

Meeting Notice delivered to our facility

Jesse, Frank (x3689) <JesseF@SatelliteHealth.com>

Mon 2/27/2017 5:49 PM

To: Tam, Tracy <tracy.tam@sanjoseca.gov>; Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; perry@fortbay.com <perry@fortbay.com>;

Cc: lance@fortbay.com <lance@fortbay.com>; Eckerman, Catherine (x3749) <EckermanC@SatelliteHealth.com>;

Hi Tracy, Dipa, and Perry:

It might be informative to all concerned that Satellite Healthcare, Inc., a not-for-profit provider of dialysis and renal care in the community, recently consummated 10 year lease with two subsequent options to renew, for 14,335 square feet at 4360 Stevens Creek Boulevard, with the prior ownership. Our facility is listed as being a part of Applicant Fortbay's request for a Planned Development rezoning of the property.

My team enjoyed a very constructive conversation with Mr. Lance Tate, Managing Member of Fortbay on February 21, 2017 where we mutually shared our perspectives regarding the subject property, and specifically, that we would not support any disruption of our new facility and leasehold.

As thoroughly known by the City of San Jose, establishing this recent new facility required obtaining zoning approvals, building permits for an "I-2.1" caliber fire resistive construction quality building, and thus very expensive and considerable upgrades to the building at Satellite Healthcare's expense. The subsequent Federal and State licensing for this facility was also a long and extensive process with detailed requirements that were necessary to fulfill. The lease for the facility also includes the entitlements to the extensive vehicle parking count required by the City for this medical permitted use. We equipped the building with the extensive required specialized heating/ventilation/air conditioning necessary for a dialysis center. Patient access is also a critical aspect of the features of this facility. The facility is credentialed for patient referrals by a number of organizations, and where absolute distance from the referring healthcare organization was a fundamental requirement of the credentialing.

Dialysis provides the life-saving treatment that our patients must have on a continuing basis, and we would never agree to discontinue our medical services to our patients for any period of time. Any proposed demolition of our facility, in the event we were to come to agreement with the new current ownership of the property, would have to be preceded by the furnishing of a completely comparable facility and leasehold, fully licensed in advance, approximately on the same general location, and with all costs for equipment, moving, licensure, project design, engineering and management and other invested costs, all fully reimbursed.

With very best regards,

Frank Jesse, AIA, NCARB, EDAC, OSHPD "Class A" Inspector
Vice President, Real Estate and Facilities
Satellite Healthcare, Inc.
650-404-3689

Please stop the high-density development along west Stevens Creek

Dr Marilyn <drmarilyn@sbcglobal.net>

Sun 3/12/2017 3:19 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Cc: Jones, Chappie <Chappie.Jones@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>;

Dear San Jose Government Members,

I'm reaching out to you regarding the proposed Fortbay "4300-4360 Stevens Creek" project. I'll be brief, in short:

Local residents do not want another high density housing complex replacing retail/entertainment/small office space. A possible solution would be something closer to the Bed Bath and Beyond space at Lawrence and Stevens Creek (where one story of housing is on top of retail). Additionally, it seems inappropriate to be proposing anything along Stevens Creek that necessitates a change in building height restrictions for the area that have been in place for many years. If we wanted to live in a high-density/high-rise area we would have considered downtown San Jose; we do not.

The bottom line on this issue is that residents do not want to lose retail/entertainment/small office space and do not want the extra "everything" that comes with adding multitudes of new residents in an already congested area. Home owners bought in this area because of its lower density and have reached the breaking point regarding being run over by people who do not have to live in the change they are creating. I challenge any of the developers and/or city staff who may be for this development to come live here in the change they are proposing. If you are not willing to do so, then please stop pushing it on us. Better still, let us propose a high-rise apartment complex across the street from your home.

Thank you in advance for your time and consideration. We are simply asking for the same consideration for our quality of life that you would give yourselves and your families.

Marilyn McGraw

Help stop the high-density development along west Stevens Creek

Rob Cheek <rcheek_inc@yahoo.com>

Sun 3/12/2017 7:51 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; mayoremial@sanjoseca.gov <mayoremial@sanjoseca.gov>;

Cc: Chappie.jones@sanjoseca.gove <Chappie.jones@sanjoseca.gove>;

Dear San Jose Government Elect Team Members and re-development officials.

I'm reaching out to you regarding the proposed Fortbay "4300-4360 Stevens Creek" project. I'll be brief, in short:

As a Local resident I do not want another high density housing complex replacing retail/entertainment/small office space. A possible solution would be something closer to the Bed Bath and Beyond space at Lawrence and Stevens Creek (where one story of housing is on top of retail). Additionally, it seems inappropriate to be proposing anything along Stevens Creek that necessitates a change in building height restrictions for the area that have been in place for many years. If we wanted to live in a high-density/high-rise area we would have considered downtown San Jose; we do not.

The bottom line on this issue is that residents do not want to lose retail/entertainment/small office space and do not want the extra "everything" that comes with adding multitudes of new residents in an already congested area. Home owners bought in this area because of its lower density and have reached the breaking point regarding being run over by people who do not have to live in the change they are creating. I challenge any of the developers and/or city staff who may be for this development to come live here in the change they are proposing. If you are not willing to do so, then please stop pushing it on us. Better still, let us propose a high-rise apartment complex across the street from your home.

Thank you in advance for your time and consideration. We are simply asking for the same consideration for our quality of life that you would give yourselves and your families.

Robert Cheek

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



March 13, 2017

Dipa Chundur
City of San Jose
200 E. Santa Clara Street, Tower 3,
San Jose, CA 95113

Sent via Email to: dipa.chundur@sanjoseca.gov

Re: SCH# 2017022058 4300 Stevens Creek Boulevard mixed-Use Project, Santa Clara County, California

Dear Mr. Chundur:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) prepared for the project referenced above.

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at Email address, katy.sanchez@nahc.ca.gov or call phone number, (916) 373-3712 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Katy Sanchez".

Katy Sanchez
Associate Environmental Planner

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss both of the following:**

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program,** if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified,** nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

¹⁸ Pub. Resources Code § 21082.3 (d)

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

Regarding "Fortbay" project at 4300 Stevens Creek blvd

Muralikrishna Gandluru <muralikrishnag@gmail.com>

Tue 3/14/2017 7:29 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Dear San Jose Government Members,

A friend of mine received a "Notice of Preparation" for an EIR from the City of San Jose regarding a large development along Stevens Creek Blvd, commonly referred to as the "Fortbay" project that is part of the "Stevens Creek Urban Village". It is at 4300-4340 Stevens Creek Blvd.

Link to NOP: <http://www.sanjoseca.gov/DocumentCenter/View/66230>

I have heard that 7 story office buildings are going to come up in place of two 2-story buildings. Also, that 500 apartment units are going to be built with the same project.

I can't imagine how many thousands of parking spaces that means.

- references: <http://www.sanjoseca.gov/index.aspx?NID=5380>, <http://ktgy.com/fortbay-plans-stevens-creek-urban-node/>

It seems that, from the number of units vs. number of anticipated workers (500 vs. 1500), there will be many more workers than housing units, the project will be exacerbating the jobs:housing imbalance, and increasing traffic in the area. We do NOT want a downtown San Jose here.

As a concerned home owner very close to Stevens Creek, I find this proposal wholly unacceptable. The reason this home was attractive to us when we purchased this home 16 years ago was the low density and low height building units near by.

Thank you for your attention to this important matter. I would appreciate your reply on this.

Please file my communications appropriately for the record.

Regards,

Murali Gandluru
3063 McKinley Dr
Santa Clara, CA 95051

FW: Tonight's Fortbay eir scoping meeting

Xavier, Lesley

Tue 3/14/2017 9:49 AM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

From: Kirk Vartan [mailto:kirk@kvartan.com]

Sent: Monday, March 13, 2017 4:54 PM

To: Xavier, Lesley <Lesley.Xavier@sanjoseca.gov>

Cc: Valerie and Bob Wickersham <valbo97@gmail.com>; Robert Louis Levy <robertlouislevy@yahoo.com>; Hoi Poon <hoipoon@gmail.com>; Kathy Miller <kmiller1955@yahoo.com>; Carlin Black <jcarlinsv@gmail.com>; Scot Vallee <svallee@us.westfield.com>; Steve Kelly <svproperties@att.net>; Chris Giangreco <ironwood226@sbcglobal.net>; Thomas deRegt <tom@dereginvest.com>; Jim Landowski <jimlandowski@hotmail.com>; Randy Shingai <randyshingai@gmail.com>; Judith Hage <judith.hage@gmail.com>; Doug Handerson <doughanderson@yahoo.com>; Pressman, Christina <Christina.Pressman@sanjoseca.gov>; Ferguson, Jerad <Jerad.Ferguson@sanjoseca.gov>; Brilliot, Michael <Michael.Brilliot@sanjoseca.gov>

Subject: Tonight's Fortbay eir scoping meeting

Hello,

I will not be at the scoping meeting tonight, but I would like to ask that a greeter density project be considered. This would include taller buildings, less parking, and more mixed use integration. I would like to see how autonomous vehicles will be accepted as a future occupant of the buildings and how the development will take advantage of that disruptive process. It would also be nice to see what next generation technology is being used here to help with traffic, mobility, and circulation.

