

From: [Bob Burres](#)
To: [Le, Thai-Chau](#)
Cc: [Peter Clarke](#)
Subject: Re: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)
Date: Saturday, August 3, 2019 8:08:15 AM

Thanks Thai, you are very considerate.

I'm starting to work with Peter on this now. Harker is scheduled to present at the Cambrian Community Council meeting this Monday evening. I have no idea what sort of crowd we may get. I imagine Michael Lomio from Pam's office will attend, but folks from planning are certainly welcome also. Not that you need another evening meeting to attend:-)

One item that struck me as interesting is that there is no standard data/model for traffic modeling a private school. It seems to me that no modeling is required at all. Harker currently has an operating middle school in San Jose. That school will have addresses for all of their students. Based on the nature of Harker it is reasonable to assume that all of the current students would transfer to the new campus if it was open today. Calculating actual VMT would be fairly trivial once you had the student addresses. If that data is not available due to privacy concerns, Harker could obscure it by eliminating the student's name and even the house number. With that you'd at least have the city and street to calculate VMT.

With this data the only questions remaining would be number of students who carpool and how geographical student populations may change in the future.

Also, does the VMT take into account evening and weekend extra curricular activities or just basic class attendance?

On Aug 2, 2019, at 11:12 AM, Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov> wrote:

Hi Bob,

Sending this to you directly, because I noticed your email was spelled incorrectly on our list. I have fixed the mistake on our list and inform the project manager to make sure the correct email will be included in future notices.

The public comment period just started today for the environmental documents so you still have time, but Peter is already on top of it reviewing it now. Please let me know if you have any questions.

Best regards,
Thai

From: Le, Thai-Chau
Sent: Friday, August 2, 2019 10:59 AM
Subject: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker

Middle School Expansion Project (PD18-040)

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

Project Name: Harker Middle School Expansion Project

File No.: PD18-040

Description: The project proposes the demolition of three of the five existing classroom buildings, a portion of the existing auditorium/gymnasium, removal of the existing vehicle turnaround area, and removal of 46 trees, including 15 ordinance-sized trees. The project would allow the construction of a new two-story classroom building of approximately 38,900 square feet and a new addition to the existing auditorium/gymnasium of approximately 15,300 square feet for a total of 20,542 square feet to facilitate the operation of a middle school on the site with a maximum enrollment of 600 students. The project also includes construction of five new basketball courts, reconfiguration of the existing turf play field, a new student drop-off/pick-up area, and an emergency vehicle access road. The existing administration building, music/drama building, and two academic buildings would remain in place. Upon completion of the project, the total building square footage on the campus would be approximately 107,170 square feet.

Location: 4525 Union Avenue, San José.

Assessor's Parcel No.: 421-07-003.

Council District: 9

Applicant Contact Information: Mike Bassoni, Facilities Director of The Harker School; P.O. Box 9067, San Jose, CA 95157; 408-553-0377

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. Based on the review, the City has prepared a Draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment because the project will include mitigation measures that will reduce identified project impacts to a less than significant level. The project site is not present on a list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft MND. The public comment period for this Draft MND begins on **August 2, 2019 to August 22, 2019.**

The Draft MND, Initial Study, and reference documents are available online at: www.sanjoseca.gov/negativedeclarations. The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San José Department

of Planning, Building and Code Enforcement, located at City Hall, 200 East Santa Clara Street; at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street; and Cambrian Branch Library, located at 1780 Hillsdale Avenue, San Jose.

For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,
Thai

Thai-Chau Le
Supervising Planner | Planning, Building & Code Enforcement
City of San Jose | 200 East Santa Clara Street
Thai-Chau.Le@sanjoseca.gov | (408) 535 - 5658

From: [Peter Clarke](#)
To: [Le, Thai-Chau](#); "[Bob Burres](#)"
Subject: Re: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)
Date: Monday, August 5, 2019 4:27:26 PM

Hi Thai

Here are a few more comments on the Harker MND documentation that we would like to see addressed as part of the Public Review

1. In prior discussion we have had about Camden-Union it has been portrayed by the city as Grade-F (Council Policy 5-3) and 'protected'. The Transportation Appendix F Table 2 has a different set of definitions for LOS including F which is therefore confusing.
2. Using these new definitions they described (Table 6) that current C-U is D LOS in the morning and E in the evening, where they say D is acceptable. This appears to contradict City assessment.
3. On P18 of Appendix F they look at transit services and conclude the 'area is well served by buses'. They then list Routes 27,37,62, 101, 328 and 330 to justify this statement. All of this may be accurate today, but the New VTA plan looks to eliminate many of these buses leaving just 27, 62 (and a diminished 37 service) by the time the project is complete. With those impacts I find the 'well served' language mis-leading at best. Later on p54 they say 'The project site is adequately-served by transit' which seems inconsistent with prior statements.
4. On Page 54 they mention that Class II bikelanes are planned for Camden between 17 and Hillsdale. This brings up several questions. Firstly i believe the whole Bikesanjose 2025 plan is still in the formative stages, so I assume there is no commitment to these lanes. Second if they are confirmed I would have to assume that means that Camden will need to be narrowed to accommodate which would likely lead to additional transit delays & parking problems. We need to see greater clarity here of both pluses and minuses.

Thank you

From: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Sent: Sunday, August 4, 2019 11:05 AM
To: 'Peter Clarke' <pjbclarke@hotmail.com>; 'Bob Burres' <bob_burres@hotmail.com>
Subject: RE: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

Hi Peter,

Yes. If questions are for environmental documents and issues, please send comments to me. For

questions about project design or planning process itself, you can send them to me, but please CC Cassandra Van Der Zweep into the email.

For IS/MND -- Our usual process is to collect all questions and concerns, compile it, and prepare responses to comments to all written concerns/comments at the end of the 20-day period for a Responses to Comments document that will then get posted online prior to any public hearing.

We usually will answer questions regarding processes (i.e. when is the meeting, how to appeal, etc.) right away, but if questions are about methodology, analysis, or conclusions, we usually want to save it at the end to respond to.

Best regards,
Thai

From: Peter Clarke [mailto:pjbclarke@hotmail.com]
Sent: Sunday, August 4, 2019 10:59 AM
To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>; 'Bob Burres' <bob_burres@hotmail.com>
Subject: Re: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

Thai

we have a bunch more. Are you the Point of Contact for submission ?

From: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Sent: Sunday, August 4, 2019 10:48 AM
To: 'Bob Burres' <bob_burres@hotmail.com>
Cc: Peter Clarke <pjbclarke@hotmail.com>
Subject: RE: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

Thank you for your comments, Bob. I will forward this to the environmental consultant and our PWD team for the public record and to be included in our Responses to Comments later on as well.

Best regards,
Thai

From: Bob Burres [mailto:bob_burres@hotmail.com]
Sent: Saturday, August 3, 2019 8:08 AM
To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Cc: Peter Clarke <pjbclarke@hotmail.com>
Subject: Re: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

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Sent: Friday, August 2, 2019 10:59 AM

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

Project Name: Harker Middle School Expansion Project

File No.: PD18-040

Description: The project proposes the demolition of three of the five existing classroom buildings, a portion of the existing auditorium/gymnasium, removal of the existing vehicle turnaround area, and removal of 46 trees, including 15 ordinance-sized trees. The project would allow the construction of a new two-story classroom building of approximately 38,900 square feet and a new addition to the existing auditorium/gymnasium of approximately 15,300 square feet for a total of 20,542 square feet to facilitate the operation of a middle school on the site with a maximum enrollment of 600 students. The project also includes construction of five new basketball courts, reconfiguration of the existing turf play field, a new student drop-off/pick-up area, and an emergency vehicle access road. The existing administration building, music/drama building, and two academic buildings would remain in place. Upon completion of the project, the total building square footage on the campus would be approximately 107,170 square feet.

Location: 4525 Union Avenue, San José.

Assessor's Parcel No.: 421-07-003.

