1st Amendment

to the

DRAFT

SUBSEQUENT EIR

for the

ALMADEN RANCH RETAIL CENTER

Planned Development (PD) Rezoning (PDC10-006)

SCH No. 1997062105

August 10, 2011

CITY OF SAN JOSE

INTRODUCTION

This First Amendment, which becomes a part of the Final SEIR (FSEIR), includes responses to written comments that were received on the Draft SEIR (DSEIR), and text amendments. The DSEIR was circulated to affected public agencies and interested parties for a 45-day review period from May 23, 2011 to July 6, 2011. Following is the DSEIR distribution list as well as a list of the persons and agencies who submitted written comments.

The comment letters/emails are numbered and listed in the order they were received in the following Comment Letter Matrix. The matrix shows staff's understanding as to which letters/emails commented on which topics. All letters/emails are responded to individually, with the responses on the opposite page facing the comment page. The number preceding the response refers to the comment's designation. Where the comments were not designated, they have been numbered consecutively. Section V. presents text amendments to the Draft EIR.

In conformance with the CEQA Guidelines, the Final SEIR provides objective information regarding the environmental consequences of the proposed project. The FSEIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The FSEIR is used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the FSEIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the DSEIR by making written findings for each of those significant effects. According to State Public Resources Code (§21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which will mitigate or avoid the significant effects on the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

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2. Santa Clara Valley Transportation Authority	7/5/11	A-12
3a. State of California Department of Transportation	7/5/11	A-18
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4. Santa Clara Valley Water District	7/6/11	A-22
5. State Clearinghouse	7/6/11	A-28
6. Erikson Neighborhood Association and VEP Community Association	7/6/11	A-32
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Commenter	*Date of Email / Letter*	
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9. Michelle Ring	6/28/11	A-56
10. Kai Chung	6/28/11	A-58
11. Joseph Shaheen	6/30/11	A-60
12. Carolyn Richards	6/30/11	A-62
13. Donald S. Jefford, Sr.	7/1/11	A-64
14. Charlotte Jefford	7/1/11	A-66
15. Thomas Shapiro	7/2/11	A-68
16. Thomas and Dora Grinnell	7/2/11	A-70
17. Horace Hines	7/2/11	A-72
18. Larry and Sally Flammer	7/2/11	A-74

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Commenter	*Date of Email / Letter*	
19. Shane Kubo	7/2/11	A-76
20. Karen and Mauro Torres	7/2/11	A-78
21. Harold Clay	7/2/11	A-80
22. Ted Key	7/3/11	A-82
23. Ron and Karen Okumura	7/3/11	A-84
24. Neal Weinstein	7/3/11	A-86
25. Raymond Ruhland and Audrey Barr	7/3/11	A-88
26. Kathleen Thorne	7/3/11	A-90
27. Fran McGinnis	7/3/11	A-92
28. Rosemary Dominguez	7/3/11	A-94
29. Joe DiNapoli	7/4/11	A-96
30. Pat Blevins	7/4/11	A-98
31. Rebecca Hendricks	7/4/11	A-100
32. Joanne Saso	7/4/11	A-102
33. Connie Olsen	7/4/11	A-104
34. Lynne Brown and Vern Vanderbilt	7/4/11	A-106
35. Pam Cornelison	7/4/11	A-108
36. Marcia Guzzetta	7/5/11	A-110
37. Carolyn V. Garbarino	7/5/11	A-112
38. Mrs. Gelin Ordona	7/5/11	A-114
39. Ginny Cline	7/5/11	A-116
40. Tom and Sandy Zades	7/5/11	A-118
41. Harmony Sorrentino	7/5/11	A-120
42. Fred and Shirley Altstadt	7/5/11	A-122
43. Michelle Dirck	7/5/11	A-124
44. Bob and Nancy Ray	7/5/11	A-126
45. Bill and Linda Desler	7/5/11	A-128
46. Anthony Powell	7/5/11	A-130
47. Vic Vega	7/5/11	A-132
48. Rene M. Duenas	7/6/11	A-134
49. Darren Kosinski	7/6/11	A-136
50. Shiloh Ballard	7/6/11	A-138
51. Lee-Ann Refregier	7/6/11	A-142
52. Grayson Dere	7/6/11	A-144
53. Mary Robertson	7/6/11	A-146
54. Julie Zlatunich	7/6/11	A-148
55. Marjorie Freedman	7/6/11	A-150
56. Linda Spencer	7/6/11	A-152
57. Bob Strain	7/6/11	A-156

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Commenter	*Date of Email / Letter*	
58. Stephen Magie	7/6/11	A-158
59. George Pettit	7/6/11	A-160
60. Steven Levin	7/6/11	A-162
61. Tina Vega	7/6/11	A-166
62. Herbert W. Beck	7/6/11	A-168
63. Jason Chun	undated	A-172
64. Beverly Munson	undated	A-174
65. Rebecca A. Gorham	undated	A-176
66. Howard C. Davis	undated	A-178
67. Kalurta Schultze	undated	A-180
68. Bettye Baldock	undated	A-182
69. Angela Hogate	undated	A-184
70. Kathleen Jensen	undated	A-186
71. Hugo Hernandez	undated	A-188
72. Caroline Lugo	undated	A-190
73. Donald Jefford, Jr.	undated	A-192
74. Jared Ring	undated	A-194
75. Almaden Ranch Retail Center Open Community Letter 35 Signatures	undated	A-196

Additional comment letters addressing the project were also received, but they did not contain comments specific to the Draft SEIR. Those letters were provided to the Project Manager to be considered as part of the project review process.

VI. TEXT AMENDMENTS A-206

TECHNICAL APPENDIX

APPENDIX G
Review of DTSC Comments to EIR, 14418-14540 Almaden Expressway, San Jose, California, AEI Consultants, July 25, 2011

I. DRAFT SEIR DISTRIBUTION LIST

State Agencies
State Clearinghouse
California Department of Transportation
California Department of Fish and Game
California Department of Conservation
Native American Heritage Commission

Regional and Local Agencies
Bay Area Air Quality Management District
Regional Water Quality Control Board
Santa Clara Valley Transportation Authority

Local County and/or Cities
County of Santa Clara Roads and Airports Department

Special Districts
Santa Clara Valley Water District

Organizations and/or Individuals
James A. Leitner
Audubon Society
VEP Community Association
Erickson Neighborhood Association
Committee for Green Foothills

II. COMMENT LETTER MATRIX

No.	Comment emails/letters were received from	Date	Page Number	Oppose Project	Aesth-etics	Air Qlty.	Bio. Res.	Econ. Imps.	Haz. Mat.	Hydro-logy	Land Use	Noise	Pub. Serv.	Trans/ Traffic	Other
1.	**State of California Department of Toxic Substances Control** Claude Jemison	6/21/11	A-8						•						
2.	**Santa Clara Valley Transportation Authority** Chris Augenstein	7/5/11	A-12											•	
3a.	**State of California Department of Transportation** Gary Arnold	7/5/11	A-18											•	
3b.	**State of California Department of Transportation** Gary Arnold	7/5/11	A-20											•	
4.	**Santa Clara Valley Water District** Colleen Haggerty	7/6/11	A-22				•			•				•	
5	**State Clearinghouse** Scott Morgan	7/6/11	A-28												•
6.	**Erikson N-Hood Assn.** *PO Box 18506, SJ 95158* **& VEP Comm. Assn.** *PO Box 18111, SJ 95158*	7/6/11	A-32		•					•		•		•	•
7.	**County of Santa Clara Roads and Airports Department** David R.L. Boyd	7/20/11	A-36											•	
8.	Charleen & Raj Singh 4749 Tonino Drive 95136	5/21/11	A-54			•									
9.	Michelle Ring 4835 Tonino Drive 95136	6/28/11	A-56							•				•	
10.	Kai Chung 4943 Tonino Drive 95136	6/28/11	A-58			•					•			•	•
11.	Joseph Shaheen 4817 Tonino Drive 95136	6/30/11	A-60											•	

NOTE: Public Agency / Organization comments are shown in **bold**.

II. COMMENT LETTER MATRIX (Cont.)

No.	Comment emails/letters were received from	Date	Page Number	Oppose Project	Aesth-etics	Air Qlty.	Bio. Res.	Econ. Imps.	Haz. Mat.	Hydro-logy	Land Use	Noise	Pub. Serv.	Trans/ Traffic	Other
12.	Carolyn Richards 4847 Tonino Dr. 95136	6/30/11	A-62					•						•	•
13.	Donald S. Jefford, Sr. 963 Chynoweth Ave. 95136	7/1/11	A-64			•								•	•
14.	Charlotte Jefford 963 Chynoweth Ave. 95136	7/1/11	A-66											•	
15.	Thomas Shapiro *No Address Provided*	7/2/11	A-68											•	
16.	Thomas & Dora Grinnell 1891 Via de los Reyes 95120	7/2/11	A-70	Walmart				•							
17.	Horace Hines 962 Foxswallow Ct. 95120	7/2/11	A-72	•										•	
18.	Larry & Sally Flammer 6388 Tamalpais Ave. 95120	7/2/11	A-74	Walmart						•	•				
19.	Shane Kubo *No Address Provided*	7/2/11	A-76	Walmart										•	
20.	Karen & Mauro Torres 1517 Foster Court 95120	7/2/11	A-78	•				•		•				•	
21.	Harold Clay *No Address Provided*	7/2/11	A-80								•			•	•
22.	Ted Key 1271 Bryan Avenue 95118	7/3/11	A-82	Walmart						•					
23.	Ron & Karen Okumura *No Address Provided*	7/3/11	A-84	Walmart				•						•	
24.	Neal Weinstein 1135 Valley Quail Cir. 95120	7/3/11	A-86	•				•						•	
25.	Raymond Ruhland & Audrey Barr *No Address Provided*	7/3/11	A-88	Walmart				•						•	
26.	Kathleen Thorne 1263 Crossgates Lane 95120	7/3/11	A-90	Walmart										•	
27.	Fran McGinnis *No Address Provided*	7/3/11	A-92	Walmart										•	•
28.	Rosemary Dominguez 4052 Cherry Avenue 95118	7/3/11	A-94	Walmart										•	
29.	Joe DiNapoli 1370 Lansing Avenue 95118	7/4/11	A-96	•				•						•	
30.	Patricia Blevins 1248 Bryan Avenue 95118	7/4/11	A-98	Walmart										•	

II. COMMENT LETTER MATRIX (Cont.)

No.	Comment emails/letters were received from	Date	Page Number	Oppose Project	Aesth-etics	Air Qlty.	Bio. Res.	Econ. Imps.	Haz. Mat.	Hydro-logy	Land Use	Noise	Pub. Serv.	Trans/ Traffic	Other
31.	Rebecca Hendricks *No Address Provided*	7/4/11	A-100	Walmart										•	•
32.	Joanne Saso 1557 Rose Anna Dr. 95118	7/4/11	A-102	•				•		•				•	
33.	Connie Olsen *No Address Provided*	7/4/11	A-104	Walmart						•					
34.	Lynne Brown & Vern Vanderbilt 1065 Mazzone Drive 95120	7/4/11	A-106	Walmart				•						•	•
35.	Pam Cornelison *No Address Provided*	7/4/11	A-108	Walmart										•	•
36.	Marcia Guzzetta 1397 Merrywood Dr. 95118	7/5/11	A-110	•											
37.	Carolyn V. Garbarino 4841 Via De Caballe 95118	7/5/11	A-112	Walmart						•	•				
38.	Mrs. Gelin Ordona 6552 Winterset Way 95120	7/5/11	A-114	•								•		•	
39.	Ginny Cline *No Address Provided*	7/5/11	A-116	Walmart										•	
40.	Tom & Sandy Zades 1230 Ridge Oak Ct. 95120	7/5/11	A-118	Walmart										•	
41.	Harmony Sorrentino 4552 Waterville Dr. 95118	7/5/11	A-120	•								•		•	
42.	Fred & Shirley Altstadt *No Address Provided*	7/5/11	A-122	Walmart										•	•
43.	Michelle Dirck *No Address Provided*	7/5/11	A-124	Walmart						•		•		•	
44.	Bob & Nancy Ray 5069 Corbin Avenue 95118	7/5/11	A-126	Walmart				•				•			
45.	Bill & Linda Desler 1034 Kristen Court 95120	7/5/11	A-128											•	
46.	Anthony Powell 1515 Marlene Court 95118	7/5/11	A-130	•								•		•	
47.	Vic Vega 934 Chynoweth Ave. 95136	7/5/11	A-132	•										•	
48.	Rene M. Duenas 45 N. 1st St. Campbell 95008	7/6/11	A-134				•				•	•		•	
49.	Darren Kosinski 4554 Waterville Dr. 95118	7/6/11	A-136			•		•			•		•	•	•

II. COMMENT LETTER MATRIX (Cont.)

No.	Comment emails/letters were received from	Date	Page Number	Oppose Project	Aesth-etics	Air Qlty.	Bio. Res.	Econ. Imps.	Haz. Mat.	Hydro-logy	Land Use	Noise	Pub. Serv.	Trans/ Traffic	Other
50.	Shiloh Ballard *No Address Provided*	7/6/11	A-138		•									•	•
51.	Lee-Ann Refregier *No Address Provided*	7/6/11	A-142	Walmart			•						•	•	•
52.	Grayson Dere *No Address Provided*	7/6/11	A-144	Walmart								•		•	
53.	Mary Robertson *No Address Provided*	7/6/11	A-146	Walmart				•						•	
54.	Julie Zlatunich *No Address Provided*	7/6/11	A-148	•						•		•		•	
55.	Marjorie Freedman 976 Hurlstone Lane 95120	7/6/11	A-150	Walmart				•			•		•	•	•
56.	Linda Spencer 6619 Bubblingwell Pl. 95120	7/6/11	A-152											•	•
57.	Bob Strain 7160 Echo Ridge Dr. 95120	7/6/11	A-156	Walmart	•									•	•
58.	Stephen Magie 1032 Cedar Gables Dr. 95118	7/6/11	A-158	•								•		•	
59.	George Pettit *No Address Provided*	7/6/11	A-160	•			•							•	•
60.	Steven Levin 1311 Cerro Verde 95120	7/6/11	A-162							•				•	
61.	Tina Vega 394 Greenpark Way 95136	7/6/11	A-166	•							•			•	
62.	Herbert W. Beck 6622 Mt. Holly Dr. 95120	7/6/11	A-168	Walmart				•		•			•	•	•
63.	Jason Chun 936 Fell Court 95136	*undated*	A-172											•	
64.	Beverly Munson 948 Fell Court 95136	*undated*	A-174	Walmart				•			•	•		•	•
65.	Rebecca A. Gorham 5243 Fell Avenue 95136	*undated*	A-176								•			•	
66.	Howard C. Davis 942 Chynoweth Ave. 95136	*undated*	A-178							•		•		•	
67.	Kalurta Schultze 5288 Fell Avenue 95136	*undated*	A-180					•			•				
68.	Bettye Baldock 5294 Fell Avenue 95136	*undated*	A-182				•					•			

II. COMMENT LETTER MATRIX (Cont.)

No.	Comment emails/letters were received from	Date	Page Number	Oppose Project	Aesth-etics	Air Qlty.	Bio. Res.	Econ. Imps.	Haz. Mat.	Hydro-logy	Land Use	Noise	Pub. Serv.	Trans/ Traffic	Other
69.	Angela Hogate 5259 Fell Avenue 95136	*undated*	A-184	•				•							
70.	Kathleen Jensen 928 Chynoweth Ave. 95136	*undated*	A-186				•								
71.	Hugo Hernandez 5443 Sanchez Drive 95123	*undated*	A-188	•							•			•	•
72.	Caroline Lugo 5443 Sanchez Drive 95123	*undated*	A-190											•	
73.	Donald Jefford, Jr. 963 Chynoweth Ave. 95136	*undated*	A-192				•			•		•			•
74.	Jared Ring 4835 Tonino Drive 95136	*undated*	A-194	Walmart										•	
75.	Almaden Ranch Retail Center Open Community Letter 35 Signatures	*undated*	A-196				•	•		•		•		•	
	TOTAL			44	3	4	8	18	1	16	12	15	4	61	22

III. PUBLIC AGENCY / ORGANIZATION COMMENT LETTERS AND RESPONSES

The following comment letters are numbered and listed in the order they were received. All letters are responded to individually, with the responses on the opposite page facing the comment page. The number preceding the response refers to the comment's numerical designation.

1.

Department of Toxic Substances Control

Linda S. Adams
Acting Secretary for
Environmental Protection

Deborah O. Raphael, Director
700 Heinz Avenue
Berkeley, California 94710-2721

Edmund G. Brown Jr.
Governor

RECEIVED
JUN 21 2011
CITY OF SAN JOSE
PLANNING DEPARTMENT

June 21, 2011

Ms. Janis Moore
City of San José
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street
San José, California 95113-1905

Dear Ms. Moore:

Thank you for the opportunity to comment on the Draft Subsequent Environmental Impact Report (EIR) for the Almaden Ranch Retail Center Planned Development Rezoning (File No. PDC10-006, SCH # 1997062105). As you may be aware, the California Department of Toxic Substances Control (DTSC) regulates hazardous waste and oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapters 6.5 and 6.8. As a potential responsible agency, DTSC is submitting comments to ensure that the California Environmental Quality Act (CEQA) documents prepared for this project adequately address applicable hazardous waste regulations and any investigation, evaluation, and remediation of hazardous substance releases that may be necessary.

1. The Draft EIR includes discussions in the Summary on page vii and in the Hazards and Hazardous Material section on page 111 about the comparison of the concentrations of contaminants detected in soil and fill material on the project site to U.S. Environmental Protection Agency (EPA) Preliminary Remediation Goals (PRGs) and California Code of Regulations (CCR) toxicity levels. The contaminants that have been detected in soil and/or fill material include DDE, DDT, dieldrin lead, mercury, arsenic, total petroleum hydrocarbons as diesel (TPHd), and total petroleum hydrocarbons as motor oil (TPHmo). EPA Region 9 developed the PRGs, but recently they coordinated with two other EPA regions to harmonize their human health risk-based screening levels and the PRGs are now known as Regional Screening Levels (RSLs), which were last updated in May 2011. Some of the RSLs have different values than the PRGs. However, it appears the RSLs for the contaminants detected at the project site have not changed substantially from the PRGs identified in the Draft Subsequent EIR. The current RSLs can be found on EPA's Web site at http://www.epa.gov/region9/superfund/prg/.

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Responses to Letter No. 1, **State Department of Toxic Substances Control**

1. *AEI Consultants prepared a Review of DTSC Comments to EIR letter report dated July 25, 2011 that is included in Appendix G. See Text Amendments.*

   Soil testing was performed at the project site in 1996 and in 2004 to investigate possible impacts associated with historical agricultural use, the proximity of the Guadalupe River, and undocumented fill soils. The property was planned for commercial and retail development, with no residential component. The results of the testing, showing the maximum concentrations of the DTSC-referenced contaminants along with screening levels for commercial/industrial land use based on the proposed project development, are summarized in the report in Appendix G. These concentrations are compared to the U.S. EPA Regional Screening Levels (RSLs, 2011), the California Human Health Screening Levels (CHHSLs, 2010), and, for petroleum contaminants, the San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels (ESLs, 2008).

   The only potential contaminant detected above the referenced screening levels is arsenic, which is present at less than 10 mg/kg reported in one set of data (1997) and two other samples collected at the site with reported concentrations of 2.5 mg/kg and 2.8 mg/kg (2004). Although the reported detection limit for the 1997 data is above the screening level, naturally-occurring arsenic concentrations in the San Jose area commonly range from less than 5 mg/kg to upwards of 12 to 15 mg/kg. Based on this, arsenic concentrations present at the site appear consistent with naturally-occurring conditions.

   This comparison of findings with current regulatory screening levels is not expected to significantly alter the findings or recommendations of the May 6, 2011 Phase I environmental site assessment. Based on the planned commercial nature of the development and, therefore, use of commercial/industrial land use screening levels, the concentrations of potential contaminants detected during the prior investigations are below the referenced screening levels. Therefore, no mitigation measures should be necessary relating to these prior investigations. See Text Amendments.

2. Additionally, California Human Health Screening Levels (CHHSLs) should be used in screening sites for potential human health concerns where releases of hazardous substances have occurred. CHHSLs can be found on the Office of Environmental Health Hazard Assessment's Web site at http://www.oehha.ca.gov/risk/chhsltable.html.

3. In the Petroleum Hydrocarbons section on page 111, the Draft Subsequent EIR states that TPHd and TPHmo concentrations were below the PRGs for both compounds. PRGs were not developed for TPHd and TPHmo and currently there are no available RSLs and CHHSLs. The only available regulatory screening levels for TPH are the Environmental Screening Levels (ESLs) developed by the San Francisco Bay Regional Water Quality Control Board. The ESLs can be found on their Web site at http://www.waterboards.ca.gov/sanfranciscobay/esl.shtml.

4. There is a discussion on pages 106 and 107 of the Draft Subsequent EIR regarding naturally-occurring arsenic in soils in San Jose. Arsenic typically occurs in Bay Area soils at concentrations which exceed human health risk-based screening levels for residential land use. The use of naturally-occurring background levels for arsenic to determine whether detected concentrations of arsenic are significant is consistent with the approach DTSC uses.

5. We have performed a cursory review of the current RSLs, CHHSLs, and ESLs for the contaminants detected and soil at the project site and it appears that the conclusions of the Draft Subsequent EIR would not change. However, we recommend that this be verified and that the current regulatory screening levels be used in any future evaluations.

Please contact me at (510) 540-3803 if you have any questions. Thank you in advance for your consideration of our comments.

Sincerely,

Claude Jemison

Claude Jemison, Project Manager
Brownfields and Environmental Restoration Program-Berkeley

cc: Ms. Nancy Ritter
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

2. See response No. 1 above.

3. See response No. 1 above.

4. See response No. 1 above.

5. See response No. 1 above.

2.

SANTA CLARA
Valley Transportation Authority

July 5, 2011

City of San José
Department of Planning, Building & Code Enforcement
200 East Santa Clara Street
San José, CA 95113-1905

Attention: Janis Moore

Subject: City File No. PDC10-006 / Almaden Ranch Retail Center DSEIR and TIA

Dear Ms. Moore:

Santa Clara Valley Transportation Authority (VTA) staff has reviewed the Draft Subsequent Environmental Impact Report (DSEIR) and Transportation Impact Analysis (TIA) report for a maximum of 400,000 square feet of commercial development on 43 gross acres at the northeast corner of Almaden Expressway and State Route 85. We have the following comments.

1. Chynoweth Avenue Connection

The Project Description in the DSEIR (page 15) notes that "the current *San Jose 2020 General Plan* Land Use/Transportation Diagram includes a bridge from the project site across the Guadalupe River connecting with existing Chynoweth Avenue to the east." It is our understanding that this bridge was included in an earlier approved version of this project in 1998. The current DSEIR also notes that "the bridge is not planned as part of the project and is not required for project circulation based on the traffic analysis" in the DSEIR. However, Section II.E of the DSEIR does not address the Chynoweth Avenue connection in discussing the consistency of the proposed project and public improvements with the current General Plan, or explain why the connection was removed from this project proposal.

Connecting existing Chynoweth Avenue to the proposed development and Almaden Expressway would have many transportation and environmental benefits. It would improve the connectivity of the transportation system in this area, providing good connections for automobiles, pedestrians, and bicyclists between residential areas, transit services (Ohlone-Chynoweth light rail station and bus stops), shopping and services, schools (Gunderson High School), trails, and bicycle lanes. Improving connectivity in this way is likely to reduce the overall length of automobile trips, ease the burden on already-congested intersections along Almaden Expressway and Blossom Hill Road, and ultimately reduce vehicle-related emissions in this area. This connection would help meet the goals of the current 2020 and draft 2040 General Plan, and would also be consistent with the goals of Valley Transportation Plan 2035 and the Regional Transportation Plan. Conversely, the lack of connectivity in the current transportation system is one of the main causes of the roadway congestion in this area and works against these planning goals.

3331 North First Street · San Jose, CA 95134-1927 · Administration 408.321.5555 · Customer Service 408.321.2300

Responses to Letter No. 2, **Santa Clara Valley Transportation Authority**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

VTA requests that the design of this development accommodate, and not preclude, the future Cherry/Chynoweth Avenue bridge connection. We recommend that Section II.E. of the DSEIR be revised to address the consistency of the project with the existing 2020 and draft 2040 General Plans. We strongly support the inclusion of the Chynoweth Avenue connection in the Transportation and Land Use Diagram and street network in the *Envision San Jose 2040 General Plan*. It is worth noting that this connection need not be an auto-oriented facility but can be designed to incorporate traffic calming, wide sidewalks, bicycle lanes, and landscaping to ensure that it preserves the integrity of the adjacent residential neighborhoods. In addition, we also encourage the City to explore the possibility of including the Thornwood Avenue connection (analyzed in the January 2011 draft TIA report) in the 2040 General Plan.

2. Site Design and Parking

The Conceptual Site Plan included in Figure 16 of the DSEIR places nearly all the buildings towards the rear of the site and all of the parking close to the street frontages. This type of site design creates an unfriendly pedestrian environment that will likely deter pedestrian access and increase reliance on automobile travel to the development. VTA encourages the City to require the developer to improve the orientation of the buildings and place more of the parking at the rear during the Planned Development Permit stage of the development process.

3. Almaden Expressway / Cherry Avenue Intersection Mitigation Measure

The Transportation section of DSEIR (page 150) notes that the project would have a significant impact on the Almaden Expressway / Cherry Avenue intersection, and identifies a mitigation measure that would involve a build-out of this intersection. The Conceptual Design of Proposed Improvements to this intersection (shown in Figure 13 of the May 16th TIA but more clearly in Figure 12 of the January 11th TIA) shows the completion of the missing sidewalks, addition of crosswalks and bicycle lanes, and removal of 'pork chop' islands at the intersection – all of which are welcome improvements to the safety of this intersection. However, the proposed lane additions and geometry would also significantly increase the pedestrian and bicycle crossing distances of this intersection, in some cases by as much as 25 to 30 feet. VTA encourages the City and the developer to work with the County to identify other intersection configurations that would achieve the same automobile Level of Service benefits, while minimizing the intersection widening and associated negative impacts to pedestrians and bicyclists.

4. Bus Service

There is currently a VTA bus stop just north of the proposed development at northbound Almaden Expressway (far side of Chynoweth/Cherry Avenue) that serves VTA Local Bus Route 64. This bus stop has strong passenger activity and should be maintained or improved, and not compromised by the new development south of Chynoweth, or by changes to the roadway. The following improvements should be included at this bus stop:

- A 55' X 10' PCC bus pad constructed to VTA specifications.
- A minimum 22' wide curb lane, duckout, or modified duckout to accommodate the 22' wide curb lane that meets VTA approval.
- A minimum 10' X 40' sidewalk adjacent to bus stop to accommodate bus shelter, ADA accessibility, and pedestrians.
- Electrical power to bus shelter is to be maintained.