Since this is one of the focus areas for the Stevens Creek Urban Village, we should be making the most of it and letting the developer build what they can. We want to create great places.

While an eir does not get into placemaking, I hope that is a priority for the development team.

Kind regards,

-Kirk

Kirk Vartan

my strong objection to the proposed Fortbay "4300-4360 Stevens Creek" project

Max Sun <sunming97@gmail.com>

Tue 3/14/2017 12:18 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Dear San Jose Government Members,

I am reaching out to you concerning the proposed Fortbay "4300-4360 Stevens Creek" project, I am totally objecting this proposal, and here is my reason.

We moved into this neighborhood because of its lower density, traffic and low ambient noise environment. The residents here do not need or want another high density housing complex replacing the current small business space. This is not a downtown metro place such as downtown San Jose, it simply doesn't fit into our neighborhood. We are the peoples that live here, not the developers or city staff. Please treat this matters as your own neighborhood.

Thank you very much for your time and consideration.

Ming Sun

4300 Stevenscreek Boulevard mixed-use project-File No. PDC16-036

Jim Landowski <jimlandowski@gmail.com> on behalf of
Jim Landowski <jimlandowski@hotmail.com>

Tue 3/14/2017 5:37 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Cc: Tam, Tracy <tracy.tam@sanjoseca.gov>;

From Jim Landowski

I am a SCAG member who attended Monday nights Cypress Fort Bay meeting. I noticed 2 missing elements in category 5 - Transportation, of the EIR hand out. Could you please include them. They are:

1. Bicycle transportation is missing.
2. Impact on existing adjacent street parking is missing.

Fortbay "4300-4360 Stevens Creek" project

Ling Zhang <lzhang1@gmail.com>

Tue 3/14/2017 3:40 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Tam, Tracy <tracy.tam@sanjoseca.gov>; Lipoma, Emily <emily.lipoma@sanjoseca.gov>; Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Planning Commission 1 <PlanningCom1@sanjoseca.gov>; Planning Commission 2 <PlanningCom2@sanjoseca.gov>; Planning Commission 4 <PlanningCom4@sanjoseca.gov>; Planning Commission 5 <PlanningCom5@sanjoseca.gov>; Planning Commission 7 <PlanningCom7@sanjoseca.gov>; Planning Commission 3 <PlanningCom3@sanjoseca.gov>;

Dear San Jose Government Members,

I'm reaching out to you regarding the proposed Fortbay "4300-4360 Stevens Creek" project.

As a local resident, I do not want another high density housing complex replacing retail/entertainment/small office space. A possible solution would be something closer to the Bed Bath and Beyond space at Lawrence and Stevens Creek (where one story of housing is on top of retail). Additionally, it seems inappropriate to be proposing anything along Stevens Creek that necessitates a change in building height restrictions for the area that have been in place for many years. The traffic at Stevens Creek/Lawrence/1280 becomes worse and worse, and will be even worse if Apple Park opens this year. Please consider to solve the traffic issues before build any new buildings.

The bottom line on this issue is that residents do not want to lose retail/entertainment/small office space and do not want the extra "everything" that comes with adding multitudes of new residents in an already congested area.

Thank you in advance for your time and consideration.

Best Regards,

Ling Zhang

4300-4340 Stevens Creek Blvd (Fortbay) Draft EIR Input - File No. PDC16-036

Howard <resident.howardh@gmail.com>

Tue 3/21/2017 10:01 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Dear Councilman Jones, Ms. Dipa Chundur and City of San Jose Planning Staff,

I am writing you with input regarding the proposed project seeking "signature status" at

- 4300-4340 Stevens Creek Blvd
- File No. PDC16-036
- Project Applicant Fortbay Inc.

I request that you include this input as part of the draft EIR.

I attended the Community/Scoping Meeting on March 13, 2017, as well as various community meetings. As a 28 year Bay Area resident, current Santa Clara resident and San Jose District 1 property owner, I am opposed to the project in its current proposed configuration (500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures) for the following reasons and concerns. I would like to see the project "right-sized" by the developer to serve our community.

Aesthetics and building heights

A "signature" project in the Urban Village "[Demonstrates high-quality architectural, landscape and site design features](#)" in exchange for being potentially approved prior to the urban village plan finalization. The Fortbay project does not meet this requirement. The architecture shown at community meetings does not offer anything innovative or unique; preliminary and revised plans are similar to other run-of-the-mill projects and is architecturally un-inspired.

In preliminary drawings, building setbacks appear to have been eliminated. Increasing building setbacks along Stevens Creek Blvd. will reduce the "canyon effect" that creates a sense of claustrophobia. The draft EIR should include an analysis of building setbacks and alternatives.

Building height, at 7 stories, and massing is incompatible with the surrounding neighborhood.

- On the South side – there are currently 2 story multi-family residential buildings
- On the East and West side – 2 story businesses
- North side – 2 story businesses and single story residences

- Furthermore, the project is replacing existing single and 2 story buildings. An increase to 7 stories is entirely too dramatic.

The [on-line survey conducted of the community in Jan 2017](#) also indicated a desire for reduced building heights in the development area. These survey results should be noted in the draft EIR.

Building heights for the residential, office and parking structure thus should be reduced in alternative proposals to be compatible with the existing neighborhoods in both San Jose and neighboring Santa Clara, and larger setbacks incorporated.

Because the proposed building height and massing is significantly higher than the existing 1 and 2 story structures, shadow analysis should be included in the Draft EIR. The "promenade" is also situated between the proposed new structures, so shadow analysis should be conducted to show how desirable this space will be.

A shadow analysis of alternative project proposals should also be conducted to give decision makers, and the community, a complete understanding of what the impact is of the larger buildings.

Population and Housing

Affordable housing is one of the highest priorities of the Urban Village amenities. There is no affordable housing being offered in this project. The developer is not voluntarily offering any below market-rate housing for teachers, first responders or other public servants.

The **type of housing** being proposed is all market-rate rental apartments. No for-sale housing is being proposed to create long-term residents, or town-homes that would support larger families.

The density of housing is much higher than the surrounding communities, which should take into consideration the single-family homes on the north side of Stevens Creek Blvd.

The draft EIR should include consideration of alternative types and densities of housing under the Alternatives section.

Transportation

The proposed parking is insufficient – the amount of office space, at approximately 250,000 sq ft, is projected to add 1500-2000 workers, yet only 1089 parking spaces are being proposed, which is insufficient as the area is not served by any form of mass transit, other than busses. Automobiles will be the primary mode of transportation in the foreseeable future. An option is to reduce the amount of office space.

"The stretch of Interstate 280 from east San Jose to Cupertino has been named the third worst in the Bay Area for its morning commute from 6:40 to 10:15 a.m., according to a study done by the Metropolitan Transportation Commission." ([Mercury News, October 14, 2016](#))

The Stevens Creek Urban Village lines this stretch of freeway. Entrances at Saratoga and Lawrence Expressway are typically overcrowded. The project's size should be reduced, or the project delayed until the traffic situation improves.

The impact of the Garden City project (Stevens Creek/Saratoga) and the Apple Park (Apple Campus 2) projects is still unknown. The transportation analysis needs to include impacts on surrounding streets in adjacent cities as well – including Kiely Blvd, Pruneridge, Cronin, and Woodhams, as this project will add significant amount of traffic to Stevens Creek Blvd. Any transportation analysis in the draft EIR must include these impacts as well.

Impact on Public Services – Schools and Public Safety

The project is within the Cupertino Union School District boundaries, and feeds to Eisenhower Elementary, Hyde Middle School and Cupertino High Schools, which are already at capacity. To illustrate this point, Eisenhower has 15 portable (temporary) classrooms and Hyde has 5 portable classrooms. The negative impacts on the school districts should be included in the draft EIR.