Council District: 9

Applicant Contact Information: Mike Bassoni, Facilities Director of The Harker School; P.O. Box 9067, San Jose, CA 95157; 408-553-0377

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For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,
Thai

Thai-Chau Le

Supervising Planner | Planning, Building & Code Enforcement

City of San Jose | 200 East Santa Clara Street

Thai-Chau.Le@sanjoseca.gov | (408) 535 - 5658

From: [Connie Beck](#)
To: [Le, Thai-Chau](#)
Subject: PD18-040 Harker Middle School Expansion
Date: Tuesday, August 6, 2019 3:52:31 PM

Dear Mr. Le,

I have been reading the Transportation analysis section appendix F for this project.

I have the following comments/questions-

Why use office number projections instead of school projections? Why does the tool not have a school option? Would it not make more sense to use a public school projection as a default instead of an office building for number of trips?

Although Figure 8 includes the private schools in the area as a similar use, the study has completely ignored the presence of large public schools such as Union Middle School, Alta Vista Elementary School, Leigh High School, Carlton Elementary School, Oster Elementary School, Noddin Elementary School, etc. How are public schools not a similar use and a big transportation impact?

All of these school generate a great deal of morning traffic at the Union intersections between Camden and Bossom Hill, particularly the Los Gatos-Almaden at Union and the 85/Union North and Southbound which are choke points. Carlton does have a lot of traffic on Union as does Oster and Alta Vista and Union Middle and Leigh, etc.

If public school traffic is not included in the a.m. it is simply an invalid projection. Similarly the pedestrian and bike traffic section needs recognition that the population of pedestrians in the a.m. on the sidewalk and non-sidewalk sections and bike lanes on Union are heavily skewed toward CHILDREN and teenagers. This represents a special hazard. Why would the Harker crosswalks be raised and get a new signal, when the crosswalks at Los Gatos-Almaden have not even been improved to zebra and flashing light crosswalks. The crosswalks here need major upgrades. Not to mention that the sidewalks need to be put in all along every part of Union.

The recommendations for staggered start and dismissal times must be coordinated with the public schools, not just grades within Harker. The start times of the public schools already all overlap within a 30 to 40 minute period in the a.m.

The mid-August through mid June traffic load and patterns are heavily impacted by school traffic. Typical enrollment is well over 400 students at each of 3 or more nearby elementary schools (total 1200 +), 1000 at Union Middle School, another 1700 students at Leigh. This is a lot of daily trips simultaneous with Harker Middle School completely ignored in the study.

The traffic study did not include any traffic projection from the Belmont Village project on Union Avenue. Why not? This is going to impact the Union/85 ramps also. It is between Samaritan medical and Harker.

I've been in a middle school pickup queue. Forty is the minimum, not the maximum. For Harker there are really two pickup times. There is a large one at school dismissal. The second

is at peak traffic around 5 to 6 p.m. when the after school activities cease and parents are off work. I did not see any acknowledgement of this dual impact in the p.m.. Also, most staff leaves later than public school staff in the p.m.

The study treats a private school as an office building, except where it is more favorable or unavoidable to treat it as a school, but does not recognize differences in public and private school operations. And does not acknowledge our current local schools exist. This is just misleading and ignoring the public school students and traffic and impacted in our area.

Sincerely,
Constance Beck

From: [Aghegnehu, Ben](#)
To: [Le, Thai-Chau](#)
Cc: [Talbo, Ellen](#)
Subject: RE: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)
Date: Monday, August 12, 2019 3:57:09 PM

August 12, 2019

Thai-Chau Le

Supervising Planner | Planning, Building & Code Enforcement
City of San Jose | 200 East Santa Clara Street

SUBJECT: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

The County of Santa Clara Roads and Airports Department (The County) appreciates the opportunity to review the Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040), and is submitting the following comments:

- The proposed new signal should be coordinated with other signals on Union.

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

Thank you,

Ben Aghegnehu

Associate Transportation Planner
County of Santa Clara | Roads & Airports
101 Skyport Rd | San Jose, CA, 95110
408-573-2462 (o)

From: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Sent: Friday, August 2, 2019 10:59 AM
Subject: [EXTERNAL] Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)

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

Project Name: Harker Middle School Expansion Project
File No.: PD18-040

Description: The project proposes the demolition of three of the five existing classroom buildings, a portion of the existing auditorium/gymnasium, removal of the existing vehicle turnaround area, and removal of 46 trees, including 15 ordinance-sized trees. The project would allow the construction of a new two-story classroom building of approximately 38,900 square feet and a new addition to the

existing auditorium/gymnasium of approximately 15,300 square feet for a total of 20,542 square feet to facilitate the operation of a middle school on the site with a maximum enrollment of 600 students. The project also includes construction of five new basketball courts, reconfiguration of the existing turf play field, a new student drop-off/pick-up area, and an emergency vehicle access road. The existing administration building, music/drama building, and two academic buildings would remain in place. Upon completion of the project, the total building square footage on the campus would be approximately 107,170 square feet.

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For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,
Thai

Thai-Chau Le
Supervising Planner | Planning, Building & Code Enforcement
City of San Jose | 200 East Santa Clara Street
Thai-Chau.Le@sanjoseca.gov | (408) 535 - 5658

From: [Brian Ahr](#)
To: [Le, Thai-Chau](#)
Subject: PD18-040 Harker Middle School Expansion public comment
Date: Wednesday, August 21, 2019 8:59:47 PM

Hi Thai and the City of San Jose,

My name is Brian Ahr and I live on Barrett Avenue near Union - with Harker Preschool over my rear fence. I am highly concerned about the Harker project and its impact on my street. I am very against this project, as it provides no benefit to the surrounding community.

Foremost, Harker has an agreement to prevent cut throughs of traffic through the neighborhood that reduces tuition by 10% for the first year of violation. This agreement was put in place during the original purchase as a middle school property and I am concerned that this would be dropped during this conversion. There is no reason to remove this agreement - as it only protects the neighborhood. I see that in the EIR there is a mention that Harker could form a liaison organization with the neighborhood but they are not required. Since they are not required, the neighborhood needs some protection. The city MUST keep the anti-thru traffic agreement.

Second, I am concerned about people leaving Harker and traveling back up Barrett and through our neighborhood. The current plan seems to prevent this (as there are no left turns out of Harker. It is extremely important to me that this remains in the plan. I understand that a traffic light for making left turns into Harker from Union is needed to support this, as well as a concrete median. These must also be implemented to protect the neighborhood.

Third, I am very concerned about the traffic backing up on Union avenue and interfering with the ability to take my children to Union district public schools. My daughter now attends Carlton Elementary and in 2 years I will have two children at Carlton. I will be driving them past Harker for the next 11 years at the same time as Harker's drop off period. The EIR says that the cars will not likely back up to the corner of Barrett and Union, but the difference is 1-2 car lengths. This is not a large margin of error and any growth at the Cambrian Park Plaza will quickly push this over the allowed distance.

Fourth, I am concerned about the back-up of traffic out of the Route 85N on-ramp. At present the traffic backs up to the end of the ramp at peak times. With the Harker expansion, their added traffic will push this up onto Union Avenue which will likely further exacerbate any problems of traffic backing up beyond Barrett. It is possible that adding some features for "DO NOT BLOCK INTERSECTION" at Barrett may help allow residents to get into Union Avenue during this time.

Fifth, the bus routes were taken into account during the EIR. However the VTA is currently reducing the number of routes in our area. In particular from the VTA website it is seen that Route 62 will be merged into Route 61 and Union Ave will not have bus service by the time the Harker expansion completes. I believe that the EIR should have taken this into account, as in its current form it grossly overestimates the amount of public transport that will be available in this area.

Lastly, I am extremely concerned that the impact of the Harker expansion is not taken into consideration along with the Cambrian Park Plaza development. These two developments are

very close to one another and are impacting all of the same intersections.

Thank you very much for your attention.

Sincerely,

Brian Ahr, Cambrian Park resident, Barrett Avenue

From: [Kiran Kadambi](#)
To: [Le, Thai-Chau](#)
Subject: PD18-040 Harker Middle School Expansion public comment
Date: Wednesday, August 21, 2019 11:04:45 PM

Hi Thai and the City of San Jose,

My name is Kiran Kadambi and I live on Barrett Avenue near Union - with Harker Preschool across the street. I am highly concerned about the Harker project and its impact on my street. I am very against this project, as it provides no benefit to the surrounding community.