2. The comment is acknowledged. The City agrees that the development should create a pedestrian-friendly environment that provides good connections from the buildings to the adjacent streets and bus stops. As indicated on the revised Conceptual Site Plan dated July 20, 2011, Figure 16 (see Text Amendments), the Almaden Expressway and Cherry Avenue frontages have significant building presence on the street. According to the Development Standards that are contained in the proposed zoning, these buildings are to be placed no less than 20 feet from Almaden Expressway and 15 feet from Cherry Avenue. While the level of detail is not shown on the PD Zoning plans, the detail at the PD Permit stage will demonstrate a highly organized pedestrian circulation system comprised of widened sidewalks and walkways providing access between the surrounding streets and the buildings and activity areas within the project.

3. The comments are acknowledged. The developer is working with the City of San Jose and County Roads and Airports Department to prepare improvement plans for the intersection of Almaden Expressway and Cherry Avenue. The design minimizes lane widths and median island width to keep the street as narrow as possible.

   In addition, the County is also implementing a new program called "Adaptive Timing for Pedestrian Crossing", which involves installation of pedestrian sensors that detect when pedestrians are still crossing and extend the crossing time.

4. The comments are acknowledged. The project will conform to the VTA bus stop guidelines and coordinate all plans with the VTA to determine the design and location of bus stops.

We request that the City and the County continue to coordinate with VTA on the design of this bus stop in relation to this development's mitigation measures or other planned changes to the roadway.

5. TIA Report – Freeway Analysis
Table 9 – Freeway Segment Level of Service Analysis of the TIA report dated May 16, 2011, provided as Appendix I to the DSEIR, appears to be cut off. Per Section 2.2.2 of VTA's *TIA Guidelines* on analysis for Freeway Segments, Table 9 of the TIA report should also include a column that tabulates the volume/capacity ratio as shown in Appendix B of VTA's *TIA Guidelines.*

6. TIA Report – Freeway On-Ramp Meter Analysis
The TIA Report states that the Project will add approximately 100 PM peak hour trips to the SR 85 southbound loop on-ramp. Based on the SR 85 Ramp Metering After Study Report dated September 11, 2009, the on-ramp storage is fully utilized during the peak hour. The ramp meter will need to be adjusted to accommodate the additional traffic generated by the project. The operations of both ramp meters at the SR 85/Almaden Expressway southbound and northbound on ramps should be evaluated and adjusted as needed after the project is built. The work to evaluate and adjust the ramp meters at these locations should be coordinated with Caltrans District 4 Traffic Systems staff.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-7093.

Sincerely,

Chris Augenstein, AICP
Deputy Director, Planning

cc: Karen Mack, San José Department of Public Works
Ebrahim Sohrabi, San José Development Services
Dan Collen, Santa Clara County Roads & Airports
John Ristow, VTA Chief CMA Officer

SJ1005

5. The freeway segment analysis contained in the transportation impact analysis conforms to Section 2.2.2 of the VTA's Traffic Impact Analysis Guidelines. The sample freeway analysis table contained in Appendix B of the VTA's TIA Guidelines (March 2009 Update) does not tabulate the volume/capacity ratio. Therefore, V/C was not included in the freeway analysis.

6. The comments are acknowledged. An analysis of As stated on page 150 of the Draft SEIR, an analysis of metered freeway on-ramps providing access to SR 85 from the project site was performed to identify the effect of the addition of project traffic on the vehicle queues at the metered on-ramps. Since the proposed retail project would generate very little outbound traffic during the a.m. peak hour, the metered freeway on-ramps were evaluated during the p.m. peak hour of traffic only. The existing vehicle queue lengths at both metered (southbound) ramps were measured in the field during the weekday p.m. peak hour of traffic. Based on the field observations, the longest vehicle queue that developed on the SR 85 southbound diagonal on-ramp was 10 vehicles in length. The maximum vehicle queues that were measured in the field occurred only once during the observation period and never backed up to Almaden Expressway. In fact, vehicle queues of between zero and three vehicles occurred much more frequently on both metered on-ramps. This inherent variability is characteristic of vehicle queues that occur at metered ramps during the p.m. peak hour, and is in contrast to the standing vehicle queues that typically develop at metered ramps during the a.m. peak hour of traffic. Thus, field observations show that the existing vehicle storage on both SR 85 southbound on-ramps is adequate to serve the existing maximum vehicle queues that develop dur to ramp metering during the weekday p.m. peak hour of traffic.

   The proposed project would not add any trips to the SR 85 southbound diagonal on-ramp, but would, however, add approximately 100 p.m. peak hour trips to the SR 85 southbound loop on-ramp. This equates to approximately one vehicle trip added to the ramp every 35 seconds. Based on the variability of the vehicle queues, the project could potentially add a vehicle to the maximum queue if a vehicle were to arrive at just the right moment when the queue is at its maximum. However, the vehicle queues with the addition of project traffic would not be expected to back up to Almaden Expressway, since there currently is at least 100 feet of queuing space available when the maximum observed queue of 15 vehicles is present. Thus, it can be concluded that the addition of p.m. project trips to the metered on-ramp would have very little effect on ramp operations.

   Based on the on-ramp meter analysis, it can be concluded that the existing vehicle storage on the SR 85 southbound on-ramps would be adequate to serve the estimated maximum vehicle queues that would develop with the addition of project-generated traffic. However, as recommended by the VTA, the operations of both ramp meters should be evaluated and adjusted as needed after the project is built and occupied. This would require coordination with Caltrans District 4 Traffic Systems staff.

3a.

DEPARTMENT OF TRANSPORTATION
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July 5, 2011

SCL085184
SCL-85-6.14
SCH #1997062100

Ms. Janis Moore
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

Dear Ms. Moore:

Almaden/Chynoweth Retail Center – Draft Subsequent Environmental Impact Report (DSEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Almaden/Chynoweth Retail Center. The Department has no comments at this time regarding the DSEIR. However, comments may be forthcoming, as the CEQA and review processes continue.

Please feel free to contact Brian Brandert at (510) 286-5505, if you have any questions regarding this letter.

Sincerely,

GARY ARNOLD
District Branch Chief
Local Development-Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

"Caltrans improves mobility across California"

Responses to Letter No. 3a, **State Department of Transportation**

1. See the following letter No. 3b, also by the State Department of Transportation, July 5, 2011.

3b.

DEPARTMENT OF TRANSPORTATION
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July 5, 2011

SCL085184
SCL-85-6.14
SCH 1997062100

Ms. Janis Moore
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

Dear Ms. Moore:

Almaden/Chynoweth Retail Center – Draft Subsequent Environmental Impact Report (DSEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the project referenced above. Although we sent you a letter on this date, indicating that we had no comments at this time, we became aware of additional information today and have the following comments to offer. This letter supersedes the previous letter sent on this date.

Traffic Queuing and Lane Storage

1. The current mitigated Traffix report still shows insufficient storage on SR 85 North off-ramp. There is a total of 5000 ft of queuing with only about 2300 ft of storage. Please provide solutions for this queuing problem.

2. According to the Traffix report for Almaden Exp/SR 85(south) under cumulative PM condition, the queue length on the eastbound leg of this intersection is still larger than the background condition queue length. As this will impact the southbound SR 85 off-ramp traffic, the queue length of the eastbound leg of the Almaden Exp./SR 85 (south) intersection should be mitigated back to background conditions. Please provide the mitigation of this impact and the Traffix report with this mitigation included for our review.

Should you have any questions regarding this letter, please call Brian Brandert of my staff at (510) 286-5505.

Sincerely,

GARY ARNOLD
District Branch Chief
Local Development – Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

Responses to Letter No. 3b, **State Department of Transportation**

1. The traffic analysis typically utilizes the Poisson probability distribution method, one of many transportation tools for analyzing the maximum number of queued vehicles per signal cycle for a particular movement.

   The Poisson probability distribution is used to estimate the 95th percentile maximum number of queued vehicles per signal cycle for a particular movement. The estimated maximum number of vehicles in the queue is then translated into a queue length, assuming 25 feet per vehicle. Lastly, the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement. This analysis thus provides a basis for estimating future storage requirements at signalized intersections and freeway ramps.

   Although the Poisson probability distribution contained in the TIA calculates an existing maximum (95th percentile) vehicle queue of 2,075 feet during the p.m. peak hour, field observations show much better conditions. During the p.m. peak hour, the longest vehicle queues that were observed in the field on the SR 85 northbound off-ramp extended back to the area of the off-ramp that widens from one to two lanes. This leaves approximately 500 feet of available off-ramp storage that currently is not being utilized during the p.m. peak hour. Thus, it was concluded that the SR 85 northbound off-ramp would provide adequate vehicle queuing storage with the project and no further improvements are proposed by the project.

2. The proposed project would add approximately 100 p.m. peak hour trips to the southbound SR 85 off-ramp to Almaden Plaza Way/Almaden Expressway. The results of the queuing analysis contained in the TIA show the existing vehicle storage on the SR 85 southbound off-ramp to Almaden Plaza Way currently is adequate to serve the existing maximum vehicle queues, and would continue to adequately serve the estimated maximum vehicle queues that would develop under background and background plus project conditions. Note that for the purpose of the queuing analysis the cycle length for the Almaden Expressway and SR 85 (South) intersection (190 seconds) was applied, since the SR 85 off-ramp operation is more or less dependent upon the signal timing of that intersection. This represents a worst-case traffic condition on the off-ramp. The report does not identify any significant traffic impact at this location; therefore, no mitigation is proposed.

Santa Clara Valley Water District

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4.

File: 23843
Guadalupe River

July 6, 2011

Ms. Janis Moore
Department of Planning, Building, and Code Enforcement
City of San Jose
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Subject: Draft Subsequent Environmental Impact Report (SEIR) for Almaden Retail Center Planned Development Planned Development Rezoning, File PDC10-006

Dear Ms. Moore:

The Santa Clara Valley Water District (District) has reviewed the Draft Subsequent Environmental Impact Report (SEIR) for Almaden Retail Center Planned Development Planned Development Rezoning, File PDC10-006, received by the District on May 23, 2011.

The District owns property adjacent to the north easterly and easterly property lines of the project site. The Guadalupe River is located within District property to the north and east of the site and Recharge Pond #2 of the District's Guadalupe Recharge System is located within District property adjacent to the south easterly project boundary. Any work on the District's easement or fee title property will require the issuance of a District permit as per the District's Water Resources Protection Ordinance and requires the District be considered a responsible agency under CEQA.

We have the following comments regarding the proposed project SEIR:

1. The SEIR states on page 16 and Figure 17 that portions of the site south of the Cherry Avenue extension will be graded to direct runoff toward Almaden Expressway and north of the Cherry Avenue extension overland flow will be directed to the hydromodification management (HMP) basin. However, pages 35 states "all urban runoff from the site will drain through the HMP basin before entering the Guadalupe River" and page 120 states the entire site will routed through a storm drain system to the HMP basin. The discussion regarding runoff from the site should revised for clarity and consistency regarding how site drainage will be routed.
2. To protect the genetic integrity of the locally native riparian habitat and for conformance with the Guidelines and Standards Near Streams, the project should require that all local natives used at the site be grown from watershed specific stock. The SEIR notes in some instances that watershed specific plants are to be used. It is unclear though if locally native tree species may be used at the site and outside of the riparian corridor setback area that are not grown from watershed specific stock, while those same tree species, grown from watershed specific stock, may be planted in the riparian setback area. For instance page 35 states that native trees will be used for the project and Table 9 on page 78, Tree Replacement Ratios, requires the use of 15-gallon or box size trees which would not be trees grown from watershed specific stock.

The mission of the Santa Clara Valley Water District is a healthy, safe and enhanced quality of living in Santa Clara County through watershed stewardship and comprehensive management of water resources in a practical, cost-effective and environmentally sensitive manner.

Responses to Letter No. 4, **Santa Clara Valley Water District**

1. The statements on pages 16, 35 and 120 are not contradictory. The grading discussion on page 16 refers to the surface overland release of storm runoff should the underground storm drainage system fail or when a storm exceeds the capacity of the underground system. The preliminary grading plan for the project shows the southerly portion of the site being graded so that if the capacity of the underground storm drainage lines is exceeded, the runoff will be directed toward Almaden Expressway and away from the Guadalupe River. The northern portion of the site will be graded so the overland storm drain release is toward Cherry Avenue.

   In accordance with City of San Jose standards, the underground storm drainage system will be sized to handle a 10-year rainfall event. All storm drainage runoff from the site will be collected in the underground system and discharged to the HMP basin located adjacent to the Guadalupe River. The outlet from the HMP basin will be by a pipe connecting to the existing 120-inch diameter City storm drainage line running along the easterly edge of the project site. This existing City storm drainage line ultimately discharges directly into the river on the north side of the Water District's percolation ponds. Should the capacity of the HMP basin be exceeded, there is a spillway located on the south side of the basin, where the discharge will flow overland in the parking lot to the Cherry Avenue extension. Once on Cherry Avenue, the overland flow will be to the west.

   Prior to project drainage being collected in the HMP basin, storm drainage runoff from the site will be treated in accordance with the requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Stormwater NPDES Permit (MRP) as described in section III. J. Hydrology and Water Quality on pages 114 to 122.

2. The Draft SEIR indicates that plantings planned for installation within the riparian setback area, specifically including vegetation planted along the HMP basin, will be from planting stock collected within the Guadalupe River watershed (also implied in the phrasing "locally adapted" in the report in Appendix C of the Draft SEIR). For replacement trees related to the Guidelines for Inventorying, Evaluating, and Mitigating Impacts to Landscaping Trees in the City of San Jose ("Tree Ordinance", refer to Table 9 on page 78), that are planted within the riparian setback area or used as a buffer between the riparian setback area and future development, these trees would fall under the guidelines of the City's Riparian Corridor Policy Study. The Draft SEIR states that all applicable project elements will be consistent with the guidelines of the Riparian Corridor Policy Study (Appendix C of the Draft SEIR) and that plantings in the riparian setback area or plantings used as buffers between future development and the riparian setback area would need to be comprised of locally adapted genetic stock – otherwise generally accepted as within watershed planting stock.

   For native species planted as replacement trees onsite, not within the riparian setback and not as a buffer between development and the riparian setback area, the City's Tree Ordinance specifies that the trees should be native to the area to the greatest extent feasible, therefore ensuring that the level of native stock used will be native given available nursery stock. Furthermore, replacement of non-native trees with native species onsite yet outside of the riparian corridor and setback area would be beneficial to the local ecological setting regardless of if the seed stock is slightly removed from the local watershed. The species that would be used for replacement trees are not rare species and as such their genetic

3. The title "Guadalupe River Watershed Project" on page 45 should be changed to "Upper Guadalupe River Flood Protection Project, Reach 12." Please also note that the flood protection project is scheduled for construction in June 2012.
4. Page 45 of the SEIR discusses the District's Upper Guadalupe River Flood Protection Project Reach 12; however, the District's continued interest in obtaining a 30-foot wide easement along the easterly project boundary (APN: 458-17-006 and 458-17-018) is not discussed. Also, the 12-foot wide District maintenance road referred to on page 8 of Appendix C is not what the District is proposing. The District is proposing an 18-foot wide maintenance road within a 30-foot wide easement. This easement would facilitate maintenance and access along the river both during construction of the flood protection project and for long term maintenance. The District previously provided a copy of the proposed plat and description for the easement to the City as an enclosure to our May 25, 2010 letter regarding this project. As this project moves forward we would like to continue to coordinate with the City and applicant to ensure that the site development does not exclude the opportunity to obtain the easement or otherwise impact the flood protection project.
5. Page 45 states that the proposed project does not hinder or impact the flood protection project. The proposed project could impact the flood protection project, for example by increasing runoff to the river, though such impacts are mitigated through measures indentified in the SEIR. In addition, as noted above the project does not appear to include the 30-foot easement we have requested which would allow for the construction of an 18-wide maintenance road. We suggest the consistency statement on page 45 be revised to more appropriately characterize that potential impacts (*i.e.* hydrology, water quality, and erosion) on the flood protection project will be mitigated through the HMP basin, water quality BMPs, inclusion of the riparian corridor setback, and coordination of the project with the District to provide the requested easement.
6. The discussions in the Biological Resources and Hydrology and Water Quality sections do not provide a full and consistent description of the HMP basin or project elements proposed within the riparian setback area.

   Based on the main text of the SEIR, it is not clear that the HMP basin is proposed to be anything more than a drainage feature that may include some native landscaping. Page 33 states "plantings around the proposed HMP basin and landscape plantings within the riparian setback area, if any," will be natives that will enhance the riparian corridor and page 77 states planting of natives along the HMP basin would be a net benefit to the riparian corridor, though based on the figures provided in the main text of the document there is little area along the HMP basin for planting.

   However, Appendix C Biological Resources, states "the HMP basin is proposed adjacent to the Guadalupe River as a natural habitat feature, including installation of native plantings along the bed and banks." If further states the HMP basin will "include a habitat creation plan" and that an "unpaved, 12-foot wide SCVWD maintenance road will be situated between the HMP basin and the riparian corridor." This is significant information describing the proposed project that is not included in the main text of the SEIR where it should be included.
7. The HMP basin discussion does not address the fact that the basin will also function as a habitat feature, as described in Appendix C, so it is unclear if the basin as proposed has taken into account the habitat function in determining the preliminary size and design. The final basin design will need to take into account the proposed plantings and their habitat function in order to design appropriate inlets and outlets, basin capacity when plantings have matured, and include a maintenance manual for the basin to ensure the basin functions hydraulically while still maintaining the plantings.

makeup is broadly homogenous throughout their populations. Seed stock collected from Santa Clara Valley or even the greater Bay Area would not likely produce individuals with maladaptive genetic traits, as is a source of legitimate concern in restoration efforts around the world. In addition, local nurseries can and do collect and grow native trees, including up to the 15-gallon and 24-inch box-sized individuals, from locally adapted genetic stock (e.g., Central Coast Wilds located in Santa Cruz, California).

3. The comment is acknowledged. See Text Amendments.

4. The property owner received a letter, dated March 19, 2009 from the District's Real Estate Services Unit stating the "Santa Clara Valley Water District ('District') will not require any real property rights, including permanent or temporary easements, for the Upper Guadalupe River Flood Protection Project ... on the subject properties. ...If there is any future change in the District's project requirements ... District staff will notify you." No further request for an easement has been made to the property owner; and, therefore, no easement is believed to be required.

   With regard to the width of the maintenance road, the HMP basin is sited to provide a minimum 25-foot setback from the edge of riparian corridor in accordance with Guideline 7A of the City's Riparian Corridor Policy Study. The 12-foot wide maintenance road matches the minimum dimensions for the maintenance road shown on Sheets C73 and C74 of the 95% Design plan set titled "Upper Guadalupe River Flood Control Project Reach 12" received from the District's Capital Program Services Division. The plan sheets (Sheets C2 and C3) and the typical channel cross sections (Sheet C26) contained within the plan set show that the river's top-of-bank adjacent to the project is not being moved. This provides a large, essentially level area between existing river top-of-bank and the HMP basin. Therefore, the location of the HMP basin provides at least the minimum maintenance road being constructed elsewhere on the Upper Guadalupe River Flood Control Project, and does not preclude the District's ability to provide a wider road where the level area is available and once an easement is obtained.

5. The comments are acknowledged. See Text Amendments. Also see response No. 4 above.

6. The conditions of the site at the time of the biotic surveys in 2010 and 2011 were low-quality open-space habitat characteristic of a managed ruderal field that is mowed regularly. The proposed project would follow the recommendations of the City's Riparian Corridor Policy Study with regard to retention basins, development, and access roads – and includes locally adapted native species of trees and shrubs along the banks of the HMP basin. The size of the area of planting is sufficient to appreciably increase local habitat along the riparian corridor relative to the current conditions of the site. If more ruderal areas along the Guadalupe River watershed were planted with similar "native landscaping" or created habitat features such as this, it is likely that the Guadalupe ecosystem would bear a noticeable habitat quality increase in terms of native species richness and diversity. See Text Amendments.

7. The primary purpose of the HMP basin is to hold the site's stormwater runoff in accordance with the RWQCB's Municipal Regional Stormwater NPDES Permit and City of San Jose Policy 8-14. Since the basin is proposed to be located adjacent to the riparian corridor, it has also been specifically designed with the dual function of increasing the habitat quality between the Guadalupe River riparian corridor and future site development. As noted on page 74 of the Draft SEIR, the list of proposed plantings is included in Table 1

8. Page 120 states that an alternative to the proposed open HMP basin is underground storage, located under the parking lot at the southerly end of the site, to meet the hydromodification management requirements. The SEIR does not indicate what if anything would change in the site design if underground storage were utilized, since elimination of the open HMP basin would increase the developable portions of the site adjacent to the riparian corridor setback area. In addition, there is no discussion of what plantings or other work may occur in the riparian setback area would occur if underground storage were utilized.
9. The SEIR should clearly state if any work will be required on the District's adjacent property. It is not clear if connection of the HMP basin to the existing storm drain system or any improvements associated with the proposed Sanchez extension such as landscaping, lighting, fencing, *etc.* are proposed on the adjacent District property.
10. The SEIR notes that the Chynoweth bridge over the Guadalupe River is not part of this project; however, it as well as a new crossing over the Guadalupe River at Thornwood Drive are proposed in the Draft Envision San Jose 2040 General Plan. Both of these crossings will significantly impact District facilities and the District needs to be included in the planning for these future bridges.
11. The disposition of the proposed Chynoweth bridge is not clear. If the bridge is not needed for circulation impacts associated with this project, the nexus for the bridge construction is not apparent. If the bridge is still under consideration its alignment should be identified so as to place project buildings appropriately and minimize impacts to the Guadalupe River and recharge ponds.

Please forward the Final SEIR when available and continue to forward project plans and information as it becomes available for District review and coordination. Reference District File Number 23843 on further correspondence regarding this project.

If you have any questions or need further information, you can reach me at (408) 265-2607, extension 2322.

Sincerely,

Colleen Haggerty, P.E.
Associate Civil Engineer
Community Projects Review Unit

cc: S. Tippets, C. Haggerty, T. Ibarra, D. Mody, M. Martin, File

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on page 8 of the Biological Evaluation in Appendix C. The selection of the plant species planned for the basin took into account the projected water budget of the basin and the niche requirements of the plants themselves. If anything, the plants will serve to decrease the water occurring within the basin throughout the year, including during periods of heavy precipitation. Detailed design of the HMP basin will take place during the PD Permit stage, including a final planting plan and the creation of a maintenance manual that will recommend a maintenance schedule that calls for the removal of leaves and other debris that may cause a blockage of the outlet orifices. See Text Amendments.

8. The footprint of the HMP basin is approximately three acres with approximately two acres lying within the riparian setback area, as shown on the Conceptual HMP Basin Layout, Figure 17, on page 21 of the Draft SEIR. If the open basin is not constructed, the riparian setback would remain, still planted and maintained with appropriate riparian vegetation (i.e., locally-adapted genetic planting stock). Without the basin, the approximately one-acre area outside of the riparian setback would be available to be incorporated into the development as additional parking and/or landscaping with native riparian plantings similar to other adjacent areas.

9. The project is not proposing to construct any improvements on District property. The outlet lines from the HMP basin will be on the project property at the rear of the easterly building, and in the future Cherry Avenue, where it will connect to the existing 120-inch diameter City storm drainage line running along the easterly edge of the project site (in future Cherry Avenue extension), prior to where the existing line enters the District property. All improvements for the extension of Sanchez Drive and Cherry Avenue will be constructed solely on the project site and will not encroach onto District property.

10. The comments are acknowledged.

11. While the extension of Chynoweth Avenue on a bridge across the Guadalupe River remains a part of the City's General Plan Land Use/Transportation Diagram, there is no nexus between the proposed project and the Chynoweth Avenue bridge. Development of the project does not preclude the future construction of the bridge. See IV. Master Responses, E. Transportation / Traffic, No. 2.

5.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

July 6, 2011

RECEIVED
JUL 11 2011
CITY OF SAN JOSE
PLANNING DEPARTMENT

Janis Moore
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

Subject: Almaden/Chynoweth Retail Center Planned Development Rezoning (File No. PDC10-006)
SCH#: 1997062105

Dear Janis Moore:

1. The State Clearinghouse submitted the above named Subsequent EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 5, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Responses to Letter No. 5, **State Clearinghouse**

1. The comment is acknowledged.

Document Details Report
State Clearinghouse Data Base

SCH# 1997062105
Project Title Almaden/Chynoweth Retail Center Planned Development Rezoning (File No. PDC10-006)
Lead Agency San Jose, City of

Type SBE Subsequent EIR

Description Planned Development Rezoning to A (PD) Planned Development Zoning District to allow the development up to a maximum of 400,000 sf of commercial development on an ~ 43 gross acre site, with construction of Chynoweth Avenue through the site to connect with Sanchez Drive to the south.

Lead Agency Contact

Name Janis Moore
Agency City of San Jose
Phone 408 535-7815 **Fax**
email
Address 200 East Santa Clara Street
City San Jose **State** CA **Zip** 95113-1905

Project Location

County Santa Clara
City San Jose
Region
Lat / Long 37° 15' 30" N / 121° 52' 19" W
Cross Streets State Route 85 and Almaden Expwy
Parcel No. 458-16-032;458-17-006,-017,-018
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 85, 87, 280
Airports
Railways Light Rail
Waterways Guadalupe River
Schools San Jose Unified School District
Land Use Vacant and agricultural/A(PD) Planned Development Zoning District (residential and/or commercial uses) (previous EIR for PDC96-011)/General Commercial and High Density Residential (25-50 DU/AC)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

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Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Department of Parks and Recreation; Department of Water Resources; Resources, Recycling and Recovery; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission

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Date Received 05/20/2011 **Start of Review** 05/20/2011 **End of Review** 07/05/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.

Attachment to letter No. 5. No response is required.

6.

Erikson Neighborhood Association

Representing More Than 650 Homes in the Robertsville Area of San Jose

P.O. Box 18506, San Jose, CA 95158 ENA_Board@yahoo.com

VEP Community Association

Representing More Than 2000 Families in the Blossom Valley Area of South San Jose Since 1969

P.O. Box 18111, San Jose, CA 95158 MRodgersRN@aol.com

July 6, 2011 (Original sent this date via email)

Lesley Xavier
City of San Jose, Planning Division
San Jose City Hall
200 East Santa Clara Street, 3rd Floor
San José, CA 95113-1905

SUBJECT: Draft SEIR for PDC10-006 Almaden/Chynoweth Retail Center

Dear Ms. Xavier:

Erikson Neighborhood Association and VEP Community Association are pleased to be invited to participate in the review process for the Almaden Ranch Retail project, which is immediate across the Guadalupe River and percolation ponds from our neighborhoods. We have greatly appreciated the public meetings as well as the developer's and city staff's attendance at our neighborhood association meetings and meetings of other area neighborhood associations.

As noted in our joint letter regarding the scoping of the subject DSEIR dated January 19, 2011 (a copy is in the DSEIR), our areas of greatest interest are local and regional traffic mitigation, and a good neighbor interface in terms of noise, light, flood control, and so on.