Note that any discussion with administration previously conducted should be re-visited, as Superintendent Wendy Gudalewicz was recently released from employment by the district.

Also notable is a lack of Fire Department stations in the Stevens Creek Blvd. area. It appears that the nearest San Jose Fire Department Station is on the other side of Hwy 280 on Saratoga Ave. Another fire station at Homestead and Kiely Blvd. is City of Santa Clara fire department. The draft EIR should include the an analysis of Fire Department services as a safety concern that needs to be mitigated in the Public Services section.

Amenities and Benefits to the Community

A “signature” project in the Urban Village must offer [significant amenities](#) to the community. No significant amenities or community benefits have been offered so far to the community in this project. In fact, retail space, which is a current community amenity, is being significantly reduced. Please note this in the draft EIR. This afternoon, I drove by the property and the parking lot on the retail side was full, so there is an obvious demand in the area for good quality retail space.

Furthermore, no park space is being offered, particularly of the type that is family-friendly, such as open green space. The “promenade” being highlighted by the developer is instead being formed from a public street, Lopina Drive. The Stevens Creek Urban Village area is noted to be lacking in park space, and does not contain any parks. Santa Clara parks are the closest parks and these developments will therefore put strain on those facilities in Santa Clara.

Please note the lack of on-site parkland in the draft EIR.

Engagement with Neighboring Cities and public agency input

3/22/2017

4300-4340 Stevens Creek Blvd (Fortbay) Draft EIR Input - Fi... - Chundur, Dipa

The project's draft EIR should address impacts to the surrounding communities, in the areas of traffic impacts, traffic flow, and schools. This includes soliciting input and comments from Santa Clara and Cupertino. I request that the City of San Jose formally notify and request input from the surrounding city agencies.

It is notable that The Stevens Creek Urban Village already has a "signature" project proposed, the "Garden City" proposal at Saratoga/Stevens Creek Blvd, proposing to add 871 luxury apartment units, ~450K sq ft of office space, and no affordable housing, to an already congested corridor (Saratoga/Hwy 280). One signature project is sufficient to start the urban village development process. The Fortbay project should be delayed until the impact of the "Garden City" project is known and assessed, as well as the impact of the Apple Park (Apple Campus 2) and the "Cobalt" apartments opening nearby. The draft EIR must sufficiently account for these projects, as well as others that may be approved as well.

Thank you for your attention in this important matter.

Regards,

Howard Huang

Toyon Dr., Santa Clara

Moran Dr., San Jose

CC: City of Santa Clara Council and Mayor Lisa Gillmor

EIR Scoping comments for PDC016-036
The 4300 Stevens Creek Boulevard Mixed-use Project
March 22, 2017

1. Parkland
 - a. Will the already critical shortage of parkland in the area be made worse by this project?
2. Better characterization of uses
 - a. The developer should provide a breakdown of the number of 1 and 2 bedroom units planned. This question was asked during the Scoping Meeting on March 13, 2017, but no specifics were given by the developer. School impact, parking and transportation studies depend on this information.
 - b. Parking and transportation will be affected by the tenant mix in the commercial portion of the project. For instance, medical and dental uses will have a much different traffic and parking impact than a software development use will have. I ask that the developer characterize the commercial use so that the traffic and parking studies are accurate.
3. Relocation of Lopina Way
 - a. There are 40-something public parking spaces on the present Lopina Way. If Lopina Way is relocated, these public parking spaces should not be lost to the public. If they are replaced with parking provided in the project, these parking spaces must remain open to the public.
 - b. When approaching the intersection of the relocated Lopina Way on west-bound Albany, the bend in the road makes it hard for a driver to see the intersection. While there is currently an existing driveway at that location, a relocated Lopina would result in much more traffic entering Albany at that location. What mitigation will there be to keep things safe?
 - c. Since the relocated Lopina Way will be closer to Kiely, there will be more chance of east-bound traffic backing up from Kiely past the new intersection of Lopina and Stevens Creek and with the intersection at Lopina and Albany. If a traffic signal were installed at the relocated Lopina Way and Stevens Creek, it should be synchronized with the light at Kiely, because of its proximity.
4. Traffic
 - a. Will a new traffic signal be needed on Albany Drive and Kiely Boulevard? If so, how would the 4 traffic signals, at Stevens Creek, Albany, Norwalk and Saratoga Rd., affect traffic in the area? Would these traffic lights have to be synchronized?
 - b. I believe the area schools for the project are Eisenhower Elementary, Hyde Middle and Cupertino High School. Children being transported to and from these schools will create

directional traffic in the morning and afternoon on Stevens Creek Boulevard and other streets in the area. I ask that traffic during these periods be studied.

- c. The intersections on Saratoga Avenue at Kiely, the Harker entrance/ I280 North, I280 South and Moorpark are severely impacted during periods in the morning and afternoon by Harker School traffic drop off and pickup traffic. I ask that the additional traffic from the project be studied for its effect on those intersections during those periods as well as during the other heavy commute periods.
- d. Will the traffic light at Albany Drive and Stevens Creek Boulevard be impacted by an increase in west-bound traffic on Albany Drive from the project? Will there be more “cut through” traffic on Miramar, Rio Vista, Capistrano and Loma Linda from the project for cars that do not want to wait for the traffic light at Albany and Stevens Creek?
- e. The expected traffic from the developments such as the Garden City Project (PDC16-006) and the new Apple campus in Cupertino (<http://www.cupertino.org/index.aspx?page=1107>) should be included in the traffic study.

5. Parking

- a. There are seldom open parking spaces along Albany Drive, Palace Drive, Auburn Way and beyond. This project should provide enough parking so that the current situation is not made worse.
- b. Albany Drive, Palace Drive, Auburn Way and beyond are filthy because street sweepers can never access the curb along those streets due to a parked cars. Is this project going to make that worse?

Thank you,

Randall Shingai
San Jose 95129

County of Santa Clara

Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
1-408-573-2400



March 23, 2017

Dipa Chundur
Department of Planning, Building and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

**SUBJECT: Notice of Preparation of a Draft Environmental Impact Report
4300 Stevens Creek Boulevard Mixed-Use Project**

Dear Ms. Chundur:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review to the Notice of Preparation (NOP) for the project cited above and is submitting the following comments.

Transportation Impact Analysis (TIA) should be prepared for the proposed project following the latest adopted Congestion Management Program (CMP) TIA Guidelines to identify significant impacts. The TIA should include, but not be limited to the following intersections:

- San Tomas Expressway between El Camino Real, Homestead Road, Saratoga Avenue, Stevens Creek Boulevard, Moorpark Avenue, Hamilton Avenue
- Lawrence Expressway at Reed Avenue-Monroe Street, Benton Street, Homestead Road, Pruneridge Avenue, Stevens Creek Boulevard Ramps, Moorpark Avenue, Calvert Road, I-280 SB ramp

The analysis should be conducted using County signal timing for County study intersections and the most recent CMP count and LOS data for CMP intersections. Please contact Ananth Prasad at (408) 494-1342 or Ananth.Prasad@rda.sccgov.org for the correct signal timing.

The preliminary Comprehensive County Expressway Planning Study – 2040 project list should be consulted for a list of mitigation measures for significant impacts to the expressways. Should the preliminary Expressway Plan 2040 project list not include an improvement that would mitigate a significant impact, the TIA should identify mitigation measures that would address the significant impact. Mitigation measures listed in the TIA should be incorporated into the EIR document.

If you have any questions or concerns about these comments, please contact me at (408) 573-2462 or aruna.bodduna@rda.sccgov.org

Sincerely,

Aruna Bodduna
Associate Transportation Planner

cc: DSC, MA, AP



OFFICE OF COMMUNITY DEVELOPMENT

CITY HALL

10300 TORRE AVENUE • CUPERTINO, CA 95014-3255

(408) 777-3308 • FAX (408) 777-3333 • planning@cupertino.org

City of San Jose
Department of Planning, Building and Code Enforcement
Attn: Dipa Chunder, Environmental Project Manager
200 E. Santa Clara St, 3rd Floor Tower
San Jose, CA 95113-1905

Re: 4300 Stevens Creek Boulevard Mixed-Use Project Notice of Preparation

Dear Ms. Chunder:

Thank you for allowing the City of Cupertino to comment on the Notice of Preparation (NOP) for the above-referenced project. We have reviewed the NOP, and the abridged plans, emailed by the Project Planner, Tracy Tam, for the project and have the following comments:

Height and Density

Policy IP-5.7 of the City of San Jose's 2040 General Plan requires careful consideration of best land uses and urban design standards for properties along an Urban Village periphery to minimize potential land use conflicts with adjacent properties.

