.1</p>	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the</p>	<p>Please see response to Comment 1.1.</p>
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Comment No.	Comment	Response
	project. Please take into consideration my concern.	
Comment Letter 5: Bonnie Edwards, September 23, 2017		
5.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. Parking and traffic in that area is already difficult since several stores opened in the shopping center across the street. The mitigation study incorrectly minimizes or disregards these effects. Although the builders have a lobbyist pushing very hard for this hotel, I resent that my area is controlled by a person who has little or no connection with the area and only real concern is his/her paycheck. I am writing to register my opposition to the project - this is a BAD idea. Please take into consideration my concern.	Please see response to Comment 1.1. In addition, a traffic study was completed for the proposed project, see Appendix G in the IS-MND. The conclusions in the traffic study state that the proposed hotel use would generate four additional vehicle trips during the morning peak hour (between 7 a.m. to 9 a.m.) and 14 additional vehicle trips during the afternoon peak hour (between 4 p.m. and 6 p.m.) than the existing gas station and car wash. Based on this analysis, the project would not result in a significant impact to the City's level of service standards (City Council Policy 5-3). Lastly, the traffic study, based on the Institute of Transportation Engineers (ITE) publication, <i>Parking Generation</i> , 4 th Edition (a common industry accepted standard and standard accepted by the City of San José), determined that the peak parking demand of a 90-room hotel in a suburban location is 40 spaces. The project has approximately 50 spaces proposed.
Comment Letter 6: Brian Ooi, September 24, 2017		
6.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 7: Carlin Black, SCAG District 1 Representative, September 23, 2017		
7.1	The following is from NextDoor and shows a total lack of understanding of city planning and reasonable development. No suprise at all. The site has easy access from 85 and is in a heavily developed area. Approve it and perhaps offer additional height in exchange for placemaking on Via Vico.	The commenter does not question or challenge the analysis or conclusions of the Draft IS-MND. No further response is required.
7.2	Comments to the City are due by Monday, Sept. 25. This large hotel on a very small property would have a negative impact on our neighborhood and property values. At a minimum, please send the message below (or something similar) to the planning department representative at the City. -- Redacted Dear Ms. Mathur (krinjal.mathur@sanjoseca.gov): The proposed four-story hotel at 1090 S.De Anza	Here the commenter quotes another commenter. Please see response to Comment 1.1. The commenter's concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA.

Comment No.	Comment	Response
	<p>Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project.</p> <p>Please take into consideration my concern.</p> <p>Regards,</p>	
Comment Letter 8: Charley Lin, October 10, 2017		
8.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: safety, parking and traffic, aesthetics, air and noise pollution, remove of mature redwood tree lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards those efforts. I am writing to register my opposition to the project. Please take into consideration our neighbors concerns.</p>	<p>Please see response to Comment 1.1.</p>
Comment Letter 9: Christel Marcus, September 23, 2017		
9.1	<p>The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	<p>Please see response to Comment 1.1.</p>
Comment Letter 10: Codrutza Popescu, September 23, 2017		
10.1	<p>The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	<p>Please see response to Comment 1.1.</p>
Comment Letter 11: Diane Na Yeon Kim, September 24, 2017		
11.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my intense opposition to</p>	<p>Please see response to Comment 1.1.</p>

Comment No.	Comment	Response
	<p>the project.</p> <p>Please take into consideration my concern as well as the concern of everyone else living in the area.</p>	
Comment Letter 12: Dimple Malvi, September 21, 2017		
12.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd will have a serious impact on our neighborhood: Parking and traffic, air and noise pollution, removal of mature redwood trees lining Via Vico., hazardous material during construction and operation.</p> <p>I am writing to register my strong opposition to the project. Please take into consideration my concern.</p> <p>This large hotel on a very small property would have negative impact on our neighborhood and property values.</p>	<p>Please see response to Comment 1.1. The commenter’s concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA.</p>
Comment Letter 13: Doris Livezey, September 28, 2017		
13.1	<p>The plan is to remove 7 mature redwood trees, therefor there is a significant impact on the aesthetics of the area. There is also the possibility of removing more on the border.</p>	<p>Please see response 16.2.</p>
13.2	<p>The project will deplete many redwood trees and thus reduce the City’s Forest resources. It will remove the habitat of birds.</p>	<p>As discussed in Section 2, Agriculture and Forest Resources, of the IS-MND, there are no designated forest resources in the City of San José. In addition, mitigation measures BIO 1.1 and BIO 1.2, discussed in Section 4, Biological Resources, would require that tree disturbance and removal occur outside of the nesting bird season, or properly protect birds during construction, reducing the impact to birds in the area (see Draft IS-MND pages 36 and 37). If construction work occurs during the nesting bird season, the applicant would be required to conduct pre-construction bird surveys (Mitigation Measure BIO-1.2) completed by a qualified biologist.</p>
13.3	<p>Air quality will suffer from the loss of the redwood trees. They provide filtering of the impurities in the air.</p>	<p>Air quality impacts, including operational and construction emissions related to the project, are discussed in Section 3, Air Quality, of the IS-MND. The analysis concluded that impacts related to air quality would be less than significant. This comment is noted; however, the removal of six trees and their required replacement at a 1:1+ ratio would not result in a significant air quality impact.</p>
Comment Letter 14: Ed Ketchum, Amah Mutsun Tribal Band, Historian, August 28, 2017		
14.1	<p>At this time it is agreed that the Muwekma Tribal Band best represents the wishes of the Tamien speakers who once resided in this area of San Jose. I suggest you contact their group.</p>	<p>The City of San José notified the Muwekma Tribal Band via email of the “Notice of Intent to Adopt a Mitigated Negative Declaration” for the proposed project on August 25, 2017, and no response was received.</p>

Comment No.	Comment	Response
Comment Letter 15: Elizabeth Roberts, September 24, 2017		
15.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. Parking is already a huge problem in our neighborhood, and adding a hotel of that size to our small neighborhood will have a negative impact. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	Please see response to Comment 1.1.
Comment Letter 16: Emanuel Beer, September 20, 2017		
16.1	<p>The planners seem to totally lack honest consideration for us, the home owners surrounding the proposed hotel.</p> <p>1) The uprooting of majestic redwood trees is nothing less than a crime against the environment and the aesthetics of our street, Via Vico. These are the most beautiful trees in the entire neighborhood, probably in the entire city of SJ.</p>	<p>As discussed in Section 1, Aesthetics, and Section 4, Biological Resources, of the IS-MND, the six redwood trees proposed for removal would be replaced using standard tree replacement ratios (1:1 to 4:1, depending on tree size). These replacement ratios are reflected in the project plans, and would be incorporated as conditions of approval in the permit. Six adjacent redwood trees would remain. Although the removal and replacement of these trees would adversely affect visual resources, as discussed under item b. in Section 1, Aesthetics, the impact would be less than significant with the required tree replacement and retention of six of the adjacent redwood trees.</p>
16.2	<p>The planned hotel will end up destroying all the redwoods, despite the present assessment of "only" 7 trees. Any competent civil engineer understands that in order to build the underground parking, ultimately all trees will be sacrificed. The fact that these majestic trees are not included in the city's Heritage trees is ridiculous. No municipality in the Bay Area would allow this to happen.</p>	<p>The City's Heritage Tree List identifies trees with special significance to the community because of their size, history, unusual species, or unique quality. The process for determining which trees are added to the Heritage Tree List is under the jurisdiction of the City Arborist's Office, and the list is adopted by the City Council.</p> <p>As discussed in Section 1, Aesthetics and Section 4, Biological Resources, of the Draft IS-MND, the proposed Project includes removal of six of the 12 redwood trees in the vicinity (six are on site and six adjacent), which would be replaced with standard tree replacement ratios as determined by the City of San José. The Final IS-MND has been revised to clarify that a licensed arborist would be on site during excavation in the vicinity of the adjacent redwood trees monitoring to ensure that direct damage to the root systems is avoided or minimized and that the proposed subterranean garage would be set back over 12 feet from the property line adjacent to the off-site trees.</p>

Comment No.	Comment	Response
16.3	<p>2) The parking situation this project will create on Via Vico is unbearable. Even under the planners assumption, more than 50 cars belonging to the hotel patrons and staff will end up on Via Vico and the adjacent parking lots belonging to our property. If indeed you will try to save the 5 redwood trees bordering the gas station lot, you will not be able to build even 40 parking spots!</p>	<p>As discussed in Section 16, Transportation, of the Draft IS-MND, 50 parking spaces are proposed in an underground parking garage. The City of San José Municipal Code, Section 20.90.060 requires one parking space per room, plus one space per employee. The proposed project would include 90 guest rooms and, at peak shift, 10 employees; therefore, 100 parking spaces would be required. However, per Section 20.90.220(G) of the Municipal Code, up to 20 percent of required spaces can be reduced with an approved development permit or an approved development permit exception if the project implements a transportation demand management (TDM) program. In addition, the Traffic Study concluded, based on ITE Parking Generation numbers, that the proposed project would require, at most, 40 parking spaces.</p> <p>Finally, pursuant to CEQA Guidelines Appendix G, parking is not an environmental impact topic pursuant to CEQA. Nevertheless, these comments will be forwarded to the City's decision makers for their consideration along with the Final IS-MND.</p>
16.4	<p>3) Since in my opinion the items described in 1,2 above are enough to justify cancelling the project, I will stop here, without elaborating on the physical and social damage this project will caused to our environment.</p>	<p>This comment is noted, but does not require a further response as it does not question or challenge the analysis or conclusions of the Draft IS-MND.</p>
16.5	<p>4) This project will have a significantly negative impact on the value of our property. We, the homeowners of this neighborhood will oppose this project with all our power.</p> <p>It is clear to me that any competent civil engineer would know that the proposed project cannot come to fruition on the gas station lot! It is transparent that the planners, if competent, understand that they will have to allow the hotel developer to step over every letter of the code and build even a higher structure than the one proposed.</p>	<p>The commenter's concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA. The commenter does not support the contention that the proposed project would need to be taller than proposed; therefore, a specific response to this comment is not possible.</p>
16.6	<p>The fundamental question is: whose interest and wellbeing do the mayor and council members represent? The hundreds, maybe thousands of home owners in this neighborhood or the potential owner of the planned hotel?</p> <p>This is another example of elected officials treating their constituency like forgotten insignificant citizens.</p> <p>I call upon the mayor and council members to reconsider the damage they are bringing upon us and cancel this project.</p>	<p>The commenter states opposition to the proposed project, but does not provide comments on the Draft IS-MND. This comment is noted and will be forwarded to the City's decision makers for their consideration.</p>

Comment No.	Comment	Response
Comment Letter 17: Gary J. Lin, Shellwood Investment & Properties, September 24, 2017		
17.1	I am writing to register my opposition to the project for a four-story hotel at 1090 S. De Anza Blvd, this proposed project will have a major impact in the neighborhood on parking and traffic. Please take into consideration my concern.	Please see response to Comment 5.1.
Comment Letter 18: Harold & Catherine Wong, September 25, 2017		
18.1	<p>We're shocked to learn that the Hotel project at S. De Anza and Via Vico is still being considered. My husband Harold and I, Catherine have lived on [address] for the last 50 years with four other neighbors in a row. In general, we've to say that the neighborhood is peaceful, orderly, residential, yet convenient to grocery stores, restaurants, and recreations.</p> <p>There'll be nothing but disruptions to our way of life from the start of this unnecessary hotel project with air pollution, noise, the ruin of our low line landscape with the four-story hotel, the increased congestion of cars & people, and most of all, our property values will be affected. We have paid dutifully our property taxes, have brought our kids up with the excellent educational systems and churches in place, and hope to live the rest of our lives in the neighborhood which our grandkids love as well. Please vote strongly against the proposed project for not considering the impacts but just for profits only. We are registering our opposition to this Hotel project, and we hope you will agree with us. We thank you ahead for your further consideration.</p>	<p>Please see response to Comment 1.1.</p> <p>In addition, the project site is in the Urban Village area for S. De Anza Boulevard, although an Urban Village Plan has not been drafted or adopted by City decision makers. The Urban Village Growth Areas have potential to support growth through redevelopment and intensification to implement the City's General Plan. In addition, the site is located in the Neighborhood/Community Commercial General Plan designation, which allows a floor-area-ratio up to 3.5 (proposed is 1.93), between one and five stories in height (see Draft IS-MND page 84).</p> <p>The commenter does not provide specific details or information about the proposed project or the Draft IS-MND upon which to provide a more specific response. The commenter's concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA. Nevertheless, these comments will be forwarded to the City's decision makers for their consideration along with the Final IS-MND.</p>
Comment Letter 19: Hongtao Mu, September 21, 2017		
19.1	<p>The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.</p> <p>I am writing to register my opposition to the project. Please take into consideration my concern.</p>	Please see response to Comment 1.1.
Comment Letter 20: Itsuo Yokota, September 22, 2017		
20.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the</p>	Please see response to Comment 1.1.

Comment No.	Comment	Response
	project. Please take into consideration my concern.	
Comment Letter 21: Jieying Shi, September 20, 2017		
21.1	<p>The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.</p> <p>I am writing to register my opposition to the project. We love our neighborhood and we seriously not supportive of this construction proposal. Please consider my concern seriously as a register voter.</p>	Please see response to Comment 1.1.
Comment Letter 22: Jo Preston, September 22, 2017		
22.1	<p>A proposed 90-room hotel at 1090 S. De Anza is being evaluated by the City of San Jose for construction. This large hotel on a very small property would have a very negative impact on our neighborhood and property values: parking and traffic, aesthetics, air and noise pollution, removal of healthy mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or just disregards these effects.</p>	Please see response to Comment 1.1.
22.2	<p>There are numerous children in the immediate area, and parking and traffic would seriously jeopardize their safety, not to forget the impact on crowding the neighborhood for additional parking for the hotel. The photos of traffic on S. De Anza and Via Vico are totally inaccurate, as you can go just about any time of day and see constant traffic. This is not an appropriate decision for a residential area, and I am writing to register my opposition to the project.</p> <p>Please consider my serious concern and vote to ban the project.</p>	<p>Please see responses to Comments 5.1 and 16.3.</p> <p>In addition, two traffic counts were taken for the analysis, dated October 11, 2016 and March 27, 2017, between the hours of 5:00 p.m. and 6:00 p.m., and between the hours of 5:00 p.m. and 5:50 p.m., respectively. Traffic counts varied from 11 to 29 on Via Vico and 1030 to 2346 on S. De Anza, respectively.</p> <p>Photos of the site were used as a setting and are not intended to illustrate traffic volumes along S. De Anza Boulevard or Via Vico (shown as Figures 3 through 5).</p> <p>Traffic safety is discussed in the Draft IS-MND in Section 16, Transportation, under Item d. With the incorporation on-site signage turn restrictions, impacts would be less than significant. Pursuant to CEQA Guidelines Appendix G, parking is not an environmental impact pursuant to CEQA.</p> <p>The commenter does not provide specific analysis or information about the topics raised in the comment upon which to provide a more specific response. Nevertheless, these comments will be forwarded to the City's decision makers for their consideration along with the Final IS-MND.</p>