Foremost, Harker has an agreement to prevent cut throughs of traffic through the neighborhood that reduces tuition by 10% for the first year of violation. This agreement was put in place during the original purchase as a middle school property and I am concerned that this would be dropped during this conversion. There is no reason to remove this agreement - as it only protects the neighborhood. I see that in the EIR there is a mention that Harker could form a liaison organization with the neighborhood but they are not required. Since they are not required, the neighborhood needs some protection. The city MUST keep the anti-thru traffic agreement. Can we require them to form a liaison organization?

Second, I am concerned about people leaving Harker and traveling back up Barrett and through our neighborhood. The current plan seems to prevent this (as there are no left turns out of Harker). It is extremely important to me that this remains in the plan. I understand that a traffic light for making left turns into Harker from Union is needed to support this, as well as a concrete median. These must also be implemented to protect the neighborhood.

Third, I am very concerned about the traffic backing up on Union Avenue and interfering with the ability to take my children to Union district public schools. My daughter will attend Carlton Elementary in the coming year. I will be driving them past Harker for the next many years at the same time as Harker's drop off period. The EIR says that the cars will not likely back up to the corner of Barrett and Union, but the difference is 1-2 car lengths. This is not a large margin of error and any growth at the Cambrian Park Plaza will quickly push this over the allowed distance.

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Lastly, I am extremely concerned that the impact of the Harker expansion is not taken into

consideration along with the Cambrian Park Plaza development. These two developments are very close to one another and are impacting all of the same intersections.

Thank you very much for your attention.

Sincerely,

Kiran Kadambi, Cambrian Park resident, Barrett Avenue

From: [Susan Landry](#)
To: [Le, Thai-Chau](#)
Subject: CSJ PD18-040 Harker Middle School Expansion - Public Comments on the DEIR
Date: Thursday, August 22, 2019 11:44:43 AM
Attachments: [harker-LTR-DEIR-22-Aug-19.pdf](#)

Hi Thai-Chau,

My previous email did not have the attachment of my public comments regarding this project.

I was the landscape architect for the 1990's Children's Shelter that was on this site prior to the Harker Project and for Harker's Pre-School Project

I want to highlight a oversight in the DEIR:

Biological Resources

a. Removal of the Existing Coast Live Oak, Tree #65

* **THIS TREE WAS PART OF THE REQUIRED MITIGATION FOR THE HWY 85 PROJECT IN THE 1990'S.**

* **The Hwy 85 project required that the tree replacement requirements had to place the trees near the highway to offset the air pollution caused by the vehicles.**

* **This tree was also required to be preserved in the original PD12-027.**

* **The DEIR does NOT mention the previous mitigation requirements, neither for the Hwy 85 project nor the Children's Shelter project.**

* Preliminary Tree Report. Page 15 of the Preliminary Tree Report (Appendix B) states "A donation of \$300 per mitigation tree to Our City Forest or San Jose Beautiful for in-lieu off-site tree planting in the community."

* **It is unacceptable that an option has been given to the applicant to plant their mitigation trees onsite.**

Please address my Public Comments in the Final EIR.

Add me to the contact/ mailing list for this project

Susan M. Landry
Principal Landscape Architect
Environmental Edges

CSJ PD18-040
Harker Middle School Expansion DEIR

To: Rosalynn Hughey, Director, Planning, Building & Code Enforcement
Thai-Chau Le, Environmental Project Manager,

RE: CSJ PD18-040 – DEIR for Harker Middle School Expansion at
4525 Union Avenue, San Jose, CA

Subj: Public Comments on the Mitigated Negative Declaration Documents

The following are my Public Comments regarding this project.

A. Project Name

1. The Project Name is “Harker Middle School Expansion Project”. Previously, the per PD12-027, the Project Name was “The Harker School Campus” and the MND applicable to PD12-027 only referred to a pre-K to 5th grade elementary school. The project focus has now been significantly altered with very minimal community input. The impact of a middle school is greater than an elementary school due to increased onsite activity during and after school, causing additional traffic and noise to the neighborhood.

B. Project Description

1. The project description states that three classroom buildings will be demolished. With the project approved under PD12-027, demolition of only two buildings was approved with replacement with a 17,500 sq foot structure. Now three buildings will be replaced with a two-story building. That will be 38,900 sq feet. What is the setback of these homes to the adjacent residences? Is it appropriate and safe for children to be able to see into people’s backyards and homes from the second story classrooms? What if neighbors are engaging in inappropriate behavior?
2. The project also includes construction of 5 new basketball courts. What is the intended use of these courts? For school daytime use, for afterschool leisure, and/or for competition? The intended uses are not specified and should be specified. If an intended use is competition, how many cars will be traveling to the school for the competitions, and on what days and what times? If after school, it will increase peak trips to the school in the afterschool time slot which have not been considered in the MND.
3. The project also states that the “existing turf playfield” will be reconfigured. The project does not state if it will be fake turf or natural grass and is misleading due to failure to explain this.
4. New student dropoff pick up area that previously specified in PD12-027.
5. An emergency vehicle access road and drop off is discussed but its located is not specified and should be specified.

C. Findings

1. The findings by the CSJ state that the project “would not have a significant effect on the environment if

certain mitigation measures are incorporated into the project. The attached Initial Study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this Mitigated Negative Declaration (MND), has made or agrees to make project revisions that will clearly mitigate the potentially significant effects to a less than significant level.”

2. All significant impacts have not been identified in this document. For example, impact to the surrounding adjacent residential streets of the additional trips is not identified at all.
 - a. For example, the impact to the residents on Barrett Street has not been identified with regard to the proposed two-story building.
 - b. As another example, the impact to the environment of installing artificial turf and removing natural grass has not been identified nor addressed. The birds in the area that currently live in the trees and eat bugs and worms from the grassy area will no longer have those areas available to them to eat from.
 - c. Another example, critically ignored, is that a traffic signal indicated in the plans is not discussed or mentioned in the MND. Adding a traffic signal is a significant impact on traffic on Union.

D. Air Quality

1. Measures to protect and notify residents of air pollutants that will be caused by demolition have not been addressed.

E. Mitigation Measures Included in the Project

1. Aesthetics
 - a. Removing the interior natural grass area and landscaping to replace it with a new presumed artificial turf field. The impact to the environment has not been considered. Significant efforts are being made not to disrupt the birds who nest in the trees that will be removed. However, the grass being removed will remove a food source for the birds.
 - b. The aesthetics from two story building overlooking residents on Barrett Street has not been identified nor addressed.
2. Air Quality
 - a. What notifications will be given to residents on Barrett and Esther and surrounding streets of demolition or other construction that will cause harmful particles in the air to residents. This is not addressed.
3. Biological Resources
 - a. Removal of the Existing Coast Live Oak, Tree #65
 - i. **THIS TREE WAS PART OF THE REQUIRED MITIGATION FOR THE HWY 85 PROJECT IN THE 1990'S.**
 - ii. **The Hwy 85 project required that the tree replacement requirements had to place the trees near the highway to offset the air pollution caused by the vehicles.**
 - iii. **This tree was also required to be preserved in the original PD12-027.**
 - iv. **The DEIR does NOT mention the previous mitigation requirements, neither for the Hwy 85 project nor the Children's Shelter project.**
 - b. Preliminary Tree Report. Page 15 of the Preliminary Tree Report (Appendix B) states “A donation of \$300 per mitigation tree to Our City Forest or San Jose Beautiful for in-lieu off-site tree planting in the community.”

- i. **It is unacceptable that an option has been given to the applicant to plant their mitigation trees offsite.**

F. Land Use and Planning

1. New 2 Story Building

- a. Impact on neighboring residents on Barrett Avenue and Esther Drive regarding building height, shading and appropriate setbacks, has not been addressed in the report.
- ii. Separation between new and existing buildings to conform to land use planning protocol at 25'. Current plans on the north side of the project shows a setback at only 23' 8". Previous setback requirements were a minimum of 25'. Why is this not being met. Setback requirements must be met.

2. New Gym Building

- a. The west side of the property where the "North Wing" gymnasium will be located does not maintain the 25' setback.
- b. Separation between new and existing buildings to conform to land use planning protocol at 25'. Why is this not being met. Setback requirements must be met.
- c. What area of the property will contain open space for use for the children, which is not a field, paved walking area, or paved driving/parking area. Also need to confirm that it conforms to appropriate land use ratios.