The plans indicate a ten-foot setback for the proposed six and seven story buildings along both Stevens Creek Boulevard and Albany Drive. While, the plans provided to the City do not indicate the heights of the proposed or existing surrounding buildings, it appears that the land uses immediately to the south are older two and three story residential buildings. These areas are outside of the Urban Village and it is unclear whether any thoughtful transitions (including building step backs) are being provided either on the north or south sides of the project. The EIR should consider this in its aesthetics analysis.

This is particularly of concern since the standards established by the proposed project may be carried into the Stevens Creek Urban Village Plan and impact the largely single-family residential areas within the City of Cupertino, if such a project were to be proposed in the western portion of the Urban Village Area.

Traffic

It is encouraged that the City of San Jose staff contact the City of Cupertino's Traffic Engineer to determine the appropriate thresholds of significance for intersections controlled by the City of Cupertino, prior to determination of the thresholds of significance or developing appropriate and adequate mitigation measures.

The City of Cupertino appreciates your consideration of the requested study scope elements described above. Should the City of San Jose elect not to do any of these analyses, or take a different approach to an analysis that will provide similar results or information, we would appreciate your notification.

Thank you for your consideration in this matter. Please contact Piu Ghosh, Principal Planner, at piug@cupertino.org, if you have any questions or concerns about the items discussed in this letter.

Sincerely,



Aarti Shrivastava
Assistant City Manager

CC: David Brandt, City Manager
Randolph Hom, City Attorney
Timm Borden, Director of Public Works
Benjamin Fu, Assistant Director of Community Development
David Stillman, Senior Traffic Engineer

Input on 4300-4340 Stevens Creek / PDC16-036 / Fortbay

Aseem Vaid <vaidaseem@sbcglobal.net>

Wed 3/22/2017 10:27 AM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Dear Councilman Jones, Ms. Dipa Chundur and City of San Jose Planning Staff,

I am a writing you with input regarding the proposed project seeking "signature status" at

- **4300-4340 Stevens Creek Blvd**
- **File No. PDC16-036**
- **Project Applicant Fortbay Inc.**

I request that you include this input as part of the draft EIR.

As a nearby homeowner, I am opposed to the project in its current proposed configuration (500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures) for the following reasons and concerns. I would like to see the project "right-sized" by the developer to serve our community.

I am also appalled by the way the whole SCUV concept is being rolled out without community buy-in and buy-in from impacted neighboring Cities. This is the second such 'signature project' I've heard of in the past year. Each project taken by itself does not represent a balanced outcome, so I can only imagine the impact to the area as we roll out more under the 'Signature' emblem or other guise !

Please look at scaling down the entire vision of SCUV and these large projects with due regard to the character of the area and impact to the adjacent neighborhoods.

As it's currently envisioned, the SCUV is a non-starter and you can expect that nearby homeowners will take a strong stand to protect from reckless dense development of this corridor without the infrastructure or substantive benefits to support it. This corridor cannot support another Downtown SJ, Santana Row, 'Google-township' or '7 story office-central', not to mention it does not even come close to the existing and desired character of the area.

Here are some of my specific concerns about Fortbay:

Aesthetics and building heights

A "signature" project in the Urban Village "[Demonstrates high-quality architectural, landscape and site design features](#)" in exchange for being potentially approved prior to the urban village plan finalization. The Fortbay project does not meet this requirement. The architecture shown at community meetings does not offer anything innovative or unique; preliminary and revised plans are similar to other run-of-the-mill projects and is architecturally un-inspired.

In preliminary drawings, building setbacks appear to have been eliminated. Increasing building setbacks along Stevens Creek Blvd. will reduce the "canyon effect" that creates a sense of claustrophobia. The draft EIR should include an analysis of building setbacks and alternatives.

Building height, at 7 stories, and massing is incompatible with the surrounding neighborhood.

- On the South side – there are currently 2 story multi-family residential buildings
- On the East and West side – 2 story businesses
- North side – 2 story businesses and single story residences
- Furthermore, the project is replacing existing single and 2 story buildings. An increase to 7 stories is entirely too dramatic.

The [on-line survey conducted of the community in Jan 2017](#) also indicated a desire for reduced building heights in the development area. These survey results should be noted in the draft EIR.

Building heights for the residential, office and parking structure thus should be reduced in alternative proposals to be compatible with the existing neighborhoods in both San Jose and neighboring Santa Clara, and larger setbacks incorporated.

Because the proposed building height and massing is significantly higher than the existing 1 and 2 story structures, shadow analysis should be included in the Draft EIR. The "promenade" is also situated between the proposed new structures, so shadow analysis should be conducted to show how desirable this space will be.

A shadow analysis of alternative project proposals should also be conducted to give decision makers, and the community, a complete understanding of what the impact is of the larger buildings.

Population and Housing

Affordable housing is one of the highest priorities of the Urban Village amenities. There is no affordable housing being offered in this project. The developer is not voluntarily offering any below market-rate housing for teachers, first responders or other public servants.

The **type of housing** being proposed is all market-rate rental apartments. No for-sale housing is being proposed to create long-term residents, or town-homes that would support larger families.

The density of housing is much higher than the surrounding communities, which should take into consideration the single-family homes on the north side of Stevens Creek Blvd.

The draft EIR should include consideration of alternative types and densities of housing under the Alternatives section.

Transportation

The proposed parking is insufficient – the amount of office space, at approximately 250,000 sq ft, is projected to add 1500-2000 workers, yet only 1089 parking spaces are being proposed, which is insufficient as the area is not served by any form of mass transit, other than busses. Automobiles will be the primary mode of transportation in the foreseeable future. An option is to reduce the amount of office space.

"The stretch of Interstate 280 from east San Jose to Cupertino has been named the third worst in the Bay Area for its morning commute from 6:40 to 10:15 a.m., according to a study done by the Metropolitan Transportation Commission." ([Mercury News, October 14, 2016](#)) The Stevens Creek Urban Village lines this stretch of freeway. Entrances at Saratoga and Lawrence Expressway are typically overcrowded. The project's size should be reduced, or the project delayed until the traffic situation improves.

The impact of the Garden City project (Stevens Creek/Saratoga) and the Apple Park (Apple Campus 2) projects is still unknown. The transportation analysis needs to include impacts on surrounding streets in adjacent cities as well – including Kiely Blvd, Pruneridge, Cronin, and Woodhams, as this project will add significant amount of traffic to Stevens Creek Blvd. Any transportation analysis in the draft EIR must include these impacts as well.

Impact on Public Services – Schools and Public Safety

The project is within the Cupertino Union School District boundaries, and feeds to Eisenhower Elementary, Hyde Middle School and Cupertino High Schools, which are already at capacity. To illustrate this point, Eisenhower has 15 portable (temporary) classrooms and Hyde has 5 portable classrooms. The negative impacts on the school districts should be included in the draft EIR.

Note that any discussion with administration previously conducted should be re-visited, as Superintendent Wendy Gudalewicz was recently released from employment by the district.

Also notable is a lack of Fire Department stations in the Stevens Creek Blvd. area. It appears that the nearest San Jose Fire Department Station is on the other side of Hwy 280 on Saratoga Ave. Another fire station at Homestead and Kiely Blvd. is City of Santa Clara fire department. The draft EIR should include the an analysis of Fire Department services as a safety concern that needs to be mitigated in the Public Services section.

Amenities and Benefits to the Community

A “signature” project in the Urban Village must offer [significant amenities](#) to the community. No significant amenities or community benefits have been offered so far to the community in this project. In fact, retail space, which is a current community amenity, is being significantly reduced. Please note this in the draft EIR. This afternoon, I drove by the property and the parking lot on the retail side was full, so there is an obvious demand in the area for good quality retail space. Furthermore, no park space is being offered, particularly of the type that is family-friendly, such as open green space. The “promenade” being highlighted by the developer is instead being formed from a public street, Lopina Drive. The Stevens Creek Urban Village area is noted to be lacking in park space, and does not contain any parks. Santa Clara parks are the closest parks and these developments will therefore put strain on those facilities in Santa Clara. Please note the lack of on-site parkland in the draft EIR.

Engagement with Neighboring Cities and public agency input

The project’s draft EIR should address impacts to the surrounding communities, in the areas of traffic impacts, traffic flow, and schools. This includes soliciting input and comments from Santa Clara and Cupertino. I request that the City of San Jose formally notify and request input from the surrounding city agencies.