1. Regarding regional traffic, the Highway 85 / Almaden Expressway interchange clearly does not meet the needs of current traffic. Santa Clara County will soon commence improvements on Almaden Expressway between Blossom Hill Road and Branham Lane. This will help maximize traffic throughput given the current basic freeway interchange configuration. However, keeping an eye on the future, we ask that the project not place any buildings in locations that would prevent future upgrades to the Highway 85 / Almaden interchange to truly meet the traffic needs. We also ask that ingress and egress from the project along Almaden Expressway not impede traffic nor create safety hazards on northbound Almaden Expressway.

2. Regarding local traffic, we realize the traffic study does not indicate the need for a bridge across the Guadalupe River to provide traffic mitigation for this project. If the traffic impacts turn out to be much greater than anticipated, we would be very disappointed if it is determined later that a bridge really was needed, without a funding source to build one. That could potentially force a decision to place the bridge at the less expensive alignment (connecting Cherry easterly with Chynoweth instead of Thornwood). The traffic impacts to the Erikson and VEP neighborhoods could be devastating with a Cherry-Chynoweth connection.

3. That said, the local community would strongly desire a bicycle/pedestrian connection easterly across the Guadalupe River, and trails on the west side of the river.

Responses to Letter No. 6, **Erikson Neighborhood Association** and **VEP Community Association**

1. The comments are acknowledged. The project building envelope has been located to allow room for widening the northbound SR 85 off-ramp to Almaden Expressway in the future. The corner of Building M3 as shown on the revised Conceptual Site Plan (see Text Amendments), the closest building to the State Route 85 northbound off-ramp to Almaden Expressway, is located approximately 23.5 feet from the existing State right-of-way. This is sufficient width should an additional lane be added to the off-ramp in the future. In addition, since the project would provide only inbound access from northbound Almaden Expressway at the proposed project driveway located between the SR 85 interchange and Cherry Avenue, the project would not impede the flow of traffic or create any safety hazards on northbound Almaden Expressway.

2. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

3. The comments are acknowledged. The project would not be required to build a bridge over the Guadalupe River. The project will connect Sanchez Drive to Cherry Avenue, which would improve the pedestrian and bicycle connection from the west side neighborhoods and the Blossom Hill corridor.

4. Our greatest interest is the interface with our neighborhood, especially the Tonino Drive area which is immediately across the Guadalupe River from the project. The most recent project plan we've seen includes a signalized intersection at the closest point to our neighborhood, with no sound buffering between the signalized intersection and our neighborhood. In fact, there are two buildings on either side which could help funnel the traffic acceleration/deceleration noises to our neighborhood.

We naturally want the project to minimize cumulative noise behind our homes from project operations as well, such as garbage pick-up, air conditioning compressors, etc. We would like to see comparatively quieter operations than we currently experience with the existing Safeway complex.

5. We also want to minimize light pollution into our homes from the project.

6. Regarding flood control, we are concerned that the topological maps may not take into account grade elevation increases we believe occurred during the mid 1990's. Our recollection is that numerous truckloads of materials were dumped at the project daily for several months. If it doesn't already, please make sure the final EIR takes the actual grade into account with respect to potential flooding of homes on the other side of the Guadalupe River that might not have occurred without the earlier grading.

7. We are disappointed that the project does not include provisions to offset the loss of water table replenishment that may be lost due to extensive paving. We are not experts in water table replenishment and understand current replenishment may be low due to clay soil common to our area, but it seems like a missed opportunity.

8. Due to significant paving, we are concerned about heating impacts on neighborhoods surrounding the project. Please ensure the project minimizes these impacts with mitigation measures such as trees, preferably with large canopies, and minimizing any unnecessary paving.

9. Naturally, we're also interested in having the project look nice from all surrounding neighborhoods, as well as from public areas such as Cilker Park and the Guadalupe River Trail, including future northerly reaches of that trail.

10. The Guadalupe River is home to many animals and migratory birds and we are happy to see that the project is not expected to have a significant impact to them after mitigation.

11. We look forward to continuing our participation as the project moves forward with the Planned Development phase. We would like to see this project be a great neighbor and an asset to the community. We'd like to see a sense of place that makes this project special. We hope to see the project maximize the potential for enjoyment of the Guadalupe River and celebrate the natural setting. We are excited to learn more about the ranch theme planned for the project.

We respectfully request that our concerns be addressed point by point in the final SEIR.

Sincerely,

David Noel, Vice President
Erikson Neighborhood Association

Marilyn Rodgers, President
VEP Community Association

cc: Gerry De Young, Ruth & Going; Councilmembers Nancy Pyle and Donald Rocha

4. The comment is acknowledged. See IV. Master Responses, B. Noise, No. 2. The Conceptual Site Plan shows two commercial buildings on the portion of the site north of the proposed roadway extension. While building façades will reflect some roadway noise towards the residences, the buildings will also partially shield residences from the road. The net effect to the DNL is expected to be negligible at the residences.

5. The comment is acknowledged. As stated on page 47 of the Draft SEIR, the project will be designed to utilize downward-directed low-pressure sodium lighting with low elevation standards around the buildings and in the parking areas in order to prevent offsite light and glare impacts in accordance with the City's Outdoor Lighting on Private Developments Policy.

6. The comment is acknowledged. The Flood Insurance Rate Map (FIRM), Panel No. 060349 0042 D, dated August 2, 1982, shows the percolation ponds east of the project site as being within the 100-year floodplain, but not extending onto the project site. The placement and grading of fill material on the property last took place in approximately 2002, and was located outside of the floodplain, 100 feet or more westerly of the ponds. The most current FIRM for the area, Panel No. 06085C0263H, dated May 13, 2009, (Figure 20 on page 115 of the Draft SEIR) also shows the project site as being outside of the 100-year flood, stating that the "1% Annual Chance Flood Discharge Contained in Channel", which means the flow in the river resulting from a 100-year storm does not cause flooding outside of the river channel. Therefore, changing the elevations on the site does not cause a change in the flood limits and does not impact the homes on the east side of the river. An aerial topographic survey of the property was conducted in the Fall of 2010; this survey shows the existing ground elevations of the property as of Fall, 2010 and will be used for future design of the site improvements.

7. The comment is acknowledged. As stated in the comment, because of the existing clay soils on the site, there is little opportunity for groundwater recharge without excavating through the clay soils as the Water District has done with the percolation ponds immediately to the east and south. However, as a means of achieving the post-construction stormwater treatment, runoff from the buildings and parking areas will be directed to bioretention areas located in the landscape islands throughout the site. In addition, all stormwater discharge from the site will be collected and discharged to the HMP basin located adjacent to the Guadalupe River. Neither the bioretention areas nor the HMP basin will be lined to prevent infiltration into the groundwater. Therefore, while the design of these facilities will assume that no percolation will take place, percolation into the groundwater from the bioretention areas and the HMP basin is not prevented.

8. The comment is acknowledged. Trees are to be incorporated into the parking area design at the PD Permit stage.

9. The comment is acknowledged. As stated on page 47 of the Draft SEIR, the Planned Development zoning (and PD Permit) procedure that the project must go through requires the submittal of detailed architectural and landscape plans for review and approval. The visual quality of the project will be one of the criteria in that review. Architectural design and landscaping will comply with the City's Commercial Design Guidelines and Riparian Corridor Policy, and the view of commercial buildings, signs, parking and landscaping will be comparable to other commercial developments in the area.

10. The comment is acknowledged.

11. The comment is acknowledged.

County of Santa Clara

Roads and Airports Department

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

July 20, 2011

Janis Moore
Project Manager
City of San Jose
Department of Planning,
Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, California 95113-1905

City File No: PDC10-006

Subject: Almaden Ranch Retail Center Planned Development Rezoning

Dear Ms. Moore,

This is in response to your Planned Development to rezone a 43-acre site to A (PD) Planned Development Zoning District to allow the development of up to a maximum of 400,000 square feet of commercial development on a site located on the northeast corner of Almaden Expressway and State Route 85.
The review is complete and we have the following comments:

Traffic Engineering and Operations:

1. The existing ADT on Almaden Expressway in the vicinity of this proposed development is approximately 60,000 VPD. This proposed project will generate an ADT of about 20,000 VPD, that is a third of the existing ADT, and based on Figure 7 of Appendix I of SEIR, "Project Trip Distribution Pattern", at least 80% of the 20,000 or 16,000 project trips will use Almaden Expressway to access the site.
2. Appendix A of Appendix I, existing AM count at Almaden/Blossom Hill is low, especially the eastbound left turn volume, also the peak hour is shown at 7:00 AM to 8: AM which is not comparable to other intersections on Almaden (7:30 – 8:30).
3. Figure 8 of Appendix I of the SEIR, Retail Project Trip Assignment, assumed too much (20%) of project trips will use the intersection of Blossom Hill and Sanchez, the number should be closer to 10% than 20%.
4. Appendix I of SEIR - What were the percentages and why were those percentages used for reassigning trips with the Sanchez Drive connection to reassign trips from Almaden/Blossom Hill intersection? We don't think this will happen in the PM at all, might be some AM traffic going WB on Blossom Hill to NB Almaden would make right at Sanchez then right onto NB Almaden at Cherry, but this will be a very small number since then WB Blossom Hill would have a designated right turn lane onto NB Almaden. This trip reassignment on Page 24 and 25 is not feasible and the Pass-by Reduction already considered trips behaving this way.

Board of Supervisors: Mike Wasserman, George Shirakawa, Dave Cortese, Ken Yeager, Liz Kniss
County Executive: Jeffrey V. Smith

Responses to Letter No. 7, **County of Santa Clara Roads and Airports Department**

Traffic Engineering and Operations

1. After applying a conservative retail pass-by trip reduction of 25 percent, the proposed project would generate an average daily traffic (ADT) volume of approximately 15,000 new vehicles per day. Based on the project trip distribution pattern that was developed according to existing travel patterns on the surrounding roadway system and the locations of complementary land uses in the study area, it is estimated that the project would add approximately 12,000 new vehicle trips per day to Almaden Expressway between Branham Lane and Blossom Hill Road. This represents an increase in ADT on Almaden Expressway of about 20 percent.

2. The a.m. peak hour count for the CMP intersection of Almaden Expressway and Blossom Hill Road was taken directly from the City of San Jose's traffic volume database. All counts contained in the City's traffic volume database have been compared against historical count data and approved by the City of San Jose Department of Transportation for use in traffic analysis.

3. The traffic study assumed 10 percent of project-generated traffic would originate from the east via Blossom Hill Road, and that all of this traffic would utilize the Sanchez Drive connection to access the project site. Sanchez Drive would provide the quickest access to the site from westbound Blossom Hill Road because there would be no traffic signals between Blossom Hill Road and the project site. On the other hand, by continuing westbound on Blossom Hill Road and turning right onto northbound Almaden Expressway, traffic would encounter 2 to 3 signals depending on their final destination at the site. The traffic study also assumed that 10 percent of project trips would originate from the west via Blossom Hill Road, and 10 percent would originate from the south via Almaden Expressway. Based on expected driver behavior, it was estimated that half of the traffic that is traveling eastbound on Blossom Hill Road and half of the traffic that is traveling northbound on Almaden Expressway would choose to use Almaden Expressway, while the other half would choose to utilize the Sanchez Drive connection. Thus, it was assumed that a total of 20 percent of project-generated traffic would use Sanchez Drive to access the project site instead of Almaden Expressway.

   Access to the project site via Blossom Hill from the west and Almaden Expressway from the south can be achieved either by driving north on Almaden Expressway or by driving east on Blossom Hill Road and turning northbound on Sanchez Drive. Since drivers typically choose the quickest route available, the route that ultimately is chosen depends on which movement receives a green light indication first. For example, a driver heading east on Blossom Hill Road and approaching Almaden Expressway would most likely go through the intersection to access the site via Sanchez Drive if the eastbound through movement has a green light. On the other hand, if the eastbound approach is red, chances are they will turn left onto northbound Almaden Expressway since this movement will receive a green light indication first. This is particularly the case at intersections such as Almaden Expressway and Blossom Hill Road that have extremely long cycle lengths (3 minutes or more). Thus, it was assumed that half of the project-generated traffic that is traveling eastbound on Blossom Hill Road and half of the project-generated traffic that is traveling northbound on Almaden Expressway would choose to use Almaden Expressway to access the site, while the other half would choose to use the Sanchez Drive connection. Based on these assumptions, it is estimated that approximately 100 vehicles during the a.m. peak hour and about 300 vehicles during the p.m. peak hour would use the Sanchez Drive connection instead of using Almaden Expressway to access the project site.

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4. Since Sanchez Drive would be extended northward and connected to Cherry Avenue along the project frontage, it is reasonable to assume that some of the traffic that currently travels westbound on Blossom Hill Road to northbound Almaden Expressway, and vice versa, would utilize Sanchez Drive to bypass the Almaden Expressway and Blossom Hill Road intersection. Accordingly, traffic forecasts were prepared using the City of San Jose 2035 model to estimate the amount of existing traffic that would potentially be diverted from Blossom Hill Road and Almaden Expressway to Sanchez Drive when connected to Cherry Avenue. The model estimated a 5 percent reassignment of existing peak hour traffic from each of the following routes: 1) westbound Blossom Hill Road to northbound Almaden Expressway, and 2) southbound Almaden Expressway to eastbound Blossom Hill Road. Based on this percentage, it is estimated that approximately 30 vehicles during the a.m. peak hour and about 50 vehicles during the p.m. peak hour would use Sanchez Drive instead of Almaden Expressway.

   Note that although the County will be adding a designated westbound right-turn lane at the Almaden Expressway and Blossom Hill Road intersection, this turning-movement already operates as if a designated right-turn lane is present the majority of the time. In addition, since the free right turn will be eliminated as part of the intersection improvements at Almaden Expressway and Blossom Hill Road, vehicle delays may be longer for this particular movement in the future.

5. Appendix I of SEIR - Figure 13 on Page 36 does not match with Sheet #3 of Ruth and Going (R+G) drawing dated 5/4/2011 which was submitted for review of Almaden/Cherry proposed project mitigation, which one is correct?
6. Almaden/Hwy 85 N. Ramp should allow for concurrent left turn operation (from Best Buy and Hwy 85 NB Off-ramp)
7. Need triple left, 1 thru and 1 right turn lanes for NB 85 Off-ramp.
8. A dedicated right turn lane from the off-ramp should turn onto the 4th lane on Almaden NB (starting north of the intersection).
9. No right turn on red can be removed with this configuration (right turn allowed after stopping), which should help alleviate the queue backing up onto Hwy 85.
10. The driveway on Almaden Expressway between Cherry and NB 85 Offramp should be a right-in-only driveway.
11. Also attached are comments on the R+G drawing dated 5/4/2011.

Highway Department:

1. County is currently planning to award a construction contract for work in this area in August 2011. Developer shall coordinate with County so no impacts occur to County's construction schedule.

Thank you, for the opportunity to review and comment on this project. If you have any questions concerning the above, please contact me at (408) 573-2450.

Sincerely,

7/21/2011

David R.L. Boyd
Land Development and Permits

Attachments: Redline drawing page 3 of 4, R + G, dated 5-4-2011
Redline drawing page 4 of 4, R + G, dated 5-4-2011

File: MA, MLG, TP,RC File no. PDC10-006

5. See response No. 2 to comment letter No. 2 from the Santa Clara Valley Transportation Authority.

6. The level of service at the intersection of Almaden Expressway and SR 85 Ramps (North) would operate at Level E with an average vehicle delay of 74.6 seconds under background (existing plus approved) conditions. Since the proposed project would significantly impact the Almaden Expressway and SR 85 Ramps (North) intersection, the project would be required to mitigate the impact. Mitigation includes building a receiving lane on the expressway for right turns from the SR 85 off-ramp, which would allow for the removal of the no-right-turn-on-red restriction. With the project mitigation in place, the intersection would operate at Level E with an average vehicle delay of 69.9 seconds under background plus project conditions, which is better than that calculated under background conditions. Thus, the proposed mitigation meets the City's transportation policy and no further improvements are proposed.

   With the proposed mitigation, the lane configuration on the SR 85 northbound off-ramp would consist of one dedicated left-turn lane, one shared left-turn/through lane, and one dedicated right-turn lane. This lane geometry would not allow for concurrent eastbound and westbound left-turn movement operation due to the shared left-turn/through lane on the SR 85 northbound off-ramp. Concurrent left-turn operation of the SR 85 northbound off-ramp and the Best Buy driveway would require widening the off-ramp to add an additional lane. However, the project's proposed mitigation meets the City's transportation policy without widening the off-ramp; therefore, no further improvements are proposed. The project building envelope has been located to allow room for widening the SR 85 northbound off-ramp to Almaden Expressway in the future. The off-ramp intersection of Almaden Expressway and SR 85 (North) is not under the jurisdiction of San Jose and will require encroachment permits from both CALTRANS and the County of Santa Clara Roads and Airports Department.

7. The proposed project would only add traffic to the right-turn movement on the SR 85 northbound off-ramp. To mitigate the project impact at this intersection, the project is proposing to construct a receiving lane on northbound Almaden Expressway for right turns from the off-ramp. This would allow for the removal of the current no-right-turn-on-red restriction. With the proposed mitigation, the lane configuration on the SR 85 northbound off-ramp would consist of one dedicated left-turn lane, one shared left-turn/through lane, and one dedicated right-turn lane. The proposed mitigation would reduce the project's impact at the intersection to a less-than-significant impact. However, the off-ramp intersection of Almaden Expressway and SR 85 (North) is not under the jurisdiction of San Jose and will require encroachment permits from both CALTRANS and the County of Santa Clara Roads and Airports Department.

   Additionally, the queuing analysis contained in the traffic study shows the existing vehicle storage provided by three lanes on the SR 85 northbound off-ramp to Almaden Expressway currently is adequate to serve the existing maximum vehicle queues, and that the current configuration would continue to adequately serve the estimated maximum vehicle queues that would develop during the weekday a.m., weekday p.m., and Saturday peak hours of traffic with the addition of project-generated traffic. Therefore, the queuing analysis does not demonstrate a need for additional storage (i.e., more than three lanes) on the SR 85 northbound off-ramp.

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8. See response to comment No. 6 above.

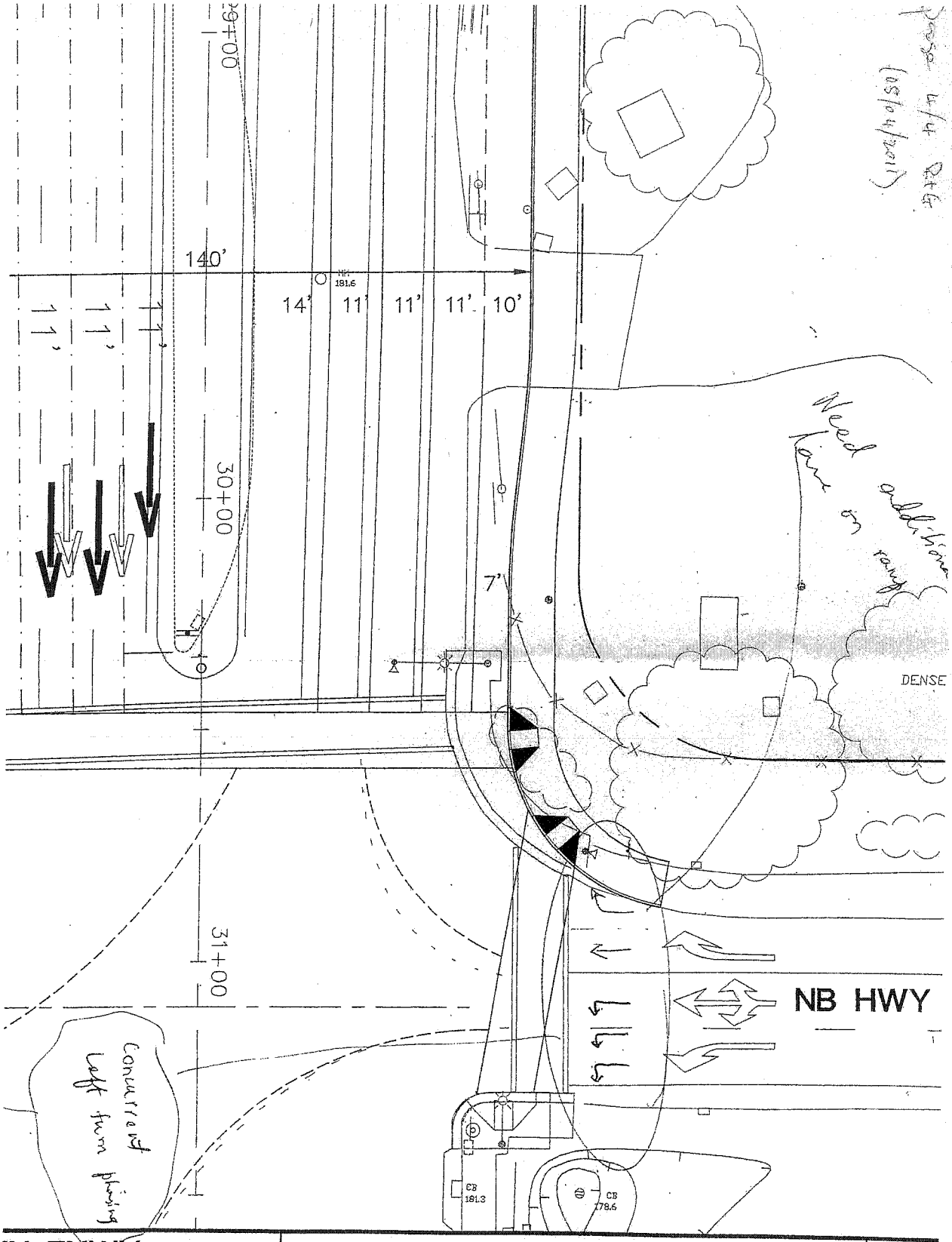
9. See response to comment No. 6 above.

10. The project proposes an inbound only driveway on Almaden Expressway located approximately midway between Cherry Avenue and the SR 85 northbound off-ramp. This driveway would be designed such that inbound vehicles would not be required to stop until they are well into the site. This design would allow inbound vehicles to flow into the site so that vehicle queues would not back up and disrupt the flow of traffic on northbound Almaden Expressway.

11. See response No. 2 to comment letter No. 2 from the Santa Clara Valley Transportation Authority.

Highway Department

1. The comment is acknowledged. The developer has been and will continue to coordinate with the County so the two projects can be integrated and no new County work will have to be removed by the project.



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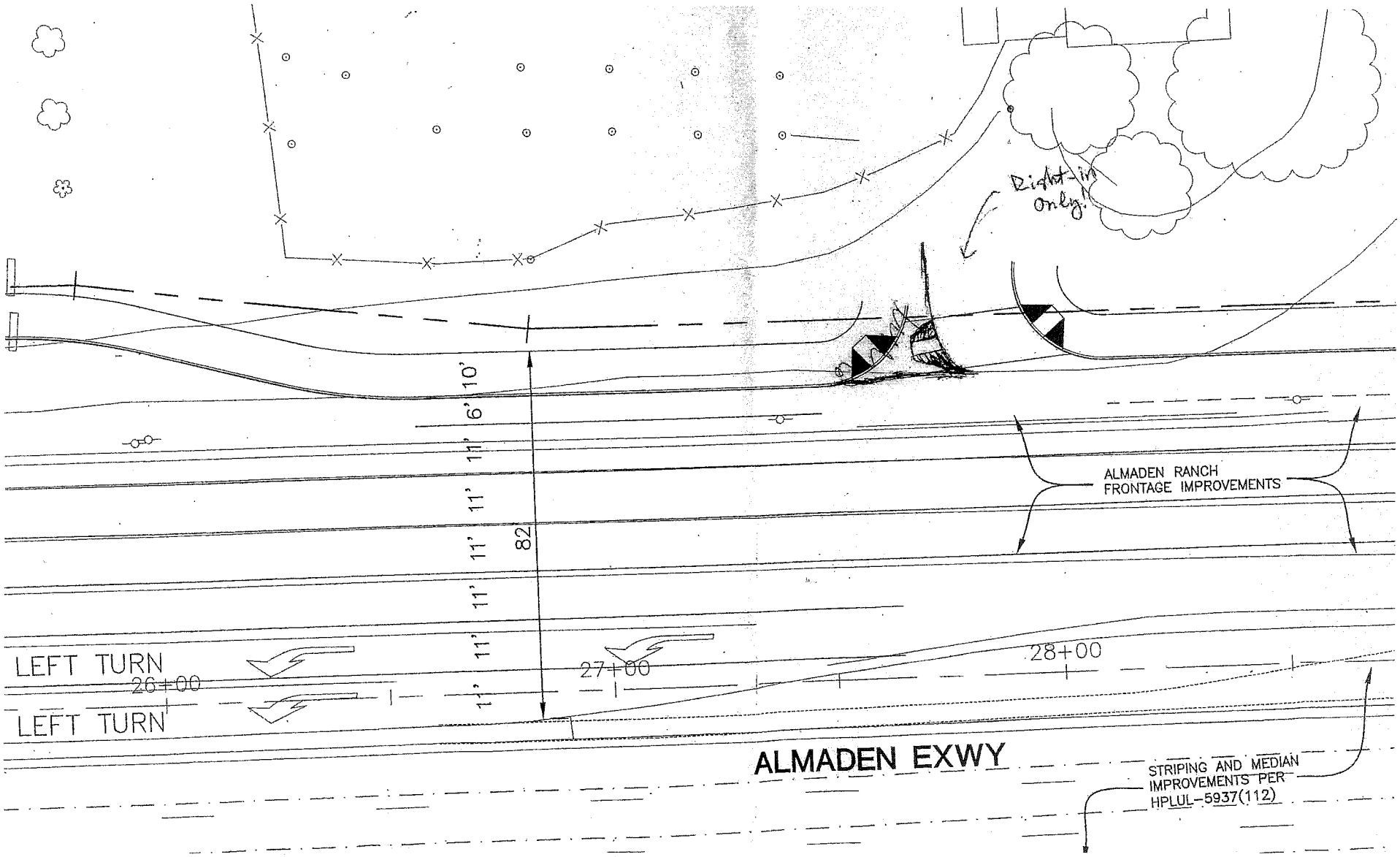
N RANCH

CALIFORNIA

ARCADIA
DEVELOPMENT CO.