3. Miscellaneous

- d. The Handicap parking space next to the Gyn appears non-compliant, it lacks the appropriate access space.

G. Traffic

1. The traffic study for the Harker Project does not address the traffic impacts cited in the North 40 and Samaritan project's EIRs. Both of these reports identified traffic impacts extending to the intersection of Union and Camden, which is within the Harker project area.
 - a. This additional congestion needs to be included in the Harker Traffic Study's impact analysis.
 - b. The previous MND PD12-027 stated that all three of the traffic measures listed below were required, whereas the current MND makes the three traffic measures optional.
2. **Shuttle Service.** The Transportation Analysis (appendix F, page 19) states "In order to prevent the vehicular queues generated during the school peak drop-off and pick-up periods from extending onto Union Avenue, **it is estimated that 46% of the student population would have to use the school shuttle service.- a. The MND (page 6) only states that a shuttle service will be *provided* to students. It does not state that it is required to be used by 46% of the students. It is critical that this is included in the MND.
- b. How will the city require the applicant use the shuttles to reduce trips so that at least 46% of the students use it?
- c. The cities in the surrounding areas that would be required to use the shuttle service need to be named in MND.
- d. How many shuttle buses will be used daily? This is not addressed.
- e. How many people fit in a shuttle? This is not addressed.**

3. **School Carpool/Transit Pool Program.** The Transportation Analysis (appendix F) states that a School Carpool/Transit Pool Program is necessary to reduce VMT. The MND only states that this will be open to families.
 - a. It does not state that it is required to be used by families and how many families will need to use this in order to have VMT at an acceptable level.
4. **Staggered Start Times.** Staggered start times were agreed to in the previous MND PD12-027 (40 mins apart).
 - a. In the previous MND PC12-027 Why are are staggered start times not proposed?
 - b. Staggered start times would reduce vehicle congestion in the AM.
5. **Traffic Signal.** The Traffic Analysis (see Appendix F, page 47, Transportation Analysis), states a new traffic signal is required: “installation of a traffic signal at this intersection would be crucial to providing adequate access to and from the project site.”
 - a. This is not discussed in the MND. This appears to be a major oversight in the MND and must be addressed in response to comments.
6. **VTA Bus Pull Out.**
 - a. The plans are not showing a VTA bus pull out now? This was included in the old MND under PD12-027.
 - b. A bus pull out needs to be included in the plans because this will reduce traffic impacts by getting the bus out of traffic’s way.
7. **Cut Through Traffic from Bascom to Union.**
 - a. Cut through traffic from Bascom to Union has not been adequately addressed.
 - b. Barrett Avenue is completely ignored in the MND. This street will be used as a cut through street. Many students will come down HWY 17 to Camden and will take Bascom to Barrett, to avoid Woodard Street in the AM which has 2 schools. This needs to be addressed.
 - c. Per page 47 of the Transportation Analysis Report, the only mitigation to reducing traffic on Barrett Ave and not using this road as a cut-through is the addition of the traffic signal on Union Ave. Supporting information and analysis is required to substantiate this claim.
 - d. It was recommended (Appendix F, page 52) that a working group be created to monitor traffic on this street and take necessary measures if needed. This is not included in the MND. Also, what measures would be taken to patrol cut through traffic? Would families be suspended from school after 3 warnings for example?
8. **Annual Monitoring for Trip Caps.** Per MND p6, “An annual monitoring requirement establishing a trip cap of 679 AM Peak-Hour-Trip and 315 PM Peak-Hour-Trip.”
 - a. At a community meeting in 2012, a Harker representative publicly announced that trips would be reduced to 206. In MND PD12-027, this number increased to 350, and now in the latest MND this has increased to 679. Initial approval was for 518 trips. How could it be changed?

H. New Athletic Field

1. Overflow Parking
 - a. In the previous plans under PD12-027, there was overflow parking for events which was the highschool in Saratoga. Is this still being proposed for this project? It is not mentioned. Where will overflow parking be located?

2. Event Parking
 - a. When larger events are held at this facility, where will the cars park for those events? Not addressed.

3. Athletic Field

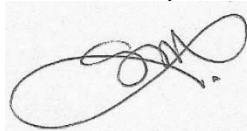
- a. Will the field be rented out to private groups?
- b. If so, what would the hours of operation?
- c. What is the maximum number of people?
- d. Is night lighting of the field being proposed? How will this affect neighboring residents on Esther and Barrett?

I. General Comments

1. How many bicycle spaces are being provided? The report only says it will be reduced from full amount that are allowed.
- 2.

If you have any question, please feel free to call me.

Sincerely,



Susan M. Landry

From: [Kartikeya](#)
To: [Le, Thai-Chau](#)
Subject: Public Letter in Response to Harker Middle School Expansion Project (PD18-040)
Date: Thursday, August 22, 2019 3:59:54 PM

To: Rosalynn Hughey, Director
Planning, Building & Code Enforcement

Environmental Project Manager
Thai-Chau Le, Thai-Chau.Le@sanjoseca.gov

Re: CSJ PD18-040 - Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA

Subject: Public Comments on the Mitigated Negative Declaration Documents, CSJ PD18-040-Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA

Project Name is "Harker Middle School Expansion Project"

The project focus has significantly altered with very minimum community output. I am a resident of Barrett Ave with my backyard right behind the new proposed two storeyed classroom. So, I am impacted by this development plan in every possible way. I've following concerns on the report.

PRIVACY: The new classroom building is pushed to the border of the property in the backyards of homes on Barrett Ave, as proposed building is a two story building that would mean that these houses will be directly visible from the classrooms. This invades the privacy of these houses. It is highly unsettling to me that I will have to keep my windows and doors closed at all times or my house will be subject to constant watch by middle schoolers. The current plan completely ignores this matter, even fails to mention this in the report. If you look at the history of the site, this plan was first proposed for children shelter and was not approved due to this very reason.

CONSTRUCTION NOISE and POLLUTION: The demolition and construction will create significant noise and pollution. Although the report states that there won't be any significant impact and it also states different plans to mitigate this issue. 14 months of demolition and construction will have significant impact on houses on Barrett Ave and Esther Dr. The report not only fails to suggest any mitigation, it also fails to recognize that this will cause significant noise and pollution for the residences.

NOISE: The noise level from 600 students plus staff will be significantly more than the then

current school campus of pre-school and it DOES get noisy even with 125 students. In addition, Middle school will also have after school activities and weekend activities. The report does not mention the impact of NOISE for the residences on Barrett Ave, as the new plan increase the student capacity to 6 times the current size.

LIGHT POLLUTION: There might be security lights on the new building that would mean at all times at night my backyard will have significant light pollution and this will look more like a commercial property. The report completely fails to mention any impact on this.

TRAFFIC: The middle school will have significantly more cars and buses for student drop off and pick up. With almost 99% commuting from outside the neighborhood, the reports do not address how traffic impact for the neighborhood can be minimized. Even during summer vacation, there is always a traffic backing up to Xilinx during morning commute hours. Adding additional 300/400 vehicles will create a significant traffic congestion and will create significant delays.

TRAFFIC LIGHT: There is already a traffic light at Union Ave & Logic Dr. The Harker Development plan states that there will be another traffic light added between Barrett Ave & Logic Dr. That makes it two traffic lights within a distance of a couple of hundred feet. That's not going to mitigate any congestion, but it's gonna be the opposite.

Overall, The Harker expansion has significantly changed from the approved plan and additional two story building will not only invade the privacy of houses on Barrett but will also create significant noise and light pollution and also fails to address the traffic concerns.

I hope my concerns are taken into consideration.

Kumar Kartikeya
2070 Barrett Ave.
San Jose, CA - 95124

From: [Sonia Tomar](#)
To: [Le, Thai-Chau](#)
Subject: Public Comments on the Mitigated Negative Declaration Documents, CSJ PD18-040-Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA
Date: Thursday, August 22, 2019 4:00:47 PM

To, Rosalynn Hughey, Director Planning, Building & Code Enforcement

Thai-Chau Le, Environmental Project Manager

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I hope my concerns are taken into consideration.

