From:	Aghegnehu, Ben
To:	Le, Thai-Chau
Subject:	RE: Public Notice of Intent to Adopt a Mitigated Negative Declaration for 259 Meridian Avenue Residential Mixed-Use Project (PDC18-016 and PD19-011)
Date:	Thursday, March 12, 2020 3:36:28 PM
Attachments:	Response_Letter .docx

[External Email]

Hi Thai-Chau Le,

Please find attached the response letter for this project.

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, February 21, 2020 1:19 PM
To: Subject: [EXTERNAL] Public Notice of Intent to Adopt a Mitigated Negative Declaration for 259 Meridian Avenue Residential Mixed-Use Project (PDC18-016 and PD19-011)

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

Project Name: 259 Meridian Avenue Residential Mixed-Use Development
File No.: PDC18-016 and PD19-011

Description: Planned Development Rezoning to rezone the R-2 Two-Family Residential Zoning District and the CO Commercial Office Zoning District to a CP(PD) Planned Development Zoning District and a Planned Development Permit to allow the removal of nine non-ordinance sized trees, the demolition of three existing buildings totaling approximately 19,000 square feet and the construction of a four to seven-story mixed-use building with up to 226 residential units and approximately 1,400 square feet of ground-floor commercial square feet on an approximately 1.3 gross acre site.

Location: 259 Meridian Avenue
Assessor's Parcel No.: 274-14-152

Council District: 6

Applicant Contact Information: Jerry Strangis; Strangis Properties; 3546 Steval Place San José, CA 95136; (408) 723-2177.

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 any 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 **February 21, 2020 and ends March 12, 2020.**

The Draft ND, 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 Rose Garden Branch Library located at 1580 Naglee Avenue, San Jose, CA 95126.

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

County of Santa Clara

Roads and Airports Department
Planning, Land Development and Survey

101 Skyport Drive
San Jose, CA 95110-1302
(408) 573-2460 FAX 441-0276

March 12, 2020

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

SUBJECT: Public Notice of Intent to Adopt a Mitigated Negative Declaration for 259 Meridian Avenue Residential Mixed-Use Project (PDC18-016 and PD19-011)

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 259 Meridian Avenue Residential Mixed-Use Project (PDC18-016 and PD19-011), and is submitting the following comment:

- The project description provided on page 30 of the Local Transportation Analysis in the Transportation Analysis is not consistent with the project description on the Initial Study, can you please explain which project description is correct?

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.

From:	Edward Saum
To:	Le, Thai-Chau
Cc:	District 6; The Office of Mayor Sam Liccardo; Hughey, Rosalynn; City Clerk
Subject:	259 Meridian Avenue Residential Mixed-Use Development (PDC18-016, PD19-011)
Date:	Thursday, March 12, 2020 4:31:38 PM
Attachments:	2020.03 SHPNA to PBCE - 259 Meridian MND.pdf

Dear Ms. Le:

Attached please find the comment letter from the Shasta / Hanchett Park Neighborhood Association (S/HPNA), regarding the Mitigated Negative Declaration for the proposed 259 Meridian Avenue Residential Mixed-Use Project

Please confirm receipt of this email by return email.

photo

Edward Saum

Vice President + Director for Planning and Land Use

Shasta / Hanchett Park Neighborhood Association

408.728.8460 | edward@saumdesignconsulting.com

Shasta/Hanchett Park Neighborhood Association
P.O. Box 28634 ▪ San José, CA 95159 ▪ info@shpna.org ▪ www.shpna.org

March 12, 2020

VIA EMAIL (Thai-Chau.Le@sanjoseca.gov)

Thai-Chau Le, Supervising Planner
Environmental Project Manager
City of San Jose
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113

Re: Mitigated Negative Declaration for 259 Meridian Avenue Residential Mixed-Use Development
File No. PDC18-016, PD19-011

Dear Ms. Le:

I am writing to you as the Vice President and Director for Planning and Land Use of the Shasta / Hanchett Park Neighborhood Association (S/HPNA), on behalf of the Neighborhood Association (NA), with our comments and concerns regarding the above-referenced project. S/HPNA represents 4,500 households immediately West of Diridon Station, in the Garden Alameda, Shasta / Hanchett Park, and St. Leo's neighborhoods, including the proposed project site. For more than thirty-five years, we have sought to work with the City of San Jose, developers, and our neighbors to create a vibrant neighborhood.