Comment No.	Comment	Response
Comment Letter 23: Joy Walsh, September 24, 2017		
23.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	<p>Please see response to Comment 1.1.</p>
23.2	<p>A four-story building does not belong on this small piece of property and in this area in general. There are enough hotels in Cupertino, San Jose and Sunnyvale. We do not need this here.</p>	<p>As discussed in the IS-MND in Section 1, Aesthetics, and Section 10, Land Use and Planning, the proposed Project would increase the scale of development on the site, but would be within the allowed floor-area-ratio (3.5 maximum, 1.93 proposed) under the General Plan designated land use of Neighborhood/Community Commercial. As further discussed in Section 1, the increase in scale and massing would alter the visual character of site but the impacts would not rise to the level of a significant impact on the environment.</p> <p>The commenter’s opinion about the merits of the proposed land use is noted, but does not pertain to the analysis or conclusions of the IS-MND.</p>
Comment Letter 24: June Oberdorfer, September 19, 2017		
24.1	<p>The proposed hotel project is too large for the small footprint of the site. This oversizing creates problems of height (see point #1 below), setback (#2), parking (#3), traffic (#4), aesthetics (#5) and noise (#6) which are not adequately addressed in the Study. This proposed 92-room hotel (Robert Rivera, City of San José Planning Dept., personal communication, Sept. 14, 2017) needs to be either much smaller in scale or set on a much larger property.</p>	<p>This comment refers to the commenter’s comments to follow, which are addressed below.</p>
24.2	<p>The proposed height is 55 feet and 3 inches, with a 61-foot height at the proposed tower. This height exceeds the height limit of 50 feet for areas zoned CP (San Jose Municipal Code Table 20-100). An exemption is made for Urban Villages with an approved Urban Village Plan. No Urban Village Plan has been approved for the South De Anza corridor so the 50-foot limit applies. Furthermore, there are no buildings that high along the San Jose City portion of South De Anza Boulevard. The maximum number of stories is two, even for very recent construction. The two-story maximum also applies to the other street affected by this proposed project, Via Vico. Allowing a four story building that exceeds the</p>	<p>The project’s consistency with the City’s Municipal Code and General Plan is discussed in Section 10, Land Use and Planning of the Draft IS-MND. As discussed there, impacts related to this topic would be less than significant. The proposed project would exceed the established height of the Commercial Pedestrian (CP) zone of 50 feet, as it is located in a geographic area that is subject to specific height restrictions. Per Section 20.85.020(E) of the San José Municipal Code, properties identified on the general plan land use diagram in an urban village area boundary, and have a neighborhood/community commercial designation shall not exceed 120 feet and therefore abides by the Geographic Area</p>

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	<p>height limit, without the planning process and community participation that goes into the development of an Urban Village Plan, would appear to violate the City’s own planning/zoning documents. The South De Anza corridor is part of the Horizon III Urban Village Development. The only Horizon III Urban Village with an Urban Village Plan is the 24th and Williams Urban Village. That Urban Village has height limits ranging from 30 feet to 65 feet. Since it is unknown what height limits will be established for the South De Anza Urban Village, it is premature to build a structure exceeding the current zoning since a lower height limit could be determined for this part of the future Urban Village.</p>	<p>Specific Height Restriction.</p> <p>In addition, the proposed height is within the one to five stories permitted in the Neighborhood/Community Commercial land use, as provided for in the General Plan.</p>
<p>24.3</p>	<p>The project proposes having a zero-lot-line on both S. De Anza Blvd. and on Via Vico. Existing setbacks along S. De Anza are generally many tens of feet, with at least 6 to 8 feet along some more-recently-constructed buildings. Allowing a zero-lot line would be out of keeping with existing architectural practice and would be premature for an area without a developed Urban Village Plan.</p>	<p>The project’s consistency with the City’s Municipal Code and General Plan is discussed in Section 10, Land Use and Planning of the Draft IS-MND. As discussed there, impacts related to this topic would be less than significant.</p> <p>The proposed project is within the Commercial Pedestrian Zoning District. This district is also intended to support intensive pedestrian-oriented commercial activity and development consistent with General Plan urban design policies. As shown in Table 20-100 of Section 20.40.200 of the Municipal Code, the Commercial Pedestrian District zone has no minimum required front and side setbacks and a 25 foot rear setback, which the project would maintain. Therefore, the proposed project is consistent with the setbacks of the Zoning District.</p> <p>Nevertheless, the commenter’s opinion regarding the proper setback for the project is noted and will be forwarded to the City’s decision makers for their consideration.</p>
<p>24.4</p>	<p>While Urban Village planning generally encourages commercial establishments to abut the sidewalk, it is not clear from the documents if this applies to hotels which have a very different interaction with pedestrians than a retail or restaurant establishment.</p>	<p>Please see response to Comment 24.3.</p> <p>According to the San José General Plan, the establishment of Commercial Corridor and Center Urban Villages are to support intensification as both employment and housing centers, support potential expansion of existing retail activity, and add a mix of employment uses while also recognizing that transit-oriented sites should be given more priority for accommodating new growth (Page 29 of the General Plan). Hotels would fall within this category.</p> <p>Further, the proposed project is consistent with the setbacks of the Zoning District for which the zero setback promotes a more pedestrian oriented environment by activating ground floor uses with more pedestrian-active development.</p>

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24.5	<p>The proposed project would have 50 parking spaces (47 regular and 3 ADA spaces) for 92 hotel rooms. The largest number of employees, eleven, would be present during the day shift. According to Table 20-190 (SJMC), a total of 103 spaces are required (one per room and one per employee). There is no street parking on S. De Anza Blvd. Parking, particularly in the evenings, is crowded along Via Vico with overflow from the three residential complexes and overflow from a karaoke establishment and a grocery store which are open late in the strip mall across Via Vico from the proposed site.</p>	<p>Please see responses to Comments 5.1 and 16.3.</p>
24.6	<p>The facility needs more than double the number of parking spaces that are currently planned. Given the limited public transit nearby (one bus running only on weekdays) and the large distance to rail and airport facilities, it is likely that most hotel guests will use their own vehicles or rental vehicles. Efforts to reduce the number of vehicles will be difficult, costly, and hard to monitor.</p>	<p>The proposed project includes a request for a parking reduction of more than 20% and would be required to provide a transportation demand management (TDM) plan. The proposed project is within an Urban Village area and may apply for a reduction of up to 50%. The proposed project includes a request for a reduction and alternate parking arrangement that would result in 79 parking spaces available for the proposed project. Please see responses to Comments 5.1 and 16.3.</p> <p>As stated Section 16, Transportation of the Draft IS-MND, Bus Route 53 is available during weekdays, operating between West Valley College and the Sunnyvale Transit Center. Additionally, there is Bus Route 25 and Bus Route 102. Bus Route 25 operates daily (weekend and weekdays) on Bollinger Road, connecting De Anza College with the Alum Rock Transit Center. Express Bus Route 102 is also available, which operates on Route 85 freeway between South San José and Palo Alto on weekdays during the morning and afternoon/early evening.</p> <p>In addition to routes provided in the Draft IS-MND, there is Bus Route 323 available during the weekdays and weekends, with a stop at a distance of approximately one mile from the project site. This route travels between De Anza College and downtown San José where several light rail transit stations are located, between 1st and 2nd.</p> <p>Finally, parking impacts are not considered significant impacts on the environment pursuant to CEQA Guidelines Appendix G. Nevertheless, the commenter's concerns regarding parking are noted and will be forwarded to the City's decision makers for their consideration.</p>
24.7	<p>It is also unclear from the Study where deliveries would be made to the hotel. If food, supplies, and linens would be brought in through the side door leading south onto Via Vico, then it is likely that a restricted loading zone would be created along</p>	<p>Deliveries would be made by trucks entering on the S. De Anza Boulevard site entrance, and parking either along the inner driveway along the northern side or eastern side of the site. Deliveries would not be made from Via Vico.</p>

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	the street, further restricting street parking.	This additional information has been added to the Final IS-MND, but does not change the IS-MND's analysis or conclusions related to site circulation or traffic.
24.8	Currently, traffic from this gas station/car wash site exits onto S. DeAnza Blvd. Virtually all the activities are related to the car wash, and the washed cars are parked for customer pick-up in the driveways along S. De Anza. The cars make a right turn onto S. De Anza from those driveways. An additional 100+ vehicles exiting onto Via Vico would increase congestion and cause additional traffic problems at an accident-prone intersection. There have already been several automobile accidents with cars making a left turn onto S. De Anza from Via Vico. Cars often back up on Via Vico waiting to turn in either direction.	Traffic safety is discussed in Section 16, Transportation, of the Draft IS-MND. As discussed there, impacts would be less than significant. As stated in the traffic study (IS-MND Appendix G), the estimated PM Peak Hour egress onto Via Vico would be 32 vehicles. All vehicles would exit on Via Vico, but would be required to turn right, towards De. Anza, allowing a left or right turn, or to drive directly across to Rollingdell Drive. Additionally, a signal warrant analysis was completed as part of the traffic study and determined that the intersection does not meet peak hour warrant.
24.9	The Preliminary Traffic Study (App. G) is completely inadequate and ill-informed about current traffic patterns. Its conclusion that only an additional maximum of eight cars would be exiting onto Via Vico from the hotel makes no sense given the number of rooms and likely number of vehicles. The traffic should be routed onto an obligatory right turn onto S. De Anza Blvd.	Project trip generation and distribution are discussed in the traffic study and in Section 16, Transportation, of the IS-MND. As discussed there, impacts would be less than significant. The Traffic Study for the proposed project concludes that an estimated total of 32 vehicles would be exiting the site during PM Peak Hour. The estimated trip generations, when compared to the existing gas station, would equate to 14 additional vehicles during Peak Hours. This number is determined by ITE Trip Generation, 9 th Edition, a widely accepted industry standard, and accepted standard by the City of San José. As the commenter does not provide specific information or analysis to challenge the information in the traffic study and IS-MND, a more specific response is not possible. The commenter's suggestion for turn restrictions is noted and will be forwarded to the City's decision makers for their consideration, but such restrictions are not required to avoid a significant environmental impact under CEQA.
24.10	This is an area of one and two-story buildings. This four-story building will be massive by comparison, blocking views of the adjacent hills.	As discussed in Section 1, Aesthetics, of the Draft IS-MND, views of the hillsides to the west and south of the project site are largely screened from view by existing buildings and trees. In addition, S. De Anza Boulevard and Via Vico are not designated as scenic corridors. Although the proposed project would further screen the view from certain viewpoints, overall impacts would be less than significant.
24.11	The zero-lot line and 6-foot sidewalk along Via Vico will produce a wall-like feeling, very different from the current open feeling in this commercial-residential neighborhood.	There is a zero-lot line proposed for the west and southern boundaries of the proposed Project. However, the proposed Site Plan shows that there would be an average of 11 feet 1 inch to 15 feet between the building and the elevated curb to the bordering roadways. In addition, to

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		<p>provide more pedestrian-friendly feeling and amenities, approximately a dozen trees would line the exterior of the west and south walls with artistic benches, planting boxes, and architectural columns to enhance an open and walkable environment to the exterior of the hotel (see Figures 6 through 8 of the IS-MND). The purpose of the zero-lot line is to promote a more pedestrian oriented environment by activating ground floor uses with more active pedestrian uses.</p>
24.12	<p>The removal of the six mature redwoods and their replacement with a four-story wall will greatly lessen the aesthetics of the neighborhood.</p>	<p>Please see response to Comment 18.1</p> <p>Aesthetic impacts, including those related to tree removal, are discussed in Section 1, Aesthetics, of the Draft IS-MND. As discussed there, impacts would be less than significant. As shown in the Site Plan (Figure 6 in the IS-MND), the six redwood trees would be removed by the proposed building with six existing redwood trees to remain and border the eastern boundary of the site. In addition, as shown in the Preliminary Landscape Plan (Figure 8 in the IS-MND), approximately a dozen trees would be planted along the western and southern boundaries of the building to screen the proposed wall.</p>
24.13	<p>The document states that there will be no noise from garbage pick-up as the garbage will be stored in the basement garage area. With an 8.5-ft vertical opening on the ramp to the garage, it doesn't seem possible that a garbage truck could go into the basement to empty the trash dumpster(s). The dumpster(s) would need to be brought to street level and most likely placed onto and emptied into a larger truck on Via Vico; it's unlikely the transfer of garbage would occur on a street as busy as S. De Anza Blvd. This garbage transfer would increase the noise to the neighborhood.</p>	<p>The IS-MND incorrectly states that the trash pick-up would be completed in the subterranean parking lot. The trash bins would be pulled up through the access ramp by motorized cart to the north driveway for pick-up. Noise from this trash pick-up would be intermittent in nature. As such, this noise would not increase ambient noise to the surrounding uses to a significant level.</p> <p>This additional information has been added to the IS-MND, but does not change the impact of trash pick-up and on-site impact analysis.</p>
24.14	<p>It is unclear where deliveries would be made, but if they would be made to the south side door that opens onto Via Vico, that would add additional noise to the neighborhood.</p>	<p>Please see response to Comment 24.7.</p>
24.15	<p>The Study repeatedly refers to a convenience store being present onsite. The convenience store, although apparently permitted, was never built. One wonders if the preparers of the Study have ever actually visited the site.</p>	<p>The one reference of "convenience" in the IS-MND refers to the existing gas station convenience store, which does exist and is a common gas station amenity, offering minimal convenient items for purchase.</p> <p>Other references to a convenience store in appendices are referencing the previously planned larger convenience store development or the existing smaller convenience store.</p>

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24.16	<p>The report also refers to the land use prior to the gas station as being an agricultural field. An historic aerial photograph of the site from 1948 (Google Earth) clearly show that it was not a field but rather an orchard, a very different classification with different environmental implications as to pesticide use.</p>	<p>The IS-MND does incorrectly state that the agricultural use was a field. The use was an orchard. However, the mitigation measure required (MM HAZ 2), as shown on Draft IS-MND page 69, would require testing of organochlorine pesticides and pesticide-based metals. This mitigation would not need to be revised, as such testing is designed to cover a broad range of agricultural pesticides used in fields and orchards. Corrections have been made in the IS-MND to identify the historic use as orchard; this change does not result in changes to the analysis or conclusions of the IS-MND.</p>
24.17	<p>The Study says that the site was converted from agricultural use to a gas station in 1976, however, the 2013 rezoning document File No. PDC13-022 refers to the previous rezoning in 1973 (File Number PDC73-1-33) to add a car wash to an existing gas station. The gas station must predate 1973.</p>	<p>The first Planned Development Rezoning (PDC73-1-33) and Planned Development Permit (PD73-06-033) for the project site relating to the car wash and gas pumps was approved on May 7, 1973 by the City Council. The building permits were pulled in 1975 (issued on July 25, 1975 for construction – with electrical, mechanical, etc. permits pulled on different dates in 1975). The entitlements were approved in 1973, but the project was not constructed until approximately a year later. The PDC13-022 application was for rezoning the site to replace the gas station with a retail store (convenience store). There is an approved development permit for this project, but it was never built. The date of conversion has been changed to 1975 in the Draft IS-MND, but this does not change the impact analysis or conclusions.</p>
24.18	<p>Question 1.d. on Aesthetics raises the issue of increased light pollution. The Study states that “existing light sources within the project site include lights from the gas station convenience store and carwash, lights at the fuel pumps, and the pole-mounted site lights.” The writers of this study aren’t familiar enough with the site to know that it shuts down in the early evening and is completely dark. Light pollution at night from the proposed hotel will be significantly greater.</p>	<p>The commenter is correct in stating that the lights on-site are minimal during the nighttime hours. However, the site is not “completely dark.” There is minimal light for security reasons. In addition, lighting of the site and vicinity is not only generated by the gas station lights themselves, but also from the adjacent street lights which line Via Vico and S. De Anza Boulevard, as well as the existing headlights from motorists along Via Vico and S. De Anza Boulevard. In addition, the proposed lighting would be shielded to avoid spill over to adjacent properties, as required by City Municipal Code (Sections 20.40.530 and 20.40.540). As discussed in Section 1, Aesthetics, of the IS-MND, impacts related to night lighting would be less than significant.</p>