Kind Regards,

Sonia Tomar

2070 Barrett Ave



August 22, 2019

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

Attention Thai-Chau Le

Subject: Harker Middle School Expansion Project, PD 18-040

Dear Thai-Chau Le:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Initial Study/Mitigated Negative Declaration and Transportation Impact Analysis for the Harker Middle School at 4525 Union Avenue in the City of San Jose. We have the following comments:

Transportation Demand Management (TDM) and Trip Reduction

The TIA (Appendix F) cites a 25% reduction in VMT and states in Table 5 that “this reduction would be in addition to the reduction that is currently being achieved with the existing shuttle bus program at Blackford campus” (TIA p. 30). Please provide data and documentation, as previously requested, per the requirements outlined in the VTA TIA Guidelines 8.2.3 Peer/Study-Based Trip Reductions in order to appropriately justify the proposed 25% trip reduction.

Envision San Jose 2040 General Plan and Transit Access Conformance

The San Jose General Plan contains policies to encourage the use of non-automobile transportation modes. Policy TR-3.3 states that “new development is designed to accommodate and provide direct access to transit facilities” for projects along existing transit. VTA disagrees with the statement in the Cumulative Impact Analysis that the bus stop on Union Avenue helps the project comply with the General Plan (TIA p. 26). VTA has made previous recommendations that a northbound pair stop be constructed in concurrence with the traffic signal in order to conform with General Plan transportation policy. A northbound stop will provide comprehensive and complete transit access in both directions and assist the school with Transportation Demand Management goals.

Pedestrian Accommodations

The On-Site Circulation and Parking Layout section (TIA p.48) does not clearly indicate pedestrian accommodations within the parking lot and connections to the relocated VTA Bus Stop on Union Avenue. VTA requests clarification on a safe route to access the bus stop through the parking lot.

City of San Jose
August 22, 2019
Page 2

Bicycle Accommodations

VTA notes that the site plan and TIA does not show any bicycle parking. VTA requests clarification on the location of required bicycle parking and what provisions will be made for including appropriate number of bicycle storage options. Please consult Section 9.2 of VTA's TIA Guidelines, City ordinance, and VTA's Bicycle Technical Guidelines to indicate the proposed type of Class 1 and Class 2 bicycle parking spaces required by the project.

Intersection Improvements

VTA again recommends that the traffic signal be designed to support a pedestrian crossing and encourage improved transit access to the school. VTA notes that a raised median for the new signal is already being considered on the northbound side of Union Avenue.

Thank you for the opportunity to review this project. If you have any question, please call me at (408) 546-7985

Sincerely,



Brent Pearse
Transportation Planner

Cc: Florin Lapustea
Jason Yan

[SJ1817]

From: [Aine O'Donovan](#)
To: [Le, Thai-Chau](#)
Cc: [Christine Kouvaris](#)
Subject: RESPONSE TO: Public Notice of Intent to Adopt a Mitigated Negative Declaration for Harker Middle School Expansion Project (PD18-040)
Date: Thursday, August 22, 2019 4:37:49 PM
Attachments: [Public Letter in Response to Harker Middle School Expansion Project \(PD18-040\) - Submitted on 8.22.19.pdf](#)

Hello Thai-Chau,

Please find attached a response to the MND for PD18-040, the Harker Middle School expansion. This letter has been signed by 362 people in our local community. If we get more signatures, we will update and send to you, as discussed earlier.

Please let us know you received this letter and that it will be included in the public comments. Thank you.

Best regards,
Aine O'Donovan & Christine Kouvaris

On Friday, August 2, 2019, 10:58:57 AM PDT, Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov> wrote:

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

Project Name: Harker Middle School Expansion Project

File No.: PD18-040

Description: The project proposes the demolition of three of the five existing classroom buildings, a portion of the existing auditorium/gymnasium, removal of the existing vehicle turnaround area, and removal of 46 trees, including 15 ordinance-sized trees. The project would allow the construction of a new two-story classroom building of approximately 38,900 square feet and a new addition to the existing auditorium/gymnasium of approximately 15,300 square feet for a total of 20,542 square feet to facilitate the operation of a middle school on the site with a maximum enrollment of 600 students. The project also includes construction of five new basketball courts, reconfiguration of the existing turf play field, a new student drop-off/pick-up area, and an emergency vehicle access road. The existing administration building, music/drama building, and two academic buildings would remain in place. Upon completion of the project, the total building square footage on the campus would be approximately 107,170 square feet.

Location: 4525 Union Avenue, San José.

Assessor's Parcel No.: 421-07-003.

Council District: 9

Applicant Contact Information: Mike Bassoni, Facilities Director of The Harker School; P.O. Box 9067, San Jose, CA 95157; 408-553-0377

The City has performed an environmental review of the project. The environmental review examines the nature and extent of any adverse effects on the environment that could occur if the project is approved and implemented. Based on the review, the City has prepared a Draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment because the project will include mitigation measures that will reduce identified project impacts to a less than significant level. The project site is not present on a list pursuant to Section 65962.5 of the California Government Code.

The public is welcome to review and comment on the Draft MND. The public comment period for this Draft MND begins on **August 2, 2019 to August 22, 2019.**

The Draft MND, Initial Study, and reference documents are available online at: www.sanjoseca.gov/negativedeclarations. The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San José Department of Planning, Building and Code Enforcement, located at City Hall, 200 East Santa Clara Street; at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street; and Cambrian Branch Library, located at 1780 Hillsdale Avenue, San Jose.

For additional information, please contact Thai-Chau Le at (408) 535-5658, or by e-mail at Thai-Chau.Le@sanjoseca.gov.

Best regards,

Thai

Thai-Chau Le

Supervising Planner|Planning, Building & Code Enforcement

City of San Jose|200 East Santa Clara Street

Thai-Chau.Le@sanjoseca.gov | (408) 535 - 5658

To: Rosalynn Hughey, Director
Planning, Building & Code Enforcement

Environmental Project Manager
Thai-Chau Le, Thai-Chau.Le@sanjoseca.gov

Re: CSJ PD18-040 - Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA

Subj: Public Comments on the Mitigated Negative Declaration Documents

We, the undersigned, want the following feedback to be included in the public record for the Harker Middle School Expansion project PD18-040.

Harker Middle School will have a significant negative impact on our community. It will cause excessive traffic on our local streets and will have a serious impact on the entrances and exits to HWY 85. The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 General Plan or adequately address and mitigate many issues, including the following:

- The intensity of use (600 students and 100 staff). This is significantly more than the two previous uses, a children's shelter and a public elementary school, and its use currently as a pre-school for 100 students.
- The impact of increased traffic to Cambrian residents commuting to and from work.
- The impact of increased traffic to Cambrian residents taking their children to Union Middle School, Carlton Elementary school, Leigh High School, Farnham Elementary School, St. Francis Cabrini Elementary and Middle School.
- The use of residential streets as through ways.
- The queuing of cars on residential streets.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property on to Union Ave.

Comments:

A. Project Name

- a. The Project Name is "Harker Middle School Expansion Project". Previously, in PD12-027, the Project Name was "The Harker School Campus" and the MND applicable

to PD12-027 only referred to a pre-K to 5th grade elementary school. The project focus has now been significantly altered with very minimal community input. The impact of a middle school is greater than an elementary school due to increased onsite activity during and after school, causing additional traffic and noise to the neighborhood.

B. Project Description

- a. The project description states that three classroom buildings will be demolished. In the project approved under PD12-027, demolition of only two buildings was approved with replacement with a 17,500 sq foot structure. Now three buildings will be replaced with a two story building that will be 38,900 sq feet. What is the setback of these new buildings to the adjacent residences? Is it appropriate and safe for children to be able to see into people's backyards and homes from the second story classrooms? What if neighbors are engaging in inappropriate behavior?
- b. The project also includes construction of 5 new basketball courts. What is the intended use of these courts? For school day time use, for afterschool leisure, and/or for competition? The intended uses are not specified and should be specified. If an intended use is competition, how many cars will be traveling to the school for the competitions, and on what days and what times? If after school, it will increase peak trips to the school in the afterschool time slot which have not been considered in the MND.
- c. The project also states that the "existing turf playfield" will be reconfigured. The project does not state if it will be fake turf or natural grass and is misleading due to failure to explain this.
- d. There is now a new student drop off pick up area compared to that previously specified in PD12-027. What are the implications of this?
- e. An emergency vehicle access road and drop off is discussed but its location is not specified. This needs to be addressed.