RUTH AND GOING, INC.
Civil Engineering Land Surveying
Planning
2216 THE ALAMEDA SANTA CLARA, CA 95050
TEL. (408) 236-2400 FAX (408) 236-2410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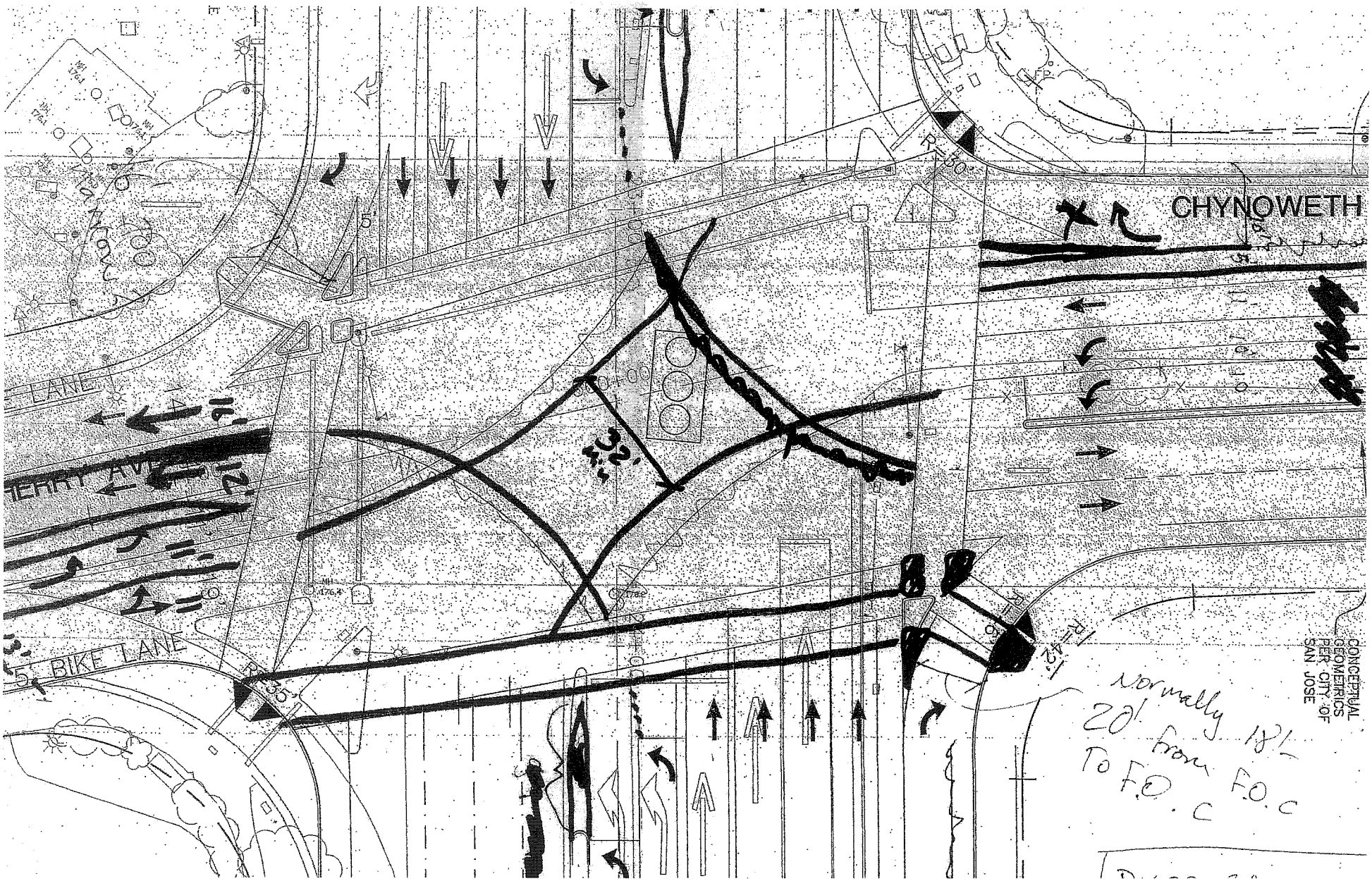
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IV. MASTER RESPONSES

This section includes master responses to address comments that were raised repeatedly on the following topics. The numbers of the letters that commented on the topics are listed in the Comment Letter Matrix. Page numbers indicated throughout this Amendment refer to the Draft SEIR.

A. **Economic Impacts**
B. **Noise**
C. **Notification**
D. **Project Description**
E. **Transportation / Traffic**

A. ECONOMIC IMPACTS

Following are the general comments that were made on economic impacts:

1. Already too much retail // Effects on existing businesses // Already empty stores

State CEQA Guidelines Section 15131, Economic and Social Effects, does not require an economic analysis as part of the environmental review process; and economic and social effects of a project are not considered significant effects on the environment.

Although it is not considered a CEQA issue, the City has studied the need for retail space. In a September 6, 2007 memorandum, the Office of Economic Development wrote:

"*In 2004, a study of spending in San Jose revealed that retail leakage to other surrounding cities represented a reduction in expected consumer expenditures by 24 percent. While this figure has eased by significant square footage increases at major San Jose shopping centers to roughly 18 percent, the Association of Bay Area Governments' projected employment and resident growth figures suggest that San Jose's under-retailing may increase without intervention. With an estimated 350,000 new residents requiring additional City services in San Jose by 2030, the potential for retail leakage rising to as much as 30 percent raises significant General Fund implications. Even at present, with total taxable retail sales of $10 billion, an 18 percent under-retailing loss represents $1.8 billion in taxable sales and $18 million in lost revenue that could be used to offset ongoing City deficits. Centers with major 'anchor' tenants generate nearly 10 times the revenue of neighborhood retail centers ($70K per acre per year versus $7.9K) and would, therefore, be more effective in addressing lost revenue.*"

B. NOISE

Following are the general comments that were made on noise:

1. Noise will increase due to project traffic on existing roadways

Data from the transportation impact analysis indicates that peak hour traffic volumes will increase by 12 percent or less due to the project, except along the proposed Cherry Avenue/ Sanchez Drive extension and along Sanchez Drive south of the site. A 12 percent increase in traffic volumes corresponds to an increase of less than 1 dBA in the Day/Night Average Sound Level (DNL). This change in DNL is virtually imperceptible.

2. Traffic on the proposed Cherry Avenue/Sanchez Drive extension and on Sanchez Drive will increase noise at nearby residences

The roadway extension will add a new source of traffic noise to residences across the Guadalupe River and increase traffic volumes along Sanchez Drive south of the site. Traffic volumes included in the Draft SEIR attribute 886 and 272 peak-hour vehicles to Cherry Avenue and Sanchez Drive, respectively, due to the project. Based on these data and measured noise levels at the site from SR 85, estimated traffic noise, in terms of DNL, will increase by 3 decibels or less at residences across the Guadalupe River and along Sanchez Drive. While this may be noticeable, the increase is generally defined as less-than-significant under CEQA.

3. The project will introduce operational noise from air conditioning, garbage pickup, and similar sources

Stationary equipment schedules have not yet been determined. In accordance with the Operational Equipment-Generated Noise mitigation on page 130 of the Draft SEIR, these will be reviewed during the PD Permit design phase to identify whether noise reduction measures are needed to meet City standards. If needed, noise reduction measures may include working with tenants to select quiet equipment, introducing rooftop barriers, or locating equipment in grade level enclosures designed to reduce noise. For reference, typical rooftop mechanical equipment generates 87 dBA at three feet. Based on the distance between the buildings and residences, it is likely that noise levels from rooftop mechanical equipment will meet the City's General Plan limits without additional mitigation

Residents across the Guadalupe River may hear noise from trash collection. While audible, trash pickup is not expected to significantly increase DNL at nearby residences. To the extent feasible, project planners should attempt to locate trash collection areas and truck paths on the south side of buildings, away from residents, during the PD Permit design phase.

The revised Conceptual Site Plan (see Text Amendments) shows a loading dock along the southwest façade of Building M6 (one of the two buildings north of the roadway extension). In this orientation, the proposed building will shield residences from loading/unloading activities. Building M5 does not have a loading dock; the driveway behind the building is for fire access.

Based on noise levels previously measured at other loading docks, the combination of distance and shielding is expected to reduce loading/unloading activity noise to the City's General Plan limits. This will be confirmed for the planned activities of specific tenants once they are selected in accordance with the Commercial Operational Noise mitigation on page 130 of the Draft SEIR.

Trucks accessing the loading dock will have a line-of-sight to residences while maneuvering into place. Trucks typically generate as much as 88 dBA at 50 feet: approximately 70 dBA or less at residences across the river. While noticeable, the duration of these events is not expected to increase DNL. If needed, scheduling and administrative controls may be implemented to restrict the hours of loading dock use.

C. NOTIFICATION

Following are the general comments that were made on notification:

1. Want to be involved in further decision making / Received no notice / Keep us informed

Representatives of the developer met with the following neighborhood organizations on the dates identified.

Erikson Neighborhood Association	January 26, 2011
VEP Community Association	February 22, 2011
Almaden Valley Community Association	March 14, 2011
Pinehurst Neighborhood Association	June 15, 2011

In addition to these meetings, a community meeting was convened by the City Planning Department on June 23, 2011 in conformance with the City Council's Public Outreach Policy. A notice of the meeting was mailed to all property owners and/or occupants within 1,000 feet of the project site. This meeting was held at the Pearl Avenue Branch Library.

The tentative Planning Commission hearing date for the project was included in the cover letter in the Draft SEIR.

Official notification for the Planning Commission and City Council meetings will be mailed to owners and/or occupants within 1,000 feet and to those who have been added to the notification list.

D. PROJECT DESCRIPTION

Following are the general comments that were made on the project description:

1. A Walmart store is planned for the site

There are no plans for a 24-hour Walmart store on the project site. Walmart is pursuing tenant improvements in the former Expo Design Center located on the west side of Almaden Expressway. They have not applied for a Conditional Use Permit necessary to be open 24 hours.

E. TRANSPORTATION / TRAFFIC

Following are the general comments that were made on transportation / traffic:

1. There is too much traffic already in the area

The Existing Levels of Service table (Table 14) on page 139 of the Draft SEIR shows that the intersection of Almaden Expressway and Blossom Hill Road is currently operating at Level of Service E. The other intersections along Almaden Expressway are operating at Level of Service D or better, which is within the standard.

Almaden Expressway is under the jurisdiction of the County of Santa Clara Roads and Airports Department. The County is currently implementing improvements along the expressway from Blossom Hill Road northerly to Branham Lane to improve traffic operations along the corridor. The County improvement project, which is fully described in the transportation impact analysis in Appendix I of the Draft SEIR, will add through lanes to Almaden Expressway in both directions at various locations between Branham Lane and Blossom Hill Road, generally resulting in 4 travel lanes in each direction. The plan also includes additional turn lanes and signal modifications to address operational problems. With the County improvements in place, the level of service at the intersection of Almaden Expressway and Blossom Hill Road is expected to improve to Level D.

The transportation impact analysis includes a background scenario that accounts for other approved development that is likely to occur in the area. The most notable background projects are re-occupancy of the vacant Expo Design Center behind Best Buy and the Vision North San Jose project. During the preparation of the Draft SEIR, Walmart filed a building permit to occupy the vacant Expo Design Center building. Traffic from this vacant retail building was included in the background traffic volumes to account for future re-occupation of the building.

As stated on page 142 of the Draft SEIR, the project would have a significant traffic impact at the intersections of Almaden Expressway and Cherry Avenue and Almaden Expressway and SR 85 (North). A significant impact is defined by the City as an increase in average delay of more than four seconds during peak hours. As shown under Mitigation Measures Included in the Project on page 151 of the Draft SEIR, the project is proposing to rebuild the Almaden Expressway and Cherry Avenue intersection to add through lanes and turn lanes on the north, south, and east legs. At the intersection of Almaden Expressway and SR 85 (North) the project would build a receiving lane on the expressway for right turns from the off-ramp, which would allow the removal of the no-right-turn-on-red restriction. With these mitigation measures, both intersections would still operate at Level E, but they would operate better than under existing plus approved (background) conditions, which is the standard for mitigation.

The level of service would remain Level D under both background and project conditions, which is better than existing conditions. This is due partly to the County expressway widening project and also due to the project's planned Sanchez Drive connection. The Cherry Avenue connection to Sanchez Drive would allow some project traffic to bypass the Almaden Expressway and Blossom Hill Road intersection. Based on the project trip distribution pattern, it is estimated that approximately 100 vehicles during the a.m. peak hour and about 300 vehicles during the p.m. peak hour would use the Sanchez Drive connection instead of using Almaden Expressway to access the project site. Some existing traffic also could bypass the intersection. Based on San Jose City Model estimates, approximately 30 vehicles during the a.m. peak hour and about 50 vehicles during the p.m. peak hour would use the Sanchez Drive connection instead of using Almaden Expressway.

2. Do not want a Chynoweth Avenue bridge bringing additional traffic into the neighborhood / Do want a Chynoweth Avenue bridge to relieve area traffic / Funding for the bridge unknown

The connection of Chynoweth Avenue to Cherry Avenue has been included in the San Jose General Plan for many years. The Draft Envision 2040 General Plan continues to include this connection as well as a second, alternate, bridge alignment at Thornwood Avenue. The bridge is not included as part of the proposed project, although the project has been configured to allow room for the bridge should it be constructed in the future.

Although the previously-approved project did include the bridge as mitigation, the transportation impact analysis for the currently proposed project shows that the project can comply with the City Level of Service Policy and mitigate all of its transportation impacts without the bridge. Therefore, the project is not proposing to contribute to or construct the bridge.

The Draft Envision 2040 General Plan continues to include a planned bridge in the area in order to improve traffic circulation, operations and level of service on the surrounding arterials.

The project does include the extension of Sanchez Drive and connection to Cherry Avenue. This connection, while not providing an additional crossing of the Guadalupe River, would provide a "back door" entrance to the site and would reduce traffic on Blossom Hill Road and at the Almaden Expressway and Blossom Hill Road intersection.

V. GENERAL PUBLIC COMMENT LETTERS AND RESPONSES

The following comment emails/letters are numbered and listed in the order they were received. All emails/letters are responded to individually, with the responses on the opposite page facing the comment page. The number preceding the response refers to the comment's numerical designation.

8.

From: Charleen Deo [mailto:charleendeo@gmail.com]
Sent: Saturday, May 21, 2011 12:19 PM
To: Moore, Janis
Subject: Almaden Ranch project

Hi Janis,

1. We live at 4749 Tonino Drive and we took some time this weekend looking out of our back yard and walking around the area. We think the Ranch will be a wonderful idea as the project points out for work and revenue. Knowing that project is a combined effort through the City, Hunter Storm and Colliers makes us excited to see the end product. I'm hoping a good yoga studio will come in.

2. Our only concern and one which we would never want to hold up the project is that of ***dust.*** I anticipate a lot of dust onto the houses in the area. I hate dust and try to keep dust out of the house. I imagine dust on windows as well. If there is any possibility of compensation for dust cleaning throughout the project and window cleaning at the end of the project and every three months during the construction phase that would be greatly appreciated.

We look forward to the day of ground breaking and wish the project every success.

Sincerely,

Charleen and Raj Singh

Homeowners of 4749 Tonino Drive

Responses to Email No. 8, **Charleen and Raj Singh**

1. The comments are acknowledged.

2. As stated on page 61 of the Draft SEIR, the project would produce short-term fugitive dust generated as a result of demolition, site preparation and construction. Dust has the potential for creating a nuisance at nearby properties, and is considered a potentially significant impact. The Bay Area Air Quality Management District (BAAQMD) threshold of significance for construction dust impacts is whether Best Management Practices (BMPs) are to be utilized. BMPs required of construction contracts and specifications for all construction to prevent visible dust emissions from leaving the site are listed under Mitigation Measures Included in the Project on page 63 of the Draft SEIR. The mitigation measures include all basic BMPs identified by the BAAQMD; implementation of the measures would reduce construction dust impacts to a less-than-significant level. Compensation for dust cleaning is not proposed as part of the project.

9.

June 28, 2011

City of San Jose
Planning Division
Attn: Janis Morris
200 East Santa Clara Street
San Jose, CA 95113

1. I live near the proposed Almaden Ranch project and I have serious concerns about this proposal. Most importantly, I'm concerned that the developer's promise not to build the previously-proposed bridge is disingenuous.

The plans seem to make it possible for the bridge to be conveniently built later, potentially by the City. I would like to see this project reconfigured to expressly prevent the future construction of any bridge.

2. I also oppose any extension of Sanchez Drive underneath Highway 85 for two reasons: 1) We do not need auto traffic running just a few feet away from the percolation ponds. Allowing that will almost certainly send polluted runoff into the ponds; and 2) Snachez Drive will become a traffic cut-through for delivery trucks and commuters who are trying to avoid the congestion of Almaden Expressway.

3. Almaden and 85 is already a densely packed mess. This project is just too large to fit comfortably in our neighborhood.

Sincerley,

Michelle Ring

Michelle Ring
4835 Tonino Dr.

Responses to Letter No. 9, **Michelle Ring**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

2. The comments are acknowledged. The project will extend Sanchez Drive northward under State Route 85 to connect with Cherry Avenue and provide additional access to the project. The Sanchez Drive connection would help relieve congestion at the Almaden Expressway and Blossom Hill Road intersection. Sanchez Drive is anticipated to carry an average daily traffic volume of approximately 2,500 vehicles, which can be accommodated by a typical two-lane street. The Sanchez Drive connection would be built to City of San Jose public street standards and also requires a CALTRANS permit for construction under SR 85.

   No storm drainage runoff from the project site or from the extension of Sanchez Drive and Cherry Avenue will go into the percolation ponds, either from overland flow or in storm drainage lines. All storm drainage runoff from the site will be collected in the HMP basin and ultimately discharged to the existing 120-inch diameter City of San Jose storm drainage line running along the easterly edge of the project site. This storm drainage line ultimately discharges directly into the Guadalupe River on the north side of the Water District's percolation ponds. Prior to project drainage being collected in the HMP basin, storm drainage runoff from the site will be treated in accordance with the requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Stormwater NPDES Permit (MRP) as described in section III. J. Hydrology and Water Quality on pages 114 to 122.

3. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

10.

June 28, 2011

City of San Jose
Planning Division
Attn: Janis Morris
200 East Santa Clara Street
San Jose, CA 95113

Dear Director Morris:

1. While I don't usually write to our cities leaders, I wanted to let you know of a major concern I have with the proposed Almaden Ranch Retail Center EIR PDC 10-006. My understanding is that the developer has eliminated the residential portion of this development. Furthermore, it was stated that this will not conflict with the Bay Area 2010(Clean Air Plan). It seems that if you cut out the residential component of the development you will generate much more traffic and assure the project of more car trips to the area. I am writing to ask that you investigate the claim that this project will not conflict with the CAP.

2. The developer has not indicated what type of tenant will occupy the anchor big box space, but a proposed big box store in our neighborhood would be a regional draw greatly increase the amount of traffic on our already congested roadways and I hope you will not support this unwanted change.

3. The development plan is not consistent with the high density residential portion of the San Jose General Plan. The developer is reported as saying that since there are currently more residents than jobs it would be reasonable to eliminate the residential zoned portion of this site. What jobs is this big box creating that wouldn't allow workers to buy in the neighborhood they work? Please pay attention to the secure bike parking listed in this development. If you eliminate the residential component of this development, you have a difficult time biking to the development. This is not a smart growth project and looks to be another thoughtless commercial big box store which will create numerous problems in our neighborhood.

4. I urge you to increase the scope of the traffic study to include more detailed biking analysis and how the reduction of the residential portion is in accordance with the San Jose 2020 General Plan.

Respectfully,

KAI CHUNG
4943 TONINO DR
SAN JOSE CA 95136

Responses to Letter No. 10, **Kai Chung**

1. The comments are acknowledged. General commercial use will generate more trips than high density residential; however, the current zoning does not require residential. The project site could be developed with up to 350,000 square feet of commercial use with no residential use. As stated in section II. A. Bay Area 2010 Clean Air Plan on page 22 of the Draft SEIR, the project would not cause changes to local population projections or regional changes in vehicle use and would not conflict with the Clean Air Plan.

2. The comment is acknowledged. Specific tenants are not required to be identified as part of the PD Zoning process; and according to the developer, no leases have been signed at this stage.

3. The comment is acknowledged. As stated in section III. K. Land Use and Planning on pages 123 through 125 of the Draft SEIR, the project is not consistent with the high density residential portion of the current General Plan; however, it does conform to the City's future direction as expressed in various outreach documents prepared by the General Plan Update Team and, therefore, staff considers the proposed land use as consistent with the Economic Development Major Strategy and Commercial Land Use Policies and with the future Regional Commercial land use designation of the site. With regard to secure bike parking, the Development Standards that are contained in the proposed zoning include a requirement to provide bicycle parking as identified in Title 20, Table 20-190 of the City Zoning Code, as amended.

4. The comment is acknowledged. Biking analysis is not a part of the standard scope for a project Transportation Impact Analysis.

11.

June 30, 2012

City of San Jose, Planning Division
Attn: Janis Morris
City Hall
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113-1905

Re: Almaden Ranch Retail Center EIR PDC 10-006

Dear Ms. Morris:

1. I am writing to express concern with the proposed Almaden Ranch Retail Center. The impact on traffic in the local area will result in congestion and safety issues if approved.

As someone who lives near the site, I use the Highway 85 to access Almaden Expressway and Branham Lane. Everyone can attest to how the traffic already backs onto the expressway during rush hour.

2. Now, imagine a 400,000 square foot regional power center located at the bottom of the exit ramp. How will people access Almaden Expressway and enter the shopping center at the same time? This is a recipe for multiple accidents.

3. I do not believe the Draft Environmental Impact Review adequately addresses the traffic impacts. The report indicates that only four intersections were studied (pg. 27 Santa Clara County Congestion Management Program). I believe they should have studied additional intersections and roadways that would be impacted.

Please consider an expanded traffic impact study because this area really cannot handle this influx of new retail.

Respectfully Submitted,

JOSEPH SHAHEEN
4817 TONINO DR
SAN JOSE, CA. 95136

Responses to Letter No. 11, **Joseph Shaheen**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comment is acknowledged. Access to the project site would be provided via Almaden Expressway, Cherry Avenue and Sanchez Drive. The project proposes one inbound-only driveway on Almaden Expressway. As stated on page 147 of the Draft SEIR, inbound access from northbound Almaden Expressway would create a weaving area of about 300 feet between the SR 85 northbound off-ramp and the project driveway on Almaden Expressway. Some vehicles traveling northbound on Almaden Expressway and turning into the site would need to merge to the right, while some of the vehicles entering Almaden Expressway from the SR 85 off-ramp may simultaneously merge onto northbound Almaden Expressway. Because vehicles entering the site from northbound Almaden Expressway would be slowing down at the same time vehicles entering Almaden Expressway from the SR 85 off-ramp would be accelerating, it is estimated that the vehicle speeds at the start of the weaving area would be relatively equal. Therefore, it is estimated that a 300-foot weaving section would be adequate to serve the projected inbound vehicle trips at the Almaden driveway, and no significant operational problems are expected to occur.

3. The comment is acknowledged. The transportation impact analysis was conducted for the purpose of identifying potential traffic impacts related to the proposed project. The impacts of the project were evaluated following the standards and methodologies set forth by the City of San Jose and the Santa Clara Valley Transportation Authority (VTA) Congestion Management Program (CMP). The traffic analysis is based on peak hour levels of service for 7 signalized intersections and 5 freeway segments in the project area.

   Project-generated trips to and from the project site were assigned to individual intersections according to the trip distribution pattern, which is based on existing traffic patterns. Once these trips are a certain distance from the site (i.e., north of Branham Lane and south of Blossom Hill Road, or approximately one-half mile north or south of the project site), they become dispersed and represent only a very small percentage of traffic on the roadway network. At a certain distance from the site, the number of project trips becomes so small and dispersed that their impacts become negligible. This is the point that determines the study area boundaries. The list of study intersections and freeway segments was determined based on this process.

   The analysis of intersection level of service was supplemented with an evaluation of vehicle queuing (length or number of vehicles) for individual high demand turn movements at the studied intersections. Vehicle queuing on the SR 85 off-ramps also was evaluated. Lastly, an analysis of metered freeway on-ramps providing access to SR 85 from the project site was performed to identify the effect of the addition of project traffic on the vehicle queues at the metered ramps.

12.

June 30, 2011

City of San Jose
Planning Division
Attn: Janis Morris
200 East Santa Clara Street
San Jose, CA 95113

Ms. Morris,

I'm writing to ask some important questions of the planning staff and developer of the proposed Almaden Ranch project. I hope that the Final version of the EIR will directly address these questions:

1) Though the previously proposed bridge is not included in the current plan, why is the developer planning to orient their project to make the bridge idea workable in the future? Does the City intend to build the bridge at a later date?
2) Does the City intend to allow this shopping center to operate on a 24-hour basis? If so, what private security measures will the developer provide considering that San Jose's Police force was just forced to lay off 100 officers?
3) How will the City prevent serious additional traffic stacking at the northbound off-ramp for Highway 85? The stacking is already a serious problem, however the new shopping center will likely cause more build-up starting at Cherry-Chenowyth that will need to be mitigated in order to avoid creating a massive problem on 85.
4) In the immediate vicinity there are already a large number of big box stores, shopping centers, and empty boxes which have sat empty for a significant period of time. We have Oakridge Mall, Almaden Plaza, and the entirety of Blossom Hill Road from Almaden to Santa Teresa is almost entirely retail-oriented. We also have the empty former Home Depot Expo, the empty former Ross, empty Borders at Oakridge, and a number of additional empty smaller retail sites in the immediate area. We already have and urban decay problem – how can this project possibly be built without causing more urban decay? If there any evidence that the Cambrian-Almaden is demanding more retail when clearly our ability to occupy what is already built cannot be occupied at this time.

Thank you in advance for your answers.

Sincerely,

Carolyn Richards

Responses to Letter No. 12, **Carolyn Richards**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

2. The comment is acknowledged. The proposed zoning does permit 24-hour businesses. No private security measures are planned.

3. The comment is acknowledged. Since the project would not add any traffic to the northbound through movement on Almaden Expressway, the project would not increase vehicle queuing on northbound Almaden Expressway at Cherry Avenue. In fact, with the proposed Sanchez Drive connection, the project would reduce the number of vehicles traveling northbound through the Almaden Expressway and Cherry Avenue intersection since some existing traffic would use Sanchez Drive to bypass Almaden Expressway between Cherry Avenue and Blossom Hill Road. See also response No. 1 to comment letter No. 3b from the State Department of Transportation.

4. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

13.

July 1st, 2011

City of San Jose

Planning Division

Attn: Janis Morris

200 East Santa Clara Street

San Jose, CA 95113

CC: Councilmember Nancy Pyle

Ms. Morris,

1. I would like to address the Draft EIR for the Almaden Ranch project. The EIR document it is clearly full of holes and inconsistencies. For starters if you look at page 47 where it refers to the Bay Area 2010 (Clean Air Plan) The developer says the project will not conflict with CAP. I think there is a case to be made that cutting out the residential component of the project will assure more car trips in the area in the long run. A lot of time and effort was put into creating CAP so smart growth would be implemented for projects such as this. It is not acceptable that Arcadia is trying to utilize the economy to argue for bad planning. Also the fact that the developer has not indicated what tenant will occupy the anchor big box space. If the tenant is a regional draw then this project will absolutely change regional vehicle use. On Page 53 there is even discussion of the site being designated regional commercial in the San Jose 2040 General Plan. Please do more study on the regional impacts of the different potential big box stores will have on the regional vehicular traffic.

Thanks

Donald S Gifford SV
963 Chynoweth av
SJ Ca 95136

Responses to Letter No. 13, **Donald S. Jefford, Sr.**

1. The comments are acknowledged. The Bay Area 2010 Clean Air Plan is discussed on page 22 of the Draft SEIR, not page 47 as cited. See response Nos. 1 and 2 to comment letter No. 10 from Kai Chung.

14.