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24.19	In App. D (Noise Measurements) the field data sheets at the end indicate that there were 11 cars passing the noise meter from 5:17 to 5:32 and 14 passing from 5:35 to 5:50. Table 11 Noise Monitoring Results in the Study list those same values as 11 (only those passing the meter) and 22 (those passing the meter plus those turning off before), respectively. The field data sheet values should be used and the table corrected.	<p>The commenter is correct that Table 11 in the IS-MND provides traffic counts that summarize vehicles that pass the noise meter inconsistently. To have a consistent analysis of the counts, Measurement Number 2 should be changed to 14 vehicles, to include both vehicles that make u-turns at the intersection and those that pass through the street.</p> <p>Corrections have been made accordingly to the IS-MND under the Environmental Setting of Section 12, Noise; these corrections do not substantiate any changes in analysis.</p>
24.20	It is unclear on p. 96 how the ADT value of 1,320 vehicles on Via Vico was determined for the noise modeling. That number was assumed to be ten times the maximum hourly rate, which was four times the 15-minute count rate. Those assumptions would put the maximum hourly rate at 132 vehicles and the maximum 15-minute rate at 33 vehicles. The field observations were 11 vehicles per 15 minutes and 14 vehicles per 15 minutes for an average of 12.5 vehicles per 15 minutes under current traffic conditions, not 33. The ADT should be 12.5 vehicles times 4 times 10 = 500 vehicles, not 1,320 vehicles. The modeling should be redone and re-evaluated.	<p>As stated in Section 16, Transportation, of the IS-MND, the assumed average daily traffic volumes (ADT) for Via Vico are based on vehicle counts taken by Rincon Consultants on March 27, 2017. The total traffic counts are based on the average count between Measurement 2 and Measurement 3. The commenter is correct in stating the assumed existing ADT is high for Via Vico. The average traffic count for Measurement 2 and 3 is 18 (14 and 22, respectively). This number is then multiplied by 4 for an average peak hour count, and then multiplied by 10 for the assumed ADT (peak hour is assumed to account for 10 percent of the ADT). This equates to 720 as the ADT for Via Vico.</p> <p>Modeling has been recalculated and the analysis supports the same conclusion as that of the Draft IS-MND: the estimated traffic counts for the proposed project would not exceed the City of San José noise increase threshold. Corrections have been made in the IS-MND under item a in Section 12, Noise and in Appendix E, Noise Modeling Results; these corrections do not change the significance conclusions.</p>
24.21	Table 21 lists a large volume of wastewater (6,808 gallons per day) as being generated by the carwash. According to the Phase 1 Environmental Site Assessment, the wastewater generated by the carwash is collected in a sump, treated, and reused. This reuse of carwash-water was a requirement of the City during the drought and is a common practice. Table 21 needs to be revised to eliminate the subtraction of the carwash wastewater in calculating the net increase in wastewater generated and the conclusion re-evaluated.	<p>The commenter is correct in stating that the ESA states that wastewater from the car wash facility, according to the facility cashier, is filtered on-site and then reused in the car wash. The analysis under item a, b, and e of Section 17, Utilities and Service Systems, has been changed to conservatively assume the car wash facility re-uses 100 percent of the wastewater generated. These changes do not change the significance conclusions.</p>
24.22	The ESA is out of date, according to its own cover letter. It should be updated.	<p>The Phase 1 ESA was issued on Friday, February 27, 2015. The application for the project was originally submitted to the City of San José on September 7, 2016.</p> <p>However, the requirement for very current ESAs is related to their transactional and legal use, not</p>

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		<p>their use for informational purposes in a CEQA document. Hazards are addressed with information supplemented with additional research and mitigation measures were developed to address impacts that would be potentially significant. Such impacts are discussed in Section 8, Hazards and Hazardous Materials; as discussed therein, impacts would be less than significant with implementation of the identified mitigation measures.</p>
24.23	<p>During the 2015 site visit, an observation was made that there were no unlabeled containers and/or drums at the site. At present, there are four unlabeled, 55-gallon drums stored on the northwest corner of the site (see photo below).</p>	<p>The presence of 55-gallon drums is not in itself an environmental impact. The photograph does not indicate whether the drums are full or empty, and no soil staining or other signs of leakage are visible. The commenter does not assert that, or explain how, presence of the drums shown in the photograph indicates that the proposed project would result in a significant impact on the environment, and such a conclusion would be speculative.</p>
24.24	<p>These are the types of drums used to store soil from soil borings. If these drums contain soil from the geotechnical borings completed on March 16, 2017, the soils have been stored over 180 days at the site which would be illegal if the soils contain hazardous materials. Most likely it's unknown if the soil cuttings are contaminated at this former LUFT site.</p>	<p>This comment is noted, but does not pertain directly to the analysis or conclusions of the IS-MND regarding the potential environmental impacts of the proposed hotel project. See also response to Comment 23.25.</p>
24.25	<p>The ESA does not acknowledge or address the fact that the site was previously an orchard and that residual lead arsenate and DDT pesticides could be a hazard to workers, nearby residents, and the general-public, especially as airborne particulates. Soil sampling for residual pesticides would need to be closely-spaced enough to identify any hot spots of high concentration where pesticides might have been mixed or stored.</p>	<p>The commenter's concerns regarding the potential for historic agricultural chemicals to be present at the site is addressed by Mitigation Measure HAZ 2 (see Section 8, Hazards and Hazardous Materials, of the IS-MND), which requires testing for organochlorine pesticides and pesticide-based metals in the soil prior to the issuance of building or grading permits.</p>
24.26	<p>Based on the age of the buildings on the site (prior to 1973 for the gas station and around 1973 for the car wash) there is the likelihood of the presence of lead-based paint and asbestos in the structures. These would need to be tested for and addressed if found.</p>	<p>There is some potential for lead-based paint or asbestos to be present at the project site. The commenter is correct that, pursuant to existing state and local regulations, asbestos and lead-based paint would be required to be removed and disposed of in accordance with these existing regulations. The IS-MND has been revised in Section 8, Hazards and Hazardous Materials, to reference applicable regulations and the City's standard conditions of approval that ensure conformance with state and local laws related to asbestos and lead-based paint.</p> <p>These changes do not change the significance conclusions in the IS-MND.</p>

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24.27	<p>Raised Driveway: The Geotechnical Investigation (App. B) recommends the installation of a driveway raised on piers to protect the adjacent, large, mature trees on the adjoining property. The Study does not address whether this mitigation measure will be incorporated into the plans for the site. These redwood trees are very beautiful, and it would be a shame if they were damaged either during construction or by driveway traffic.</p>	<p>The IS-MND has been revised in the Project Description; In Section I, Aesthetics, under Item c; and in Section 4, Biological Resources, under Item e to reflect these details of the project plans. In the northerly and easterly portions of the proposed driveways where the existing tree roots are located, the pavement would be raised above natural grade so as not to compress the soil.</p>
24.28	<p>The air standards discussed in Environmental Checklist, 3) Air Quality are regional standards and do not address potential local impact. This impact is of particular concern because of the likely presence of residual metallic or organochlorine pesticides which could pose an airborne hazard. Will perimeter air monitoring be required during the construction phase of the project if pesticides are found at concentrations of concern?</p>	<p>As required in the IS-MND in Section 8, Hazards and Hazardous Materials, Mitigation Measure HAZ 3 requires a site management plan to reduce hazardous materials exposure to construction workers, future employees, and/or the environment to a less than significant level if contaminated soils are encountered during testing. This plan would need to be reviewed and approved by the City's Supervising Environmental Planner and Environmental Services Department Compliance Officer prior to issuance of any grading or building permits.</p>
<p>Comment Letter 25: Kathleen Yokota, September 23, 2017</p>		
25.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, This piece of property is too small for a hotel. It seems to me that all you are looking at is the hotel tax you will benefit from while people who live in san jose and cupertino will have to deal with more traffic. It is not a great corner for a hotel. AND you already placed a starbucks/office complex just next to 85 on ramp. You come and live here close to deanza and see what the traffic is like.</p> <p>The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	<p>Please see response to Comment 1.1.</p>
<p>Comment Letter 26: Kazunori Kato, September 24, 2017</p>		
26.1	<p>The proposed four story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees living Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am weighting to register my opposition to the project. Please take into consideration my concern.</p>	<p>Please see response to Comment 1.1.</p>

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Comment Letter 27: Ken Cheung, September 23, 2017		
27.1	<p>Traffic and Parking Problem - A project like this should not be approved at all in a location where there is no major cross streets and traffic lights to absorb the added traffic volume. It is also naive and irresponsible to even think about hotel incentives would reduce the parking needs, given there are only 50 or 60 parking spaces for guests and staffs in the 92-room hotel. This is high tech area, not a resort or leisure attraction and no one will care about incentives to use taxi or free shuttle service when local companies pay for the expenses.</p>	<p>Please see responses to Comments 5.1, 16.3, and 24.8.</p>
27.2	<p>Regardless of what form of transportation hotel guests will use, during peaks hours you will still have potentially 100+ (including deliveries and employees) cars going through the Via Vic and De Anza Blvd intersection to get on to or off from the De Anza Blvd without a traffic light. Like other parents living on Via Vico, I am really concerned on the need to compete with the additional traffic to get on to De Anza Blvd to send my kids to school on time in the morning</p>	<p>Please see responses to Comments 5.1, 16.3, and 24.8.</p>
27.3	<p>Environmental Impact - Noise, hotel guests wandering around this quiet neighborhood is absolutely unacceptable. I have never seen, except may be in down town areas, a project like this get planned for within a distance of 50 feet from the single family residences.</p>	<p>Please see response to Comment 18.1.</p>
27.4	<p>In addition, no matter how you design the hotel architecture, this multi-story structure is a monster and a nuisance to the coherent neighborhood destroying the quality living condition. No one in any residential community would want more strangers to show up in their neighborhood.</p> <p>I sincerely request the San Jose city officials representing the residents and our neighborhood to make accountable and responsible decisions, to consider the interest and needs of the people who live in the neighborhood in the first place, not the business owners who don't live here, but just come to make money without adding value services to the neighborhood. STOP APPROVING THIS HOTEL PROJECT!</p>	<p>Please see response to Comment 18.1.</p> <p>The commenter's opinion on the merits of the project is noted and will be forwarded to the City's decision makers for their consideration.</p>
Comment Letter 28: Los Osos Cupertino, September 25, 2017		
28.1	<p>The proposed four-story hotel at 1090 S De Anza Blvd will have a serious impact on our neighborhood. The mitigation study incorrectly minimizes or disregards the effects. I am registering my opposition to the project.</p>	<p>Please see response to Comment 1.1.</p>

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Comment Letter 29: Maheveer Jain, September 20, 2017		
29.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd will have a serious impact on our neighborhood: Parking and traffic, air and noise pollution, removal of mature redwood trees lining Via Vico., hazardous material during construction and operation.</p> <p>The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p> <p>This large hotel on a very small property would have negative impact on our neighborhood and property values.</p>	Please see responses to comments 1.1 and 7.2.
Comment Letter 30: Michael & Margie Vargas, September 24, 2017		
30.1	<p>The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.</p>	Please see response to Comment 1.1.
30.2	<p>This intersection is ill suited for such a large project. It is one of the crazy busy accident prone intersections in this area. Putting the hotel will certainly jeopardize the liability of the city of San Jose, for knowingly adding more foot and car traffic to this intersection.</p>	Please see responses to Comments 5.1, 16.3, and 24.8.
30.3	<p>Finally, I am against any building that exceed 3 stories. The city is on a path of lining up additional tax revenue by creating urban villages along these boulevards. These developers will profit from the transaction and leave us, the local residents to deal with the aftermath. Eventually we will be asked, after the insidious growth of traffic, to pay for a transportation tax measure to improve traffic (the citizens cleaning up the mess the developers and the city planners make).</p>	Please see response to Comment 18.1.
30.4	<p>At the very least, if any hotel is approved on De Anza Blvd. or Stevens Creek are approved, there should be a hotel tax fee that goes to a transportation remedy war chest that is set aside for mitigating the mess these developments create and used for this specific region/district (not cherry picked and used in some other unrelated part of San Jose). See if the developer is up for that..... if so then the value prop. is more balanced for local citizens. What make even more sense is that the developer has to pay that intersection to have a traffic signal put into that intersection.</p> <p>We are writing to register our opposition to the</p>	<p>Please see response to Comment 24.8.</p> <p>The commenter’s opinion on the merits of the project is noted and will be forwarded to the City’s decision makers for their consideration.</p>

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	project. Please take into consideration our concerns.	
Comment Letter 31: Michael Wei, September 24, 2017		
31.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 32: Min Yin, September 24, 2017		
32.1	The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 33: Mohan Chirala, September 20, 2017		
33.1	<p>I came to know that a small hotel is proposed to be constructed in lieu of Chevron gas station and car wash at 1090 S. De Anza Blvd, right at the entrance to our street.</p> <p>I believe that this proposed hotel will have a seriously negative impact on our neighborhood. There are multiple concerns here:</p> <ul style="list-style-type: none"> - Removal of Mature Redwood Trees that line our street.. we value them and they provide a distinct identity to our landscape. Chopping down any mature tree is not only sad, but it will have an environmental impact. 	Please see response to Comment 16.1.
33.2	- Security issue.. if a small hotel props up in your neighborhood, it does not attract the right clientele.. our community has small children and we are scared of the security consequences.	This comment does not address the analysis or conclusions of the Draft IS-MND but is noted and will be forwarded to the City's decision makers for their consideration.
33.3	- Creating a traffic choke point - Taking a left turn during peak-hours from Via vice off onto De Anza is already a difficult proposition. Having a medium size hotel there is going to make it worse.	Please see responses to Comments 5.1, 16.3, and 24.8.
33.4	- Increased parking difficulties - The street of via vico is already dotted with street-parked cars as the apartment complexes and even our townhomes have limited Parking.. bringing in a 92 room hotel to the mix would be disastrous for existing tenants.	Please see response to Comment 16.3.

Comment No.	Comment	Response
33.5	- Air & Noise pollution - this is a side effect of the proposed Redwood tree chopping, which hitherto have been shielding us from the ill effects of heavy traffic & pollution off of De Anza. Also, during the hotel construction and even after it starts teeming with guests, it will get much worse.	Please see responses to Comments 1.1, 2.1, and 16.1.
33.6	I came to know that there was some mitigation study that was done to look into resident concerns. If it was done, it hasn't considered the impact of the above concerns. Please register my strong opposition to this project and kindly take the above concerns into account.	The commenter does not provide specifics on which to base a response. However, these comments, including the commenter's opposition to the project, are noted and will be forwarded to the City's decision makers for their consideration.
Comment Letter 34: Nanperng Chang, September 21, 2017		
34.1	The proposed four-day hotel at 1090 S. De Anza Blvd will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vivo, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 35: Peter Nemirovsky, September 24, 2017		
35.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 36: Pyoungwon Park, September 25, 2017		
36.1	The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation.	Please see response to Comment 1.1.
36.2	I hope you strongly consider that there is R.I. Meyerholz Elementary School just 0.4mile distance. This hotel project will adversely affect the kids in this school as well. There is already heavy traffic on De Anza and this will make it worse. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the	Please see responses to Comments 5.1 and 24.8. The commenter does not explain how the project would adversely affect children in a school 0.4 miles from the project site. The commenter's opposition to the project is noted and will be forwarded to the City's decision makers for their consideration.