C. Findings

- a. The findings by the CSJ state that the project "would not have a significant effect on the environment if certain mitigation measures are incorporated into the project. The attached Initial Study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this Mitigated Negative Declaration (MND), has made or agrees to make project revisions that will clearly mitigate the potentially significant effects to a less than significant level."
 - i. All significant impacts have not been identified in this document. For example, impact to the surrounding adjacent residential streets of the additional trips is not identified at all.
 1. For example, the impact to the residents on Barrett Street has not been identified with regard to the proposed two story building.

2. As another example, the impact to the environment of installing artificial turf and removing natural grass has not been identified nor addressed. The birds in the area that currently live in the trees and eat bugs and worms from the grassy area will no longer have those areas available to them to eat from.
3. Another example, critically ignored, is that a traffic signal indicated in the plans is not discussed or mentioned in the MND. Adding a traffic signal is a significant impact on traffic on Union Ave.

D. Air Quality

- a. Measures to protect and notify residents of air pollutants that will be caused by demolition have not been addressed.

E. Mitigation Measures Included in the Project

a. Aesthetics

- i. The impact to the environment has not been considered for removing the interior natural grass area and landscaping to replace it with a new presumed artificial turf field. Significant efforts are being made not to disrupt the birds who nest in the trees that will be removed. However, the grass being removed will remove a food source for the birds.
- ii. The aesthetics from a two story building overlooking residents on Barrett Street has not been identified nor addressed.
- iii. What shade structures will be put in place for the children to provide shelter from sun exposure?

b. Air Quality

- i. What notifications will be given to residents on Barrett and Esther and surrounding streets of demolition or other construction that will cause harmful particles in the air to residents. This is not addressed.

c. Biological Resources

- i. Removal of grass from the site and replacement with artificial turf is destroying the eating habit for birds and other animals onsite and is not addressed. Where will they get their bugs and worms?
- ii. **Preliminary Tree Report**. Page 15 of the Preliminary Tree Report (Appendix B) states “A donation of \$300 per mitigation tree to Our City Forest or San Jose Beautiful for in-lieu off-site tree planting in the community.”

1. It is unacceptable that an option has been given to the applicant to plant their mitigation trees offsite. The trees should stay onsite to beautify the project.
 2. It is also unacceptable that the Coast Live Oak #65, which was required to be preserved in the original PD12-027, is now being removed.
- iii. **Site plans should be required to be configured to replace all removed trees.**
Per mitigation for installation of Highway 85, the original Children's Shelter was required to plant trees on site in order to offset air pollution from Highway 85. The IS/MND does not address this.

F. **Land Use and Planning**

a. **New 2 Story Building**

- i. Impact on neighboring residents on Barrett Avenue and Esther Drive with regard to building height, shading and appropriate setbacks, has not been addressed in the report.
- ii. Setbacks between new and existing buildings to conform to land use planning protocol is supposed to be 25'. Current plans on the north side of the project shows a setback at only 23' 8". Previous setback requirements were a minimum of 25'. Why is this not being met? Setback requirements must be met.

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- i. The west side of the property where the "North Wing" gymnasium will be located does not maintain the 25' setback.
- ii. Setbacks between new and existing buildings to conform to land use planning protocol is supposed to be 25'. Why is this not being met? Setback requirements must be met.
- iii. What area of the property will contain open space for use for the children, which is not a field, paved walking area, or paved driving/parking area? Also need to confirm that it conforms to appropriate land use ratios.

c. **Miscellaneous**

1. Handicap parking space appears non-compliant (only 1 space) and lacks appropriate access space.

G. **Traffic**

- a. The traffic study for the Harker Project does not address the traffic impacts cited in the North 40 and Samaritan project's EIRs. Both of these reports identified traffic impacts extending to the intersection of Union and Camden, which is within the Harker project area.

- i. This additional congestion needs to be included in the Harker Traffic Study's impact analysis.

- b. The previous MND PD12-027 stated that all **three of the traffic measures** listed below (shuttle service, carpool program and staggered start times) were required, whereas the current MND makes the three traffic measures optional for students. In addition, the traffic measures are not mandatory in the current MND. It is critical that these services are mandatory and carried out per the Transportation Analysis Report (Appendix F).
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 - 3. The cities in the surrounding areas that would be required to use the shuttle service need to be named in MND.
 - 4. How many shuttle buses will be used daily? This is not addressed.
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 - iii. **Staggered Start Times.** Staggered start times were agreed to in the previous MND PD12-027 (40 mins apart).
 - 1. In the current MND, why are staggered start times not required?
 - 2. Staggered start times are needed to reduce vehicle congestion in the AM.

- c. **Traffic Signal.** The Traffic Analysis (see Appendix F, page 47, Transportation Analysis), states a new traffic signal is required: "**installation of a traffic signal at this intersection would be crucial to providing adequate access to and from the project site.**"
 - i. This is not discussed in the MND. This appears to be a major oversight in the MND and must be addressed in response to comments.
 - ii. Per Appendix F, page 48: "Since the new traffic signal would be located approximately 245 feet south of Barrett Avenue, and the southbound right-turn

movement into the project driveway would occur from the outer through lane (curb lane) on Union Avenue, a queue length of 225 feet for the southbound right-turn movement would not extend to Barrett Avenue during the school peak 30 minutes in the morning." This is just a 20ft difference which is approximately 2 car lengths. If there is any slow down in the Harker drop off process or any additional traffic due to the Cambrian Park Plaza re-development not accounted for here, this means that cars will back up beyond the Barrett Ave entrance on Union and also on Barrett Ave itself.

d. HWY 85 on ramp

- i. Per the Transportation Analysis report, Appendix F, page 44: "The addition of project traffic to the SR 85 northbound on-ramp from Union Avenue equates to approximately a 15 percent increase in traffic volume on the ramp during the AM peak-hour, compared to background conditions. Since the existing maximum queue length at this on-ramp was observed to extend nearly the entire length of the ramp, the addition of approved and proposed project traffic potentially would result in an AM peak hour 95th percentile queue that spills back onto Union Avenue. The additional queued vehicles due to the project could likely be accommodated within the exclusive southbound right-turn lane on Union Avenue at the northbound onramp intersection, which has storage capacity for 8 or 9 vehicles."
- ii. As a result of this, the right hand lane on Union turning on to 85N has to accommodate an extra twelve vehicles than it does. Since the traffic report states that the queue currently fills nearly the entire ramp, it is impossible to fit two to four extra cars so that the 8 to 9 vehicles can be contained fully within the right turn lane. If the traffic backs up into one of the two lanes on Union it will result in severe congestion as two lanes try to merge into one. How will this be resolved?

e. VTA Bus Pull Out.

- i. The plans are not showing a VTA bus pull out now. This was included in the old MND under PD12-027.
- ii. A bus pull out needs to be included in the plans because this will reduce traffic impacts by getting the bus out of traffic's way.

f. Cut Through Traffic from Bascom to Union.

- i. Cut through traffic from Bascom to Union has not been adequately addressed.
- ii. Barrett Avenue is completely ignored in the MND. This street will be used as a cut through street. Many students will come down HWY 17 to Camden and will take Bascom to Barrett, to avoid Woodard Street in the AM which has 2 schools. This needs to be addressed.
- iii. There is only **one reference** to the reduction of cut-through traffic in the entire Transportation Analysis Report, Appendix F. This is on page 52: "the project would install a traffic signal at the northern driveway to facilitate left-turns into and

out of the site. Since the traffic signal on Union Avenue would provide direct access to the school for traffic coming from SR 85 and Camden Avenue, neighborhood streets such as Barrett Avenue, Woodard Road and Cole Drive are less likely to experience any cut-through traffic." Supporting information and analysis to substantiate this claim needs to be provided.

- iv. It was recommended (Appendix F, page 52) that a working group be created to monitor traffic on Barrett Ave and take necessary measures if needed. This is not included in the MND. Also, what measures would be taken to patrol cut-through traffic? Would families be suspended from school after 3 warnings, for example?