City of San Jose
Planning Division
Attn: Janis Morris
200 East Santa Clara Street
San Jose, CA 95113

Please CC: Councilmember Nancy Pyle

Date: 7/1/11

Almaden Ranch project Draft EIR

1. I live near the proposed Almaden Ranch project and believe that the EIR should address more than just four intersections. There needs to be more comprehensive analysis of the traffic impacts on the area. 400,000 SF of development will have a long term impact on the whole community. When the cinemas were built several years back there was a notable increase in traffic on the residentially streets. There is no reason to believe this project would be any different. Please conduct a more comprehensive traffic study

Thank you

Charlotte Jolford 7

Responses to Letter No. 14, **Charlotte Jefford**

1. The comments are acknowledged. See response No. 3 to comment letter No. 11 from Joseph Shaheen. Also see IV. Master Responses, E. Transportation / Traffic, No. 1.

15.

From: thomas shapiro [mailto:cirujano1941@gmail.com]
Sent: Saturday, July 02, 2011 2:01 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: New Mall at Almaden EXPY and 85

1. Almaden expressway is the only convenient route in or out of south Almaden Valley. South of Redmond, it is a 2 lane city street with un-synchronized traffic signals. From the day it opened, the 85 freeway acess to Almaden Expressway has been inadequate. On holidays and during commute rush hour the access ramps currently can not accommodate the traffic. Currently there are 4 shopping centers within a half mile of almaden expressway/hwy 85. To add another is insanity. Even if new access ramps to highway 85 were constructed , the impact of another shopping center on the traffic on almaden expressway will be greater than the street itself can manage. If this shopping center is to be constructed , Almaden Expressway must be redesigned as three lanes each way from Harry Road to Blossom Hill Road with dedicated left turn arrow lanes at traffic signals and computer synchronized lights. If the current farmland extending from Branham to highway 85 is to be converted to commercial shopping then construct the access to it from the Santa Teresa exit of highway 85.

thomas shapiro
cirujano1941@gmail.com

Responses to Email No. 15, **Thomas Shapiro**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. See also response No. 3 to comment letter No. 11 from Joseph Shaheen.

16.

From: Thomas Grinnell [mailto:thomgr@earthlink.net]
Sent: Saturday, July 02, 2011 3:03 PM
To: Moore, Janis
Subject: Stop the Arcadia development project

1. I hope the rumors that Arcadia Development wants to put a 400k square foot big box Walmart SuperCenter at the Expressway / 85 intersection are untrue. That intersection at rush hour is a nightmare now. The roads in that area will not be able to handle the additional traffic at all hours of the day. It will also hurt existing businesses because that area will be one to be avoided. Say NO to the developer's permit requests.

Thomas and Dora Grinnell
1391 Via de los Reyes
San Jose, CA 95120

Responses to Email No. 16, **Thomas and Dora Grinnell**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description No. 1 and A. Economic Impacts, No. 1.

17.

From: Horace [mailto:yes57@sbcglobal.net]
Sent: Saturday, July 02, 2011 5:13 PM
To: Moore, Janis
Cc: district10@sanjose.gov
Subject: Almaden Ranch

Dear Council Members,

1. I oppose the additional proposed development on the east side of the Almaden Expressway north of Highway 85. This opposition is based upon the traffic congestion at two intersections. The first is the intersection of Almaden and Blossom Hill and the second is the intersection of Almaden and highway 85.

The intersection of Almaden and Blossom Hill has a high amount of traffic due to Costco, Whole Foods, and Almaden Plaza shopping center. Additional development in the area will only further increase traffic.

I commute up the Almaden Expressway. The merging of traffic from Almaden headed north onto 85 headed east or west is already very congested.

Thank you for your consideration of my objections.

Horace Hines
962 Foxswallow Ct.
San Jose, CA 95120

Responses to Email No. 17, **Horace Hines**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

18.

From: Larry Flammer [mailto:flammer4@gmail.com]
Sent: Saturday, July 02, 2011 5:35 PM
To: Moore, Janis
Subject: Stop Arcadia Development from building at Almaden and 85

1. We understand that the Planning Department is considering Arcadia Development's plans for building a large big-box mall at Almaden Expressway and Hiway 85 - and that their secret is to build a 24-Hour WalMart SuperCenter there!

This would mean much heavier traffic on Almaden Expressway, polluted water runoff into the percolation ponds nearby, dangerous new bridge and road extensions, 24 hours of noise, trash and headaches for nearby homes, and very likely increased crime rates in the area as well.

In addition, WalMart has the despicable reputation for discriminating against women employees, paying very low wages with minimal or no benefits, and being non-union, so they can charge lower prices and thereby compete unfairly against the other retailers in their vicinity. We don't need a disease like that in our neighborhhod!

For all those reasons, WE DO NOT WANT A WalMart SuperCenter there!

Please do all you can stop Arcadia Development from getting approval to their plans - especially for their sneaky ways of doing business.

How about putting in a park - or maybe even a little fruit orchard, or a community vegetable garden that can people can share. We know that the city needs more revenue - but PLEASE - NOT AT THE EXPENSE of community well-being.

Larry & Sally Flammer
6388 Tamalpais Ave.
San Jose, CA 95120
408-268-3657
flammer4@gmail.com

Responses to Email No. 18, **Larry and Sally Flammer**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 2 to comment letter No. 9 from Michelle Ring; and response No. 2 to comment letter No. 37 from Caroline V. Garbarino.

19.

From: shane kubo [mailto:stk75@hotmail.com]
Sent: Saturday, July 02, 2011 7:01 PM
To: Moore, Janis; district9@sanjose.gov; district10@sanjose.gov
Subject: Arcadia Development

1. As a resident who has lived right by Almaden Expressway and Highway 85 for over 8 years, I am upset to hear that the city is going to allow another big box mall at that location. The traffic is already so bad in that area with Costco, Best Buy, Classic carwash, Safeway, etc. The traffic getting off of Highway 85 gets so backed up that I have routinely had to wait for 5 cycles for the signal lights to exit southbound Hwy 85 to get onto northbound Almaden Exp. From northbound Hwy 85 the traffic gets so backed up because you cannot make a right turn on a red light that cars will come to a complete stop on the highway even before reaching the exit. This is a huge safety issue where one day someone is going to get rammed from behind because traffic is completely stopped on the highway. The planning for the Best Buy location was so poor that SJPD has to have officers out directing traffic all the time.

2. Why does the city wants to put another big box mall just across the street? The city is supposed to be so bad off financially that 60 police officers had to be laid off. Who is going to pay for all the road construction, pick up all of the extra trash and enforce the law in the area? If Arcadia plans to build a 24 hour Walmart, that is about the worst situation possible. We will have 24 hours of bad traffic and more crime in an area where the crime is getting worse every year. There have been more robberies, thefts and vandalism in our neighborhood and bringing a 24 hours business will not help things. This will also just provide another location for more people to panhandle and bring even more homeless to the area. As a neighborhood resident and registered voter, I hope that the city will reconsider allowing Walmart to build here.

Shane Kubo

Responses to Email No. 19, **Shane Kubo**

1. The project is required to make intersection improvements to mitigate significant project impacts. At the intersection of Almaden Expressway and SR 85 (North), the project would build a receiving lane on the expressway for right turns from the off-ramp. This would allow the removal of the no-right-turn-on-red restriction. In addition, the County has a fully funded improvement plan to address the operational problems along Almaden Expressway from Branham Lane to Blossom Hill Road. As part of the plan, an eastbound left-turn lane will be constructed to allow left turns onto northbound Almaden Expressway from the Best Buy driveway. This will improve traffic operations at the Best Buy driveway.

2. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

20.

From: Mauro/Karen Torres [mailto:tor3p@sbcglobal.net]
Sent: Saturday, July 02, 2011 7:16 PM
To: Moore, Janis
Subject: Environmental Impact - Almaden Expressway & Highway 85

Dear Ms. Moore,

It has come to our attention that there are plans to build ANOTHER large retail center on the land at Almaden Expressway & Highway 85. WE ARE AGAINST THIS! The area is entirely too congested already. Please consider the following:

1) TRAFFIC CONGESTION - The highway off-ramps can back-up dangerously already. Even with well-timed lights, the commute traffic through the Almaden Expressway corridor is horrendous. When the nearby Best Buy and former Expo Design Center went in, they created a ridiculous traffic nightmare; even with the Expo building now vacated, a police officer is required on weekends to direct traffic through the light.

2) RETAIL CONGESTION - There are already enough "big store" shopping choices in the immediate vicinity: Costco, Best Buy, Bed Bath & Beyond, Bye-Bye Baby, Safeway, Whole Foods, TJ Maxx, Marshalls, etc. More retail will just negatively impact existing businesses; there is not enough consumer need in the immediate area to warrant another store(s).

3) POLLUTION - The percolation ponds are over-stressed already with run-off from existing over-development in the area.

4) A 24-hour Super Store was already tried on Story Rd with negative results. Let's not do this again!

Please consider another community-friendly and environmentally-friendly use for this land; Almaden deserves a better option than more retail & traffic!!!

Sincerely,
Karen and Mauro Torres
1517 Foster Ct.
San Jose, CA 95120

Responses to Email No. 20, **Karen and Mauro Torres**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

3. The comment is acknowledged. See response No. 2 to comment letter No. 9 from Michelle Ring.

4. The comment is acknowledged.

21.

From: Harold Clay [mailto:4clays_hrc@comcast.net]
Sent: Saturday, July 02, 2011 9:08 PM
To: Moore, Janis
Cc: Office of Councilmember Nancy Pyle
Subject: Impact Concerns on Almaden Ranch Retail Center SEIR, PDC 10-006

Hello Ms. Moore,

I am a resident of District 10 and live near the Almaden/SR 85 intersection. I just made a quick review of the Almaden Ranch Retail Center Project SEIR, PDC 10-006 and I would object to approving the SEIR at this time for the following reasons:

1. The mitigation of the project's traffic impact is based on approval and timely funding by Santa Clara County and the State. I would assume that both of these agencies would not have funding to cover this project considering their current financial condition.

2. What was the basis for determining the additional traffic caused by the Almaden Ranch Project?

3. The SEIR was evaluated against the SJ2020, but was not evaluated against the Envision 2040 General Plan Update that is currently in process. Some of the fundamental objectives of the 2040 Plan may not be consistent with the Project's plans.

4. The rationale for approving the SEIR based on the "Significant Unavoidable Environmental Impacts" section is not convincing.

5. The rationale for approving the SEIR based on the "Cumulative Impacts" section, particularly on air quality and greenhouse gas emission, is not convincing.

Regards,

Harold Clay

408-821-4873

Responses to Email No. 21, **Harold Clay**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. Trips generated by any new development can be estimated based on counts of existing development of the same land use type. The City of San Jose has used count data of existing development that has been collected over the years to derive a list of trip generation rates for the most common land uses. The trip generation rates that have been developed can be applied to new development within the City to help predict future traffic increases that would result from the new development. These rates are detailed in the San Jose Impact Analysis Handbook, August 2008. Accordingly, trip generation resulting from new development proposed within the City of San Jose typically is estimated by multiplying the City's established trip generation rates by the size of the development. The project trip generation estimates are described in detail in the transportation impact analysis in Appendix I of the Draft SEIR.

3. The comment is acknowledged. The project is required to be evaluated against the current San Jose 2020 General Plan, as the Draft Envision 2040 plan has not been adopted.

4. The comment is acknowledged. Because the project has significant unavoidable impacts, the CEQA Findings Resolution that the City Council must adopt if they approve the project will include a Statement of Overriding Considerations explaining why the project is approved.

5. The comment is acknowledged. Because the cumulative air quality and greenhouse gas impacts are significant unavoidable impacts, the CEQA Findings Resolution that the City Council must adopt if they approve the project will include a Statement of Overriding Considerations explaining why the project is approved.

22.

From: Key, Ted [mailto:Tkey@ndsj.org]
Sent: Sunday, July 03, 2011 1:25 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch

1. I must strongly voice my opposition to a big box mall and particularly a WALLMART being built in this location. As a 25 year resident I have witnessed the traffic become horrendous in that area. ENOUGH IS ENOUGH. Also the environmental impact must be considered with the percolation pond right next door.

WALLMART are you kidding? One of THE WORST corporate citizens in the world.

I'm only one voter but I ALWAYS vote. I speak to many people in my Church and School and I can assure you I will be watching your position on this matter very closely.
Please vote NO to this planning and permitting.

Thank You:

Ted Key
1271 Bryan Ave
San Jose CA 95118

Responses to Email No. 22, **Ted Key**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 2 to comment letter No. 9 from Michelle Ring.

23.

From: karen grondzik [mailto:kgrondzik@sbcglobal.net]
Sent: Sunday, July 03, 2011 2:01 PM
To: Moore, Janis
Subject: development at almadenexpwy and 85

1. Planning Dept. and council members, How to begin to deal with the ignorance/greed of this proposal! Almaden expwy and 85 are already horrific traffic jam areas as well as Blossom Hill and Almaden Expwy. The off ramp at Almaden Expwy. and 85 southbound, is also a nightmare to navigate, requiring lots of us just have to avoid it altogether. AlmadenExpwy/85 on many weekends, especially during holidays has to have SJ police direct traffic. In case you're not current on the news, 69 police were laid off on July 1. The lights are poorly synchronized and need to be updated and no money! Why would anyone in their right mind consent to a pig n a poke agreement with any developer unless there's perks somewhere? We as taxpayers and home owners are bearing the brunt and daily hassles of poor planning on our expressway. **Come on you guys,** a Walmart in Almaden. **ABSOLUTELY NO WAY1** What a disservice this would be to our existing retailers who provide quality products not **CRAP from China.** Is there a walmart in Los Gatos or Woodside? We're shocked that you're even considering this...Is the revenue from this development worth trashing our neighborhood? Where is the concern for the people who have to deal with these issues on a daily basis? **JUST SAY NO1**

Ron and Karen Okumura

Responses to Email No. 23, **Ron and Karen Okumura**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1; D. Project Description, No. 1; and A. Economic Impacts, No. 1.

24.

From: WeinsteinN@aol.com [mailto:WeinsteinN@aol.com]
Sent: Sunday, July 03, 2011 2:07 PM
To: Office of Councilmember Nancy Pyle; Moore, Janis
Subject: Almaden Ranch

1. I recently read an article in the Business Journal re: this proposed development at the corner of Almaden Expressway and Chynoweth/Rte 85.

The last thing we need at this location is more traffic and more retail. The entire Almaden Expwy/Blossom Hill area is already a traffic nightmare -- even with the former Home Expo site being empty most of the time.

Please give this due consideration before approving any retail projects in this area.

Thanks,

Neal

Neal Weinstein
1135 Valley Quail Circle, San Jose, 95120
weinsteinn@aol.com
408-209-5142

Responses to Email No. 24, **Neal Weinstein**

1. The comment is acknowledged. See IV. Master Responses, A. Economic Impacts No. 1 and E. Transportation / Traffic, No. 1.

25

From: Audrey Barr [mailto:audray3@att.net]
Sent: Sunday, July 03, 2011 3:23 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Cc: audray3@att.net
Subject: Stop Almaden Ranch

To: Janis Moore, Planning Dept., Don Rocha, Councilmember, Nancy Pyle, Councilmember

From: Raymond Ruhland and Audrey Barr

1. We understand that Arcadia Development wants to build a new 40,000 sq. ft. big box mall at Almaden Expressway and Hwy. 85. We believe the traffic generated by such a mall would impact Almaden Expressway and cause a great deal of congestion from at least Branham Lane to beyond Blossom Hill Rd. even more than it is already. Even now, very long lines of traffic are waiting to enter Almaden from Cherry, to exit Best Buy and to enter Hwy. 85 north and south. We already have the problem nearby of exiting Branham Lane going south where often the cars are lined up in the right hand lane of Almaden Exp. waiting to enter the Robertsville car wash. Pulling around these cars into the middle lane on Almaden is a driving hazard.

2. Such a development would have a negative effect on the stores in that immediate area. The Walmart store on Monterey Rd. is less than 15 min. from the intersection of Cherry Ave. and Almaden Exp. We do not need another large, retail business such as Walmart in this area with exit and entry to Hwy. 85 opposite the proposed mall. A 24-hr. supermarket means more noise during night hours with the unloading of big trucks.

3. The amount of car traffic is heavy right now. We don't need any more traffic with noise and fume pollution in an already congested area.

4. The wait at the signal at Branham Lane and Almaden Exp. is around five minutes. This whole area is jammed with cars, and often drivers will take the long way to the Oakridge Shopping Center down Branham and onto Pearl Ave. Such a big box mall in this area will attract cars from all over South San Jose, including Cambrian Park, Almaden Valley and Willow Glen neighborhoods, and the traffic would be unmanageable.

5. If this plan comes to the San Jose Council, please vote "NO."

Responses to Email No. 25, **Raymond Ruhland and Audrey Barr**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts No. 1 and D. Project Description, No. 1.

3. The comment is acknowledged.

4. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

5. The comment is acknowledged.

26.

From: kathleen thorne [mailto:kcdt@earthlink.net]
Sent: Sunday, July 03, 2011 8:47 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: almaden ranch/arcadia

1. Let me add my concern to the list of names imploring you to not allow a 24-hour Walmart to locate at Almaden and 85. That is already one of the busiest intersections in the city. Traffic coming off 85 would back up onto the freeway, causing very dangerous situations. There is a huge empty "big box" store right across the street, which has been vacant for several years. I believe that a good deal more information needs to be provided before approval is given to develop a new site at that intersection.

kathleen thorne
1263 Crossgates Lane
San Jose Ca 95120
408-268-4888

While we try to teach our children all about life, our children teach us what life is all about. ~ Angela Schwindt

Responses to Email No. 26, **Kathleen Thorne**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1 and E. Transportation / Traffic, No. 1.

27.

From: Fran McGinnis [mailto:fran.mcginnis@sbcglobal.net]
Sent: Sunday, July 03, 2011 12:18 AM
To: Moore, Janis
Cc: District9; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch

Hello Janis:

1. I received a card about the new Almaden Ranch shopping center on the corner of Cherry and Almaden Expressway. It is true that they did not disclose to us who the tenants were going to be, they did say one store was described as Home Improvement store and that a gym was moving in across the street on Cherry. But I didn't feel that they were hiding the tenants on purpose.

2. BUT we do have an issue with a store such as a Walmart that will attract a surplus of shoppers especially if it is open 24 hours. We don't need something like that in such a small area, from what I understand Mrs. Jacomazzi the original owner would not sell her land because of what she knew those big stores would not be good for this area. Then it got done anyway! Not only did we get Best Buy, but then they let that overpriced Home Improvement store move in behind it A policeman had to be there every weekend to handle the traffic. Any type of store like Walmart could cause a policeman to be stationed there around the clock 7 days a week, is that cost effective? Turn that area into a park.

3. The streets here are overcrowded, the traffic horrendous and it makes it especially difficult for pedestrians. It is faster at certain times to walk to Safeway and walk to Almaden shopping center from Cherry. There are no fences on Almaden under the 85 overpass on to keep cars from hitting the pedestrians that must use it to get back to Cherry. The traffic here is so bad and so confusing because this area was not developed to carry the amount of traffic that it carries. There was an orchard all up and down where Cherry is now and where all those apartments were built on Cherry and Russo. After Russo was built the street went through to the shopping center but for some reason no bridge for Russo on 85 was constructed for cars and pedestrians to get to the Almaden shopping center. The pedestrian crossing that is there doesn't go anywhere, it goes into the neighborhood? Why? One has to go two blocks to get to the shopping center. We have two senior citizen apartment complexes, disabled people and young families with children and strollers, and only dangerous areas to use for walking to Safeway and Almaden shopping center more attention needs to paid to the needs of the pedestrians

4. No plans must have ever existed to have Cherry and Chenoyweth to meet and go down to Pearl Avenue and to Snell which would have made sense because then there would some relief to Blossom Hill Rd (another nightmare) .

5. My Dad said that 85 was supposed to be built in 1963, didn't anyone bother to make expansion plans for this area? Especially if there were to be exits built coming onto and coming off 85?

Responses to Email No. 27, **Fran McGinnis**

1. The comment is acknowledged. See response No. 2 to comment letter No. 10 from Kai Chung.

2. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

3. The comments are acknowledged. As stated on page 144 of the Draft SEIR, project-generated pedestrian traffic primarily would come from employees and patrons of the proposed development walking to and from the neighborhoods on the west side of Almaden Expressway via Cherry Avenue, as well as bus stops on Almaden Expressway. Standard crosswalks with ADA compliant pedestrian signal heads and curb cuts are located at the Almaden Expressway and Cherry Avenue intersection. Most of the roadways in the vicinity of the project site have sidewalks on both sides of the street. The streets fronting the project site – Almaden Expressway and Cherry Avenue – do not have sidewalks adjacent to the site; as a result, crosswalks are present on the north and west approaches of the Almaden Expressway and Cherry Avenue intersection only. As part of the funded County Almaden Expressway Plan, the southwest corner free-running right-turn lane will be eliminated to construct a pedestrian friendly square corner for operational benefit. In addition, the project would provide crosswalks on all legs of the intersection and construct sidewalks along the project frontages on Almaden Expressway and Cherry Avenue. The project also would connect the existing sidewalk on Sanchez Drive to the project frontage to the north. Thus, the ultimate network of sidewalks in the immediate vicinity of the project site would provide good connectivity between the site and other points of interest, and would serve the anticipated pedestrian demand generated by the project.

4. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

5. The comment is acknowledged. See response No. 1 to comment letter No. 6 from the Erikson Neighborhood Association and VEP Community Association.

28.

RECEIVED
JUL 06 2011
CITY OF SAN JOSE
PLANNING DEPARTMENT

Rosemary Dominguez
4052 Cherry Ave.
San Jose, California 95118

7-3-11

Mr Moore

1. I would like to register my strong opposition to the Arcadia Development plan at Almaden Expy and Hwy 85. I strongly object to a 24 hour WalMart Super Center at this location. The traffic congestion on Almaden in this area is already a nightmare!

I have lived at this address on Cherry Ave for 40 years and can only imagine the negative impact on this community from this development. Please try & keep this from happening

Sincerely yours
Rosemary Dominguez

Responses to Letter No. 28, **Rosemary Dominguez**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1 and E. Transportation / Traffic, No. 1.

29.

From: DiNapoli, Joe [mailto:joe.dinapoli@hp.com]
Sent: Monday, July 04, 2011 7:25 AM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch Retail Development

1. I disapprove the Almaden Ranch Retail Development plan for Big Box retail. There are already big box stores near this location. There are empty retail buildings in the neighborhood.

2. Traffic on and off Highway 85 and up and down Almaden Expwy near the location of the proposed site is a mess, this will make things worse.

3. There are numerous malls and shopping centers already in the neighborhood. San Jose is a city of strip malls and large retail malls, it is no longer a city of neighborhoods.

I strongly disapprove this development plan.

Regards,
Joe DiNapoli
1370 Lansing Ave.
San Jose, CA. 95118

Responses to Email No. 29, **Joe DiNapoli**

1. The comment is acknowledged.

2. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

3. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

30.

From: Pat Blevins [mailto:seaglass103@sbcglobal.net]
Sent: Monday, July 04, 2011 8:21 AM
To: Moore, Janis
Subject: NO "almaden ranch " super center

Dear Ms. Moore,

1. I live at 1248 Bryan Avenue, San Jose. For too many years the stretch of Almaden Expressway from Branham Lane to Blossom Hill has been impossible to use most times of the day and days of the week. Too many stores, too many signal lights and too much traffic. Now I understand there is thought to allowing a new shopping center with a 24 hour Walmart super center to fill the small open space next to the Safeway shopping center at Cherry and across from the Expressway from Robertsville Car Wash.

PLEASE do not let this small patch of land be used for more stores, especially a Walmart which would draw shoppers from all over South San Jose and Almaden further contributing to the pollution, traffic and overall destruction of my neighborhood.

As you know there is a huge, empty building behind Best Buy. Another bad idea that destroyed an open space and better traffic flow for our neighbors in order to allow Home Dept to experiment with another sales concept. It failed and now we are left with that building.

When does it stop???? I know the city needs tax money, but this is not the way to get it, because it contributes to pollution, traffic and takes away the quality of life for the citizens in this area. We pay taxes too.

Thank you for your time and consideration of this request.
Patricia Blevins
408-266-9648

Responses to Email No. 30, **Patricia Blevins**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1 and D. Project Description, No. 1.

31.

From: rhtrain@aol.com [mailto:rhtrain@aol.com]
Sent: Monday, July 04, 2011 1:21 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch Project

I live on Bryan Avenue and am VERY concerned to hear that Arcadia Development (or anyone else) might be considering a very large mall at Almaden Expressway and Hwy 85.

1. PLEASE, PLEASE DO NOT APPROVE ANY LARGE BUSINESS AREA IN THIS LOCATION!! This area is already horrible to drive at most times of the day.

- The Robertsville Carwash backs up throughout the day, so people getting to 85N OR Costco OR 85S OR Almaden Plaza slow down to a crawl
- People coming out of Best Buy can only turn right, and that creates a back-up in the parking lot and to the freeway
- Cars getting on and off 85 N and S get lined up during the day
- Almaden Expressway backs up at rush hour and on the weekends, since Blossom Hill has gotten so much busier
- The traffic out of the Safeway Plaza is very busy, since the turns are limited at all times
- The light at Cherry and Chenowyth is already horribly long, with cars needing to go in all directions

I had thought land had been donated for green space and am horrified to hear it might become a large development.

2. I would also like to think that any major and controversial development will be communicated prior to any final decision-making. We are an involved and concerned neighborhood and would like/expect to be involved in something that will have such a major impact on our area and our lives.

3. And lastly, I (and many other well-informed people) have NO interest in in a WAL-MART in our neighborhood. They do not treat their employees well, are constantly involved in labor litigation because of their dubious human resources processes, and are not the kind of business we would ever choose to have in Cambrian Park or Almaden.

Depressingly Yours,

Rebecca Hendricks
408-266-5816
www.creatingcomfort.com

Responses to Email No. 31, **Rebecca Hendricks**

1. The comment is acknowledged. The County has a fully funded improvement plan to address the operational problems along the Almaden Expressway from Branham Lane to Blossom Hill Road. The plan will add through lanes to Almaden Expressway in both directions at various locations between Branham Lane and Blossom Hill Road, generally resulting in 4 travel lanes in each direction. As part of the County improvement plan, a third eastbound left-turn lane and a dedicated westbound right-turn lane will be constructed on Blossom Hill Road. With the County plan in place the level of service at the Almaden Expressway and Blossom Hill Road intersection is expected to operate at Level D, which is better than the current Level E operation.

   An eastbound left-turn lane will be constructed at the Almaden Expressway and SR 85 Ramps (North) as part of the funded County improvement plan to allow left turns onto northbound Almaden Expressway from the Best Buy driveway, which will improve traffic operations at the Best Buy driveway. The proposed project will build a receiving lane on the expressway for right turns from the off-ramp, which would allow the removal of the no-right-turn-on-red restriction.

   The proposed project would completely rebuild the Almaden Expressway and Cherry Avenue intersection to add through lanes and turn lanes on the north, south, and east legs. A dedicated right-turn only lane from northbound Almaden Expressway onto Cherry Avenue would be provided where right turns currently are prohibited. The southwest corner free-running right-turn lane would be eliminated to construct a pedestrian friendly square corner, which would improve the flow of traffic on southbound Almaden Expressway between Cherry Avenue and SR 85.