Comment No.	Comment	Response
	project. Please take into consideration my concern.	
Comment Letter 37: Raja Malladi, September 21, 2017		
37.1	We live in the neighborhood of the proposed hotel in the mentioned address. We purchased the property considering several factors which include peaceful neighborhood amongst several others. The proposed hotel will have a serious impact on our neighborhood parking and traffic, aesthetics, air and noise pollution and the sanity of neighborhood. The mitigation study incorrectly minimizes and disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 38: Rajkumar Jayaraman, September 25, 2017		
38.1	Thanks for your response. I'm on the board of directors at Vista De Saratoga as well, and would like to register my deepest concern for this proposed project. Reiterating comments raised by fellow board members and community residents, this project certainly isn't a welcome addition to our neighborhood.	These comments do not address the adequacy of the Draft IS-MND. The commenter's opposition to the project is noted and will be forwarded to the City's decision makers for their consideration
Comment Letter 39: Rebecca Bender, September 24, 2017		
39.1	As President of the Ventana Place Home Owners Association located just a short distance from the proposed four story hotel at 1090 S. De Anza Boulevard, I am writing to express my concern and opposition. The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. I have been informed that the mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern, as well as that of the other 32 homes at Ventana.	Please see response to Comment 1.1.
Comment Letter 40: Rees Roberts, September 24, 2017		
40.1	I am writing you to voice my opposition to the proposed 4 story hotel at 1090 south De Anza boulevard. The additional burden on our neighborhood will be unbearable. Currently, we are plagued by complete lack of parking due to apartment complexes in our neighborhood as well as absolutely horrible driving conditions due to the unsafe drivers who are rushing to work, and rushing to get their children to school. It is so bad last year we had one child hit while walking to school.	Please see responses to Comments 16.3 and 24.8.

Comment No.	Comment	Response
40.2	Not to mention the air and noise pollution, removal of mature Redwood trees lining our street, hazardous materials during construction and operation. Make for an unsafe neighborhood.	Please see response to Comment 1.1.
40.3	Currently your plan calls for in 92 Room hotel to be built that only houses 50 parking spots and the question that we must ask is what is to happen with the additional 42 potential cars in our neighborhood. We believe that your study incorrectly minimizes and/or disregards any these effects on our neighborhood. We believe that this process and this new building will drive down our house values and further congest an already almost intolerable traffic situation.	Please see response to Comment 16.3. The commenter’s concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA.

Comment Letter 41: Roger Hewitt, September 22, 2017

41.1	<p>I am on the Board of Directors of Vista de Saratoga, the 40-Unit Planned Unit Development, referred to in your documents as "existing residences along Via Vico approximately 100 feet east of the project site". I was born and raised in San Jose. I have lived at Vista de Saratoga for 33 years and have served on the Board of Directors for 10 of those years.</p> <p>Thank you for having extended the deadline for public comment on the 1090 S. DeAnza Blvd Hotel Project. I first learned of the Mitigated Negative Declaration File Nos. C16-041 & H16-032 documentation on September 13, 2017 at approximately 11 a.m. in an e-mail that had been forwarded to me by our Property Manager at Community Management Services. This e-mail originated from the Office of District 1 Councilman Chappie Jones and was sent to our Property Manager by David Gomez at 3:59 p.m. on September 12, 2017. David states, "Please share this with your Association, the public comment period for the project bellow (sic) was from August 25, 2017 to September 14, 2017. Councilmember (sic) Jones wanted to make sure that your members had the opportunity to partake in the comment period if they have not done so already."</p> <p>The existence of this project was first known to the Board of Directors on May 25, 2017, when it was mentioned by a homeowner at our Annual Meeting. I conducted research on the subject and found the rumor to be true. I contacted the San Jose City Planning Department and found that Robert Rivera was the person responsible for the project. On June, 2, 2017, I sent Robert an e-mail introducing myself and asking him for internet links so that I could stay abreast of project progress. Robert never answered my e-mail.</p> <p>On the evening of June 7, 2017, I attended a</p>	<p>Regarding the commenter’s questions on noticing for availability of the Draft IS-MND for public review, City staff prepared a “Notice of Intent to Adopt a Mitigated Negative Declaration.” This notice is filed with Santa Clara County and posted in the San Jose Post Record at the beginning of the comment period. The entire environmental document is posted on the City website available for the public’s review. Individuals can sign up via the website to get Planning notifications, and they receive a news flash with information on the environmental document. Email notifications were sent to a list of decision makers (City Council, Planning Commission), outside public agencies, tribal contacts, environmental/planning groups, and interested community members (individuals who have contacted the City for more information). The City also has paper copies of the environmental document available for the public’s review at City Hall and Dr. Martin Luther King Jr. Main Library. This public comment period is specifically for review and comments on the IS-MND, per CEQA Guidelines Section 15073. Comments on the project plans are not limited and can be submitted to City staff at any time during the review process. Additional outreach, as a part of the development review process, was completed in compliance with the City’s Public Outreach Policy for Pending Land Use and Development Proposals (City Council Policy 6-30).</p> <p>The applications on file (Rezoning and Site Development Permit) were submitted to City’s Planning Division on September 7, 2016. This is when the review of these proposals by City staff began. These comments do not pertain to the analysis or conclusions of the Draft IS-MND and therefore do not require a further response here.</p>
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Comment No.	Comment	Response
	<p>Safety & Security on Chiala Drive Presentation, conducted by Chappie Jones, at the Calabazas Library. After the meeting I talked with Chappie about the Hotel Project, but he didn't seem to know anything about it. The next day, I received an e-mail from Christina Pressman, the person on Chappie's Staff responsible for development issues. She said, "Our office also updates weekly, our D1 Development Map, which includes all of the current developments under review in District 1 (see link below)." This was exactly what I was looking for, and I have accessed this site weekly since receiving this link. The site indicated that the project was "Under Review" and then later "Review Letter Sent". There was never even a hint that a Request for Comment had been sent to anyone.</p> <p>Apparently, this project has been in the works for several years. The parcel of land was purchased on May 19, 2015 by JRTE LLC from James and Teresa Rubnitz for \$2,450,000. The Rubnitz property had previously received City of San Jose approval (PD13-047) on March 5, 2014 for the construction of a convenience store, but apparently the Rubnitzes changed their mind. The current owner, Cupertino DeAnza Hospitality LLC ,with principles Jerry Kim Kwok and Anny Ling-Ling Wu, filed with the California Secretary of State on April 7, 2015. References to this hotel are found in the City of San Jose Five Year Economic Venue Projections 2018 - 2022. Yet, up until recently, the project seems to have been a well kept secret. The Board respectfully requests the following information: how was your Request for Comment disseminated and to whom?</p>	
41.2	<p>In response to your Request for Comment, it would be difficult for me to improve on the comments you have already received from many of the Vista de Saratoga homeowners. Like them, I feel that this project is too much hotel on too little land.</p>	<p>Please see response to Comment 23.2.</p>
41.3	<p>Traffic is my biggest concern, only because people rarely die from parking. The intersection of DeAnza/Via Vico/Rollindell is already an extremely dangerous intersection, with or without the hotel.</p>	<p>Please see responses to Comments 5.1, 16.3, and 24.8.</p>
41.4	<p>The median strip should be extended through this intersection, eliminating all but right turns from Via Vico and Rollindell on to DeAnza. Although, not in the scope of your request, in a similar fashion, the left turn lane from south bound DeAnza to Blue Hill Drive should also be eliminated by extending the median.</p>	<p>Traffic congestion and safety impacts of the project are discussed in Section 16, Transportation, of the Draft IS-MND. As discussed there, impacts would be less than significant without the need for mitigation such as the measures suggested by the commenter. Nevertheless, these suggestions will be forwarded to the City's decision makers for their consideration.</p>

Comment No.	Comment	Response
41.5	<p>Parking at the planned hotel is painfully deficient and the surrounding neighborhood will have to bear this burden. We have 40 units at Vista de Saratoga, with 16 common area parking spaces. These spaces are available to residents and guests on a first come, first served basis, with a resident limit of one car per household. All units have two-car garages, but many households have older children living with them, who own their own cars. Consequently, some households have three cars. Parking is closely monitored and we have a private property towing permit to enforce our rules. On any given night, it would be typical to have only one or two unoccupied common area parking spaces. In addition, six or seven residents would have a car parked on Via Vico. The residents living at Allenwood and Blue Hills Apartments also park overnight on Via Vico. Music Tunnel overflow parking is also on Via Vico, but has left by 2 a.m.</p>	<p>Please see response to Comments 5.1 and 16.3.</p>
41.6	<p>We would insist that our greater community parking (Vista de Saratoga, Allenwood, Blue Hill Apartments) be protected by a Resident Parking Permit program and that this program be rigidly enforced by the City of San Jose.</p>	<p>This suggestion is not needed to address a significant environmental impact, so does not pertain to the IS-MND. Nevertheless, it will be forwarded to the City's decision makers for their consideration.</p>
41.7	<p>In regard to public transportation available to hotel guests, the only bus service on DeAnza Blvd. passing the hotel after the summer of 2018, will be Route 51, with service once an hour from 6:30 a.m. until 6:30 p.m. weekdays, with no service on weekends. Hardly an attractive option to hotel guests.</p>	<p>Please see response to Comment 24.6.</p>
41.8	<p>The redwood trees are my third concern. The proposal claims that only 7 trees will be destroyed, but ignores the excavation that will destroy much of the root structure of the 7 trees on the adjacent property. An evaluation by a licensed arborist must be required. This parcel is really an oasis in the midst of an asphalt and concrete jungle. It's too bad that the City of San Jose can't see the opportunity to use this parcel as a mini-park in their South DeAnza Urban Village.</p>	<p>Please see Response to Comment 16.2. The commenter's suggestion that the project site be used as a park is noted.</p>
<p>Comment Letter 42: Sergio Zarantonello, September 19, 2017</p>		
42.1 - 42.3	<p>My views on the project are that it is ill-conceived because of: (1) its location, (2) its size, and (3) its impact on the neighborhood and community. Particular areas of concern are listed below: Aesthetics: A four story structure in an area where buildings are at most two stories tall plus the destruction of seven mature coastal redwood trees will obviously affect the aesthetics of our neighborhood. The view of the Santa Cruz</p>	<p>Please see response to Comment 2.1.</p>

Comment No.	Comment	Response
	<p>mountains will be obstructed from the East, the four stories will project a long shadow when the sun is low, and the beautiful redwoods lining Via Vico will be gone. Your report says "less than significant impact". I disagree.</p>	
42.4 – 42.5	<p>Air Quality: A major factor affecting outdoor air quality are gases spewed by motor vehicles. Another are the gas emissions of indoor pollutants (e.g. kitchens, furnace, cleaning fluids, etc.) into the atmosphere. The hotel, as a source of emissions itself, and the accompanying increase in automobile and lorry traffic from and to the hotel will impact the air quality of our neighborhood. Your report breezily declares "less than significant impact". I urge a responsible and more comprehensive study.</p>	<p>Impacts related to air quality are discussed in Section 3, Air Quality, of the IS-MND. The CalEEMod modeling performed for the project takes into account mobile sources (cars and trucks) and energy use, and also includes emissions factors for consumer products. Per the CalEEMod manual, these include "cleaning supplies, kitchen aerosols, cosmetics and toiletries," among others. Thus the contributors to project emissions listed by the commenter are accounted for in the emissions model. As discussed in detail Section 1, Aesthetics, of the IS-MND, impacts related to air quality would be less than significant. As the commenter does not provide information or analysis to challenge the analysis or conclusions of the Draft IS-MND, a more specific response is not possible.</p>
42.6	<p>Hazards and Hazardous Materials During/After Construction: Obvious impact on our community and property value.</p>	<p>Impacts related to hazardous materials are discussed in the Draft IS-MND in Section 8, Hazards and Hazardous Materials. As discussed there, impacts would be less than significant with mitigation incorporated. The commenter's concerns regarding property values are noted; however, impacts to property values are not within the purview of CEQA.</p>
42.7	<p>Traffic and Parking - Via Vico: The 50 allotted underground parking spaces are insufficient for a 92-room hotel. Comparing with information about other hotel projects in California on the web, the minimal number of parking spaces should be in excess of 60. The resulting overflow parking will be on the Via Vico since none is available on S. De Anza. I disagree with your report's "less than significant impact". Similarly about traffic. Automobile and lorry traffic to and from the hotel will be substantially increased and affect both, our residents and the commercial entities near the intersection with S. De Anza. This is dismissed in your report.</p>	<p>Please see responses to Comments 5.1, 16.3, and 24.8.</p>
42.8	<p>Traffic - South De Anza Blvd: The hotel project appears to be part of new development the City of San Jose is planning along South De Anza Blvd. This project will significantly impact traffic, particularly in the vicinity of its proposed location at the intersection of Via Vico and S. DeAnza Blvd, and an effective traffic mitigation plan for De Anza Blvd will become essential. To the best of my knowledge such planned mitigation is non-existent.</p>	<p>Impacts related to traffic are discussed in Section 16, Transportation, of the IS-MND. As discussed there, impacts would be less than significant without the need for mitigation. As the commenter does not provide specific information or analysis to challenge the information in the traffic study and IS-MND, or to support the need for specific mitigation, a more specific response is not possible.</p>

Comment No.	Comment	Response
Comment Letter 43: Tung Nguyen, September 26, 2017		
43.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 44: William Wu, September 25, 2017		
44.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition and concern to the project. Please kindly take into consideration my concern. Thanks.	Please see response to Comment 1.1.
Comment Letter 45: Winnie Mak, September 24, 2017		
45.1	The proposed four-story hotel at 1090 S. DeAnza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetic, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take my concern into consideration.	Please see response to Comment 1.1.
Comment Letter 46: Xuanshi Zhang, September 24, 2017		
46.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.	Please see response to Comment 1.1.
Comment Letter 47: Yi Zhen, September 25, 2017		
47.1	The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study	Please see response to Comment 1.1.

Comment No.	Comment	Response
	<p>incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.</p>	
Comment Letter 48: Yuliang (Alex) Xu, September 20, 2017		
48.1	<p>The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.</p> <p>I am writing to register my opposition to the project. Please consider my concern seriously as a register voter.</p>	Please see response to Comment 1.1.
Comment Letter 49: Yuliang (Alex) Xu, September 25, 2017		
49.1	<p>It was very nice to speak to you on the phone. I want to reiterate my strong opposition to this proposed 1090s De Anza hotel project as a neighborhood resident. The reasons are as following:</p> <p>1. Traffic disaster caused by this potential project. As I went through the project proposal, I found that there are only 50 underground parking lots planned while there are 90 hotel rooms. therefore, at least 50 cars (guests + hotel workers) will be parked on the street when hotel is full.</p>	Please see response to Comments 5.1, 16.3, and 2
49.2	Furthermore, 90 -100 additional cars will create a lot of traffic Issues in that intersection.	Please see response to Comments 5.1 and 24.8.
48.3	<p>Environmental issues caused by this potential project. This proposed project will last 12-14 months per the proposal which will create a constant noise, excessive dust and safety issue from construction. There is no mitigation plan from construction impact to environment either.</p>	<p>As discussed in Section 3, Air Quality, of the IS-MND, standard permit conditions would be applied to the proposed project, consistent with the Bay Area Air Quality Management District (BAAQMD) CEQA Air Quality Guidelines, to reduce dust emissions. In addition, as discussed in Section 12, Noise, of the IS-MND, standard permit conditions would be applied to the proposed project to address construction noise, consistent with the General Plan Policy EC-1.7 and the Municipal Code.</p> <p>With the standard permit conditions impacts related to construction noise and dust would be less than significant.</p>
48.4	Redwood Trees removal caused by this potential project. This project will involve the removal of 6 beautiful redwood trees on the project site which are at least 30 years old. Again, there is no mitigation plan to keep these 6 beautiful trees alive.	Please see response to Comment 16.1.