It is notable that The Stevens Creek Urban Village already has a “signature” project proposed, the “Garden City” proposal at Saratoga/Stevens Creek Blvd, proposing to add 871 luxury apartment units, ~450K sq ft of office space, and no affordable housing, to an already congested corridor (Saratoga/Hwy 280). One signature project is sufficient to start the urban village development process. The Fortbay project should be delayed until the impact of the “Garden City” project is known and assessed, as well as the impact of the Apple Park (Apple Campus 2) and the “Cobalt” apartments opening nearby. The draft EIR must sufficiently account for these projects, as well as others that may be approved as well.

Thank you for your attention in this important matter.

Aseem Vaid

proposed seven-story building on Stevens Creek Blvd.

CHRIS <chbcircle@comcast.net>

Thu 3/23/2017 4:51 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Cc: MayorAndCouncil@santaclaraca.gov <MayorAndCouncil@santaclaraca.gov>; chbcircle <chbcircle@comcast.net>;

Hello,

I am writing to express my strong objection to a proposed seven (!!!!!!!) story building on Stevens Creek Blvd, on the San Jose side at approximately 4400 Stevens Creek Blvd., San Jose, CA 95129.

Such a tall building will be looking in the backyards of countless single-family homes in Santa Clara between approx. McKinley Dr. and Mauricia Ave. and beyond. This development, a huge, let's start-a-new-high-rise-area project would be terrible. It represents a major privacy concern and would be a giant eyesore both of which also threatens to lower the property values in our neighborhood. Not to mention the additional traffic, etc.

Thank you.

Chris Becker

3032 Cameron Way

Santa Clara, CA 95051

4300-4340 Stevens Creek Blvd (Fortbay) Draft EIR Input - File No. PDC16-036

Qian Huang <qhuang18@gmail.com>

Thu 3/23/2017 6:25 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

As a nearby homeowner, I am opposed to the Fortbay project in its current proposed configuration (500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures) for the following reasons and concerns. I would like to see the project "right-sized" by the developer to serve our community.

I am also appalled by the way the whole SCUUV concept is being rolled out without community buy-in and buy-in from impacted neighboring Cities. This is the second such 'signature project' I've heard of in the past year. Each project taken by itself does not represent a balanced outcome, so I can only imagine the impact to the area as we roll out more under the 'Signature' emblem or other guise !

Please look at scaling down the entire vision of SCUUV and these large projects with due regard to the character of the area and impact to the adjacent neighborhoods.

As it's currently envisioned, the SCUUV is a non-starter and you can expect that nearby homeowners will take a strong stand to protect from reckless dense development of this corridor without the infrastructure or substantive benefits to support it. This corridor cannot support another Downtown SJ, Santana Row, 'Google-township' or '7 story office-central', not to mention it does not even come close to the existing and desired character of the area.

Sincerely,

Qian

Project proposal at 4300-4340 Stevens Creek Blvd, File No. PDC16-036

wendytalbert16@gmail.com on behalf of Wendy Talbert <bwtalbert17@gmail.com>

Thu 3/23/2017 8:38 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Hello,

I am contacting you to express my concern regarding this new project to build a seven story apartment structure at the address of 4300-4340 on Stevens Creek at the Round Table plaza. I am GREATLY ALARMED by the amount of traffic and congestion this will create, especially in light of the new Apple campus opening. While I understand the need for more housing, the impacts on traffic, public transit, schools, and the surrounding community MUST be addressed. The proposal for a seven story structure does NOT take these issues into account, unless the impact to roads and schools WILL be mitigated somehow.

Please keep in mind that the vast majority of children in this area are driven to and from school by parents due to a lack of school buses, safe pedestrian crosswalks in many areas, and limited city bus service. The VTA buses have actually become so crowded in the mornings and afternoons that they cannot always stop to pick up riders since they are filled to capacity (many De Anza and high school students depend on these buses).

Our schools are already utilizing portables due to overcrowding, and it is doubtful the district will have extra funds to hire more teachers, thus increasing classroom sizes and greatly impacting learning.

In addition, unless you are actually going to offer some affordable housing, especially for seniors citizens and the disabled, this project will do little to address community needs and desires. There are many people who cannot afford to live here, but do not have any money to move to a more affordable area either. The housing crisis is very real, and more "luxury apartments" just contributes to the problem. Also, because the rents are so high, the apartments are often shared by multiple people or families, and property management often just turns a blind eye while they pocket the check. This makes the overcrowding issue and rental rates even more of a crisis.

Please do not simply build a huge apartment complex and then not address how the increased population in the area will affect the community. Residents in Cupertino showed that behavior would not be supported through the defeat of measure D, and it will NOT be supported here either.

Sincerely,
Wendy Talbert

4300-4340 Stevens Creek Blvd

K Yee <karen.yee@gmail.com>

Thu 3/23/2017 8:41 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

To Dipa Chundur:

Hi, I am writing to express my concern about the proposed development at 4300-4340 Stevens Creek Blvd. As a nearby resident in Cascade Park, I am concerned about a number of items, including

1. Lack of publicizing to the nearby community, resulting in lack of feedback
2. Increased traffic - no plan has been publicized for addressing this
3. Aesthetics and building heights - this is very tall for the area
4. Impact on schools - no plan has been publicized for addressing this

In general, it seems there are a lot of proposed developments and re-developments that will have severe impact on current residents. What I would really like to see is more active solicitation of community feedback, and a plan to address resident concerns about traffic, population, public safety, schools, community benefits/engagement/contribution and aesthetics/fit in the neighborhood.

I would appreciate your feedback.

thank you,
Karen

4300-4340 Stevens Creek Blvd

Brigitte Kempken <bkempken@yahoo.com>

Fri 3/24/2017 8:37 AM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

To Whom it May Concern,

As a long time residents, my husband and I are extremely upset with the non-stop building in our city. My husband grew up in this city, and now owns his parents home. We had at one point thought to leave, but thought this is a nice place to raise our child.

More and more things that make this city a place for families, are disappearing. It was already sad when we lost the movie theater at Meridian Quad (my sis and I had a lot of great memories there), but now we are going to lose the Round Table, more so one that hosts a lot of children's sports teams. We had welcomed the Target and the rejuvenation of the old Mervyn's Plaza, but had never thought it was going to lead to all this insanity.

Gone already or soon to go are many of our retailers that are missed/will be missed: Summer Winds Nursery, Save Mart, OSH, Kohls, office supply store, two local party supply stores, restaurants (China Delight, Harry's Hofbrau, Round Table), bike shop, bowling alley, to name a few. Saratoga Ave we lost the fruit trees to housing.

Saratoga Ave was already bad before the building, it is now a nightmare to drive. Homestead is bad as well. Most of the time I can't even get out of my neighborhood to turn left on Scott so I have to drive back routes. Our smaller streets will become more burdened as well, due to people using Waze, to try and find better routes.

Parking will be problematic. Most residents already have cars on the street because our houses here are small and have one car garages. The limited parking with the new housing will cause more street crowding.

Crime is up with the crowding, I hear nothing but package thefts, burglaries, car break-in, and now just recently two shootings. I am starting to not feel safe here.

Our schools are already over burdened. Our two local schools were so poor (not even scoring state minimum on testing), and over crowded we tried to get in a charter. We were wait listed 3 years in a row - the best was # 10 on the wait list at one time. We tried to transfer to Sutter and that was rejected as well. We were forced to go to turn to private education. I think about my neighbors across the street who purchased their home 4-5 years ago with babies, and feel bad for them because they will just be starting with this school mess. Even getting into preschool was very difficult. My husband camped out at 2:00 a.m. to get in line at the SCPNS to get our daughter in!

This insanity has to stop. It is destroying this once wonderful, family oriented city, where you would want to raise your kids. Families and small business will leave. If the big companies like Apple an Google decide to pack it up because it is too expensive to do business here or in the USA, Santa Clara will suffer because the families have already left and the businesses will take their workers leaving a lot of empty housing.

Thank you, Brigitte Patrignani

500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures

Steve Johnson <stevejohnson4@yahoo.com>

Fri 3/24/2017 10:35 AM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Dipa, Chappie - I don't really understand what you folks are thinking with this size of a project here on one of the busiest streets in Santa Clara/San Jose....I think this is crazy and you two should be booted out of office for thinking this is reasonable....absolute NUTS!
total BS idea to let this go thru.....let's put a road diet on Stevens Creek too to really eff things up even more.between Santa Clara planning and San Jose planning you are screwing up the traffic and a quality of life for everyone!!!!!!!!!!

get a fucking clue!

Dipa.chundur@sanjoseca.gov
Chappie.Jones@sanjoseca.gov

As a reminder:

- 4300-4340 Stevens Creek Blvd
- File No. PDC16-036
- Project Applicant Fortbay Inc.