   See also response No. 6 to comment letter No. 2 from the Santa Clara Valley Transportation Authority and response Nos. 1 and 2 to comment letter No. 3b from the State Department of Transportation.

2. The comment is acknowledged. See IV. Master Responses, C. Notification, No. 1.

3. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

32.

From: Saso [mailto:saso@att.net]
Sent: Monday, July 04, 2011 2:47 PM
To: District9; Moore, Janis
Subject: Re: Stop Almaden Ranch

1. As a long-time resident of District #9 in San Jose, I have seen a lot of change over the years and improvement which go along with progress. However, I do not feel that this huge development at Almaden Expressway at Hwy. # 85 which would include a "big box store" is at all in the best interests of our community.

2. This ranchland is one of the last remaining in our area and would be totally consumed by such a large undertaking. Water pollution problems could arise with the creek on this property - to say nothing of added traffic congestion leading to greater air pollution.

3. A good amount of commercial "vacancy" sites already exist in this area. What would be the reasoning for bringing in "new" large commercial construction in an existing green space while existing commercial spaces currently go vacant? Any additional large "low cost/big- box stores" will only take business away from the small "mom and pop" locations nearby as well as creating new competition for the already "low cost" stores such as Costco, Safeway, BestBuy, Ross, etc. What would happen if, as a consequence, all of these existing stores eventually went "dark" as well?

4. In my opinion, this proposed commercial development would only add to already bad traffic and crime (at a time when San Jose's police and rescue personnel are being reduced), create more pollution, and be a detriment to the homeowners here.

I sincerely hope that I have been able to voice my opinion in time to prevent this project's approval by the Planning Commission. I urge you to vote "NO".

Joanne Saso
1557 Rose Anna Drive
San Jose, CA 95118

Responses to Email No. 32, **Joanne Saso**

1. The comment is acknowledged.

2. The comments are acknowledged. Storm drainage runoff from the project site and from the extension of Sanchez Drive and Cherry Avenue will be treated in accordance with the requirements of the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Stormwater NPDES Permit (MRP), as described in section III. J. Hydrology and Water Quality on pages 114 to 122, prior to being discharged into the Guadalupe River. Prior to discharge into the river, all storm drainage runoff from the site will be collected in the HMP basin. The HMP basin will be designed to mirror the site's pre-development discharge to the river for rainfall events up to a 10-year storm in order to minimize the increase of erosive flows in the river. See IV. Master Responses, E. Transportation / Traffic, No. 1.

3. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

4. The comment is acknowledged.

33.

From: Connie Olsen [mailto:ecbolsen@yahoo.com]
Sent: Monday, July 04, 2011 3:19 PM
To: Moore, Janis; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch development

1. This is a very bad idea. The area does NOT need any more big box stores, especially at that overcrowded location with its bad traffic -- especially massive superstores with their negative effects of traffic, noise, and pollution of the nearby perc. ponds. . (Of course, I may be particularly against WalMart since it came to my small Midwestern town years ago and ruined the downtown and local businesses.) But any massive development would have the same effect at that location.

The ideal use for that acreage would be youth sports fields -- but, alas, the city has no money for such worthwhile projects.

-- C. Olsen

Responses to Email No. 33, **Connie Olsen**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 2 to comment letter No. 9 from Michelle Ring.

34.

From: Lynne Brown [mailto:brownlynne7@gmail.com]
Sent: Monday, July 04, 2011 8:08 PM
To: Moore, Janis
Cc: Office of Councilmember Nancy Pyle; George Bettisworth
Subject: Proposed Almaden Ranch Project

Dear Janis,

1. We are homeowners in the Almaden Hills Estates neighborhood and are disturbed to find out about the possibility of construction of another big box mall at Almaden and Highway 85. This area is already one of the most congested in the city as has been noted a number of times in transportation reports. There are only two arteries in and out of Almaden Valley into the downtown area; Almaden Expressway and Camden. Both the weekday commutes and the weekend traffic are terrible. It is inconceivable that serious planning would attempt into shoehorn in another source of traffic.

2. Beyond that we do NOT need another mall. Westfield Oakridge is approximately two miles away. Blossom Hill Road is already heavily commercialized, which also is a contributor to traffic snarls. If the rumor that the plan is to Bring a Walmart SuperCenter the entire complexion of the neighborhood will change. There currently is no Walmart in south San Jose, which means such a center will attract thousands of people on a 24 hour basis.

3. We do not understand why we have not been notified of this proposal. Or why a decision is apparently being made during the San Jose City Council recess. Our suggestion is the Planning Department to start talking with the residents of the entire Almaden and Blossom Hill Valleys and stop trying to make decisions without community input.

This message is being copied to the President of our Homeowners Association and Nancy Pyle, District 10 Councilmember.

Sincerely,

Lynne Brown, PhD & Vern Vanderbilt PhD
1065 Mazzone Drive
San Jose, Ca 95120

Responses to Email No. 34, **Lynne Brown and Vern Vanderbilt**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1 and D. Project Description, No. 1.

3. The comment is acknowledged. See IV. Master Responses, C. Notification, No. 1.

35.

From: Cornelison Pam [mailto:pam_cornelison@comcast.net]
Sent: Monday, July 04, 2011 8:58 PM
To: Davidson, John
Subject: Almaden Ranch

1. I am concerned about what is planned on the Almaden Ranch property. I hope you will not accept any plans which do not reveal their tenants up front.

I DO NOT favor a Walmart type establishment. Our area needs more stores along the lines of the new Whole Foods to give our area a lift.

2. Traffic in the area of Blossom Hill and Almaden Expressway is horrendous and need of much more than the already-planned minimal improvements for late this summer. The building of yet another mall would be a terrible contributor to already gridlocked roads.

3. Please only accept plans which are beautifully designed, upscale, and include MAJOR traffic improvements.

Thank you

Responses to Email No. 35, **Pam Cornelison**

1. The comments are acknowledged. See response No. 2 to comment letter No. 10 from Kai Chung. Also see IV. Master Responses, D. Project Description, No. 1.

2. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

3. The comment is acknowledged.

36.

From: Marcia Guzzetta [mailto:m_guzzetta@comcast.net]
Sent: Tuesday, July 05, 2011 10:22 AM
To: district10@sanjoseca.org; District9; Moore, Janis
Cc: gdeyoung@ruthandgoing.com; assemblymember.beall@assembly.ca.gov; michael.murdter@rda.sccgov.org; dan.collen@rda.sccgov.org
Subject: NO to Almaden Ranch Super Center

July 5, 2011

Janis Moore, City of San Jose Planning Department
Councilmember Don Rocha
Councilmember Nancy Pyle

Subject: NO to More Big Box Shopping in South San Jose

1. Please say NO to another "big box" super shopping center in San Jose. Let's use this opportunity to really make a difference in the future of our city by keeping the Almaden Expressway at Highway 85 farmland property green. My biggest nightmare is that San Jose will turn into one huge Bascom Avenue--one ugly strip mall after another.

I'm a resident of the Blossom Hill/Almaden Expressway area which is already saturated with shopping of every kind. The developers may talk a good game and make a fine pitch to the City, but it is THEIR best interests they have in mind—not the residents'.

2. The traffic in our area is frightfully bad. Residents must sit through several iterations of a light to travel just a few blocks. There are two CVS Pharmacies (just blocks from each other on Branham Lane), a Walgreen's, Rite Aid, Target, Orchard Supply, Costco, two Home Depots (less than a mile from each other), Bed Bath & Beyond, Best Buy, a brand new Whole Foods shopping center, two Safeways (less than a mile of each other), a Lunardi's, SaveMart and Lucky's, plus myriad fast food restaurants. Then there's Oakridge, Meridian Park, Main Street, and Almaden Plaza shopping malls. Where is the "planning" in all of this? It's time to STOP this shopping madness!

3. The operative word here is PLANNING. Let's be creative. Do something new. Let's develop a space that will change the trajectory of development--from "more of the same" crazy into something beautiful, educational, peaceful, and meaningful for future generations. Let's pull together the creative "green" thinkers from the local environmental community, including the colleges and the nearby water district to create a different vibe for our area.

This is a great opportunity to change things for the better. Let's not waste it!

Marcia Guzzetta
1397 Merrywood Drive
San Jose, CA 95118
(408) 266-1523

cc: Gerry De Young, Ruth and Going, Inc.; Arcadia Development; Assemblymember Jim Beall, Jr.; Michael Murdter, Dan Collen, Santa Clara County Roads and Airports

Responses to Email No. 36, **Marcia Guzzetta**

1. The comments are acknowledged.

2. The comments are acknowledged.

3. The comments are acknowledged.

37.

From: Yogabear23 [mailto:yogabear23@aol.com]
Sent: Tuesday, July 05, 2011 11:12 AM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle; yogabear23@aol.com; TryHike@sbcglobal.net; mikebuczek@netscape.net; sanjosecal2004@hotmail.com
Subject: Please Save Almaden Ranch!

Dear Sir/Madam:

1. Please act to save Almaden Ranch from Arcadia Development's plan for a 24-hour WalMart Supercenter. A Supercenter would result in:
   - o worsened traffic and more pollution on Almaden Expressway,
   - o polluted water runoff to percolation ponds,
   - o 24 hours of noise and trash for nearby homes,
   - o dangerous new bridge and road extensions,
   - o and higher crime rates.

2. Let my children see what their agricultural heritage has been. Save the last South San Jose farmland for the people's recreational use.

Respectfully, Carolyn V. Garbarino
4841 Via De Caballe
San Jose CA 95118

Responses to Email No. 37, **Carolyn V. Garbarino**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 2 to comment letter No. 9 from Michelle Ring.

2. The comments are acknowledged. The planned 290-acre Martial Cottle Park ("Lester Property") is a 290-acre State/County park that is bounded by Snell Avenue, Branham Lane and Chynoweth Avenue. The vision for the park is to promote, educate and sustain farming traditions in the Santa Clara Valley. Allowable uses for the property include agricultural leases, farmers' markets, produce stands, community gardens, educational programs related to agriculture, and passive recreational activities such as picnicking and trail uses.

38.

From: Gelin Ordona [mailto:gelinordona@yahoo.com]
Sent: Tuesday, July 05, 2011 11:59 AM
To: Moore, Janis
Subject: Almaden Ranch

1. I'm a resident of Almaden Valley and I urge you to say "No" to the building of the new shopping center at the Almaden Expressway and HWY 85. My concerns are the traffic and the noise. Almaden Expressway is already congested and building the new shopping center will make it worse.

I live at :
6552 Winterset Way
San Jose, CA 95120

Sincerely,
Mrs. Gelin Ordona

Responses to Email No. 38, **Mrs. Gelin Ordona**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1 and B. Noise, Nos. 1 and 2.

39.

From: Ginny Cline [mailto:ginnycline@mac.com]
Sent: Tuesday, July 05, 2011 2:01 PM
To: Moore, Janis
Subject: development at Almaden Ranch

1, As a long time resident of the Almaden Valley I have seen much growth and changes both good and not so
good. The traffic along Almaden Expy. has become a constant problem, needing improvements as the community is now. More development would make the problem even worse. Can you imagine what it will be like with another big box store? The traffic is nearly impossible now. And this address only one of the problems of building the proposed Walmart Super Center.

Concerned citizen,

Ginny Cline

Responses to Email No. 39, **Ginny Cline**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1 and D. Project Description, No. 1.

40.

From: Thomas Zades [mailto:tzades@sbcglobal.net]
Sent: Tuesday, July 05, 2011 2:03 PM
To: Moore, Janis
Cc: district9@snajoseca.gov; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch - Arcadia

Ms Moore,

1. My neighbor received something in the mail from stopalmadenranch@mail.com stating that Arcadia Development wants to build a massive new 400,000 square foot big box mall at Almaden Expressway and Hwy 85. Surely the environmental impact study will conclude that this is a terrible idea.

2. It is so congested there already. It would be a nightmare to add something like this. The roads and ramps that currently provide for driving north on Almaden Expressway and taking the on-ramp to southbound 85; and for taking the Almaden Expressway exit from southbound 85 (near Costco); and for taking the Almaden Expressway exit from northbound 85 (across from Best Buy) are all inadequate for existing traffic. I can't imagine what things would be like with the addition mentioned above.

3. The land, which I guess is called Almaden Ranch, does seem very useful, but for what? I don't know. Is there a plan to provide freeway access directly from 87 or 85 without using Almaden Expressway? That would help. Is there any truth to the rumor that Arcadia intends to build a 24 hour WalMart SuperCenter there? Sounds crazy.
4. WalMart tends to locate on the fringes of the suburbs where land is cheaper and less congested. Can you allay our fears on this?

Respectfully submitted,

Tom & Sandy Zades
1230 Ridge Oak Ct.
San Jose 95120

Responses to Email No. 40, **Tom and Sandy Zades**

1. The comment is acknowledged.

2. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

3. The comment is acknowledged. Access to the project site would be provided via Almaden Expressway, Cherry Avenue and Sanchez Drive. The project includes an inbound-only driveway on Almaden Expressway and multiple driveways at various locations along Cherry Avenue on the north side of the site and the Sanchez Drive connection along the eastern boundary of the site. The project does not propose a direct connection to the site from either SR 87 or SR 85. A direct freeway connection is not common practice and would not be supported by the California Department of Transportation (Caltrans).

4. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

41.

From: harmonymary@comcast.net [mailto:harmonymary@comcast.net]
Sent: Tuesday, July 05, 2011 3:54 PM
To: Moore, Janis
Subject: Alamden Ranch Developement

Ms. Moore,
1. I have received a letter from the City of San Jose informing of a developement project at Almaden Expressway and HWY85.
I live in the complex across the street behind the Robertsville Car Wash. I have lived there for 21 years and have lived in the immediate neighborhood for 50 years. When I moved in there was no freeway. Now there is a freeway, Costco, Best Buy, and an over developed Almaden Fashion Plaza shopping mall. All of the lots in the area have disappeared except the one on the Safeway side. The traffic has increased ten fold. There have been several accidents at the light on Almaden Expressay turning left onto Cherry Ave because people want to be first merging into the one lane road. Not to mention drivers want to make the first left turn into the Robertsville shopping center where the car wash is, even though there is no turn lane, and there is double yellow line there. Further, it makes the cars moving onto Cherry stop in left part of the lane, while other cars try to get around that car to the right. What a mess!!!
I truely believe that if a 400,000 sq. ft. box mall is built ont he land the congestion and the noise will be unbearable. Oakridge Mall is around the corner. It already hard enough getting to the mall. don't even mention the parking problems in all of the surrounding shopping centers. this is just ludicris. People are struggling financially, many without jobs, and devleopers and the city are creating more ways for people to spend the money they don't have.
At this point, there is everything needed in the area, and I could walk to every kind of shopping I need. It doesn't hurt to drive a few miles away to go mall shopping.
Thank you for listening to me.
Harmony Sorrentino
4552 Waterville Dr.
San Jose, CA. 95118
408-266-6670

Responses to Email No. 41, **Harmony Sorrentino**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic No. 1 and B. Noise, No. 1.

42.

From: Fredelk@aol.com [mailto:Fredelk@aol.com]
Sent: Tuesday, July 05, 2011 3:57 PM
To: Grabowski, Ann
Cc: Moore, Janis; shirley.altstadt@gmail.com
Subject: Almaden Ranch Inquiry

Dear: Ann Grabowski
Councilmember Don Rocha Office

1. I Have Heard Rumors That The City Of San Jose Is Looking At A Possible Development Called Almaden Ranch By Arcadia Development At Almaden Expressway & Highway 85. -- This Development Would Include A 24 Hour WalMart SuperCenter

2. What Could You tell Us About This Project And It's Status ????

3. We Would Oppose This Development -- This Area Is A Complete Grid Lock Today Without This Development --- Already You Have To Plan what Are The Best Hours To Drive In That Area To Avoid Gridlock & Schedule Your Trips. -- Not To Mention Increases In Crime -- Pollution -- Noise Abatement, Etc etc

This Would Just Reduce The Quality Of Life In Our District.

Would You Please Convey These Thoughts To Councilmember Don Rocha

Thank You -- Yours Truly

Fred & Shiley Altstadt
Homeowners - District Nine

Responses to Email No. 42, **Fred and Shirley Altstadt**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

2. The project is a pending Planned Development (PD) Zoning application that requires review and a recommendation from the Planning Commission, and review and approval or denial by the City Council.

3. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

43.

From: michelledirck@aol.com [mailto:michelledirck@aol.com]
Sent: Tuesday, July 05, 2011 4:39 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: Enviormental Impact Report Comments

Dear Janis Moore, Don Rocha and Nancy Pyle,

1. It is with great concern that I ask the development of a 24 hour Walmart NOT be built on Almaden Expwy and highway 85. Our traffic in the area is already outrageous and I have to pass that intersection on the way to work. I am concerned about not only traffic but polluted water runoff to the percolation ponds, higher crime rates, new bridges and road extensions, the noise of a 24 hour store and trash in our area.

Please do not let the development of a 24 hour Walmart to be built in our area, especially on Almaden Expwy and highway 85.

Thank you for your time.

Michelle Dirck
M Production Company
www.mproductioncompany.com

Responses to Email No. 43, **Michelle Dirck**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1; E. Transportation / Traffic, No. 1; and B. Noise, Nos. 1, 2 and 3. See also response No. 2 to comment letter No. 9 from Michelle Ring.

44.

From: Nancy Ray [mailto:yarnray@yahoo.com]
Sent: Tuesday, July 05, 2011 5:28 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle; stopalmadenranch@gmail.com
Subject: Almaden Ranch

We received the flyer just today about the plans for the land at Almaden and Hwy. 85 called 'Almaden Ranch'.

1. We think that any store the size of a 'SuperCenter WalMart' should be in a larger area with a lot more parking for the hundreds of shoppers they attract and NOT in an area with so many homes on all four sides of the property. We have plenty of stores in this area now. We have Oakridge Mall just 5 minutes from here - why do we need ANOTHER huge mall?

We do not need WalMart in our area. We have TWO Target stores, one in Oakridge Mall and the other just minutes away at Hillsdale and Ross. Why do we need WalMart too?

2. The plan for Almaden Ranch Mall that we saw a few months ago showed the short street on the north side of this property that has always been known as Chenoweth. Your plans show it as continuing along the back of this property, heading south, and connecting with another short street that serves businesses off of Blossom Hill Road called Sanchez Drive. This will become a pipeline for everyone who wants to get from Blossom Hill Road to Almaden Exp., or across the expressway to Cherry Ave. The traffic will be excessive.

In our once quiet neighborhood, we already have the noise of traffic on Almaden Exp. on the east side, Highway 85 on the south side and now the proposed speedway for people 'taking the shortcut' from Blossom Hill to Branham Lane, Foxworthy Ave. and Hillsdale.

3. Do any of you adressees live in this area? Would you like to? Especially now that we know that you are considering putting a WalMart on this land?

4. Why do we need to have commercial development at all? Has anyone considered housing on this land? We hear that the Best Buy across the street is cutting back as sales are down. We all know what happened to 'Expo' on the backside of that land.

Please study this longer as this area has been hit on all sides with bigger shopping centers and a lot more traffic in recent years. Please don't make it worse.

We have lived in this house for 39 years.

Thank you.

Bob and Nancy Ray
5069 Corbin Ave.
San Jose, CA 95118

Responses to Email No. 44, **Bob and Nancy Ray**

1. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

2. The comments are acknowledged. See IV. Master Responses, B. Noise, No. 1.

3. The comment is acknowledged. See IV. Master Responses, D. Project Description, No. 1.

4. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1. The General Plan has allowed residential use, up to 400 units, on the site since 1998; however, no applications for a residential development were ever proposed.

45.

From: desler@pacbell.net [mailto:billdesl@pacbell.net]
Sent: Tuesday, July 05, 2011 5:54 PM
To: Office of Councilmember Nancy Pyle; Moore, Janis
Subject: Almaden Ranch development

1. Please assure the development at Almaden Ranch (85 & Almaden expressway) has adequate access from directions other than Almaden expressway. Almaden expressway is too congested today between Coleman and Cherry ! We need the tax $$ but San Jose must remain drive-able.

Bill & Linda Desler
desler@pacbell.net
1034 Kristen Ct
San Jose, Ca 95120
home 408-268-3025
cell 408-205-5207

Responses to Email No. 45, **Bill and Linda Desler**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

46.

From: Anthony Powell [mailto:tp91047@yahoo.com]
Sent: Tuesday, July 05, 2011 6:22 PM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Cc: stopalmadenranch@gmail.com
Subject: No to Arcadia Development 400,000 square foot big box mall!!!!

1. I have lived at 1515 Marlene court for the last 25 years and I have seen some good changes and some bad! I am against the Arcadia Developments proposed 400,000 square foot big box mall. I feel it will have a negitive effect on traffic on Almaden and Cherry it is bad already with traffic and will get worse with the 24 hour noise, trash and headaches crime for our nearby homes!!

Regards
Anthony Powell

Responses to Email No. 46, **Anthony Powell**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1 and B. Noise, Nos. 1, 2 and 3.

47.

July 5, 2011

Janis Morris, Planning Division

Cc: Mayor Reed
Councilman Constant
Councilman Kaira
Councilman Liccardo
Councilman Chu
Councilman Campos
Councilman Oliverio
Councilwoman Nguyen
Councilwoman Herrera
Councilman Rocha
Councilwoman Pyle

200 East Santa Clara Street
San Jose, CA 95133

Dear Ms. Morris, Mayor Reed and Council:

1. It has come to my attention that proposed development of Almaden Ranch Retail Center, proposed next to Guadalupe River and the Erikson neighborhood is going to contain a large big box retailer. Furthermore, this development will call for a bridge into a neighborhood to alleviate traffic congestion in the development. And finally, it is my understanding that this development will not provide funds for said bridge.

Please don't let this travesty occur in San Jose on your watch.

As a registered voter, I implore you to pay particular attention to the bridge component which would be a horrendous addition to this neighborhood. The addition of the regional traffic patterns to this neighborhood is unacceptable. Do not allow this developer to push the cost of bridge into a neighborhood. This will increase traffic at all hours and contribute to the noise of the neighborhood.

Vote no.

Sincerely,

Vic Vega
724 Chynoweth Ave.,
San Jose, CA 95123

Responses to Letter No. 47, **Vic Vega**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

48.

To: City of San Jose
Planning Division
Attn: Janis Morris
200 East Santa Clara Street
San Jose, CA 95113

From: Rene M. Duenas
45 N. 1st Street
Campbell, CA 95008
408-395-9111

Date: July 6th 2011

Subject: Almaden Ranch EIR

Ms. Morris,

My family have lived on Tonino Dr since the 60s so I have seen a lot of changes to the neighborhood but none have concerned me as much as the Almaden Ranch development. I have serious reservations regarding the Almaden Ranch EIR not fully studying the impacts on the environment and community's quality of life. I believe the Final version of the EIR must directly address the following issues:

1 • Noise from the development will directly impact all of the homes across the Guadalupe River from the site. Studies need to be conducted on how best to mitigate the noise that will change the quality of life 24 hours a day in the community. It should also be noted that sound is amplified across water and that should be taken into account.

2 • Further study should be conducted on the wild life impacts the Almaden Ranch development will create There are migratory birds in the Guadalupe River that will be disrupted from the development and without the proper studies the ecological effects will not be known until it's too late. There have also been sightings of red foxes on and around the site.

3 • The development will remove a many acres of open green space from the area. Studies need to be conducted to show how the loss of green space will affect the community. Mitigations should be proposed such as planned green space and park space as part of the development. Also nature preserves for impacted wild life should be investigated.

4 • Even though the Chynoweth bridge is no longer part of the current plan the impacts should be studied now. Mitigations and alternatives should be explored such a pedestrian/bicycle bridge with no vehicular traffic.

Responses to Letter No. 48, **Rene M. Duenas**

1. The comments are acknowledged. See IV. Master Responses, B. Noise, Nos. 2 and 3. The efficiency of noise propagation varies over different ground types. Estimated traffic noise levels from the project assume a conservative approach that the intervening surface between the proposed roadway extension and residences across the Guadalupe River will be reflective, such as parking lots or smooth bodies of water. Therefore, this concern has already been incorporated into the estimated future noise levels.

2. The comments are acknowledged. As stated on page 64 of the Draft SEIR, biotic study of the site was conducted on July 22, 23, 27, and August 3, 2010 and on February 3 and March 28, 2011 by Live Oak Associates, Inc. biologists. The effort, which was sufficient to characterize the biotic setting of the site with high detail, included analysis of the offsite Guadalupe River riparian corridor. A 100-foot development-free setback from the existing riparian corridor is planned for the project, ensuring not only that the existing Guadalupe River riparian corridor is untouched by the development but also that there is room for an increase in riparian and other native upland habitat beyond the existing habitat. Species that would use the riparian habitat in its current state are unlikely to be deterred from utilizing the corridor in the future due to the proposed project. Future site development will not significantly affect the migratory habitat for birds and other wildlife that is currently available, nor will future site development cause adverse environmental impacts to the Guadalupe River. Additional native vegetation is planned to be planted between future development and the Guadalupe River riparian corridor, thereby increasing the quality of the existing habitat structure and the available niche space for local wildlife.

   It is assumed from the comment that red fox sightings are to be considered for their ecological uniqueness. The red foxes occurring within the vicinity of the project site actually place enormous pressure on native biodiversity. The particular species that occurs in the Santa Clara Valley is the eastern red fox, which is not native to this part of the state. Due to its incredible adaptability, it is a leading threat to many local species including endangered migratory birds such as the western snowy plover, which has been recorded as occurring near the mouth of the Guadalupe River along the South San Francisco Bay. Red foxes invariably decrease the nesting success of birds through egg and nestling predation and are effective predators of many migratory birds. The project will not impact the regional population numbers of the red fox, and it is unlikely that fox sightings along the Guadalupe River will cease due to the proposed project.

3. The comments are acknowledged. The project includes a 100-foot riparian corridor setback along the Guadalupe River, and an HMP basin that is partially in the setback area. This area totals approximately three acres of open space.

4. The comments are acknowledged. See response No. 3 to comment letter No. 6 from the Erikson Neighborhood Association and VEP Community Association.

49.

From: Darren Kosinski [mailto:darren.kosinski@gmail.com]
Sent: Wednesday, July 06, 2011 6:48 AM
To: Moore, Janis
Subject: Alamaden Ranch DSEIR Comments

I believe that there are some flaws in the DSEIR for the proposed Almaden Ranch development.

1. I think the Sanchez Drive extension and connector to Cherry Avenue will cause a greater traffic diversion from Blossom Hill Road than what is described in the report. During peak weekend hours, the gridlock on Blossom Hill Road is such that any alternative will be used extensively.

2. I did not see any discussion of environmental mitigation for the increase in NOx and GHG emissions.

3. The report's discussion of development alternatives seemed inadequate. There was no discussion of changing the mix of retail vs. office space, or of using the space for residential development.

4. There is no discussion about the existing vacant retail space and the impact that this new development would have on existing retail occupancy.