Comment No.	Comment	Response
48.5	Too high of a hotel on too little of land. This project will block the view of most of my neighbors. And most important thing is that there is not a single 4-story building in a 1 mile radius! You will understand the situation better if you pay a visit to the site. Please consider mine and my neighbor's concerns seriously.	Please see response to Comment 18.1.

Comment Letter 1

Mathur, Krinjal

From: Alex Fridlib
Sent: Friday, September 22, 2017 11:49 AM
To: Mathur, Krinjal
Subject: Hotel on 1090 S. De Anza Blvd.

Dear Ms. Mathur,

1.1 | The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on
out neighbourhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees
lining Via Vico, hazardous materials during contraction and operation.
The mitigation study incorrectly minimizes and disregards these effects.
I am writing to register my opposition to the project. Please take into consideration my concern.

Best Regards,
Alex Fridlib

Comment Letter 2

Mathur, Krinjal

From: Alex Xu
Sent: Thursday, September 21, 2017 9:39 AM
To: Mathur, Krinjal
Subject: Re: Strongly against proposed 4-story hotel at 1090 S.De
Importance: High

And also, Ms Mathur,

2.1

I have no idea how your team did the investigation and research for this project which stated that there is no impact on the neighborhood.
This 4 story building will have a huge impact on the neighborhood. The view, noise, everything. THERE IS NOT A SINGLE 4 story building in that area within a 1 mile circle!!!

Thanks and Regards,
Alex Xu
Tech Op & NPI Operation Program Manager

On Sep 20, 2017, at 8:16 PM, Alex Xu wrote:

Dear Ms. Mathur,

2.2

The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.
I am writing to register my opposition to the project. Please consider my concern seriously as a register voter.

Thanks and Regards,
Alex Xu

Comment Letter 3

Mathur, Krinjal

From: Bill J Chase
Sent: Saturday, September 23, 2017 7:14 AM
To: Mathur, Krinjal
Subject: New Hotel

Dear Ms. Mathur

3.1

The proposed 4 story hotel at 1090 S. De Anza Blvd. will have a serious impact upon our neighborhood parking and traffic, air and noise pollution, and removal of Redwood trees lining Via Vico . Please consider my opposition to the project.
W. Chase

Comment Letter 4

Mathur, Krinjal

From: Echo Star
Sent: Thursday, September 21, 2017 7:57 PM
To: Mathur, Krinjal
Subject: Opposition to project

Dear Ms. Mathur

4.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood : parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,

Bill Cho

Comment Letter 5

Mathur, Krinjal

From: Barbara Norton
Sent: Saturday, September 23, 2017 9:21 PM
To: Mathur, Krinjal
Subject: Hotel at DeAnza and Via Vico

5.1

Dear Ms. Mathur: The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. Parking and traffic in that area is already difficult since several stores opened in the shopping center across the street. The mitigation study incorrectly minimizes or disregards these effects. Although the builders have a lobbyist pushing very hard for this hotel, I resent that my area is controlled by a person who has little or no connection with the area and only real concern is his/her paycheck. I am writing to register my opposition to the project - this is a BAD idea. Please take into consideration my concern.

Sincerely

Bonnie Edwards

Comment Letter 6

Mathur, Krinjal

From: Ryan Ooi
Sent: Sunday, September 24, 2017 2:52 PM
To: Mathur, Krinjal
Subject: Proposed Hotel Project on S.De Anza and Via Vico

Dear Ms.Mathur:

6.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Brian Ooi

Comment Letter 7

Mathur, Krinjal

From: J'Carlin
Sent: Saturday, September 23, 2017 6:22 PM
To: Mathur, Krinjal
Subject: NextDoor NIMBYs at it again

The following is from NextDoor and shows a total lack of understanding of city planning and reasonable development. No surprise at all. The site has easy access from 85 and is in a heavily developed area.

- 7.1 Approve it and perhaps offer additional height in exchange for placemaking on Via Vico.

Carlin Black
SCAG District 1 representative.

Comments to the City are due by Monday, Sept. 25. This large hotel on a very small property would have a negative impact on our neighborhood and property values. At a minimum, please send the message below (or something similar) to the planning department representative at the City. -- Redacted

- 7.2 Dear Ms. Mathur (krinjal.mathur@sanjoseca.gov): The proposed four-story hotel at 1090 S De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern. Regards,

—
J'Carlin

More on The Blue Roads of Thinking <http://jcarlinsv.blogspot.com/>

Comment Letter 8

Mathur, Krinjal

From: Charley lim
Sent: Tuesday, October 10, 2017 8:54 PM
To: Mathur, Krinjal
Cc: Pressman, Christina
Subject: 90-room Hampton Inn at 1090 South DeAnza Blvd

Dear Ms. Mathur:

8.1 | The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: safety, parking and traffic, aesthetics, air and noise pollution, remove of mature redwood tree lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards those efforts. I am writing to register my opposition to the project. Please take into consideration our neighbors concerns.

Best Regards,

Charley Lin

Comment Letter 9

Mathur, Krinjal

From: crystal m
Sent: Saturday, September 23, 2017 3:21 PM
To: Mathur, Krinjal
Subject: New constructing... Bad Idea!!!!

Dear Ms.Krinjal Mathur,

9.1

The proposed four-story hotel at 1090 [S.De Anza Blvd.](#) will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Christel Marcus

Comment Letter 10

Mathur, Krinjal

From: codrutza popescu
Sent: Saturday, September 23, 2017 5:45 PM
To: Mathur, Krinjal
Subject: Hotel S. De Anza / Via Vico

Dear Ms. Mathur,

10.1

The proposed four-story hotel at 1090 [S.De Anza Blvd.](#) will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Best Regards,
Codrutza Popescu

Comment Letter 11

Mathur, Krinjal

From: Diane Na Yeon Kim
Sent: Sunday, September 24, 2017 9:35 PM
To: Mathur, Krinjal
Subject: San Jose Hotel

Dear Ms. Mathur,

11.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my intense opposition to the project.

Please take into consideration my concern as well as the concern of everyone else living in the area.

Regards,
Diane

--
University of California, Los Angeles | Fine Arts, BA 2017

Comment Letter 12

Mathur, Krinjal

From: dimple jain
Sent: Thursday, September 21, 2017 11:55 AM
To: Mathur, Krinjal
Subject: Opposition to the hotel project at 1090 S. De Anza Blvd

Dear Ms. Mathur,

The proposed four-story hotel at [1090 S. De Anza Blvd](#) will have a serious impact on our neighborhood: Parking and traffic, air and noise pollution, removal of mature redwood trees lining Via Vico., hazardous material during construction and operation.

12.1

I am writing to register my strong opposition to the project. Please take into consideration my concern.

This large hotel on a very small property would have negative impact on our neighborhood and property values.

Thank You.

Sincerely,

Dimple Malvi

Comment Letter 13

Mathur, Krinjal

From: Doris Livezey
Sent: Thursday, September 28, 2017 11:46 AM
To: Mathur, Krinjal
Cc: Jones, Chappie; Rhonda Berry;
Subject: Objection to tree removal at 1090 S. DeAnza

I just learned of the De-Anza Hotel project plan. And see that I am past the deadline for comments. I offer the following objections at this time.

Please feel free to share my comments with the Planning Department.

PUBLIC REVIEW PERIOD Before 5:00 p.m. on Thursday September 14th, 2017 any person may: 1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or 2. Submit written comments regarding the information and analysis in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Rosalynn Hughey, Interim Director Planning, Building and Code Enforcement

I take issue with the comment that there is no problem with the following:

- A. *AESTHETICS -The project will not have a significant impact on this resource, therefore no mitigation is required.*
 - B. *AGRICULTURE AND FOREST RESOURCES - The project will not have a significant impact on this resource, therefore no mitigation is required.*
 - C. *AIR QUALITY- The project will not have a significant impact on this resource, therefore no mitigation is required.*
- 13.1 | A. The plan is to remove 7 mature redwood trees, therefore there is a significant impact on the aesthetics of the area. There is also the possibility of removing more on the border.
- 13.2 | B. The project will deplete many redwood trees and thus reduce the City's Forest resources. It will remove the habitat of birds.
- 13.3 | C. Air quality will suffer from the loss of the redwood trees. They provide filtering of the impurities in the air.

Thank you for considering my comments. Please find a way to preserve the trees!!

Doris Livezey

Comment Letter 14

Mathur, Krinjal

From: Aerieways
Sent: Monday, August 28, 2017 12:47 PM
To: Mathur, Krinjal
Subject: Re: Public Review Draft MND: 1090 S. De Anza Boulevard Hotel Project (Planning File No. C16-041 & H16-032)

14.1

At this time it is agreed that the Muwekma Tribal Band best represents the wishes of the Tamien speakers who once resided in this area of San Jose. I suggest you contact their group.

Ed Ketchum
Amah Mutsun Tribal Band
Historian

-----Original Message-----

From: Mathur, Krinjal <krinjal.mathur@sanjoseca.gov>
To: Mathur, Krinjal <krinjal.mathur@sanjoseca.gov>
Sent: Fri, Aug 25, 2017 10:15 am
Subject: Public Review Draft MND: 1090 S. De Anza Boulevard Hotel Project (Planning File No. C16-041 & H16-032)

**PUBLIC NOTICE
INTENT TO ADOPT
A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Project Name: 1090 S. De Anza Boulevard Hotel Project

File Nos.: C16-041 & H16-032

Project Description: The project proposes a Conventional Rezoning from CP (PD) Commercial Pedestrian Planned Development Zoning District to CP Commercial Pedestrian Zoning District for commercial uses and a Site Development Permit to allow the construction of a four-story, 90-room hotel with one-level of underground parking on a 0.61-gross acre site.

Location: Northeasterly corner of Via Vico and South De Anza Boulevard, at 1090 S. De Anza Boulevard in San José

Assessor's Parcel No.: 372-25-015

Council District: 1

Applicant Contact Information: Jerry Kwok, Cupertino De Anza Hospitality, LLC; Post Office Box 466 Cupertino, California 95109

The City has performed environmental review on the project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment if protective measures (mitigation measures) are included in the project.

The public is welcome to review and comment on the draft Mitigated Negative Declaration. The public comment period for this draft Mitigated Negative Declaration begins on August 25, 2017, and ends on September 14, 2017.

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/index.aspx?NID=5674>. The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact Krinjal Mathur at (408) 535-7874, or by e-mail at krinjal.mathur@sanjoseca.gov.

Krinjal Mathur
Planner | City of San José
Planning, Building & Code Enforcement
krinjal.mathur@sanjoseca.gov
408.535.7874

Comment Letter 15

Mathur, Krinjal

From: Liz Roberts
Sent: Sunday, September 24, 2017 9:15 PM
To: Mathur, Krinjal
Subject: Re: 1090 S. De Anza Blvd.

Dear Ms. Mathur,

15.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. Parking is already a huge problem in our neighborhood, and adding a hotel of that size to our small neighborhood will have a negative impact. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,

Elizabeth Roberts

Sent from my Android phone using Symantec TouchDown (www.symantec.com)

Comment Letter 16

Mathur, Krinjal

From: Emanuel Beer
Sent: Wednesday, September 20, 2017 12:33 PM
To: Mathur, Krinjal
Cc: Serge Zarantonello; June Oberdorfer; Rogerio@XXXcom; RobertMali@XXXcom; Mary Zarantonello; Inna Zaltsmann
Subject: Re: Hotel Project 1090 S. De Anza Blvd

Dear Mr. Mathur,

Here are my comments re. the subject

- 16.1 | The planers seem to totally lack honest consideration for us, the home owners surrounding the proposed hotel.
- 16.2 | 1) The uprooting of majestic redwood trees is nothing less than a crime against the environment and the aesthetics of our street, Via Vico. These are the most beautiful trees in the entire neighborhood, probably in the entire city of SJ. The planned hotel will end up destroying all the redwoods, despite the present assessment of "only" 7 trees. Any competent civil engineer understands that in order to build the underground parking, ultimately all trees will be sacrificed. The fact that these majestic trees are not included in the city's Heritage trees is ridiculous. No municipality in the Bay Area would allow this to happen.
- 16.3 | 2) The parking situation this project will create on Via Vico is unbearable. Even under the planners assumption, more than 50 cars belonging to the hotel patrons and staff will end up on Via Vico and the adjacent parking lots belonging to our property. If indeed you will try to save the 5 redwood trees bordering the gas station lot, you will not be able to build even 40 parking spots !
- 16.4 | 3) Since in my opinion the items described in 1,2 above are enough to justify cancelling the project, I will stop here, without elaborating on the physical and social damage this project will caused to our environment.
- 16.4 | 4) This project will have a significantly negative impact on the value of our property. We, the homeowners of this neighborhood will oppose this project with all our power.
- 16.4 | It is clear to me that any competent civil engineer would know that the proposed project cannot come to fruition on the gas station lot! It is transparent that the planners, if competent, understand that they will have to allow the hotel developer to step over every letter of the code and build even a higher structure than the one proposed.

The fundamental question is: whose interest and wellbeing do the mayor and council members represent? The hundreds, maybe thousands of home owners in this neighborhood or the potential owner of the planned hotel? This is another example of elected officials treating their constituency like forgotten insignificant citizens.

I call upon the mayor and council members to reconsider the damage they are bringing upon us and cancel this project.

Sent from my iPad

On Sep 20, 2017, at 9:12 AM, Mathur, Krinjal <krinjal.mathur@sanjoseca.gov> wrote:

Hello Mr. Zarantonello,

Thank you for your comments on the 1090 S. De Anza Blvd Hotel Project (Planning File No. C16-041 & H16-032). Your comments are currently under review and you will be notified via e-mail when the response to comments are available for review on the City's website.

Best,

Krinjal Mathur

Planner I | City of San Jose
Planning, Building & Code Enforcement
krinjal.mathur@sanjoseca.gov
408.535.7874

From: Serge Zarantonello
Sent: Wednesday, September 20, 2017 12:26:08 AM
To: Mathur, Krinjal; June Oberdorfer; emanuel.beer@XXX.com; Rogerio@XXX.com; RobertMali@XXX.com; Mary Zarantonello; Inna Zaltsmann
Subject: Hotel Project 1090 S. De Anza Blvd

Dear Ms Mathur:

I am sending you a pdf file with my comments. Thank you for extending the review period.

Regards,

Sergio E. Zarantonello

Comment Letter 17

Mathur, Krinjal

From: on behalf of Shellwood Investment & Properties
Sent: Sunday, September 24, 2017 8:27 PM
To: Mathur, Krinjal
Subject: opposition to the project for a four-story hotel

Dear Ms. Mathur,

17.1

I am writing to register my opposition to the project for a four-story hotel at 1090 S. De Anza Blvd, this proposed project will have a major impact in the neighborhood on parking and traffic. Please take into consideration my concern.