500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures



March 24, 2017

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

Attention: Dipa Chundur

Subject: City File No. PDC16-036 / 4300 Stevens Creek Boulevard

Dear Ms. Chundur:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the NOP for 500 residential units, 11,500 square feet of ground floor retail, and 244,000 square feet of office use on 9.9 acres at 4300 Stevens Creek Boulevard. We have the following comments.

Land Use

VTA supports the proposed land use intensification on this site, strategically located along the Stevens Creek Boulevard corridor, served by VTA Local Bus Line 23 and Limited Line 323 along. The site enjoys immediate access to the eastbound Local Line 23 located along the Stevens Creek Boulevard frontage; the Limited Line 323 is located within walking distance of the site at Stevens Creek Boulevard and Kiely Boulevard. VTA is also planning to upgrade the Limited Line 323 to Rapid 523 enhanced bus service along Stevens Creek Boulevard as part of the Next Network transit system redesign. The closest planned Rapid 523 stop is at the same location as the Limited 323 stop. Additionally, the mix of housing, office, and retail uses within the Project raises the pedestrian-friendliness of the area and should result in an incremental reduction in driving trips and vehicle-miles traveled per capita generated by the project.

Stevens Creek Boulevard is identified as a Corridor in VTA's Community Design & Transportation (CDT) Program Cores, Corridors and Station Areas framework, which shows VTA and local jurisdiction priorities for supporting concentrated development in the County. The CDT Program was developed through an extensive community outreach strategy in partnership with VTA Member Agencies, and was endorsed by all 15 Santa Clara County cities and the county.

Transportation Impact Analysis (TIA) Report

The October 2014 version of the VTA TIA Guidelines, which can be found at <http://www.vta.org/cmp/tia-guidelines>, include updated procedures for documenting auto trip reductions, analyzing non-auto modes, and evaluating mitigation measures and improvements to address project impacts and effects on the transportation system. For any questions about the

updated TIA Guidelines, please contact Robert Swierk of the VTA Planning and Program Development Division at 408-321-5949 or Robert.Swierk@vta.org.

Pedestrian and Bicycle Accommodations

VTA requests that the DEIR/TIA analysis of Pedestrian and Bicycle Accommodations consider the completeness of the pedestrian and bicycle network on roadways and intersections adjacent to and nearby the project site. VTA also recommends that the City require bicycle parking consistent with City of San José bicycle parking standards, as a Condition of Approval for the project. VTA supports bicycling as an important transportation mode and thus recommends inclusion of conveniently located bicycle parking for the project. Bicycle parking facilities can include bicycle lockers or secure indoor parking for all-day storage and bicycle racks for short-term parking. VTA's Bicycle Technical Guidelines provide guidance for estimating supply, siting and design for bicycle parking facilities. This document may be downloaded from www.vta.org/bikeprogram.

The existing project frontages, Stevens Creek Boulevard and Albany Drive, contain attached sidewalks with no street trees between pedestrians and automobiles. The Landscape Illustrative Plan provided to VTA (dated August 10, 2016) shows detached sidewalks with consistent buffers of street trees at regular intervals between pedestrians and automobiles. VTA commends the City and the developer for proposing an exemplary upgrade of the pedestrian accommodations on all three project street frontages, which will encourage greater trips by walking, and improve access to transit; VTA recommends that the City include these improvements as Conditions of Approval.

Congestion Impacts on Transit Travel Times

The Transportation analyses in the DEIR/TIA should address any potential impacts that increased motor vehicle traffic and congestion associated with the project may have on transit travel times on the Stevens Creek Boulevard corridor. VTA recommends that the DEIR/TIA include a cumulative analysis of the impacts of vehicle traffic congestion, which takes into account the effects of the proposed Project, and other approved and pending projects in the vicinity, such as the Garden City Mixed Use development, Valley Fair Expansion, Santana Row Expansion, and Santana West.

While VTA is supportive of increasing development densities along this corridor, increased congestion could degrade the schedule reliability of transit and increase travel times, making transit a less attractive option for travelers in the corridor. If increased transit delay is found, transit priority measures, such as dedicated transit lanes, queue jump lanes, transit priority signal timing, and/or improvements to transit stops and passenger amenities, would constitute appropriate offsetting measures.

Roadway Connectivity

VTA encourages new projects to improve access and connectivity with surrounding areas. The NOP's site plan (Figure 3) shows that the proposed relocation of Lopina Way would provide north-south connectivity between Stevens Creek Boulevard and Albany Drive. VTA supports this improved connectivity and recommends including this feature as a Condition of Approval.

Transportation Demand Management (TDM) and Trip Reduction

In order to reduce the number of single occupant vehicle trips generated by the project, VTA recommends that the City and project sponsor consider a comprehensive Transportation Demand Management (TDM) program for the residential and office portions of this project. VTA notes that such programs can be more effective when they include a vehicle trip reduction target, third-party monitoring of trip generation upon project completion and a Lead Agency enforcement/penalty structure.

Effective TDM programs that may be applicable to the project include:

- * Parking pricing and parking cash-out programs
- * Transit fare incentives such as free or discounted transit passes on a continuing basis
- * Bicycle lockers and bicycle racks
- * Showers and clothes lockers for bicycle commuters
- * Preferentially located carpool parking
- * Employee carpool matching services
- * Parking for car-sharing vehicles

Intersection and Freeway Analysis & Mitigation Measures

Based on the project's location, there may be impacts to one or more intersections and/or freeway segments. If the intersection and freeway analyses indicates significant impacts based on Congestion Management Program (CMP) criteria, VTA suggests early coordination with the appropriate agencies in identifying potential mitigation measures and opportunities for voluntary contributions to regional transportation improvements in or near the impacted facility in the latest Valley Transportation Plan (VTP).

Bus Service

VTA has several existing bus stops within ¼ mile of the project site. In order to provide convenient access to transit, VTA recommends the project include the following bus stop improvements.

Eastbound Stevens Creek Boulevard & Lopina Way

VTA recommends the existing bus stop adjacent to the project site be relocated. To improve bus stop spacing for Line 23, VTA recommends the bus stop be relocated approximately 20 feet west of the proposed relocation of Lopina Way. The new bus stop should include:

- A passenger & shelter pad to VTA specifications
- A 12'x55' bus pad to VTA specifications
- A new bus shelter to VTA specifications

Westbound Stevens Creek & Lopina Way

- Install a new 12'x55' bus pad to VTA specifications

Eastbound Stevens Creek Boulevard, east of Kiely Way (future Rapid 523 stop)

- Replace existing bus shelter to VTA specifications

Westbound Stevens Creek Boulevard, west of Kiely Way (future Rapid 523 stop)

- Install a new 12'x75' bus pad to VTA specifications
- Replace existing bus shelter to VTA specifications

Westbound Stevens Creek Boulevard, west of Woodhams Road

- Install a new 12'x55' bus pad to VTA specifications

VTA would like the opportunity to review any revisions to the site plans to ensure the placement of driveways, landscaping and any other features do not conflict with bus operations

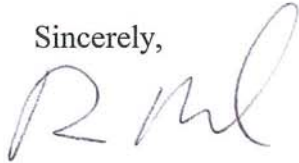
VTA's Transit Passenger Environment Plan provides design guidelines for bus stops. VTA's Bus Stop & Passenger Facilities Standards provides bus stop specifications. Both documents can be downloaded at <http://www.vta.org/tpep>.

VTA has a Bus Stop Placement, Closures and Relocations Policy. Prior to any construction or bus stop impact, please contact bus.stop@vta.org.

City of San Jose
March 24, 2017
Page 5

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

Sincerely,

A handwritten signature in cursive script, appearing to read "R Molseed".

Roy Molseed
Senior Environmental Planner

cc: Michael Liw, San Jose Development Services
Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

SJ1623

4300-4340 Stevens Creek Blvd File No. PDC16-036

Christine Park <jeongha.park@gmail.com>

Fri 3/24/2017 3:51 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Dear San Jose Council

Hello.

I am writing this letter to ask you to reconsider/withdraw the building proposal of File No. PDC16-036 which 7 story building on 4300-4340 Stevens Creek Blvd.

My first concern is traffic congestion.

I live near Strawberry Square and the new proposed site is on my regular commute route.

Even now, Saratoga is congested in commute hours especially 280 exit and traffic noise is severe.

It usually takes at least 3 signal lights to exit from 280 even now. 500 housing means 500-1000 more cars everyday in addition to daily commute to offices and shoppers to commercial places. Proposed housing and commercial site will increase traffic, which will cause more congestion and noise near house.