- g. **Annual Monitoring for Trip Caps.** Per MND p6, "An annual monitoring requirement establishing a trip cap of 679 AM Peak-Hour-Trip and 315 PM Peak-Hour-Trip."
 - i. At a community meeting in 2012, a Harker representative publicly announced that trips would be reduced to 206. In MND PD12-027, this number increased to 350, and now in the latest MND this has increased to 679. Initial approval was for 518 trips. This discrepancy is not acceptable.

- h. **New Athletic Field**
 - i. **Overflow Parking**
 - 1. In the previous plans under PD12-027, there was overflow parking for events at the high school in Saratoga. Is this still being proposed for this project? It is not mentioned. Where will overflow parking for the high school be located?

 - ii. **Event Parking**
 - 1. When larger events are held at this facility, where will the cars park for those events? This issue is not addressed.

 - iii. **Athletic Field**
 - 1. Will the field be rented out to private groups? If so, what would the hours of operation be? What is the maximum number of people permitted to attend?
 - 2. Is night lighting of the field being proposed? How will the neighboring residents on Esther and Barrett be shielded from this light?

- i. **General Comments**
 - i. How many bicycle spaces are being provided? The report only says it will be reduced from the full amount that are allowed.
 - 1. Applicant should be asked to contribute funds to the community for bicycle lane additions and improvements in order to facilitate increased bike ridership to their site.

Signatures:

Christine Kouvaris	Bercaw Lane
Aine O'Donovan	Tomrick Ave
Susan Landry	
Mike Asker	Charmeran Ave
Jill Ballard	
Teresa Carstens	Vizcaya Circle
Kelsey Ballard	
Garin Ballard	
Stacey Brown	New Jersey Ave.
Madeline McEwen-Asker	Charmeran Ave
Craig Brown	New Jersey Ave.
Kee Hong	Kirby way
Janet Gillis	Woodard
Qian Tan	Union Ave
Xiaoyong Liu	Union Ave
Saiku Dia	WOODARD Rd
Holly Child	Off Union
Kris Denholm	
Souleye Dia	Woodard Road
Tracy Kerns	New Jersey Avenue
John O'Donovan	Tomrick Ave
Greg Chow	
William Kouvaris	Bercaw Ln
John J. Masciocchi	Charmeran Ave.
Camille Johnson	Herring Avenue
Kathleen Thompson	
Alison Bott	Crowder Avenue
Daniel Dishno	Chelsea Drive
Kelle Stevens	
Tia ha	
Tim Zadel	
Jennifer Keh	Nelson Way
Vince Bafetti	Rosswood Drive
Carolyn Robinson	Bercaw kane
Pat Whittier	
Tami Hamilton	
Larry Flocchini	
Brian Ahr	Barrett Avenue
Charlotte Ahr	Barrett Avenue

Wenjing Zhang	
Adam Grigsby	Woodard
Tatsiana Nasevich	Barrett
Hong yu	Union Ave
Ernest Gargas	
Sue Weitzel	Ronie Way
Allen Weitzel	Ronie Way
nan shicamden ave	
Arun Venkatesan	
Paul Quickert	Hallmark Lane
kiki	
Jerry	
Lu Huang	
Jannie zhang	
Jane Jiang	Princeton Dr
Vicki Alexander	Bel Estos
Heather A. Harper	Dry Creek Road
Shawn M Harper	Dry Creek Road
Char A. Harper	Dry Creek Road
Olive A. Harper	Dry Creek Road
Elizabeth Smith	Charmeran Ave
J M Harper	Dry Creek Road
Amanda Baldino	Chelsea Drive
SIWEI PAN	RONDEAU DR
Brian Baldino	Chelsea Drive
LI LI	Paladin Drive
Kumar Kartikeya	Barrett Ave
Sheryl Tsai	Barrett Ave
Pin Ting	Barrett Ave
Dengtao Zhao	Los Gatos Almaden Road
Joe Yuan	Union Ave
Kiran Kadambi	Barrett
Mike Boden	
Tonya Suker	Alan Ave.
kathy yang	Paseo Del Sol
Saket bhatt	Anne Way
Johnathon Suker	Alan Ave.
Dorian Baker	
Pradeep Kamalakannan	Charmeran Ave
Yongchao Duan	
Terry Su	
Karen Lin	
Kate Chang	Union ave

Jessie Lin	
Jing zhang	Herring Ave
Jessica duan	
Ling	
Marisa Hoff	
Sharon Barbaccia	Wyrick Ave.
Frank R. Barbaccia, Jr.	Wyrick Ave.
Nathan Barbaccia	Wyrick Ave.
Rich Barbaccia	Wyrick Ave.
Dorene Hylton	Adair Way
Elizabeth Arce	Romford Drive
Debbie Miller	
Aaron Miller	
Jayden Miller	
Skyler Miller	
Janell Miller	
Stephen Ndiritu	Barrett Ave
Stella Karemi	Barrett Ave
Maria Arellano	Barrett Avenue
Jorge Torres	Barrett Avenue
Steven Zhang	Union
Zhi Zhang	Carlton Ave
Christa Rumpler	
John Connolly	Nelson Way
Pati Smith	San Clemente Ave
Bonnie Wohl	
Bob Ehlers	
Carl Ehlers	
Angie Ehlers	
Barbara Ehlers	
Wei liu	Barrett ave.
Paul Horning	
Karen coyle	Trenton dr
Eva Perez	Herring
Allen Leinwand	Casa Mia Drive
Debbie Kavousi	New Jersey Ave
Mike kavousi	New Jersey
Tony Kavoosi	New Jersey
Eisenhower Leong	Potrero dr
jennifer lozada	Charmeran ave
shawn church	
dakota lozada	Charmeran ave
angela rutledge	

judith nevins	
Gail Easton	Calvelli Ct
Sharon Woolsey	Adelaide Way
Rick Shroyer	Adelaide Way
Donna Bell	
Rose Knop	Geneva Street
Kathy Matsche	Taper
Jackie Davison	Union
Bob Burres	Bernice Way
Carolyn Johnstone	Foxworthy ave
Michele Snyder	
Danny Snyder	
Audrey Dodds	
Valerie Spillman	Cole Dr
Christopher Terry	Cole Dr
Shirley Corbari	Parsons Avenir
Katia Ribeiro	Union Avenue
Jim Dequine14350	Bercaw Ln. 95124
Greg Wood	Union Avenue
Karen Dequine	Bercaw Lane, San Jose CA
Natalie Andrade-Baker	Union Ave
Christopher Baker	Union Ave
Kevin Van Hoy	Ebbesen Ave
Cindy Van Hoy	Ebbesen Ave
gus peteson	nelson way
Sharon Eakes	Charmeran Ave
Billy Eakes	Charmeran Ave
Patricia Bastick	
Michael Quirk	Woodard
Jennifer ramirez	
Russ and Sandra Baba	Bronson Ave
Anthony Lee	
Selena Zhang	
Tammy Czarnecki	Herring Ave
Thomas Oldread	Herring Ave
Lori DAY	Dover St
Vickie Kent	Standish Drive
Chris Day	Dover
jin wang	
Chris Carroll	Charmeran Ave
Wayne Sakakuchi	
Marina Murray	Elton Ct
James Ladd	Casa Mia Dr.