Gary J. Lin

Comment Letter 18

Mathur, Krinjal

From: Catherine Wong
Sent: Monday, September 25, 2017 1:23 PM
To: Mathur, Krinjal
Subject: Hotel Project at S. De Anza and Via Vico!

Dear Ms. Mathur,

We're shocked to learn that the Hotel project at S. De Anza and Via Vico is still being considered. My husband Harold and I, Catherine have lived on [address] for the last 50 years with four other neighbors in a row. In general, we've to say that the neighborhood is peaceful, orderly, residential, yet convenient to grocery stores, restaurants, and recreations.

18.1

There'll be nothing but disruptions to our way of life from the start of this unnecessary hotel project with air pollution, noise, the ruin of our low line landscape with the four-story hotel, the increased congestion of cars & people, and most of all, our property values will be affected. We have paid dutifully our property taxes, have brought our kids up with the excellent educational systems and churches in place, and hope to live the rest of our lives in the neighborhood which our grandkids love as well. Please vote strongly against the proposed project for not considering the impacts but just for profits only. We are registering our opposition to this Hotel project, and we hope you will agree with us. We thank you ahead for your further consideration.

Your sincerely,

Harold & Catherine Wong

Comment Letter 19

Mathur, Krinjal

From: Hongtao Mu
Sent: Thursday, September 21, 2017 10:08 AM
To: Mathur, Krinjal
Subject: opposition to the hotel project at 1090 S De Anza Blvd

Dear Ms. Mathur,

I am a resident at [address].

The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimises or disregards these effects.

I am writing to register my opposition to the project. Please take into consideration my concern.

Thanks and Regards,

Hongtao Mu

19.1

Comment Letter 20

Mathur, Krinjal

From: its yokota
Sent: Friday, September 22, 2017 8:13 PM
To: Mathur, Krinjal
Subject: Proposed four-story hotel at 1090 S. De Anza Blvd

20.1

Dear Ms. Mathur,
The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Itsuo Yokota,
Next Door Miller,
Resident

Comment Letter 21

Mathur, Krinjal

From: Karen Shi
Sent: Wednesday, September 20, 2017 8:24 PM
To: Mathur, Krinjal
Subject: About the proposed construction at Via Vico and de anza rd

Dear Ms. Mathur,

21.1

The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.
I am writing to register my opposition to the project. We love our neighborhood and we seriously not supportive of this construction proposal. Please consider my concern seriously as a register voter.

Thanks and Regards,
Jieying Shi

My iPhone sent this by magic

Comment Letter 22

Mathur, Krinjal

From:
Sent: Friday, September 22, 2017 2:45 PM
To: Mathur, Krinjal
Subject: Proposed Hotel at 1090 S. DeAnza Blvd, San Jose

Dear Ms. Mathur,
22.1 A proposed 90-room hotel at 1090 S. DeAnza is being evaluated by the City of San Jose for construction.
This large hotel on a very small property would have a very negative impact on our neighborhood and
property values: parking and traffic, aesthetics, air and noise pollution, removal of healthy mature
22.2 redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study
incorrectly minimizes or just disregards these effects. There are numerous children in the immediate area,
and parking and traffic would seriously jeopardize their safety, not to forget the impact on crowding the
neighborhood for additional parking for the hotel. The photos of traffic on S. DeAnza and Via Vico are
totally inaccurate, as you can go just about any time of day and see constant traffic. This is not an
appropriate decision for a residential area, and I am writing to register my opposition to the project.
Please consider my serious concern and vote to ban the project.

Most sincerely,
Jo Preston

Comment Letter 23

Mathur, Krinjal

From: Joy Walsh
Sent: Sunday, September 24, 2017 9:43 PM
To: Mathur, Krinjal
Subject: Proposed Hotel in San Jose on DeAnza and Via Vico

23.1 | Dear Ms. Mathur: The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

23.2 | A four-story building does not belong on this small piece of property and in this area in general. There are enough hotels in Cupertino, San Jose and Sunnyvale. We do not need this here. Regards,

Joy Walsh, homeowner since 1969

Comment Letter 24

Comments on Initial Study – Mitigated Negative Declaration, 1090 S. De Anza Blvd. Hotel Project, File Nos. C16-041 & H16-032, City of San José

June A. Oberdorfer

September 19, 2017

- 24.1 | The proposed hotel project is too large for the small footprint of the site. This oversizing creates problems of height (see point #1 below), setback (#2), parking (#3), traffic (#4), aesthetics (#5) and noise (#6) which are not adequately addressed in the Study. This proposed 92-room hotel (Robert Rivera, City of San José Planning Dept., personal communication, Sept. 14, 2017) needs to be either much smaller in scale or set on a much larger property.
- 24.2 | 1. Height: The proposed height is 55 feet and 3 inches, with a 61-foot height at the proposed tower. This height exceeds the height limit of 50 feet for areas zoned CP (San Jose Municipal Code Table 20-100). An exemption is made for Urban Villages with an approved Urban Village Plan. No Urban Village Plan has been approved for the South De Anza corridor so the 50-foot limit applies. Furthermore, there are no buildings that high along the San Jose City portion of South De Anza Boulevard. The maximum number of stories is two, even for very recent construction. The two-story maximum also applies to the other street affected by this proposed project, Via Vico. Allowing a four-story building that exceeds the height limit, without the planning process and community participation that goes into the development of an Urban Village Plan, would appear to violate the City's own planning/zoning documents. The South De Anza corridor is part of the Horizon III Urban Village Development. The only Horizon III Urban Village with an Urban Village Plan is the 24th and Williams Urban Village. That Urban Village has height limits ranging from 30 feet to 65 feet. Since it is unknown what height limits will be established for the South De Anza Urban Village, it is premature to build a structure exceeding the current zoning since a lower height limit could be determined for this part of the future Urban Village.
- 24.3 | 2. Setback: The project proposes having a zero-lot-line on both S. De Anza Blvd. and on Via Vico. Existing setbacks along S. De Anza are generally many tens of feet, with at least 6 to 8 feet along some more-recently-constructed buildings. Allowing a zero-lot-line would be out of keeping with existing architectural practice and would be premature for an area without a developed Urban Village Plan. While Urban Village planning generally encourages commercial establishments to abut the sidewalk, it is not clear from the documents if this applies to hotels which have a very different interaction with pedestrians than a retail or restaurant establishment.
- 24.4 | 3. Parking: The proposed project would have 50 parking spaces (47 regular and 3 ADA spaces) for 92 hotel rooms. The largest number of employees, eleven, would be present during the day shift. According to Table 20-190 (SJMC), a total of 103 spaces are required (one per room and one per employee). There is no street parking on S. De Anza Blvd. Parking, particularly in the evenings, is crowded along Via Vico with overflow from the three residential complexes and overflow from a karaoke establishment and a grocery store which are open late in the strip mall across Via Vico from the proposed site.
- 24.5 |

- 24.6 | The facility needs more than double the number of parking spaces that are currently planned. Given the limited public transit nearby (one bus running only on weekdays) and the large distance to rail and airport facilities, it is likely that most hotel guests will use their own vehicles or rental vehicles. Efforts to reduce the number of vehicles will be difficult, costly, and hard to monitor. It is also unclear from the Study where deliveries would be made to the hotel. If food, supplies, and linens would be brought in through the
- 24.7 | side door leading south onto Via Vico, then it is likely that a restricted loading zone would be created along the street, further restricting street parking.
- 24.8 | 4. Traffic: Currently, traffic from this gas station/car wash site exits onto S. DeAnza Blvd. Virtually all the activities are related to the car wash, and the washed cars are parked for customer pick-up in the driveways along S. De Anza. The cars make a right turn onto S. De Anza from those driveways. An additional 100+ vehicles exiting onto Via Vico would increase congestion and cause additional traffic problems at an accident-prone intersection. There have already been several automobile accidents with cars making a left turn onto S. De Anza from Via Vico. Cars often back up on Via Vico waiting to turn in either direction. The Preliminary Traffic Study (App. G) is completely inadequate and ill-informed about current traffic patterns. Its conclusion that only an additional maximum of eight cars would be exiting onto Via Vico from the hotel makes no sense given the number of rooms and likely number of vehicles. The traffic should be routed onto an obligatory right turn onto S. De Anza Blvd.
- 24.9 |
- 24.10 | 5. Aesthetics: This is an area of one and two-story buildings. This four-story building will be massive by comparison, blocking views of the adjacent hills. The zero-lot line and 6-
- 24.11 | foot sidewalk along Via Vico will produce a wall-like feeling, very different from the current open feeling in this commercial-residential neighborhood. The removal of the six
- 24.12 | mature redwoods and their replacement with a four-story wall will greatly lessen the aesthetics of the neighborhood.
- 24.13 | 6. Noise: The document states that there will be no noise from garbage pick-up as the garbage will be stored in the basement garage area. With an 8.5-ft vertical opening on the ramp to the garage, it doesn't seem possible that a garbage truck could go into the basement to empty the trash dumpster(s). The dumpster(s) would need to be brought to street level and most likely placed onto and emptied into a larger truck on Via Vico; it's unlikely the transfer of garbage would occur on a street as busy as S. De Anza Blvd. This garbage transfer would increase the noise to the neighborhood. It is unclear where
- 24.14 | deliveries would be made, but if they would be made to the south side door that opens onto Via Vico, that would add additional noise to the neighborhood.

Additional Comments:

- 24.15 | 1. Document Errors and Inaccuracies:
- 24.16 | a. The Study repeatedly refers to a convenience store being present onsite. The convenience store, although apparently permitted, was never built. One wonders if the preparers of the Study have ever actually visited the site.
- ↓ | b. The report also refers to the land use prior to the gas station as being an agricultural field. An historic aerial photograph of the site from 1948 (Google

- Earth) clearly show that it was not a field but rather an orchard, a very different classification with different environmental implications as to pesticide use.
- 24.17 c. The Study says that the site was converted from agricultural use to a gas station in 1976, however, the 2013 rezoning document File No. PDC13-022 refers to the previous rezoning in 1973 (File Number PDC73-1-33) to add a car wash to an existing gas station. The gas station must predate 1973.
- 24.18 d. Question 1.d. on Aesthetics raises the issue of increased light pollution. The Study states that “existing light sources within the project site include lights from the gas station convenience store and carwash, lights at the fuel pumps, and the pole-mounted site lights.” The writers of this study aren’t familiar enough with the site to know that it shuts down in the early evening and is completely dark. Light pollution at night from the proposed hotel will be significantly greater.
- 24.19 e. In App. D (Noise Measurements) the field data sheets at the end indicate that there were 11 cars passing the noise meter from 5:17 to 5:32 and 14 passing from 5:35 to 5:50. Table 11 Noise Monitoring Results in the Study list those same values as 11 (only those passing the meter) and 22 (those passing the meter plus those turning off before), respectively. The field data sheet values should be used and the table corrected.
- 24.20 f. It is unclear on p. 96 how the ADT value of 1,320 vehicles on Via Vico was determined for the noise modeling. That number was assumed to be ten times the maximum hourly rate, which was four times the 15-minute count rate. Those assumptions would put the maximum hourly rate at 132 vehicles and the maximum 15-minute rate at 33 vehicles. The field observations were 11 vehicles per 15 minutes and 14 vehicles per 15 minutes for an average of 12.5 vehicles per 15 minutes under current traffic conditions, not 33. The ADT should be 12.5 vehicles times 4 times 10 = 500 vehicles, not 1,320 vehicles. The modeling should be redone and re-evaluated.
- 24.21 g. Table 21 lists a large volume of wastewater (6,808 gallons per day) as being generated by the carwash. According to the Phase 1 Environmental Site Assessment, the wastewater generated by the carwash is collected in a sump, treated, and reused. This reuse of carwash-water was a requirement of the City during the drought and is a common practice. Table 21 needs to be revised to eliminate the subtraction of the carwash wastewater in calculating the net increase in wastewater generated and the conclusion re-evaluated.
- h. One wonders what other errors or inaccuracies are in the report.
- 24.22 2. Phase I Environmental Site Assessment (Feb. 27, 2015):
- 24.23 a. The ESA is out of date, according to its own cover letter. It should be updated.
- 24.24 b. During the 2015 site visit, an observation was made that there were no unlabeled containers and/or drums at the site. At present, there are four unlabeled, 55-gallon drums stored on the northwest corner of the site (see photo below). These are the types of drums used to store soil from soil borings. If these drums contain soil from the geotechnical borings completed on March 16, 2017, the soils have been stored over 180 days at the site which would be illegal if the soils contain

- 24.25 | hazardous materials. Most likely it's unknown if the soil cuttings are contaminated at this former LUFT site.
- 24.26 | c. The ESA does not acknowledge or address the fact that the site was previously an orchard and that residual lead arsenate and DDT pesticides could be a hazard to workers, nearby residents, and the general-public, especially as airborne particulates. Soil sampling for residual pesticides would need to be closely-spaced enough to identify any hot spots of high concentration where pesticides might have been mixed or stored.
- d. Based on the age of the buildings on the site (prior to 1973 for the gas station and around 1973 for the car wash) there is the likelihood of the presence of lead-based paint and asbestos in the structures. These would need to be tested for and addressed if found.



- 24.27 | 3. Raised Driveway: The Geotechnical Investigation (App. B) recommends the installation of a driveway raised on piers to protect the adjacent, large, mature trees on the adjoining property. The Study does not address whether this mitigation measure will be incorporated into the plans for the site. These redwood trees are very beautiful, and it would be a shame if they were damaged either during construction or by driveway traffic.
- 24.28 | 4. The air standards discussed in Environmental Checklist, 3) Air Quality are regional standards and do not address potential local impact. This impact is of particular concern because of the likely presence of residual metallic or organochlorine pesticides which could pose an airborne hazard. Will perimeter air monitoring be required during the construction phase of the project if pesticides are found at concentrations of concern?

Comment Letter 25

Mathur, Krinjal

From: Kathy Yokota
Sent: Saturday, September 23, 2017 5:17 PM
To: Mathur, Krinjal
Subject: proposed hotel deAnza and Via Vico

25.1

Dear Ms. Mathur, The proposed four-story hotel at 1090 [S.De](#) Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, This piece of property is too small for a hotel. It seems to me that all you are looking at is the hotel tax you will benefit from while people who live in san jose and cupertino will have to deal with more traffic. It is not a great corner for a hotel. AND you already placed a starbucks/office complex just next to 85 on ramp. You come and live here close to deanza and see what the traffic is like.

The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern. kathleen yokota

Comment Letter 26

Mathur, Krinjal

From: Kazunori Kato
Sent: Sunday, September 24, 2017 11:55 PM
To: Mathur, Krinjal
Cc: Kato Kazunori
Subject: Opposition to Proposed Hotel on S De Anza

Dear Ms. Mathur,

26.1

The proposed four story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees living Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am weighting to register my opposition to the project. Please take into consideration my concern.

Regards,

Kazunori Kato

Comment Letter 27

Mathur, Krinjal

From: cheung ken
Sent: Saturday, September 23, 2017 2:03 PM
To: Mathur, Krinjal
Cc: Jones, Chappie; Rogerio@XXXX.com; Gomez, David; rjhome2009@XXX.com; seyodz@XXXX.com; innaz2008@XXXX.com; zhao8029@XXXX.com; emanuel.beer@XXXX.com; ksk156@XXXX.com; jaoberdorfer@XXXX.com; deepak.sabnis@XXXX.com; szarantonello@XXX; Rivera, Robert; christina.pressaman@XXXX; Brooks, Ed; xuyuliang2000@XXX.com
Subject: Hotel Project At 1090 S. De Anza Blvd.