Second, the new building should be along with our neighborhood.

I chose my current house as I like lower density and it is safer.

The 7 story building, which will stand alone without harmony with neighborhood, will change current quiet town to downtown with high density.

It is not fair to change demographic and neighborhood vibe. Current residences and home buyers choose this neighborhood with reasons.

I hope San Jose Council can protect current residence

Thanks you so much for your reconsideration.

Sincerely,

Christine Park.

Please stop all this building in San Jose and Santa Clara and Cupertino!

barbara.hall1@comcast.net

Fri 3/24/2017 5:12 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>;

Our area is already so crowded, I'm a 4th generation California and a 2nd generation Santa Clara County individual. I hope we can stop all the building that is adding to the congestion and crowding in our area. Please think twice.

4300-4340 Stevens Creek Blvd

· File No. PDC16-036

· Project Applicant Fortbay Inc.

500 market-rate rental apartment units, 250K office space, and a small amount of retail in 7 story structures

Some possible concerns:

Aesthetics and building heights (out of character for the area, for now)

Population and Housing

Transportation (traffic)

Impact on Public Services – Schools and Public Safety

Amenities and Benefits to the Community (lack thereof)

Engagement with Neighboring Cities and public agency input (lack thereof)

Thank you,

Barbara Hall

Fortbay buildings!!! NEGATIVE No thank you already impacted and too many buildings around this area

dee murphy <momagna@yahoo.com>

Fri 3/24/2017 7:47 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>; Brooks, Ed <Ed.Brooks@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>;

San Jose Govt Offices,

As a resident of the immediate area of the Fortbay building development area I have MAJOR issues with all of this tall construction of homes and office buildings being built in the West Valley area. Already traffic is at a standstill and even on the weekends it can take 8 to 15 minutes to travel via a car 110 YARDS from Norwalk south to Saratoga Ave. Cars block intersections heading towards Saratoga to shop at the Lion Market and block entrance driveways and exits every single day at most hours of the day including weekends.

Cars and semi trucks everyday park in no parking zones (All posted) seldom are tickets issued and triple parked semis are happening every single day that they deliver goods.

The area on Stevens Creek is already filled with cars and employees of the car dealerships parking along with the numerous condos and apartments with not sufficient parking available as it is.

With 7 story buildings (Fortbay) and 7 story parking garages hovering over the current three story buildings when will the City of San Jose force all the older homes/condos/duplexes/apartments from Norwalk to be torn down and the current residents displaced for MORE tall buildings and business offices. Currently business offices are empty in many parts of San Jose with jobs not happening and business buildings being built at an alarming rate. With 500 condos (an average of 3 or 4 people in each condo because already around here there are from 3 to 8 people in two bedroom condos) and only 750 parking spaces where will all of the extra cars belonging to residents park? This area has no parking as it is... The homeless already live all over this area in RV's, vans and cars and the businesses on Stevens Creek do NOT provide employee parking and park where residents of Brookdale need to park.

Where will water for these buildings come from there are water shortages every single year we are asked to cut back from last years usage!/? Already San Jose complains and makes current residents save for the drought and raises rates on water after we DO save water.

Where will fire service come from where is a new fire station being built for all of these new buildings including the ones at Stevens Creek and Saratoga???? Fire Station 14 is already a very busy fire house and those new 500 condo building will just add more calls to an already stretched out fire system? SJPd hardly does any passes by here in the area because they are also understaffed and overworked so when will SJPd have a station out here where you plan on putting so many new residents?

Schools// What schools are being built and where? What about a park already there are NO parks near here and the only one planned is a small in between buildings park that went from 1 acre to 2 acres for the Harry's Hofbrau area.

San Jose is NOT Los Angeles and we do NOT want another LA here. STOP the growth there are not enough jobs and roads for all of these condos and businesses. Fix our roads and infrastructure NOW NOT add more condos in an overcrowded area.

How sad it is that water is not brought up (Where will water for all of these condos come from where? We have had 5 plus years of drought!). What about sewer usage, clean streets, repaired streets, more firefighters/EMT's/police officers all we hear is GROW BIGGER and grow HIGHER!!! STOP STOP STOP!!!!

SCHOOLS? HOSPITALS??? PARKS??? Why are THESE never on the lists of growth???

Dee Murphy

Local Resident OPPOSED to expansion and growth of such tall buildings and parking garages. Stop the growth!

Dee Murphy

I Goodshop and Goodsearch for BOK Ranch <http://bokranch.org/>

By using goodsearch for BOK each search donates to BOK Ranch at no cost to you.

You can raise money for BOK Ranch by shopping online at www.Goodshop.com Thank You!

4300-4360 Stevens Creek EIR

Andrew Crabtree <ACrabtree@SantaClaraCA.gov>

Fri 3/24/2017 11:31 PM

To: Chundur, Dipa <Dipa.Chundur@sanjoseca.gov>;

Cc: Andrew Crabtree <ACrabtree@SantaClaraCA.gov>; Lee Butler <LButler@SantaClaraCA.gov>;

Dipa,

Thank you for the opportunity to comment on the EIR scope for the proposed project at 4300-4360 Stevens Creek in San Jose. We look forward to reviewing the project EIR when available.

We request that the EIR include a robust analysis of any potential environmental impacts from the project that could occur within the City of Santa Clara and identify potential mitigation for such impacts, including construction of or contribution toward construction of multi-modal transportation infrastructure such as enhanced bicycle or pedestrian facilities within Santa Clara that would help to mitigate the project impacts.

We note that enhanced bicycle improvements within Santa Clara were recently presented as part of a draft urban design document prepared for the Stevens Creek Urban Village planning process. City of Santa Clara staff is available to discuss the implementation of such improvements with you.

We also encourage you to consider within the project EIR a higher density alternative. Given the region's housing shortage and San Jose's need for additional employment and services, increased utilization of the site for additional dwelling units and additional commercial space could provide a regional environmental benefit by addressing in some part the region's housing shortage and could provide local environmental benefit by addressing San Jose's employment deficiency, thereby reducing the need for San Jose residents to travel as far for employment opportunities.

Please let me know if you have any questions regarding these comments.

Thank you,
Andrew Crabtree
Director of Community Development
City of Santa Clara

The information contained in this email may be privileged, confidential and exempt from disclosure under applicable law. The information is intended only for the use of the individual or entity to which it is addressed. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, or are not the named recipient(s), please notify the sender immediately by reply email and delete this message from your computer. Thank you

EIR Scoping comments for PDC016-036 – Part 2
The 4300 Stevens Creek Boulevard Mixed-use Project
March 26, 2017

Project Size

The Project is characterized as a “Planned Development Rezoning of a 9.9 acre site to allow a mixed use development”, and “approximately 9.9 gross acre project.” It is comprised of three Assessor’s Parcels, 296-38-013, 296-38-014 and 296-40-009.

According to the parcel maps, the first parcel is 2.616 acres, the second is 2.829 acres and the third is 3.79 acres. The total size for the three parcels is therefore 9.235 acres.

The project description is for a 9.9 acre project and the Assessor’s maps show the project size as 9.235 acres. When the project description says “approximately 9.9 gross acres”, it usually means somewhere between 9.8 and 10.0 acres. 9.235 acres is **not** approximately 9.9 acres.

Thank you,

Randall Shingai
San Jose 95129

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

www.dot.ca.gov

*Serious Drought.
Help save water!*

March 27, 2017

04-SCL-2016-00069
SCL/280/PM 6.2

Mr. Dipa Chundur
Planning Division
City of San Jose
200 E. Santa Clara Street, Tower 3
San Jose, CA 95113

Dear Mr. Chundur:

Stevens Creek Promenade Mixed-Use Project – Notice of Preparation

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). Caltrans Strategic Management Plan aims to reduce vehicle miles traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Notice of Preparation (NOP). Please also refer to the previous comment letter, dated November 10, 2016, on this project which is incorporated herein.

Project Understanding

The project is located approximately 0.5 mile north of the Interstate (I-) 280/Saratoga Avenue intersection in the City of San Jose's (City) Stevens Creek Transit Oriented Development Corridor Priority Development Area. The project proposes to demolish the existing approximately 163,000 square feet (s.f.) of office/commercial buildings on the site and develop 500 residential units, 11,500 s.f. of retail space, and 252,000 s.f. of office space. The project would abandon Lopina Way. Access to the project site would be provided via driveways on Stevens Creek Boulevard to the north and Albany Drive to the south. The California Environmental Quality Act (CEQA) Guidelines Section 15206(b) requires the environmental document for this project be circulated to the Metropolitan Planning Organization because the project's statewide, regional, and areawide significance.