5. There is no discussion about the development of park land, particularly along the Guadalupe River and possibly linking with the existing trail and park that exists along Winfield Drive on the other side of the Guadalupe River.

Thank you for the opportunity to present my comments.

-Darren Kosinski
4554 Waterville Drive
San Jose, CA 95118

Responses to Email No. 49, **Darren Kosinski**

1. Based on traffic model estimates, some project-generated traffic and some existing traffic would use Sanchez Drive instead of Almaden Expressway in order to bypass the Almaden Expressway and Blossom Hill Road intersection, which currently is operating at Level E. The County has a fully funded improvement plan to address operational problems at intersections along Almaden Expressway from Branham Lane to Blossom Hill Road. As part of the County improvement plan, a fourth northbound through lane, a third eastbound left-turn lane and a dedicated westbound right-turn lane will be constructed at the Almaden Expressway and Blossom Hill Road intersection. With implementation of the County plan the level of service at the Almaden Expressway and Blossom Hill Road intersection is expected to improve to Level D. Thus, while it is estimated that some traffic would use Sanchez Drive to bypass the Almaden Expressway and Blossom Hill Road intersection, improvements to the intersection most likely would limit somewhat the amount of traffic that would be diverted. With the improvements in place, it will not be as beneficial or necessary to avoid the Almaden Expressway and Blossom Hill Road intersection.

2. NO_x (nitrogen oxide) is discussed in section III. C. Air Quality of the Draft SEIR. The preparation and implementation of an Air Quality Mitigation Plan, as discussed on pages 60 through 64, would reduce project regional operational emissions (including NO_x).

   GHG (greenhouse gas) emissions are discussed in section III. H. Greenhouse Gas Emissions of the Draft SEIR. Mitigation to reduce project GHG emissions is discussed on page 104.

3. The comments are acknowledged. The focus of the alternatives analysis is to discuss alternatives that would reduce the project's significant impacts. Due to the size of the project site and the number of units or size of the building that could be built, residential or office use would also have significant air quality and greenhouse gas impacts.

4. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

5. The comments are acknowledged. As stated on page 133 in section III. M. Public Services in the Draft SEIR, the project is not expected to have an impact on park and recreation facilities. See response No. 3 to comment letter No. 6 from the Erikson Neighborhood Association and VEP Community Association.

50.

From: shilohballard@comcast.net [mailto:shilohballard@comcast.net]
Sent: Wednesday, July 06, 2011 6:59 AM
To: Xavier, Lesley
Subject: Re: Almaden Ranch

Hi Lesley,

If I remember correctly, the deadline for getting comments in for the CEQA review are today. My comments aren't all related to CEQA but I wanted to get them in as general comments about the project.

1. - Pedestrian bridge: I'm curious to see the different nexus issues and ways to mitigate the traffic impacts for the area. As you know, it's a pretty horrible intersection and most people in the area avoid it or time their visits. A pedestrian bridge from the other side of the creek trail might help increase walkability of the site and mitigate traffic. It would also help create a linkage that trail users could benefit from. I don't believe it would be huge in alleviating traffic and understand it is expensive but I think it's something that needs to be put on the table for serious consideration as we're looking for ways to mitigate the traffic impacts created and compounded by the development of this site.

2 - Placemaking: Right now the outdoor seating areas and "places" where people can drink coffee outdoors with friends are right up against Almaden Expressway. This is ludicrous. Who wants to drink coffee next to 8 lanes of speeding, noisy traffic? I would love to see the outdoor areas pulled more to the interior of the site so that the experience of having coffee with a friend is desirable. Specifically, I would suggest reconfiguring the site to put the outdoor seating areas and some retail overlooking and capitalizing on the natural amenities of the creek trail, of course complying with the necessary setbacks to protect the riparian corridor. Right now they have the surface parking lot backed up against the trail. What a waste of a beautiful natural amenity that could provide real value to the development. I imagine a future where I would walk along the creek trail and cross a ped bridge in order to sit outside eating a scoop of gelato...

3 - Walkability: Prioritize the pedestrian experience by creating clear and attractive pedestrian walkways through the parking lot. Varied paving materials, landscaping and ped scale lighting should be a part of this so as to provide clear visual cues to the car and pedestrian and so that ultimately, it's a pleasant experience to walk across a parking lot instead of getting in your car to drive to another store within the center. Go hog wild on landscaping with little parks (like the one at the Evergreen shopping center.) I don't know much about the water treatment issues that they need to comply with but perhaps instead of grouping it all at the end of the site, it can be sprinkled throughout in the form of landscaping or ped amenities. (Again, I know nothing about this aspect of development.)

4 - Sustainability: This is not so much a land use question but speaks to the city's sustainability goals and that is to promote solar panels over the parking lot or on the roofs of the large format retail centers.

5 - Gateway of retail uses: Another possible configuration choice would be to create a corridor of retail as a car enters the site, kind of like when you go into Santana Row, only on a much smaller scale. Something to create a better feel as you enter the site, as opposed to driving into yet another surface parking lot with hot asphalt etc.

Responses to Email No. 50, **Shiloh Ballard**

1. The comments are acknowledged. See response No. 3 to comment letter No. 6 from the Erikson Neighborhood Association and VEP Community Association. The designation of a Major Arterial roadway connecting the east and west sides of the Guadalupe River remains on the City's Land/Use Transportation Diagram. The transportation impact analysis conducted for the project indicates that the traffic generated by the project can be mitigated in a manner that meets the City's Level of Service Policy. As such, there is no nexus to a possible requirement for a pedestrian bridge to mitigate traffic impacts.

2. The comments are acknowledged. Project plans at the PD Permit stage will detail how the outdoor areas adjacent to the public streets will be handled to create an environment that is conducive to the outdoor uses that are proposed.

3. The comments are acknowledged. See response No. 2 to comment letter No. 2 from the Santa Clara Valley Transportation Authority. The Landscaping Plan will present the manner in which the large expanses of parking areas can be visually broken up into smaller areas through the use of a variety of trees / planting materials while maintaining an overall theme to the site. In addition, there will be a dedicated area of the site on the north side of the Cherry Avenue extension to provide a pedestrian connection from the street and to the riparian setback area along the Guadalupe River so that pedestrians can access the riparian setback area and river bank area without going through the parking lots.

4. The comment is acknowledged. As stated on page 104 of the Draft SEIR, the installation of solar panels on commercial buildings is included for consideration as mitigation for the project's impact on greenhouse gas emissions.

5. The comment is acknowledged.

6 - Parking: I'll continue to raise the issue of structured parking. I understand there are cost issues and there needs to be a certain level of intensity in order for it to work financially but it's worth noting again that a surface parking lot that prominently displays cars is ugly, conventional, unimaginative and not worthy (anymore) of the Capitol of Silicon Valley, the center of innovation (in everything but land use...) I've also never built a shopping center so I completely understand that there are very real constraints that the developer faces and that I lack the expertise he/she has. I guess I'm just not convinced that we're working hard enough to move the private sector to view the type of development the culture prefers as viable.

7 To reiterate, I'm really interested in making this a compelling shopping experience and continue to be baffled that profitability of the site is not better linked to the user experience once in the shopping center. By creating a wonderful place, all in the area benefit and the city in particular will have created a place where people WANT to go to spend their tax dollars and spend more of them. That helps the city's budget issues and the community as a whole. Ideally, as a General Plan Task Force member, I'd love to see the City seriously push for what we've been talking about for the past three years. And, of course, I'd love to see a housing component on the site - mixed use, urban village type stuff. I understand there are serious constraints to this but I have to throw it in there. 43 acres is a lot to work with.

Thanks!
Shiloh Ballard
resident, South San Jose

6. The comment is acknowledged.

7. The comment is acknowledged.

51.

From: Lea-Ann Refregier [mailto:lea@apple.com]
Sent: Wednesday, July 06, 2011 10:05 AM
To: Moore, Janis; District9; Office of Councilmember Nancy Pyle
Subject: Almaden Ranch/24 hour Super Walmart

Dear Ms Moore, Councilmember Rocha and Councilmember Pyle,

1. I am send this e-mail to tell you that I am extremely disappointed in the fact the City Hall is not revealing to the public which stores the Arcadia Development group is planning for the Almaden Ranch area.

2. The people (remember the People? we elected you!) have the right to know, in advance, and the right to refuse any form development especially if a 24 hour Super Walmart may be established there.

3. The other items to contend will be traffic, higher crime rates, and pollution. Traffic is bad enough in that area, we do not need any more problems, also who will be paying for all these road upgrades, and traffic bridges? Has an Environmental Impact study been completed to understand the impact this will place on the area and wildlife? What about the additional garbage and of course the crime rate rising the area?

4. With 66 San Jose Police Officers just laid-off and only 2 officers at any one time in the Almaden Valley, crime will rise. How does the city plan on dealing with this?

I am telling you, as a constituent, NO to 24 hour Super Walmart at Almaden Ranch!

Thank you,

Lea-Ann Refregier

Responses to Email No. 51, **Lee-Ann Refregier**

1. The comment is acknowledged. See response No. 2 to comment letter No. 10 from Kai Chung.

2. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

3. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, Nos. 1 and. 2. The potential impact to wildlife has been thoroughly studied as part of the Draft SEIR. See response No. 2 to comment letter No. 48 to Rene M. Duenas. Numerous site visits have been completed by professional biologists including a protocol-level burrowing owl survey, a tree assessment, a riparian delineation and analysis, a bat habitat assessment, and a general biological setting assessment. Historical records of special status plants and animals from the California Natural Diversity Database and California Native Plant Society's Inventory of Rare and Endangered Plants were used to identify species that occur within the region of the project and in the analysis of each individual species within the results. Finally, one-by-one, each of the regionally-recorded protected species was considered for its potential to occur on or near the project site, and the results of this analysis was included in the Draft SEIR (Appendix C).

4. The comment is acknowledged. The City police department is allocating its reduced resources as effectively as it can to reduce crime and keep the City safe.

52.

From: Grayson Dere [mailto:g.dere@yahoo.com]
Sent: Wednesday, July 06, 2011 10:39 AM
To: Moore, Janis
Subject: comment for the almaden ranch environmental impact report

Dear Janis Moore,

1. As a resident of over 15 years living in Almaden, I want to say, 'another big box mall is a very bad idea for the residents of Almaden.' Just a few minutes away from the Almaden Ranch there is a Westfield mall where the road traffic can become horrendous at times during the day. Since the Almaden Ranch is located next to the highway 85 off-ramp, cars will surely be backed up a lot more while people try to get to the mall; this will lead to increased cases of road rage and automobile accidents in the area. Across the street from the Almaden Ranch is a Best Buy that resides next to the highway 85 on-ramp; the traffic trying to get to hw85 is, a lot of times, at a standstill and I have seen many accidents occur in the vicinity from drivers trying to avoid traffic.

2. Another great problem with malls in a residential area is the constant noise people will be dealing with; Almaden is known for its quiet neighborhoods and peaceful way of living.

3. Worth to mention is that there already exists a Big Box WalMart Center about 12 minutes away from Almaden Ranch that people have no problems getting to.

4. I hope you understand the gravity of this situation with Almaden Ranch. The plan for developing the ranch with a mall is a bad idea.

Thank you so much for your time in reading my letter.

Sincerely,
Grayson Dere

Responses to Email No. 52, **Grayson Dere**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comment is acknowledged. See IV. Master Responses, B. Noise, Nos. 1, 2 and 3.

3. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1.

4. The comment is acknowledged.

53.

From: Mary Robertson [mailto:r-mrobertson@att.net]
Sent: Wednesday, July 06, 2011 12:44 PM
To: Moore, Janis
Subject: Fw: Almaden Ranch Project

I am writing to express my concern for the development of a massive new 400,000 sq foot big box mall located at Almaden Expressway and Highway 85.

1. Almaden Valley does not need an additional development of this magnitude. Having lived in this area for over 49 years I have seen the rise of several such developments and the increased traffic, higher crime and pollution. Just recently a new Whole Foods has opened just down the street from this location and it is virtually impossible to maneuver through the Blossom Hill Almaden Expressway intersection.

2. Currently it is illegal to make a right hand turn at the existing Chynoweth Ave and Almaden Expressway intersection as it is deemed "to dangerous" to make the turn with the existing traffic on Almaden Exprssway. How is this to be addressed with a development of this size with increased traffic off of 85 as well as Almaden Expressway? I doubt that the traffic flow would be routed from Sanchez Drive as people would be coming from 85 or Almaden Expressway to enter this development.

3. This area in question is already **over** developed. If it is true that a 24 hour WalMart SuperCenter is thinking of taking over the old Home Depot Expo building it would become a nightmare. When Expo was there, an off duty policeman was required to stand that the exit corner of the Best Buy/ Expo light to prevent people from making a right hand turn. The addition of a WalMart SuperCenter would only increase the traffic in this location. Plus the addition of a 400,000 sq foot big box almost across the street would be an unbelievable burden on existing traffic.

I respectfully request that this project be denied and an alternate solution be found for this land in question. Yes, we need jobs but not of the Big Box or WalMart caliber.

Mary Robertson

Responses to Email No. 53, **Mary Robertson**

1. The comment is acknowledged.

2. The comment is acknowledged. A dedicated right-turn only lane from northbound Almaden Expressway onto eastbound Cherry Avenue (currently Chynoweth Avenue) would be provided where right turns currently are prohibited.

3. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1; D. Project Description, No. 1; and E. Transportation / Traffic, No. 1.

54.

From: Julie Zlatunich [mailto:jazlat@aol.com]
Sent: Wednesday, July 06, 2011 3:24 PM
To: Moore, Janis
Subject: Almaden Ranch Shopping Center

Ms. Moore,

1. I am against the Almaden Ranch Shopping Center proposal. As a resident of Almaden, I believe that there are enough shopping centers in the area. Approving Arcadia Development's plan will worsen traffic on Almaden Expressway, increase the noise pollution, and send more polluted water runoff into our fresh water system. Please do not allow this development to proceed any further.

Thank you,

Julie Zlatunich

Responses to Email No. 54, **Julie Zlatunich**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1 and B. Noise, No. 1. See also response No. 2 to comment letter No. 32 from Joanne Saso.

55.

From: Marjorie Freedman [mailto:mrfphd@earthlink.net]
Sent: Wednesday, July 06, 2011 3:36 PM
To: Moore, Janis; Office of Councilmember Nancy Pyle; distrit9@sanjoseca.gov
Subject: Concern about Almaden Ranch development plans

Dear Ms Moore and Councilmembers Rocha and Pyle,
As a resident of District 10, I am DEEPLY concerned about the proposed development at Almaden Ranch.
I have read the EIR and have a number of concerns that I do not feel have been addressed:

1. An already dismal traffic situation will be made worse, EVEN if mitigation strategies are implemented. It is IMPORTANT to note that some of these mitigation strategies require funding from Santa Clara County. In light of severe budgetary constraints, it is unlikely that these changes will occur. Thus, all residents of District 10 who drive through this intersection on their way to work (which is likely over 95%) will be impacted at least 5 days a week. I do not feel that the increased cost to these residents—including me--has been seriously addressed in the EIR.
2. IN addition to increased traffic, a 24-hour SuperCenter would mean increased trash, and potentially higher crime rates in what is primarily a residential area. The City of San Jose has already reduced the police force (and has not filled vacant positions). What is the impact of current (and potentially future) decreased police staffing on this issue? Is there any data to show that there will NOT be increased crime? My daughter's LOCKED bicycle was stolen recently at Oakridge mall—parked in the BIKE parking area. Will the companies that build in this area be required to provide 24 hour security?
3. We DO NOT NEED another big box store in Almaden. We already have a Costco 3 minutes away, and a Target <5 minutes away. What is the impact of opening up a 400,000 square foot retail establishment on existing business? Has anyone calculated the differential after accounting for the "cannibalization" effect (that is, now much NEW money will be brought into San Jose ABOVE AND BEYOND what is already being spent at other local businesses?) How many people from Almaden drive to East San Jose to shop at Walmart? If this is considerable, then the major impact will be on decreasing traffic in East San Jose and increasing traffic in an already congested area of Almaden—but no net gain in revenue to the city.
4. Many retail stores in the immediate area have gone out of business (e.g. Home Expo, Linens and Things). In district 10, we have an almost empty shopping center at Via Valiente and Almaden Expressway. What research indicates that we need another BIG BOX store? What research indicates that we need additional restaurants (e.g. Chain restaurants or fast food restaurants?) Our county is struggling with the burden of health care costs due to obesity, heart disease and diabetes. We need more sports fields, places for outdoor recreation, and even places to grow local foods. Yes, it's true that none of these will bring in large amounts of revenue, but all of them would improve the quality of life and health of our local residents.

Thank you for your consideration of these issues.
Marjorie Freedman
976 Hurlstone Lane
San Jose CA 95120
408-997-2333

Responses to Email No. 55, **Marjorie Freedman**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1.

2. The comments are acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 4 to comment letter No. 51 from Lee-Ann Refregier and response No. 2 to comment letter No. 12 from Carolyn Richards.

3. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

4. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1. Also see response No. 2 to comment letter No. 37 from Caroline V. Garbarino.

56.

From: Linda Spencer [mailto:Linda@spencer40.com]
Sent: Wednesday, July 06, 2011 3:32 PM
To: Office of Councilmember Nancy Pyle; District9; Moore, Janis
Subject: Almaden Ranch Retail Center

1. The Transportation/Traffic section of the SEIR for the Almaden Ranch Retail Center concerns me when I think of trips northbound on Almaden Expressway. We live one mile east of Almaden Expressway along Camden Avenue. Whether we are heading north on Almaden Expressway in the morning, midday, or evening, the congestion at Blossom Hill Road has been quite heavy for years. I remember that when the overpass on Almaden Expressway was constructed at Capitol Expressway, the traffic trying to cross Blossom Hill Road on Almaden Expressway was already heavy enough that we wanted an overpass there, too... wishful thinking. With the prior calculation of intersection LOS values, that used to be an "F" intersection. When the formula was changed to reflect a "better" LOS, we drivers still considered that an "F" and sigh with frustration when the light turns red a second or third time while we wait in line to cross northbound.

2. When Route 85 was opened, the traffic at the Blossom Hill Road and Almaden Expressway intersection worsened significantly. Many cars whose drivers want to head south on Route 85 will cross Blossom Hill Road in the middle lane because cars in the right lane on Almaden go extremely slowly across the intersection, some turn into the BP gas station, others turn into the apartments or the businesses next to that, and other cars are making a free merge onto Almaden Expy from the right turn for traffic westbound on Blossom Hill Road. Put all together, cars wanting to go south on Route 85 are seen to cross Blossom Hill Road in the middle, and even the lefthand lanes on northbound Almaden Expressway, then press rightward and squeeze into the line of cars turning south onto Route 85. It is really dangerous trying to get into that lane.

3. After the Route 85 traffic has headed southbound and then northbound from Almaden Expressway heading toward San Jose, then comes the traffic exiting from Route 85 northbound. Drivers who have avoided tangling with other cars to that point are then trying to get past the rest of the congestion and get back to an "expressway" configuration without all of the incoming and exiting cars into businesses lining the expressway. The next intersection with an extremely long wait time on Almaden Expressway is the Cherry/Chynoweth one. Traffic on Almaden goes both ways at one time (after left turn traffic is done). Traffic coming from Cherry gets its own cycle. Then traffic from Chynoweth gets its cycle. If there is also a pedestrian or two (and with Safeway there it happens often), that is a very, very long wait before the Expressway traffic can again start to move, and there are usually a long line of left-turn vehicles which go before the "expressway" traffic can again proceed. Again, I have sat through two red light cycles on Almaden Expy before I can get past the Cherry intersection.

4. My biggest concern about the Almaden Ranch Retail Center is that the plan shown at the May 2011 AVCA meeting included an exit off northbound Almaden Expy directly into the retail center parking lot. It would not be so terribly dangerous if all of the retail center traffic went into and out of the parking lot from Cherry, but to have cars again slowing down in the right lane, some sudden lane changes, and disruption of the expressway traffic again seems like a

Responses to Email No. 56, **Linda Spencer**

1. The comments are acknowledged. As part of the funded County improvement plan, a fourth northbound through lane, a third eastbound left-turn lane, and a dedicated westbound right-turn lane will be constructed at the Almaden Expressway and Blossom Hill Road intersection. The improvements include removal of the free right-turn movement from westbound Blossom Hill Road onto northbound Almaden Expressway. With the County plan in place the level of service at the Almaden Expressway and Blossom Hill Road intersection is expected to operate at Level D, which is better than the current Level E operation. The improvements also should eliminate some of the late merging to the right-most lane that occurs on northbound Almaden Expressway between Blossom Hill Road and the SR 85 on-ramps.

2. The comments are acknowledged. See response No. 1 above.

3. The comments are acknowledged. The proposed project would completely rebuild the Almaden Expressway and Cherry Avenue intersection to add through lanes and turn lanes on the north, south, and east legs. A dedicated right-turn only lane from northbound Almaden Expressway onto Cherry Avenue would be provided where right turns currently are prohibited. The southwest corner free-running right-turn lane would be eliminated to construct a pedestrian friendly square corner, which would improve the flow of traffic on southbound Almaden Expressway between Cherry Avenue and SR 85. With the required intersection improvements, protected left-turn phasing would be provided on Cherry Avenue such that the eastbound and westbound through movements would operate concurrently.

4. The comments are acknowledged. As stated on pages 146 to 147 of the Draft SEIR, access to the project site would be provided via Almaden Expressway, Cherry Avenue and Sanchez Drive. The project proposes an inbound only driveway on Almaden Expressway and multiple driveways at various locations along Cherry Avenue on the north side of the site and the Sanchez Drive connection along the eastern boundary of the site. The one-way inbound driveway on Almaden Expressway would be located approximately midway between Cherry Avenue and the SR 85 northbound off-ramp. This driveway would be designed such that inbound vehicles are not required to immediately stop once onsite; this design would allow inbound vehicles to flow into the site so that vehicle queues do not back up onto Almaden Expressway and disrupt the flow of traffic on the expressway.

   Inbound access from northbound Almaden Expressway would create a weaving area of about 300 feet between the SR 85 northbound off-ramp and the project driveway on Almaden Expressway. Some vehicles traveling northbound on Almaden Expressway and turning into the site would need to merge to the right, while some of the vehicles entering Almaden Expressway from the SR 85 off-ramp may simultaneously merge onto northbound Almaden Expressway. Because vehicles entering the site from northbound Almaden Expressway would be slowing down at the same time vehicles entering Almaden Expressway from the SR 85 off-ramp would be accelerating, it is estimated that the vehicle speeds at the start of the weaving area would be relatively equal. Therefore, it is estimated that a 300-foot weaving section would be adequate to serve the projected inbound vehicle trips at the Almaden driveway, and no significant operational problems are expected to occur.

poor plan. It would be frustrating enough to add all of the retail center traffic to the Almaden/Cherry/Chynoweth intersection traffic, but to make an entrance directly off Almaden, rather than to at least move the slowing cars to the side street, would create more traffic problems.

5. The planned addition of one lane to each direction of Almaden Expressway in that area would improve the current traffic situation. The future addition of Almaden Ranch Retail Center would likely make the traffic situation as bad as it is now, if not much worse.

6. We anticipate more information in the future about the project including the name of retail establishments and the hours at which they would be open. Then we can consider how great the impact would be on the Almaden Expressway traffic and the Almaden Valley residents who rely on that main road into and out of their part of town.

Respectfully,
Linda Spencer
6619 Bubblingwell Pl.
San Jose, CA 95120

5. The comments are acknowledged. The addition of one travel lane in each direction on Almaden Expressway would increase the roadway capacity on Almaden Expressway by approximately 1,900 vehicles per hour in each direction. The increased roadway capacity would more than offset the addition of project-generated traffic, since the project would add only about 200 vehicles per hour in each direction during the p.m. peak period of traffic.

6. The comment is acknowledged. See response No. 2 to comment letter No. 10 from Kai Chung; and also see response No. 2 to comment letter No. 12 from Carolyn Richards.

57.

From: Bob Strain [mailto:rstrain@pacbell.net]
Sent: Wednesday, July 06, 2011 5:27 PM
To: janismoore@sanjoseca.gov
Subject: Almaden Ranch

Dear Ms. Moore,

I apologize for this late and informal note. Even though I am a member of the Board of the Almaden Community Association, this note comes from me as a citizen of the neighborhood that may be affected by the Almaden Ranch. The following items are notes I made while reading their Draft Environmental Impact Report.

1 • This project proposes to use low-pressure Na vapor lamps. It is possible that the total cost of ownership for LED illumination will be lower by the time this project gets going. Overall electricity usage would be reduced, and the aesthetics of the lighting could be improved.

2 • Air quality is clearly a problem. It would appear that there are few ways to increase employment without having some adverse effect on air quality. Is there some possible mitigation associated with Almaden Valley folks driving less in total because Almaden Ranch brings some retail closer?

3 • There has been a recent mail campaign asserting that this project is really going to be a 24-hour Walmart Super Center. It seems to me that creating a 24-hour project would require another SEIR, and it would be up to the planning office to require that. (I am not trying to attribute credibility to the mailings.)

4 • As I read the SEIR on traffic, this project, even with its own mitigations, will essentially neutralize the improvements that Santa Clara County is planning for Almaden Expressway. The Highway 87 and Cherry intersections will return to Service Level E. Is this really acceptable? Almaden Expressway in this neighborhood is consistently one of the city's worst traffic areas.

5 • If this center would return some highly regarded retailers, like Nordstrom, to the neighborhood, it would be welcomed. If it brings nothing but problems, that will be another story.

Thank you for your attention to this project.

Bob Strain
7160 Echo Ridge Drive
San Jose, CA 95120

Responses to Email No. 57, **Bob Strain**

1. The comment is acknowledged. LED lights will be considered at the time of development in accordance with the City's updated lighting policy that is currently being reviewed.

2. The comment is acknowledged. The project will potentially reduce some trips and subsequent air quality impacts by providing stores that are not currently located in the Almaden area that residents now travel further distances to access.

3. The comment is acknowledged. See IV. Master Responses, D. Project Description, No. 1. Also see response No. 2 to comment letter No. 12 from Carolyn Richards.

4. The comment is acknowledged. Even with the funded County improvements along Almaden Expressway, the level of service at the intersection of Almaden Expressway and Cherry Avenue will operate at Level E with an average vehicle delay of 58.7 seconds under background (existing plus approved) conditions. Since the proposed project would significantly impact the Almaden Expressway and Cherry Avenue intersection, the project would be required to rebuild the intersection to add through lanes and turn lanes on the north, south, and east legs. A dedicated right-turn only lane from northbound Almaden Expressway onto Cherry Avenue would be provided where right turns currently are prohibited. The southwest corner free-running right-turn lane would be eliminated to construct a pedestrian friendly square corner. With the project mitigation in place, the Almaden Expressway and Cherry Avenue intersection would operate at Level E with an average vehicle delay of 58.0 seconds under background plus project conditions, which is better than that calculated under background conditions.