Dear Ms. Mathur,

I am the president of the Vista De Saratoga HOA on Via Vico, I want to express my utmost disappointment on the city of San Jose trying to push through the proposed 92-room hotel project at 1090 S. De Anza Blvd. Here are my two main concerns:

- 27.1 | 1. **Traffic and Parking Problem** - A project like this should not be approved at all in a location where there is no major cross streets and traffic lights to absorb the added traffic volume. It is also naive and irresponsible to even think about hotel incentives would reduce the parking needs, given there are only 50 or 60 parking spaces for guests and staffs in the 92-room hotel. This is high tech area, not a resort or leisure attraction and no one will care about incentives to use taxi or free shuttle service when local companies pay for the expenses. Regardless of what form of transportation hotel guests will use, during peaks hours you will still have potentially 100+ (including deliveries and employees) cars going through the Via Vico and De Anza Blvd intersection to get on to or off from the De Anza Blvd without a traffic light. Like other parents living on Via Vico, I am really concerned on the need to compete with the additional traffic to get on to De Anza Blvd to send my kids to school on time in the morning
- 27.2 |
- 27.3 | 2. **Environmental Impact** - Noise, hotel guests wandering around this quiet neighborhood is absolutely unacceptable. I have never seen, except may be in down town areas, a project like this get planned for within a distance of 50 feet from the single family residences. In addition, no matter how you design the hotel architecture, this multi-story structure is a monster and a nuisance to the coherent neighborhood destroying the quality living condition. No one in any residential community would want more strangers to show up in their neighborhood.
- 27.4 |

I sincerely request the San Jose city officials representing the residents and our neighborhood to make accountable and responsible decisions, to consider the interest and needs of the people who live in the neighborhood in the first place, not the business owners who don't live here, but just come to make money without adding value services to the neighborhood. **STOP APPROVING THIS HOTEL PROJECT!**

Best Regards,

Ken Cheung

Comment Letter 28

Mathur, Krinjal

From: Los Osos Cupertino
Sent: Monday, September 25, 2017 6:09 PM
To: Mathur, Krinjal
Subject: Opposing hotel at 1090 S De Anza

28.1

The proposed four-story hotel at 1090 S De Anza Blvd will have a serious impact on our neighborhood. The mitigation study incorrectly minimizes or disregards the effects. I am registering my opposition to the project.

Comment Letter 29

Mathur, Krinjal

From: Mahaveer Jain
Sent: Wednesday, September 20, 2017 7:57 PM
To: Mathur, Krinjal
Subject: Opposition to the hotel project at 1090 S. De Anza Blvd

Dear Ms. Mathur,

29.1

The proposed four-story hotel at 1090 S. De Anza Blvd will have a serious impact on our neighborhood: Parking and traffic, air and noise pollution, removal of mature redwood trees lining Via Vico., hazardous material during construction and operation.

The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

This large hotel on a very small property would have negative impact on our neighborhood and property values

Mahveeer Jain

Comment Letter 30

Mathur, Krinjal

From: mvinvargas@aol.com
Sent: Sunday, September 24, 2017 10:16 AM
To: Mathur, Krinjal
Subject: Via Vico Hotel - NO

30.1 | Dear Ms. Mathur (krinjal.mathur@sanioseca.gov): The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.

30.2 | This intersection is ill suited for such a large project. It is one of the crazy busy accident prone intersections in this area. Putting the hotel will certainly jeopardize the liability of the city of San Jose, for knowingly adding more foot and car traffic to this intersection.

30.3 | Finally, I am against any building that exceed 3 stories. The city is on a path of lining up additional tax revenue by creating urban villages along these boulevards. These developers will profit from the transaction and leave us, the local residents to deal with the aftermath. Eventually we will be asked, after the insidious growth of traffic, to pay for a transportation tax measure to improve traffic (the citizens cleaning up the mess the developers and the city planners make).

30.4 | At the very least, if any hotel is approved on De Anza Blvd. or Stevens Creek are approved, there should be a hotel tax fee that goes to a transportation remedy war chest that is set aside for mitigating the mess these developments create and used for this specific region/district (not cherry picked and used in some other unrelated part of San Jose). See if the developer is up for that..... if so then the value prop. is more balanced for local citizens. What make even more sense is that the developer has to pay that intersection to have a traffic signal put into that intersection.

We are writing to register our opposition to the project. Please take into consideration our concerns.

Regards,

Michael and Margie Vargas

Comment Letter 31

Mathur, Krinjal

From: Michael Wei
Sent: Sunday, September 24, 2017 5:56 PM
To: Mathur, Krinjal
Subject: Opposition to hotel project in San Jose

Dear Ms. Mathur:

31.1

The proposed four-story hotel at 1090 [S. De Anza Blvd.](#) will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Michael Wei

Comment Letter 32

Mathur, Krinjal

From: Min Yin
Sent: Sunday, September 24, 2017 9:59 PM
To: Mathur, Krinjal
Subject: No Hotel!

32.1

Dear Ms. Mathur: The proposed four-story hotel at 1090 S.De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern. Regards,
Min Yin

Comment Letter 33

Mathur, Krinjal

From: Mohan Chirala
Sent: Wednesday, September 20, 2017 10:13 PM
To: Mathur, Krinjal
Subject: Re: Proposed 92-room Hotel in San Jose

Dear Ms. Mathur,

My name is Mohan Chirala and am a Program manager working for Apple. I live in [address], San Jose. I came to know that a small hotel is proposed to be constructed in lieu of Chevron gas station and car wash at 1090 S. De Anza Blvd, right at the entrance to our street.

33.1 I believe that this proposed hotel will have a seriously negative impact on our neighborhood. There are multiple concerns here:

- Removal of Mature Redwood Trees that line our street.. we value them and they provide a distinct identity to our landscape. Chopping down any mature tree is not only sad, but it will have an environmental impact.

33.2 - Security issue.. if a small hotel props up in your neighborhood, it does not attract the right clientele.. our community has small children and we are scared of the security consequences.

33.3 - Creating a traffic choke point - Taking a left turn during peak-hours from Via vice off onto De Anza is already a difficult proposition. Having a medium size hotel there is going to make it worse.

33.4 - Increased parking difficulties - The street of via vico is already dotted with street-parked cars as the apartment complexes and even our townhomes have limited Parking.. bringing in a 92 room hotel to the mix would be disastrous for existing tenants.

33.5 - Air & Noise pollution - this is a side effect of the proposed Redwood tree chopping, which hitherto have been shielding us from the ill effects of heavy traffic & pollution off of De Anza. Also, during the hotel construction and even after it starts teeming with guests, it will get much worse.

33.6 I came to know that there was some mitigation study that was done to look into resident concerns. If it was done, it hasn't considered the impact of the above concerns.

Please register my strong opposition to this project and kindly take the above concerns into account.

regards,
Mohan

Comment Letter 34

Mathur, Krinjal

From: Steven Chang
Sent: Thursday, September 21, 2017 8:29 PM
To: Mathur, Krinjal

34.1

The proposed four-day hotel at 1090 S.De Anza Blvd will have a serious impact on our neighborhood : parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vivo, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.
Regards.

Nanperng Chang
Resident

Comment Letter 35

Mathur, Krinjal

From: Peter Nemirovsky
Sent: Sunday, September 24, 2017 10:34 PM
To: Mathur, Krinjal
Subject: Impact on our neighborhood

Dear Ms. Mathur:

35.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation.

The mitigation study incorrectly minimizes or disregards these effects.

I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Peter Nemirovsky

Comment Letter 36

Mathur, Krinjal

From: Pyoungwon Park
Sent: Monday, September 25, 2017 9:48 AM
To: Mathur, Krinjal
Subject: Concern on Hotel project on De Anza.

Dear Ms. Mathur

36.1 The proposed four-story hotel at [1090 S.De Anza Blvd.](#) will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. I hope you strongly consider that there is **R.I. Meyerholz Elementary School just 0.4mile distance**. This hotel project will adversely affect the kids in this school as well. **There is already heavy traffic on De Anza and this will make it worse.**

36.2 The mitigation study incorrectly minimizes or disregards these effects.

I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,
Pyoungwon at Ventana

Comment Letter 37

Mathur, Krinjal

From: Raja Malladi
Sent: Thursday, September 21, 2017 7:39 AM
To: Mathur, Krinjal
Subject: Proposed Four-story hotel at 1090 S.De Anza Blvd

Hi,

37.1

My name is Raja Malladi and i live in [address]. We live in the neighborhood of the proposed hotel in the mentioned address. We purchased the property considering several factors which include peaceful neighborhood amongst several others. The proposed hotel will have a serious impact on our neighborhood parking and traffic, aesthetics, air and noise pollution and the sanity of neighborhood. The mitigation study incorrectly minimizes and disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards
Raja

Comment Letter 38

Mathur, Krinjal

From: Raj Jayaraman
Sent: Monday, September 25, 2017 11:01 AM
To: Mathur, Krinjal; Rogerio@XXX.com
Cc: Jones, Chappie; Gomez, David; kcheung_64@XXX.com; seyodz@XXX.com; innaz2008@XXX.com; zhao8029@XXX.com; emanuel.beer@XXX.com; ksk156@XXX.com; jaoberdorfer@XXX.com; deepak.sabnis@XXX.com; szarantonello@XXX; Rivera, Robert; christina.pressaman@XXX; Brooks, Ed; xuyuliang2000@XXX.com
Subject: Re: Hotel Project 1090 S. DeAnz Blvd.

Hello Ms. Mathur,

38.1

Thanks for your response. I'm on the board of directors at Vista De Saratoga as well, and would like to register my deepest concern for this proposed project.

Reiterating comments raised by fellow board members and community residents, this project certainly isn't a welcome addition to our neighborhood.

Thanks,
Rajkumar Jayaraman

From: "Mathur, Krinjal"
To: "Rogerio@aol.com"
Cc: "Jones, Chappie"; "Gomez, David"; "kcheung_64@XXX.com" <kcheung_64@XXX.com>; "rjhome2009@XXX.com" <rjhome2009@XXX.com>; "seyodz@XXX.com" <seyodz@XXX.com>; "innaz2008@XXX.com" <innaz2008@XXX.com>; "zhao8029@XXX.com" <zhao8029@XXX.com>; "emanuel.beer@XXX.com" <emanuel.beer@XXX.com>; "ksk156@XXX.com" <ksk156@XXX.com>; "jaoberdorfer@XXX.com" <jaoberdorfer@XXX.com>; "deepak.sabnis@XXX.com" <deepak.sabnis@XXX.com>; "szarantonello@XXX" <szarantonello@XXX>; "Rivera, Robert" <robert.rivera@XXX>; "christina.pressaman@XXX" <christina.pressaman@XXX>; "Brooks, Ed" <Ed.Brooks@XXX>; "xuyuliang2000@XXX.com" <xuyuliang2000@XXX.com>
Sent: Monday, September 25, 2017 10:45 AM
Subject: RE: Hotel Project 1090 S. DeAnz Blvd.

Hello Mr. Hewitt,

Thank you for your comments on the 1090 S. De Anza Blvd Hotel Project (Planning File No. C16-041 & H16-032) Mitigated Negative Declaration. Your comments are currently under review and you will be notified via e-mail when the response to comments are available on the City's website.

Best,

Krinjal Mathur
Planner | City of San José
Planning, Building & Code Enforcement
krinjal.mathur@sanjoseca.gov
408.535.7874

From: Rogerio@XXX.com
Sent: Friday, September 22, 2017 6:04 PM
To: Mathur, Krinjal
Cc: Jones, Chappie <Chappie.Jones@XXX>; Gomez, David <David.Gomez@XXX>; kcheung_64@XXX; rjhome2009@XXX; seyodz@XXX.com;

innaz2008@XXX.com; zhao8029@XXX.com; emanuel.beer@XXX.com; ksk156@XXX.com;
jaoberdorfer@XXX.com; deepak.sabnis@XXX.com; szarantonello@XXX; Rivera, Robert
<robert.rivera@XXX>; christina.pressaman@XXX; Brooks, Ed
<Ed.Brooks@XXX>; xuyuliang2000@XXX.com
Subject: Hotel Project 1090 S. DeAnz Blvd.

Ms. Mathur,

I am on the Board of Directors of Vista de Saratoga, the 40-Unit Planned Unit Development, referred to in your documents as "existing residences along Via Vico approximately 100 feet east of the project site". I was born and raised in San Jose. I have lived at Vista de Saratoga for 33 years and have served on the Board of Directors for 10 of those years.

Thank you for having extended the deadline for public comment on the 1090 S. DeAnza Blvd Hotel Project. I first learned of the **Mitigated Negative Declaration File Nos. C16-041 & H16-032** documentation on September 13, 2017 at approximately 11 a.m. in an e-mail that had been forwarded to me by our Property Manager at Community Management Services. This e-mail originated from the Office of District 1 Councilman Chappie Jones and was sent to our Property Manager by David Gomez at 3:59 p.m. on September 12, 2017. David states, "Please share this with your Association, the public comment period for the project bellow (sic) was from August 25, 2017 to September 14, 2017. Councilmember (sic) Jones wanted to make sure that your members had the opportunity to partake in the comment period if they have not done so already."

The existence of this project was first known to the Board of Directors on May 25, 2017, when it was mentioned by a homeowner at our Annual Meeting. I conducted research on the subject and found the rumor to be true. I contacted the San Jose City Planning Department and found that Robert Rivera was the person responsible for the project. On June, 2, 2017, I sent Robert an e-mail introducing myself and asking him for internet links so that I could stay abreast of project progress. Robert never answered my e-mail.

On the evening of June 7, 2017, I attended a **Safety & Security on Chiala Drive Presentation**, conducted by Chappie Jones, at the Calabazas Library. After the meeting I talked with Chappie about the Hotel Project, but he didn't seem to know anything about it. The next day, I received an e-mail from Christina Pressman, the person on Chappie's Staff responsible for development issues. She said, "Our office also updates weekly, our D1 Development Map, which includes all of the current developments under review in District 1 (see link below)." This was exactly what I was looking for, and I have accessed this site weekly since receiving this link. The site indicated that the project was "Under Review" and then later "Review Letter Sent". There was never even a hint that a **Request for Comment** had been sent to anyone.

Apparently, this project has been in the works for several years. The parcel of land was purchased on May 19, 2015 by JRTE LLC from James and Teresa Rubnitz for \$2,450,000. The Rubnitz property had previously received City of San Jose approval (PD13-047) on March 5, 2014 for the construction of a convenience store, but apparently the Rubnitzes changed their mind. The current owner, Cupertino DeAnza Hospitality LLC, with principles Jerry Kim Kwok and Anny Ling-Ling Wu, filed with the California Secretary of State on April 7, 2015. References to this hotel are found in the *City of San Jose Five Year Economic Venue Projections 2018 - 2022*. Yet, up until recently, the project seems to have been a well kept secret. The Board respectfully requests the following information: **how was your Request for Comment disseminated and to whom?**

In response to your **Request for Comment**, it would be difficult for me to improve on the comments you have already received from many of the Vista de Saratoga homeowners. Like them, I feel that this project is **too much hotel on too little land**. Traffic is my biggest concern, only because people rarely die from parking. The intersection of DeAnza/Via Vico/Rollindell is already an extremely dangerous intersection, with or without the hotel. The median strip should be extended through this intersection, eliminating all but right turns from Via Vico and Rollindell on to DeAnza. Although, not in the scope of your request, in a similar fashion, the left turn lane from south bound DeAnza to Blue Hill Drive should also be eliminated by extending the median.