Lead Agency

As the lead agency, the City is responsible for all project mitigation, including any needed improvements to the STN and for VMT reduction. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Travel Demand Analysis

Please submit a travel demand analysis that provides VMT resulting from the proposed project. With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies through the use of efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric. For projects reviewed under CEQA, Caltrans uses VMT as the metric for evaluating transportation impacts and mitigation. Please ensure that the travel demand analysis includes:

1. A VMT analysis pursuant to the City's guidelines or, if the City has no guidelines, the Office of Planning and Research's Draft Guidelines. Projects that result in automobile VMT per capita greater than 15% below existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact.
2. Mitigation for increasing VMT should be identified and mitigated in a manner that does not further raise VMT. Mitigation may include contributions to the Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program, and should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
3. Schematic illustrations of walking, biking and auto traffic conditions at the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics (i.e., lane configurations for AM and PM peak periods). Operational concerns for all road users that may increase the potential for future collisions should be identified and fully mitigated in a manner that does not further raise VMT.

Caltrans is concerned with the ability to contain left turning vehicles within the available storage. A spillover of vehicles has the potential to create significant speed differentials and increase the number of conflicts. Another concern is the potential for queuing vehicles to encroach up on the upstream intersection, again creating the potential for significant conflict. CEQA does not exempt these types of operational concerns from evaluation. Please provide such an analysis of these operational concerns.

4. The project's primary and secondary effects on pedestrians, bicycles, disabled travelers and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained. Particularly, since the project will abandon Lopina Way, the analysis should describe how pedestrian and bicycle access along this path of travel will be maintained. If

pedestrian and bicycle access will be eliminated, the analysis should state how this will impact trips from land uses to the south accessing Stevens Creek Boulevard, and how these impacts will be mitigated.

Vehicle Trip Reduction

To reduce VMT the project should include:

- Membership in a transportation management association.
- Transit subsidies and/or EcoPasses on a permanent basis to all employees.
- Ten percent vehicle parking reduction.
- Transit and trip planning resources.
- Carpool and vanpool ride-matching support.
- Carpool and clean-fuel parking spaces.
- Secured bicycle storage facilities.
- Bicycles for employee uses to access nearby destinations.
- Showers, changing rooms and clothing lockers.
- Fix-it bicycle repair station(s).
- Transportation and commute information kiosk.
- Outdoor patios, outdoor areas, furniture, pedestrian pathways, picnic and recreational areas.
- Nearby walkable amenities.
- Kick-off commuter event at full occupancy.
- Employee transportation coordinator.
- Emergency Ride Home program.
- Bicycle route mapping resources and bicycle parking incentives, unbundling of residential parking, and providing transit passes and/or transit subsidies to residents.
- Decreased headway times and improved way-finding on bus lines by working with the VTA to provide a better connection between the project; the Lawrence, Santa Clara, and Diridon Stations; and regional destinations.

Transportation Demand Management (TDM) programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan. Reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on I-280 and other nearby State facilities.

Transportation Impact Fees

Please identify project-generated traffic and estimate the costs of public transportation improvements necessitated by the proposed project; viable funding sources such as development, transportation impact fees, and VTA's voluntary contribution program should also be identified. Caltrans encourages a sufficient allocation of fair share contributions toward multi-modal and regional transit improvements to fully mitigate cumulative impacts to regional transportation.

Mr. Dipa Chandur/City of San Jose

March 27, 2017

Page 4

Caltrans also strongly supports measures to increase sustainable mode shares, thereby reducing VMT.

Should you have any questions regarding this letter, please contact Brian Ashurst at (510) 286-5505 or brian.ashurst@dot.ca.gov.

Sincerely,



PATRICIA MAURICE

District Branch Chief

Local Development - Intergovernmental Review

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

Memorandum

To: Dipa Chundur, Environmental Project Manager, City of San José Division of Department of Planning, Building and Code Enforcement

CC: Charles "Chappie" Jones, District 1 Councilmember

From: Patrick Waddell

Date: 3/24/2017 Revision 3/27/2017

Re: Comments on the Scope of EIR for File No: PDC016-036, the “4300 Stevens Creek Boulevard Mixed-use Project”

Concerns about this proposed project and its EIR

The proposed project raises a number of concerns from the viewpoint of a person who lives close by, but North of Stevens’ Creek Blvd. These are in the general topics of Aesthetics and building heights, Public safety, Traffic impacts, Impact on public services, and Engagement with neighboring cities.

I attended the joint community and EIR public scoping meeting on 13 March 2017, and made some verbal comments at that time. These comments will expand upon those comments.

Aesthetics and building heights

The proposed project will introduce into this section of Stevens’ Creek Blvd what can only be described as a complete paradigm shift. The surrounding neighborhoods, on both sides of Stevens’ Creek, are single story homes, not office towers. Even the nearby apartments are only two stories. The proposal calls for seven story towers!

On the North side of Stevens’ Creek lies Maywood Tracts 1, 2, and 3, which have been judged (per the Secretary of the Interior's Standards) to have “architecturally significant” buildings, While Santa Clara city politics has delayed an official designation, such is anticipated in the future. As a result major developments within eyesight may have additional considerations.

On the South side the neighborhood consists of single family houses over which the proposed development will tower.

The houses on the North side of Stevens' Creek are mostly floor to ceiling glass, in a style perhaps termed "Eichler-clones", designed by the same architects used by Eichler, Anshen & Allen. Unless the project takes steps to minimize intrusive views, these houses will lose significant privacy. Many of them do not have curtains or drapes (some use drapes for light control as they can be very bright in the summer.)

Public safety

The presence of Interstate 280 creates some "unintended consequences" for public safety. That freeway is punctured only twice in over a mile along the southern edge of the proposed project. This limits emergency vehicle approach to Stevens Creek Blvd itself, Saratoga Avenue, and Lawrence Expressway. At rush hour all 3 of these arteries have major traffic.

Alternative access may be rendered from Santa Clara, which might be requested to provide Mutual Aid, but provision for such should be made as part of this project's mitigation responsibilities.

There are no San Jose fire stations close to the proposed development. The station physically closest is located on South Monroe Street. During rush hour their ability to reach the proposed project site will be very impeded by traffic down Stevens Creek.

The next closest San Jose fire station is at San Tomas Aquino Road near Saratoga Avenue. At rush hour, Saratoga is also clogged with traffic. There is another station on Blaney Avenue. This station's engines would need to reach Stevens Creek or Lawrence Expressway (both some distance) before proceeding to the project site.

On the Santa Clara side, there is a station on Homestead Avenue at Woodhams Road and another on Pruneridge near Saratoga Avenue. Engines from both stations could reach the project site in a short time during rush hour. Neither station has equipment capable of working a high-rise fire. Perhaps a portion of the project's mitigation might be funding the purchase of such equipment for the Santa Clara Fire Department and a permanent agreement on Mutual Aid.

Formal and official joint planning with Santa Clara is mandatory for this project!

Traffic impacts

The potential presence of children in the residential portion of the project emphasizes the traffic impacts the project will have. The elementary age children will all attend Eisenhower Elementary, located on the Santa Clara side of Stevens

Creek Blvd. The only routes to Eisenhower are only down Woodhams/Mauricia and Cronin. These are residential streets, not thoroughfares.

At the rear of the proposed project, lies Albany which is a residential street (39 feet wide!), like Woodhams and Mauricia. Adding several tens of cars in a tightly-scheduled before-school rush will make for a complete mess and lead to accidents or worse.

It is important to note that both sides of Albany seem to be filled with vehicles “24-7”. The addition of traffic for the proposed new apartments plus the office towers may necessitate the removal of parking from one side (or both sides) of Albany. If such is required, then the project will need to provide replacement parking for those vehicles.

The EIR needs to discuss carefully the type of office leases expected, as the needs of (say) medical offices versus software development offices are very different.

Impact on public services

There is no public park in this section of San Jose accessible to the residents of this proposed project. Unless an overpass to John Mise Park is built, the residents will need to cross Stevens Creek at Cronin and walk/ride/drive to Maywood Park in Santa Clara.

Engagement with neighboring cities

As noted in the section on Public Safety, Santa Clara City must be directly and actively engaged in the planning and approval of this project. The impacts of the project will be felt as much by them as by San Jose. Beyond that, given the proximity of Cupertino, that City should also be formally engaged.

Patrick Waddell

Santa Clara, 95051