We would like to address aspects of the Mitigated Negative Declaration (MND) that we consider to be incorrect, and in need of revision. These comments include, but are not limited to, the following:

Per page 7 of the MND, *"Transportation / Traffic - The project would not have a significant impact on this resource; therefore no mitigation is required."*

- S/HPNA residents and those who commute by car via Meridian Avenue know that, during rush hour, the one block stretch of Meridian between Park Avenue and West San Carlos Street can take several minutes to traverse. The volume of cars along Meridian Avenue will all but prohibit left turns into and from the property. Therefore, the entirety of the 163 cars and 44 motorcycles entering the development will have to come down Park Avenue, which can be gridlocked for several blocks under the current traffic load. Similarly, the same vehicles leaving the development will have no choice but to turn right into the bottleneck that inevitably develops at Meridian Avenue and West San Carlos Street; an intersection that can already take multiple light changes just to clear properly at rush hour. To insist that this "would not have a significant impact" flies in the face of substantial qualitative and quantitative data to the contrary. Therefore, we consider this finding to be incorrect, and in need of revision.

- The project meets the stated parking requirements for the West San Carlos Urban Village (UV); however, the City's built environment is rife with instances of developments inevitably leading to parking spillover into the adjacent single-family neighborhood(s), directly impacting existing residents. This concern was raised loudly and repeatedly by community members at each of the proposed project's Community Meetings. No further mitigation was undertaken in response to this valid concern. Therefore, we consider this finding to be incorrect, and in need of revision.

- The project proposed a total of 163 parking spaces for 226 units. Providing 65% of the bedrooms in the development with parking spots, and zero parking spots for the proposed 1,400 square foot commercial space, all but guarantees that there will be overflow onto Norton Avenue, Mariposa Avenue, and Yosemite Avenue.

Given the economic realities of Silicon Valley, the majority of the 206 studio apartments will have at least one car, and the likelihood of the 20 two-bedroom units having 2-3 cars each is equally as high. To claim otherwise is willfully ignoring precedents throughout the City of San Jose. The additional burden placed on the surrounding single-family residences will be, by definition, significant. Therefore, we consider this finding to be incorrect, and in need of revision.

- Twenty-five years ago, S/HPNA fought to ensure that the Transportation, Parking and Management Plan (TPMP) for the San Jose Arena acknowledged the inevitable impact that a commercial development has on adjacent single-family residential areas. Any proposed Transportation Demand Management (TDM) program for the proposed project may help to assuage this persistent problem, but there are no means by which residents, visitors, employees, and patrons can be *required* to partake of these alternatives. Indeed, providing zero parking spots for the commercial space guarantees spillover onto adjacent streets. This omission, on its face, is an impact that renders the finding invalid.

- The City's current scope of analysis and implementation for permit parking plans is too broad to address the impacts of anything but the largest mixed-use and commercial projects. Impacts of individual multi-family developments on their immediate adjacencies fit the spirit of the permit parking plan, but by setting too broad a physical distance as the plan / study minimum, the City ensures that no such further parking plans can be created. This is a quantifiable, tangible impact that requires mitigation; however, since current codes do not provide the City with the means by which to address the impact, City staff instead "rounds down" the potential impact, if you will, and declares it therefore to be non-existent. As part of the ongoing refinements and clarifications to the City's Urban Village Plans (which are inevitable, given the forceful direction from Sacramento directly undermining amenities and other aspects of the UV Plans), the City should create a framework by which more localized permit parking plans go hand-in-hand with UV developments in areas already identified as having parking and traffic flow deficiencies.