Parking at the planned hotel is painfully deficient and the surrounding neighborhood will have to bear this burden. We have 40 units at Vista de Saratoga, with 16 common area parking spaces. These spaces are available to residents and guests on a first come, first served basis, with a resident limit of one car per household.. All units have two-car garages, but many households have older children living with them, who own their own cars. Consequently, some households have three cars. Parking is closely monitored and we have a private property towing permit to enforce our rules. On any given night, it would be typical to have only one or two unoccupied common area parking spaces. In addition, six or seven residents would have a car parked on Via Vico. The residents living at Allenwood and Blue Hills Apartments also park overnight on Via Vico. Music Tunnel overflow parking is also on Via Vico, but has left by 2 a.m. We would insist that

our greater community parking (Vista de Saratoga, Allenwood, Blue Hill Apartments) be protected by a Resident Parking Permit program and that this program be rigidly enforced by the City of San Jose. In regard to public transportation available to hotel guests, the only bus service on DeAnza Blvd. passing the hotel after the summer of 2018, will be Route 51, with service once an hour from 6:30 a.m. until 6:30 p.m. weekdays, with no service on weekends. Hardly an attractive option to hotel guests.

The redwood trees are my third concern. The proposal claims that only 7 trees will be destroyed, but ignores the excavation that will destroy much of the root structure of the 7 trees on the adjacent property. An evaluation by a licensed arborist must be required. This parcel is really an oasis in the midst of an asphalt and concrete jungle. It's too bad that the City of San Jose can't see the opportunity to use this parcel as a mini-park in their South DeAnza Urban Village.

Respectfully submitted,
Roger Hewitt

Comment Letter 39

Mathur, Krinjal

From: Rebecca Bender
Sent: Sunday, September 24, 2017 8:35 PM
To: Mathur, Krinjal
Subject: Expressing Opposition to Proposed Hotel at 1090 S. De Anza Blvd.

Dear Ms. Mathur,

As President of the Ventana Place Home Owners Association located just a short distance from the proposed four story hotel at 1090 S. De Anza Boulevard, I am writing to express my concern and opposition.

39.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. I have been informed that the mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern, as well as that of the other 32 homes at Ventana.

Thank you,

Rebecca Bender

Comment Letter 40

Mathur, Krinjal

From: Rees Roberts
Sent: Sunday, September 24, 2017 8:57 PM
To: Mathur, Krinjal
Subject: 1090 s. DE Anza Blvd

Dear Miss Mathur,

40.1 I am writing you to voice my opposition to the proposed 4 story hotel at 1090 south De Anza boulevard. The additional
burden on our neighborhood will be unbearable. Currently, we are plagued by complete lack of parking due to
apartment complexes in our neighborhood as well as absolutely horrible driving conditions due to the unsafe drivers
40.2 who are rushing to work, and rushing to get their children to school. It is so bad last year we had one child hit while
walking to school. Not to mention the air and noise pollution, removal of mature Redwood trees lining our street,
40.3 hazardous materials during construction and operation. Make for an unsafe neighborhood. Currently your plan calls for
in 92 Room hotel to be built that only houses 50 parking spots and the question that we must ask is what is to happen
with the additional 42 potential cars in our neighborhood. We believe that your study incorrectly minimizes and/or
disregards any these effects on our neighborhood. We believe that this process and this new building will drive down
our house values and further congest an already almost intolerable traffic situation.

Kind Regards,

Rees Roberts

Sent from my Android phone using TouchDown (www.symantec.com)

Comment Letter 41

Mathur, Krinjal

From:
Sent: Friday, September 22, 2017 6:04 PM
To: Mathur, Krinjal
Cc: Jones, Chappie; Gomez, David; kcheung_64@XXX; rjhome2009@XXX; seyodz@XXX; innaz2008@XXX; zhao8029@XXX; emanuel.beer@XXX; ksk156@XXX; jaoberdorfer@XXX; deepak.sabnis@XXX; szarantonello@XXX; Rivera, Robert; christina.pressaman@XXX; Brooks, Ed; xuyuliang2000@XXX
Subject: Hotel Project 1090 S. DeAnz Blvd.

Ms. Mathur,

I am on the Board of Directors of Vista de Saratoga, the 40-Unit Planned Unit Development, referred to in your documents as "existing residences along Via Vico approximately 100 feet east of the project site". I was born and raised in San Jose. I have lived at Vista de Saratoga for 33 years and have served on the Board of Directors for 10 of those years.

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41.1

The existence of this project was first known to the Board of Directors on May 25, 2017, when it was mentioned by a homeowner at our Annual Meeting. I conducted research on the subject and found the rumor to be true. I contacted the San Jose City Planning Department and found that Robert Rivera was the person responsible for the project. On June, 2, 2017, I sent Robert an e-mail introducing myself and asking him for internet links so that I could stay abreast of project progress. Robert never answered my e-mail.

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41.2

In response to your **Request for Comment**, it would be difficult for me to improve on the comments you have already received from many of the Vista de Saratoga homeowners. Like them, I feel that this project is **too much hotel on too little land**. Traffic is my biggest concern, only because people rarely die from parking. The intersection of DeAnza/Via

41.3

Vico/Rollindell is already an extremely dangerous intersection, with or without the hotel. The median strip should be

41.4

extended through this intersection, eliminating all but right turns from Via Vico and Rollindell on to DeAnza. Although, not in the scope of your request, in a similar fashion, the left turn lane from south bound DeAnza to Blue Hill Drive should also be eliminated by extending the median.

- 41.5 | Parking at the planned hotel is painfully deficient and the surrounding neighborhood will have to bear this burden. We have 40 units at Vista de Saratoga, with 18 common area parking spaces. These spaces are available to residents and guests on a first come, first served basis, with a resident limit of one car per household.. All units have two-car garages, but many households have older children living with them, who own their own cars. Consequently, some households have three cars. Parking is closely monitored and we have a private property towing permit to enforce our rules. On any given night, it would be typical to have only one or two unoccupied common area parking spaces. In addition, six or seven residents would have a car parked on Via Vico. The residents living at Allenwood and Blue Hills Apartments also park overnight on Via Vico. Music Tunnel overflow parking is also on Via Vico, but has left by 2 a.m. We would insist that
- 41.6 | our greater community parking (Vista de Saratoga, Allenwood, Blue Hill Apartments) be protected by a Resident Parking Permit program and that this program be rigidly enforced by the City of San Jose. In regard to public transportation
- 41.7 | available to hotel guests, the only bus service on DeAnza Blvd. passing the hotel after the summer of 2018, will be Route 51, with service once an hour from 6:30 a.m. until 6:30 p.m. weekdays, with no service on weekends. Hardly an attractive option to hotel guests.
- 41.8 | The redwood trees are my third concern. The proposal claims that only 7 trees will be destroyed, but ignores the excavation that will destroy much of the root structure of the 7 trees on the adjacent property. An evaluation by a licensed arborist must be required. This parcel is really an oasis in the midst of an asphalt and concrete jungle. It's too bad that the City of San Jose can't see the opportunity to use this parcel as a mini-park in their South DeAnza Urban Village.

Respectfully submitted,
Roger Hewitt

Comment Letter 42

Comments on Initial Study – Mitigated Negative Declaration, 1090 S. De Anza Blvd. Hotel Project, File Nos. C16-041 & H16-032, City of San José

Sergio E. Zarantonello

September 19, 2017

- My views on the project are that it is ill-conceived because of : (1) its location, (2) its size, and (3) its impact on the neighborhood and community. Particular areas of concern are listed below:
- 42.1- **Aesthetics:** A four story structure in an area where buildings are at most two stories tall plus
42.3 the destruction of seven mature coastal redwood trees will obviously affect the aesthetics of our neighborhood. The view of the Santa Cruz mountains will be obstructed from the East, the four stories will project a long shadow when the sun is low, and the beautiful redwoods lining Via Vico will be gone. Your report says "less than significant impact". I disagree.
- 42.4- **Air Quality:** A major factor affecting outdoor air quality are gases spewed by motor vehicles.
42.5 Another are the gas emissions of indoor pollutants (e.g. kitchens, furnace, cleaning fluids, etc.) into the atmosphere. The hotel, as a source of emissions itself, and the accompanying increase in automobile and lorry traffic from and to the hotel will impact the air quality of our neighborhood. Your report breezily declares "less than significant impact". I urge a responsible and more comprehensive study.
- 42.6 **Hazards and Hazardous Materials During/After Construction:** Obvious impact on our community and property value.
- 42.7 **Traffic and Parking - Via Vico:** The 50 allotted underground parking spaces are insufficient for a 92-room hotel. Comparing with information about other hotel projects in California on the web, the minimal number of parking spaces should be in excess of 60. The resulting overflow parking will be on the Via Vico since none is available on S. De Anza. I disagree with your report's "less than significant impact". Similarly about traffic. Automobile and lorry traffic to and from the hotel will be substantially increased and affect both, our residents and the commercial entities near the intersection with S. De Anza. This is dismissed in your report.
- 42.8 **Traffic - South De Anza Blvd:** The hotel project appears to be part of new development the City of San Jose is planning along South De Anza Blvd. This project will significantly impact traffic, particularly in the vicinity of its proposed location at the intersection of Via Vico and S.DeAnza Blvd, and an effective traffic mitigation plan for De Anza Blvd will become essential. To the best of my knowledge such planned mitigation is non-existent.

Comment Letter 43

Mathur, Krinjal

From: T N
Sent: Tuesday, September 26, 2017 5:32 PM
To: Mathur, Krinjal; Sergio.Zarantonello@sanjoseca.gov
Subject: Hotel at 1090 S. De Anza Blvd

Dear Ms. Mathur and Mr. Zarantonello:

43.1 | The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,

Tung Nguyen

Comment Letter 44

Mathur, Krinjal

From: Wen Wu
Sent: Monday, September 25, 2017 7:18 AM
To: Mathur, Krinjal
Subject: Proposed Huge Hotel Project on S. DeAnza and Via Vico

Dear Ms. Mathur,

44.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.

I am writing to register my opposition and concern to the project. Please kindly take into consideration my concern. Thanks.

Best Regards,
William Wu

Comment Letter 45

Mathur, Krinjal

From: Winnie Mak
Sent: Sunday, September 24, 2017 12:18 PM
To: Mathur, Krinjal
Subject: Hotel project on S. DeAnza

Dear Ms. Mathur:

45.1

The proposed four-story hotel at 1090 S. DeAnza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetic, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take my concern into consideration.

Regards,
W. Mak

Comment Letter 46

Mathur, Krinjal

From: Xuanshi Zhang
Sent: Sunday, September 24, 2017 9:40 PM
To: Mathur, Krinjal
Subject: Opposition to hotel project at 1090 S. De Anza Blvd

Dear Ms. Mathur,

46.1

I am a resident at [address]. The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.

I am writing to register my opposition to the project. Please take into consideration my concern.

Regards,

Xuanshi Zhang

Comment Letter 47

Mathur, Krinjal

From: Yi Zhen
Sent: Monday, September 25, 2017 7:39 AM
To: Mathur, Krinjal
Subject: Regarding to the proposed hotel at De Anza

Dear Ms. Mathur,

I am a resident at Ventana Dr., San Jose.

47.1

The proposed four-story hotel at 1090 S. De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees lining Via Vico, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects. I am writing to register my opposition to the project. Please take into consideration my concern.

Best regards,
Yi
Zhen

Comment Letter 48

Mathur, Krinjal

From: Alex Xu
Sent: Wednesday, September 20, 2017 8:25 PM
To: Mathur, Krinjal
Subject: Strongly against building 4-story hotel at 1090 S. De Anza

Dear Ms. Mathur,

48.1

The proposed four-story hotel at 1090 s De Anza Blvd. will have a serious impact on our neighborhood: parking and traffic, aesthetics, air and noise pollution, removal of mature redwood trees, hazardous materials during construction and operation. The mitigation study incorrectly minimizes or disregards these effects.

I am writing to register my opposition to the project. **Please consider my concern seriously as a register voter.**

Thanks and Regards,
Yuliang Xu

Comment Letter 49

Mathur, Krinjal

From: Alex Xu
Sent: Monday, September 25, 2017 11:57 AM
To: Mathur, Krinjal
Cc: Rogerio@XXX; Jones, Chappie; Gomez, David; kcheung_64@XXX; seyodz@XXX; innaz2008@XXX; zhao8029@XXXcom; emanuel.beer@XXXcom; ksk156@XXXcom; jaoberdorfer@XXXcom; deepak.sabnis@XXXcom; szarantonello@XXX; Rivera, Robert; christina.pressaman@XXX; Brooks, Ed; Raj Jayaraman
Subject: Re: Hotel Project 1090 S. DeAnz Blvd.

Dear Ms. Mathur,

It was very nice to speak to you on the phone.

49.1 I want to reiterate my strong opposition to this proposed 1090s De Anza hotel project as a neighborhood resident (address). The reasons are as following:

49.2 **1. Traffic disaster caused by this potential project.** As I went through the project proposal, I found that there are only 50 underground parking lots planned while there are 90 hotel rooms. therefore, at least 50 cars (guests + hotel workers) will be parked on the street when hotel is full. Furthermore, 90 -100 additional cars will create a lot of traffic Issues in that intersection.

49.3 **2. Environmental issues caused by this potential project.** This proposed project will last 12-14 months per the proposal which will create a constant noise, excessive dust and safety issue from construction. There is no mitigation plan from construction impact to environment either.

49.4 **3. Redwood Trees removal caused by this potential project.** This project will involve the removal of 6 beautiful redwood trees on the project site which are at least 30 years old. Again, there is no mitigation plan to keep these 6 beautiful trees alive.

49.5 **4. Too high of a hotel on too little of land.** This project will block the view of most of my neighbors. And most important thing is that there is not a single 4-story building in a 1 mile radius! You will understand the situation better if you pay a visit to the site.

Please consider mine and my neighbor's concerns seriously.

Thanks and Regards,
Yuliang Xu

On Mon, Sep 25, 2017 at 11:00 AM, Raj Jayaraman wrote:

Hello Ms. Mathur,

Thanks for your response. I'm on the board of directors at Vista De Saratoga as well, and would like to register my deepest concern for this proposed project.

Reiterating comments raised by fellow board members and community residents, this project certainly isn't a welcome addition to our neighborhood.

Thanks,
Rajkumar Jayaraman

From: "Mathur, Krinjal"

To: "Rogerio@XXXcom" <Rogerio@XXXcom>

Cc: "Jones, Chappie" <Chappie-Jones@XXX>; "Gomez, David" <David.Gomez@XXX>;

"kcheung_64@XXX" <kcheung_64@XXX>; "rjhome2009@XXX" <rjhome2009@XXX>; "seyodz@XXX"

<seyodz@XXX>; "innaz2008@XXX"

<innaz2008@XXX>; "zhao8029@XXXcom" <zhao8029@XXXcom>; "emanuel.beer@XXXcom"

<emanuel.beer@XXXcom>; "ksk156@XXXcom" <ksk156@XXXcom>; "jaoberdorfer@XXXcom"

<jaoberdorfer@XXXcom>; "deepak.sabnis@XXXcom" <deepak.sabnis@XXXcom>; "szarantonello@XXX"

<szarantonello@XXX>; "Rivera, Robert" <robert.rivera@XXX>; "christina.pressaman@XXX"

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