Shana Howard	Bolla Ct
Lynae Pagliaro	Standish drive
Wendy Spears	Payton Ave
Stephen Spears	Payton Ave
Karla Carlen	El Gato Lane
William Fritz	
Letitia StrattonLantz	
Jennifer Bell	
Jill Simpson	1495 Montalban Drive
Kristine Grim	Acton Dr
Belinda Chavez	Mise Avenue
Delecia Krevet	Bercaw Lane
Oliver Krevet	Bercaw Lane
John Chang	Barrett Ave.
Lisa Grunwald	
Camille Orlando	Payton Avenue
Erick Gonzalez	Woodard Rd
Nadine Siguenza	14439 Bercaw Lane
Ann Aguilar	
Xiaoyong liu	Union ave
Lorena Sneed	
Phil Kent	Standish Dr.
Lori Morrison	Sunrise Drive
Margaret Bautista	Ross Avenue
Yuefei Huang	Samaritan Dr
Jennifer Ehrler	Esther Drive
Shauna Pepitone	Charmeran Avenue
Vignesh Naganathan	Tupolo Dr
Anusha Balan	Tupolo dr
Paul West	Standish Dr
Cherelyn Clark	Trinity Place
Alice Elliott	Wyrick Ave
Susan Ahmann	
Ryan Moll	Adalina Ct.
Al/© Moll	Los Gatos Almaden
Bill Moll	Adalina Ct.
Patty Moll	Adalina Ct.
Joseph Gemignani	Rimwood Drive
Anna Martinez	Taper Ave
Sammy Zhang	
Radharamanan Radhakrishnan	Alan Avenue
Kristine Denholm	
Donna Hunt	

Hua Wang	
Joan Roxburgh	Wyrick Ave.
Josh Buel	Wyrick Ave.
Nick Sikic	Willester
Donnie Hill	Standish Drive
Spencer Kent	Nelson Wy.
Jacqueline Tran	
Jessica Kissinger	Maitland Dr
Michael Kissinger	
Emily Kissinger	
Barbara Henderson	Kingdale Dr
John Henderson	Kingdale Dr
Colleen Meola	Amelia Drive
Veronika Kent	Nelson Way
Rex George	Union Ave
Melissa Montoya	
Michael Smithwick	Wyrick Ave
Butch Coyne	Berry Way
Kris Coyne	Berry Way
Molly Coyne	Berry Way
Katie Bernard	
Austin Bernard	
Siqi Wan	Terri Way
susan agnoletti	taper ave
Paul Cavallaro	Anna Drive
Mike Pierce	Cole Dr.
Eva pepitone	Charmeran Av
Rick pepitone	Charmeran
Jenny Gillis	Nelson
Nancy McMullen	Nelson Way
Stacy Kurisu	Standish Drive
Allyson Robinson	Bercaw Ln
Amy Griffin	Standish/Branham
Kevin Griffin	
Savannah Griffin	
Kathy Gates	Carm Ave
Zach Draxton	
Alicia Griffin	
Jake Griffin	
jennifer anderson	
Todd McMullen	Nelson Way
Linda Garner	Twilight Drive
Davone Rodgers	Gunston Way

Larry Bingham	Charmeran Ave.
Yulong Cao	
Peishan Hung	
Yvonne O,ÄConnell	Lantz Av
Janet Atkinson	
Kelly West	Cole Drive
Judy Scott	Sandy Lane
Carolyn Robinson	Bercaw kane
Molly Meng	
christopher terry	cole drive
Susan Semans	Janet Ave
Kenneth Thompson	Charmeran
Fred Betke	Charmeran
Regina Morton	Sandy Ln.
Jack Morton	Sandy Ln
Heidi Cavallaro	
Denise Morton	Sandy Ln
Donna Santilli	Chelsea Drive
Regina Weeks	Rosswood Dr
Tony Santilli	Chelsea Drive
Lungsheng Yuan	Samaritan Dr
Greg Wood	Union Avenue
Gang Li	Ross Ave / Camden Ave
James Logan	Leigh Ave
Donna DiLoreto	
Shari peterson	
Ted Hammer	
Jim Eppen	Wyrick Ave
Jun Wei	
Denise Simmons	Payton Ave.
olivia cui	
Linda Davis	
Talia Dvir	Manda Drive
Oren Dvir	Manda Drive
Deborah Mcroberts	Assunta Way
Adrienne Mackey	Blossom Acres Dr
Patrick Sheridan	Bercaw Lane
Joe Trampenau	Bercaw Lane
Stacey Trampenau	Bercaw Lane
Oliver Krevet	Bercaw Ln
Kym Stclair	Camden
Mingbo Wan	Charmeran Ave
Stevan Kaludjerovic	Adalina Ct

Brenda Bateman	
Richard Vargas	
Ann wan	
Alper Altinordu	Tupolo Drive
Susan M. Landry	Curtner Ave
Nathalie Bydeley	Kenlar Drive
Sonia Tomar	Barrett Ave
Bruce Anderson	Donner Dr
Nanci Dean	National Ave.
Rose Dean	National Ave.
Dena Galedrige	Union and Leigh
Amy Faucher	Kilo Avenue
Ford Young	Kilo Avenue
Hema Sundaram	
Sarah Rice	Casa de Ponselle
dONNA FIELD	
G Villarreal	Calico Ave.
G Villarreal	
Ella Revzin	
Amie Christianson	Conway
Mary Egan	Nelson Way
ERIC HERNANDEZ	BERRY WAY
ANGELA CORCORAN	BERRY WAY
Regina Smith	Nelson Way
Tom Smith	Nelson Way
betsy meras	Chelsea drive
Ioannis Meras	Chelsea drive
Laura Manthey	Wilma Way
Lixin Yu	Herring Ave
Liqun Fan	Herring Ave
Barbara Lenorak	
Eve Bretzke	Bercaw
Olena Tomkiv	Ross Ave
Steve Nestle	Wyrick Ave.
Debbie Sanders	Noella Way
Sandy Canepa	Wyrick Avenue
Robert Canepa	Wyrick Avenue
George Midwin	Foxworthy Ave
Juliana Midwin	Foxworthy Ave
George Midwin	Foxworthy Ave
Dee Jones	Rosswood Drive
Richard Jones	Rosswood Drive
Beth Rocha	Kobara Lane

Greg Rocha	Kobara Lane
Brenda Schutz	Esther
Sherri Campbell	
Matthew Chartier	
Pamela Chartier	
John Whang	Woodard Rd
Logan Howard	Berry Way
Lissa Sheldon	Jennifer Way
Anna Basques	Leigh
Marla Kramer	Nelson
Linda Stockdale	Charmeran Ave
Lisa Martino	Charmeran Ave
Sarah Jensen	Trenton Drive
Joel Jensen	
Gail Bennett	Herbert Dr
Wendy Toda	Kilo Avenue
Paul Howard	
Deborah Bingham	Wyrick Ave
Cindy Van Hoy	
John Bingham	Wyrick Ave
Jennifer Thomas	

From: [Le, Thai-Chau](#)
To: ["Nakisa Hupman"](#)
Cc: [Van Der Zweep, Cassandra](#)
Subject: RE: CSJ PD18-040 - Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA
Date: Thursday, August 29, 2019 3:58:25 PM

Hi Nakisa,

Thank you for your comments. We will add this to the public record.

Best regards,
Thai

From: Nakisa Hupman [mailto:nakisa.hupman@gmail.com]
Sent: Thursday, August 29, 2019 2:34 PM
To: Le, Thai-Chau <Thai-Chau.Le@sanjoseca.gov>
Subject: CSJ PD18-040 - Harker Middle School Expansion at 4525 Union Avenue, San Jose, CA

Good Afternoon Thai-Chau,
I would like the following feedback to be included in the public record.

After reading the Mitigated Negative Declaration document the City has provided on project CSJ PD18-040 - Harker Middle School Expansion, I have several concerns.

The first is in Section C. Air Quality Impact AIR-3 states that the construction activities would expose infants to toxic air quality in excess of acceptable limits, and both my children (one being an infant) attend a preschool down the street less than 1 mile from the construction site. How will neighborhoods and area preschools be notified when air quality will be harmful?

In addition, in the Transportation/Traffic Section, Impact TRN-2 states that this project will exceed the City's VMT threshold. This area is already impacted in during AM and PM commute times because of multiple schools in the area. In addition, the previous research the City has done on the upcoming planned changes to the nearby Cambrian Park Plaza and Samaritan Medical Center state a dramatic increase in traffic and congestion in the area. The onramp to Hwy 85 north in the mornings is already backed up and spilling onto Union Ave. The same is true with the nearby Camden Ave. on ramp.

As a nearby resident, I am asking that the City either work to improve the traffic congestion issues currently and in the future, or not approve additional construction and development plans that will only compound an already bad problem. We may lose our #65 bus line which will be a loss of a potential transportation solution for our area, helping to alleviate the congestion.

Approving so many development projects with negative congestion and traffic impacts on the local neighborhood is not a sustainable or acceptable model.

Nakisa Hupman
District 9 Resident