Per page 18 of the Initial Study, Envision San Jose 2040 Policy CD-1.1 shall require *"the highest standards of architecture and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land use."*

- Unlike most sites within the boundaries of the UV, the side elevation of the proposal is directly adjacent to single-family residence on Norton Avenue. While the project has been stepped down, from seven stories to five stories, we feel that this does not meet the standard made clear in the Policy. The proposed building is to the south of the single-family, single-story residences. The daylight plane diagram from the residences to the proposed development guarantees that the southern portion of each residence will receive little to no sun for a substantial portion of the year, directly impacting the economic viability, landscape options, and character of the single family homes. Each adjacent single family home will experience a direct, detrimental impact as a result. Until such time that a detailed, comprehensive shade and shadow study can be shown to prove otherwise, we consider the project to not be in compliance with Policy CD-1.1.

Per page 18 of the Initial Study, Envision San Jose 2040 Policy CD-1.8 shall require *"an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including the use of smaller building footprints, to promote pedestrian activity throughout the City."*

- The North façade of the proposed building, facing (4) single family homes, is a 340' long 3-5 story mass. By no imaginable definition does this reflect the use of smaller building footprints. Instead, it shows a conscious indifference to the impact of the building's mass upon existing adjacencies. Therefore, we consider the project to not be in compliance with Policy CD-1.8.

Per page 19 of the Initial Study, Envision San Jose 2040 Policy CD-1.12 shall require *"building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged."*

- The proposed design shows no attempt to reflect the specific site. The same façade could just as easily be being proposed for a narrow site within any of the City's countless Urban Villages, with little to no context. The same project would be no more or less at home in downtown San Jose, along North First Street, or adjacent to the 4th and King Caltrain station in San Francisco. Context is wholly lacking. Therefore, we consider the project to not be in compliance with Policy CD-1.12.

Per page 19 of the Initial Study, Envision San Jose 2040 Policy CD-1.13 shall require *"design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions."*

- Per our response above to Policy CD-1.12, the proposed project shows no attempt at innovative or distinctive architecture. One need only travel down West San Carlos Street toward downtown to pass several previous developments with the same architectural vocabulary and detailing. Therefore, we consider the project to not be in compliance with Policy CD-1.13.

- The traffic and parking deficiencies that are inherent in the proposed project will negatively impact the desirability of the development, as access to and from the site are substantially compromised. Therefore, we consider the project to not be in compliance with Policy CD-1.13.

S/HPNA is severely underserved in parks. As additional residents move into the area, the sub-standard residents-to-parks ratio will continue to worsen. While this widening disconnect is not unique to our neighborhood parks, it has been exacerbated by previous Council policies, including, but not limited to, the inclusion of school lands in parkland calculations. While we applaud the creation of the privately-owned public open space (POPOS) in the proposed project, including only hardscape does nothing to address the area's parks deficiency; instead, the additional residents will find themselves lacking a viable park space within walking distance. Additional landscape POPOS should be a requirement of any proposal within an Urban Village; otherwise, density without access to parklands will have a deleterious effect upon the economic viability of any such development, directly undercutting several of the Envision San Jose 2040 Policy goals.

We take pride in our neighborhood; S/HPNA Board members and volunteers have been diligent advocates for decades. Density and additional development within our boundaries are inevitable; poorly conceived developments, which show a deliberate indifference towards the multiple, significant impacts on the adjacent residents should not be. We welcome development that supports the neighborhoods with community services and amenities, while maintaining and encouraging the walkability and vibrance of the area.

Respectfully submitted,

Edward Saum
Vice President & Director for Planning & Land Use
Shasta / Hanchett Park Neighborhood Association

Cc: Councilmember Dev Davis
Mayor Sam Liccardo
Rosalynn Hughey, Director, Department of Planning, Building and Code Enforcement
Toni Taber, City Clerk