   The level of service at the intersection of Almaden Expressway and SR 85 Ramps (North) will operate at Level E with an average vehicle delay of 74.6 seconds under background conditions. Since the proposed project would significantly impact the Almaden Expressway and SR 85 Ramps (North) intersection, the project would be required to mitigate the impact. Mitigation includes building a receiving lane on the expressway for right turns from the SR 85 off-ramp, which would allow the removal of the no-right-turn-on-red restriction. With the project mitigation in place, the intersection would operate at Level E with an average vehicle delay of 69.9 seconds under background plus project conditions, which is better than that calculated under background conditions.

   It is important to note that both intersections would operate at an acceptable Level D under existing plus project conditions. Existing plus project traffic conditions could potentially exist if the project was constructed and occupied prior to the other approved projects in the area.

5. The comment is acknowledged.

58.

From: Stephen Magie [mailto:smagie@sbcglobal.net]
Sent: Wednesday, July 06, 2011 9:52 PM
To: District9; Office of Councilmember Nancy Pyle
Cc: Moore, Janis
Subject: Almaden Ranch Development

1. Please, have mercy on the residents who live near the proposed Almaden Ranch development site, and resist the temptation to capitulate to the interests of those who know of little else to value in life but money. The traffic noise and congestion is bad enough as it is without the addition of thousands of more cars and trucks per day. Maneuvering around the awkward intersections and stop lights is a frustrating daily experience for all who live and work in the area today. More traffic and congestion will only degrade the quality of life for those who live nearby.

Consider your conscience. Would you want your neighborhood degraded in this manner. Of course not...so please do not burden those who voted you in office.

Vote to significantly limit the development of Almaden Ranch and vote to improve the traffic problems that exist today.

Thank you,

Stephen Magie

1032 Cedar Gables Dr
San Jose, CA 95118

Responses to Email No. 58, **Stephen Magie**

1. The comments are acknowledged. See IV. Master Responses, B. Noise, Nos. 1 and 2 and E. Transportation / Traffic, No. 1.

59.

From: George Pettit [mailto:georpett@gmail.com]
Sent: Wednesday, July 06, 2011 10:15 PM
To: Moore, Janis; District9; district10@sanjose.gov
Cc: George Pettit
Subject: Arcadia Development Almaden Expressway

1. This is to express my opposition to the proposed 400,000 square feet retail development on the site located off Almaden Expressway at Hwy. 85. How can the draft EIR say that traffic impacts can be mitigated to a non-significant level when the rating will be "E" even after the mitigation (just one step above an "F") ? This is one of the worst places in San Jose to add commercial traffic. Home Depo Expo failed because the traffic was not worth hassling to get into it. I live within walking/biking distance and I
2. won't even walk/bike there. I am also concerned about agricultural and habitat resources impact. The county is developing an agricultural park right across the river, which seems to indicate that this land has
3. tremendous agricultural potential. I am also concerned about heritage trees on the site and whether there is a plan to preserve/replant them. The nearby Thousand Oaks neighborhood has many beautiful large old trees, and there is no reason why this property can't be the same. In terms of site design, preserving open space behind huge commercial development just seems to be an invitation to creek dumping.
4. Finally, the Whole Foods project a little further south is a good example of the kind of site re-use that we need to see before you approve a project on vacant undeveloped land. In short, please reject the conclusion that this project will not have significant impact. I live within a mile and it will have significant negative impact on me. George L. Pettit

georpett@gmail.com
http://www.cortecscenery.com

Responses to Email No. 59, **George Pettit**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. Also see response No. 4 to comment letter No. 57 from Bob Strain.

2. The comment is acknowledged. Habitat and agricultural resources of the project site have been evaluated and discussed in sections III. D. Biological Resources and III. B. Agricultural Resources in the Draft SEIR. Also see response No. 2 to comment letter No. 48 from Rene M. Duenas.

3. The comment is acknowledged. As stated on page 67 of the Draft SEIR, there are no designated Heritage Trees on the project site.

4. The comment is acknowledged.

60.

July 6, 2011

Ms. Janis Moore
San Jose Department of Planning, Building, and Code Enforcement
Janis.moore@sanjoseca.gov

Dear Ms. Moore:

As a resident of San Jose with a strong interest in civic and transportation issues in Santa Clara County, especially ones that affect south San Jose, I am concerned about traffic and transportation impacts of the proposed "Almaden Ranch" project on the northeast quadrant of Almaden Expressway and Route 85.

My comments and concerns are based on the May 23, 2011 "Draft Subsequent EIR for the Almaden Ranch Retail Center", the "Conceptual Site Plan" 3.0 of June 16, 2011, and the community meeting held on June 23, 2011 at the San Jose Pearl Avenue Branch Library. I would like to request that the following traffic and transportation impacts of the proposed "Almaden Ranch" project on the northeast quadrant of Almaden Expressway and Route 85 be addressed satisfactorily before this project is allowed to proceed:

1. Buildings on the south side of the project should be set back more northerly from the northbound Route 85 off ramp to Almaden Expressway. Specifically, buildings A1, M1, and M3 are too close to this off ramp. In the future, reconfiguration of ramps between Almaden Expressway and Highway 85 might need more land, so having buildings, instead of parking areas, so close to an existing off ramp is shortsighted. Furthermore, having these buildings so far from Cherry Avenue (aka Chynoweth) across a big parking lot is not pedestrian friendly for people walking to "Almaden Ranch" on Cherry Avenue or coming from the existing Safeway shopping center across Cherry from this project.

2. There should not be an entryway into the project directly from Almaden Expressway, especially not one so close to the Route 85 off ramp as shown between buildings P1 and S2. This will cause severe confusion and traffic hazards as northbound traffic on Almaden Expressed swings to the right to enter "Almaden Ranch" and traffic exiting 85 northbound onto Almaden Expressway northbound swings to the left to continue going north on Almaden Expressway, all within the same 100 feet. So, there should be no access into or out of "Almaden Ranch" directly from or to Almaden Expressway, but a direct spur into the project from the 85 off ramp east of Almaden Expressway should be considered.

3. Traffic on Almaden Expressway between Blossom Hill Road and Branham Lane is horrendous now and would be further exasperated by "Almaden Ranch", so alternative access should be developed using Sanchez Drive on the east of this project. Although it is good to connect Cherry Avenue to the north end of Sanchez Drive, Sanchez Drive should be widened to four lanes all the way to Blossom Hill Road. This would make it easier for traffic from the east along the Blossom Hill corridor to go to and from "Almaden Ranch" without further impacting the horrendous traffic conditions on Almaden Expressway or the service level E intersection of Almaden Expressway and Blossom Hill Road.

4. A connecting road between Sanchez Drive and Winfield north of Blossom Hill Road is needed to avoid further traffic impacts along the Blossom Hill Road corridor between Almaden Expressway and Oakridge Mall. E.g., an extension of Thornwood Drive west to Sanchez could accomplish this needed traffic relief. This would provide an alternative to traffic flowing between Oakridge Mall and

Responses to Letter No. 60, **Steven Levin**

1. The comment is acknowledged. While the level of detail is not shown on the PD Zoning plans, the detail at the PD Permit stage will demonstrate that Building M3, as shown on the revised Conceptual Site Plan (see Text Amendments) will be set back at least 23 feet from the existing State right-of-way line for the State Route 85 northbound off-ramp. This is sufficient width should an additional lane be added to the off-ramp in the future. See response No. 2 to comment letter No. 2 from the Santa Clara Valley Transportation Authority.

2. The comment is acknowledged. The project will construct both a fourth northbound through lane along the entire project Almaden Expressway frontage as well as an acceleration-deceleration lane to accommodate the project's expressway entrance. The conflict described in the comment should be minimal because traffic turning right from the State Route 85 northbound off-ramp will stop before turning right on a red light, yielding to through traffic on the expressway. Similarly, when the off-ramp has a green light, the traffic on the expressway will be stopped. The access to the site from Almaden Expressway has been vetted and tentatively approved by the County Roads staff, who have indicated that with the project-proposed widening of the expressway and the addition of an acceleration-deceleration lane along the project's frontage, the right-in only opening will function acceptably. Also see response No. 4 to comment letter No. 56 from Linda Spencer.

3. The comments are acknowledged. See response No. 2 to comment letter No. 9 from Michelle Ring.

4. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

the "Almaden Ranch" project, as well as all the nearby commercial areas along Almaden Expressway between Branham Lane and Route 85. Combined with widening Sanchez Drive to four lanes all the way south to Blossom Hill Road, this would help to relieve traffic impacts on Almaden Expressway, Blossom Hill Road, and the badly congested Almaden Expressway - Blossom Hill Road intersection.

5. Buildings P1, S2, and S3 should be set back further east from Almaden Expressway to accommodate future widening or enhancement to Almaden Expressway without these buildings being in the way. Similarly, building S4 should be set back further south from Cherry Avenue to accommodate future enhancements and widening to the intersection of Almaden Expressway and Cherry Avenue. As vehicle traffic intensifies in the future, which it undoubtedly will, more lanes and more width might be needed on Almaden Expressway, especially between Blossom Hill Road and Branham Lane. There is no reason to be shortsighted by approving or placing new buildings so close to Almaden Expressway or to the intersection of Almaden Expressway and (the renamed) Cherry Avenue.

6. I am puzzled by LoS A at 85 and Almaden Plaza Way or B/C at Almaden Expressway and 85 south, as stated in the Draft Subsequent EIR. As anyone who travels on 85 south and exits onto Almaden Expressway south any weekday afternoon or weekend during commercial hours knows, the 85 ramp onto Almaden Plaza Way and the attempt to get into a lane to turn south on Almaden Expressway is a nightmare. Traffic exiting 85 southbound often stops on 85, before even getting onto the off ramp. Similarly, getting through the lights at the end of the off ramp onto Almaden Plaza Way and the lights controlling access to Almaden Expressway is a chaotic, free-for-all with long waits, backups, and short merging distances. The level of service concept should be reevaluated for intersections like these, where some movements are so severely impacted and certainly not LoS B/C, let alone A.

7. I would like to commend the "Almaden Ranch" developers for no longer proposing a service station at the corner of Almaden Expressway and Cherry Avenue. Not only is a service station unnecessary at that intersection, which already has several service stations on the other corners, but having direct access from Almaden Expressway into a service station at that location would be another bad traffic hazard and nightmare. It is good that such a concept was removed on "Conceptual Site Plan" 3.0.

Thank you for considering my comments on this project. If you have any questions, please contact me.

Steven Levin
1311 Cerro Verde
San Jose, California 95120

Affiliations:

- Member of the Board of Directors of the Almaden Valley Community Association (AVCA – the umbrella community association for zip code 95120)
- Chairperson of the AVCA Transportation Committee
- Member (and Vice-Chairperson) of the Santa Clara County Roads Commission representing Santa Clara County District 1 (mostly south San Jose and southern Santa Clara County)
- Member of the Santa Clara County Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC)
- Chairperson in the 1980s of the Route 85 Task Force that was instrumental in getting State Route 85 built from Cupertino through south San Jose to Highway 101

5. The comment is acknowledged. The building setbacks along Almaden Expressway and Cherry Avenue are shown in conformance with the Development Standards as part of the PD Zoning package. The Development Standards require minimum 20-foot setbacks along Almaden Expressway and 15 feet along Cherry Avenue.

   With this development, the ultimate curb lines for Almaden Expressway and Cherry Avenue would be set. There would be no opportunity for future widening. Both streets need to align with existing street sections that already are built on either side. Streets cannot be widened just for a short length. With this project in conjunction with the County expressway widening project, Almaden Expressway would be four lanes in each direction, and Cherry Avenue would be two lanes in each direction (along the project frontage). These are the ultimate cross-sections for each street.

6. The existing level of service at the Almaden Expressway and SR 85 Ramps (South) intersection calculates to Level C. The calculated level of service is based on average vehicle delay at the intersection as a whole. The level of service methodology employs a "weighted average" approach to calculate the average vehicle delay and corresponding intersection level of service that is reported. Since signal timing priority is given to Almaden Expressway, the northbound and southbound high-volume approach movements are operating with low vehicle delays and receive more weight, while the eastbound approach (Almaden Plaza Way) is experiencing long vehicle delays but receives less weight. It is important to note that although the intersection calculates to Level C as a whole (based on average delay), the eastbound approach (Almaden Plaza Way) is operating at Level E.

   Although the existing level of service at the SR 85 Off-ramp and Almaden Plaza Way intersection is reported as Level A, the level of service calculation does not take into account the vehicle stacking that occurs on Almaden Plaza Way and the SR 85 off-ramp. While there are very few conflicting movements at this intersection and there is adequate capacity to serve the existing traffic volume, Level A operation reflects a traffic condition with very low vehicle delays. This is not completely accurate. Note that during the p.m. peak hour, vehicles turning left from the SR 85 southbound off-ramp toward Almaden Expressway are often blocked by the eastbound vehicle queues on Almaden Plaza Way due to the limited stacking space that is available between Almaden Expressway and the off-ramp. As a result, some vehicles are forced to wait through a second signal cycle. This is not reflected in the intersection level of service calculation because the level of service analysis software assumes adequate storage space is available on Almaden Plaza Way.

   Note that as part of the funded County improvement plan, an eastbound left-turn lane will be added to the west leg of this intersection (Almaden Plaza Way), which will provide additional vehicle storage between Almaden Expressway and the SR 85 southbound off-ramp.

7. The comment is acknowledged.

61.

The City of San Jose
Department of Planning, Building and Construction
Janis Moore
200 East Santa Clara Street
San Jose, CA 95113-1905

Public Comments dated July 6th, 2011: Almaden Ranch Retail Draft Environmental Impact Report

Dear Mrs. Moore-

1. I believe the proposed Almaden Ranch Retail Center is not consistent with the *San Jose 2020 General Plan*. Therefore, I believe it should be reduced in size and scope to reflect the residential component considered in the General Plan.

On page 28 of the Draft Environmental Impact Report, it states that the proposed project is consistent with the General Commercial portion of the site but not with the High Density Residential portion shown on the 2020 General Plan Land Use Diagram. If it is not consistent with the General Plan then I cannot understand how it can be approved in its current configuration.

2. At the same time, the Draft EIR points out that the 2040 General Plan considers turning this into a "Regional Commercial" designation. While this may resolve the conflict with the 2020 General Plan call for residential, it then begs the question of whether the traffic study took into account that this was planned as a regional destination location. This would result in a significant impact on the traffic in the area and I do not see where the developer proposes any mitigation to account for these traffic concerns.

I urge you to consider making the Environmental Impact Report examine further these issues highlighted above.

Thanks,

Against changes to the current property!

T. Vega
Tina Vega
394 Greenpark Way
San Jose, CA 95136

Responses to Letter No. 61, **Tina Vega**

1. The comments are acknowledged. See response No. 3 to comment letter No. 10 from Kai Chung.

2. The comments are acknowledged. The proposed size of this commercial project – about 400,000 square feet – falls into the category of "Regional Shopping Center" as defined by the City of San Jose. The traffic study accounts for the fact that this would be a regional destination location. As shown in Table 15, Project Trip Generation, on page 141 of the Draft SEIR, a trip rate of 50 trips per 1,000 square feet was used to estimate the project's traffic. This is the rate the City uses for Regional Shopping (300,000 to 600,000 square feet). The Envision 2040 General Plan has its own Draft EIR and is analyzing the impact of the traffic generated by its proposed land uses.

62.

Herbert W. Beck
6622 Mt. Holly Drive
San Jose, CA 95120

July 6, 2011

Janis Moore
Department of Planning, Building & Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113-1905
(email) Janis.moore@sanjoseca.gov

Subject: Environmental Impact Report for Almaden Ranch Retail Center, file no. PDC10-006 specifically Arcadia Development for a 400,000 square feet commercial development building.

To: City of San Jose Planning Commission;

1. Please do not approve this proposal for the following reasons:

South San Jose does not need a 400,000 sq.ft. commercial building when a 96,900 sq.ft. commercial building sits un-occupied across the street (Home Depot property EXPO Outlet Center).

1,980,000 sq.ft. of commercial sales business exist within 0.8 mile radius from Almaden-85 including Westfield Oakridge shopping mall and the Almaden Shopping mall plus Costco.

The EIR states to develop the roads to accommodate the additional traffic: "install new lane road on Almaden Expressway and upgrade the Almaden-Cherry intersection" with additional traffic control systems. This requires the city of San Jose to spend xx million dollars (not specified). The EIR states "even with these upgrades the traffic delays would be marginally acceptable (E-rating)".

Traffic congestion on highway 85 exiting both east and west to Almaden Expressway is currently very poor. Additional traffic to Almaden Ranch would make long delays to get through Almaden Expressway and tie-up traffic in this area.

For people living on the east side of the Guadalupe River (Chynoweth area), the only access to the Almaden Ranch would be either north via Branham Ave. or south around Blossom Hill Rd (and Sanchez street backdoor). This creates more traffic at these intersections which are already congested. At a minimum, Chynoweth Ave. should be extended with a bridge crossing the Guadalupe River to Cherry Ave. linking the light rail Chynoweth terminal, bicycle, pedestrian and vehicles via Chynoweth Ave.

The Almaden and Blossom Hill Intersection is one of the busiest ground-level crossing intersections in northern California. We must devise ways to reduce traffic at this intersection not to enhance it.

Responses to Letter No. 62, **Herbert W. Beck**

1. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1 and E. Transportation / Traffic, Nos. 1 and 2. See also response No. 2 to comment letter No. 9 from Michelle Ring and response No. 1 to comment letter No. 31 from Rebecca Hendricks. Based on the Conceptual Site Plan, large trucks would utilize Sanchez Drive and Cherry Avenue to access the project site. The inbound-only driveway on Almaden Expressway would not be used by large delivery trucks.

Herbert W. Beck
6622 Mt. Holly Drive
San Jose, CA 95120

July 6, 2011

Large delivery trucks (18 wheelers) are not allowed on Highway 85, therefore to make deliveries to the Almaden Ranch Retail Center, deliveries would necessarily be on local streets - namely Almaden Expressway.

2. According to Cooper-Clark and Associates' San Jose Geotechnical Investigation, this site is mapped as having a "moderately high to high liquefaction potential with weak soil layers". Is this a potential problem in the event of a 7.0 or greater earthquake?

3. A large Walmart retail outlet center exists 4.0 miles away at 5502 Monterey Rd. in South San Jose. Do we really need another China-mart outlet center in this area in addition to those at 301 Ranch Drive in Milpitas and 600 Showers Drive in Mountain View and Gilroy?

4. The police protection has been reduced by 66 officers in San Jose (July 2011). There are only 2 officers on 2 shifts to patrol 35 square miles in South San Jose – Almaden Valley highway-35 north, to Blossom Valley south. This leaves this area exposed to criminal activities.

5. An alternative use of this property is for residential land use: condominiums and family recreational center for the residents already living in this area.

Sincerely,

Herbert W. Beck

Herbert W. Beck

2. The comment is acknowledged. As stated on pages 92 to 93 of the Draft SEIR, The site is mapped within a hazard zone for liquefaction on the State's *Seismic Hazard Zones* maps; and, according to Cooper-Clark and Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a moderately high to high ground failure (liquefaction) potential and weak soil layers and lenses occurring at random locations and depths. While the liquefaction potential is considered to warrant further geologic study, the remainder of the soils conditions (i.e., weak soils) can be managed using standard engineering measures. Mitigation Measures Included in the Project, on page 97 of the Draft SEIR, consist of the requirement of geotechnical analysis addressing the potential hazard of liquefaction to be approved by the City Geologist prior to issuance of a grading permit or Public Works clearance at the PD Permit design phase; and the implementation of ground improvement measures and/or special foundations. In addition, the proposed structures on the site will be designed and constructed to avoid or minimize potential damage from seismic shaking on the site.

3. The comment is acknowledged. See IV. Master Responses, D. Project Description, No. 1.

4. The comment is acknowledged. See response No. 4 to comment letter No. 51 from Lee-Ann Refregier.

5. The comment is acknowledged. See response No. 4 to comment letter No. 44 from Bob and Nancy Ray.

63.

Planning Department

200 East Santa Clara Street

San Jose, CA 95113-1905

Planner, Janis Moore

1. The Almaden Ranch Retail may not have a plan for a bridge at the moment but the long term effect of the development will be the implementation of a bridge. There should be comprehensive studies done to show how long it will be before the development needs to add the bridge to alleviate the traffic impacts it will bring to the area.

Thanks,

(JASON CHUN)
936 Fell Ct., San Jose, CA 95136

P.S. Please CC: Council members Pyle & Rocha

Responses to Letter No. 63, **Jason Chun**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

64.

Planner, Janis Moore
CC: Council members Pyle & Rocha
200 East Santa Clara Street
San Jose, CA 95113-1905

Comments: Almaden Ranch Retail DEIR

Mrs. Moore,

1. It is unacceptable that the developer can change the zoning for the site because they want to make more money with more retail. Plans were created for a reason and the Arcadia development is only trying to get the most they can out of the property regardless of the impacts on the community. There is talk of Wal-Mart one week then Lowes the next. Different big box stores have different impacts on the community. The EIR study should
2. look at the impacts of the development with residential and without. They should also have to prove that there is a hardship necessitating this zone change. Further studies
3. should be conducted on the impacts of different large scale retail stores. My Concern is for the cost of any proposed bridge &

Thanks

4. noise impact to our neighborhood & further loss of property values. Hwy 85 or Blossom Hill Rd would give quick enough access to stores if they are built.

Beverly Munson
948 Fell ct
San Jose CA 95136

Responses to Letter No. 64, **Beverly Munson**

1. The comments are acknowledged. See response No. 2 to comment letter No. 10 from Kai Chung. Also see IV. Master Responses, D. Project Description, No. 1.

2. The comment is acknowledged. Residential use was analyzed in the prior Almaden / Chynoweth Project EIR in 1998, but no residential use is proposed as part of this project.

3. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

4. The comments are acknowledged. See IV. Master Responses, B. Noise, No. 2; and A. Economic Impacts, No. 1.

65.

Janis Moore
200 East Santa Clara Street
San Jose, CA 95113-1905

Comments on the Almaden Ranch Retail Draft Environmental Impact Report

Mrs. Moore,

1. Please take into consideration my concerns about the Almaden Ranch Retail Draft Environmental Impact Report. I believe the Almaden Ranch Retail Center EIR does not fully address the traffic impacts on the community at large. Also the plan is not consistent with the San Jose 2020 General Plan. The plan should better mirror the long term smart growth plans of the city and region.

2. The plan for 400,000 SF of retail space with little to no pedestrian friendly amenities should no longer be tolerated no mater what the economy looks like. The EIR report should further study the impacts on pedestrian and bike safety. The San Jose 2020 General Plan indicates that we as a city want to move towards human scale development instead of these large strip centers that only move business from one part of town to another. As a result the EIR should also show where blight will increase as a result of this development.

Thanks,

Rebecca A Graham
5243 Fell Avenue
San Jose, CA 95136

Responses to Letter No. 65, **Rebecca A. Gorham**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. See also response No. 3 to comment letter No. 10 from Kai Chung.

2. Most of the roadways in the vicinity of the project site have sidewalks on both sides of the street. The streets fronting the project site – Almaden Expressway and Cherry Avenue – currently do not have sidewalks adjacent to the site. As a result, crosswalks are present on the north and west approaches of the Almaden Expressway and Cherry Avenue intersection only. As part of the funded County Almaden Expressway Plan, the southwest corner free-running right-turn lane will be eliminated to construct a pedestrian friendly square corner for operational benefit.

   The transportation network improvements that would be built in conjunction with the proposed project also would enhance pedestrian and bicycle safety in the area. Sidewalks would be added to Almaden Expressway and to Cherry Avenue along the project frontage. Crosswalks would be added to the intersection of Almaden Expressway and Cherry Avenue. In addition, the project would connect Sanchez Drive to Cherry Avenue. This would allow bicyclists to bypass the segment of Almaden Expressway between Blossom Hill Road and Cherry Avenue, thereby creating a safer environment for bicyclists who would otherwise have to use Almaden Expressway. The Cherry Avenue connection will be built with sidewalks on both sides and would have continuous bike lanes striped from Blossom Hill Road to Almaden Expressway.

66.

Planning Department
200 East Santa Clara Street
Subject: Almaden Ranch Retail DEIR

Janis Moore
& Council members Don Rocha and Nancy Pyle

1. The Almaden Ranch Retail DEIR needs to do more studies on the comprehensive impacts of traffic on the surrounding communities, environmental changes to the Guadalupe River, and noise increases for neighbors. This land has been vacant for some time and alternatives to this
2. development should be studied. The fact that developer is asking for a zone change says that they are already asking the city to make special exemptions for them. This development is not consistent with smart growth and the cities plans. Please make this developer accountable to the city's plans that have been laid out to create a better quilty of life in San Jose.

Thanks

Howard C. Daws
942 Chynoweth Ave. SJ

Responses to Letter No. 66, **Howard C. Davis**

1. The comments are acknowledged. See response No. 2 to comment letter No. 32 from Joanne Saso; response No. 6 to comment letter No. 4 from the Santa Clara Valley Water District; and response No. 3 to comment letter No. 49 from Darren Kosinski. See also IV. Master Responses, B. Noise, Nos. 1, 2 and 3 and E. Transportation / Traffic, No. 1.

2. The comments are acknowledged.

67.

To: Janis Moore
CC: Council members Don Rocha and Nancy Pyle
Planning Department
200 East Santa Clara Street
Subject: Almaden Ranch Retail DEIR

1. The Draft EIR indicts that the 2040 General Plan considers designating the site a "Regional Commercial" designation. This designation conflict with the traffic study which says the development will not be a regional draw. It appears the developer is just trying to get around the zoning requirement for housing. While housing it is hard to say what the impact of housing would be on the community it is fair to say that would not be a regional draw. There are numerous large retail stores throughout the area and adding more will only reinforce this area as regional destination for retail. The EIR study should reflect the reality of this development and the regional draw it will have on traffic.

Thank you,
Balenta Schultze

Responses to Letter No. 67, **Kalurta Schultze**

1. The comments are acknowledged. See response No. 3 to comment letter No. 21 from Harold Clay and response No. 4 to comment letter No. 44 from Bob and Nancy Ray.

68.

The City of San Jose
Department of Planning, Building and Construction
Janis Moore
200 East Santa Clara Street
San Jose, CA 95113-1905

1. I would like to submit comments on the Almaden Ranch Retail Draft Environmental Impact Report. There needs to be more study done on the environmental impacts given the planned removal of ninety five trees on the development property. This will not only dramatically change the local ecosystem
2. but also the quality of life for the community. The trees also act a sound buffers and the removal would only make the traffic noise from 85 worse. More studies should be done on the impacts of noise as a result of the removal of plant life on the property.

3. It should be noted that the Guadalupe River banks are teaming with life and this development will likely displace the animals and send them looking for refuge on the properties of neighbors. The study does not address the health risks of displacing wildlife with large residential areas surrounding the effected property.

Sincerely,

Betty Baldwin
5294 Fell Ave

Responses to Letter No. 68, **Bettye Baldock**

1. The comment is acknowledged. Tree removal is commonly employed in development projects where the development cannot accommodate the distribution of existing trees. As many of the trees subject to removal are non-native species, the required replacement native trees are potentially of higher ecological importance to the setting of the property.

   In accordance with the City's Tree Ordinance, tree removal will be adequately mitigated for with replacement trees. More than half of the trees that are subject to removal are rows of small orchard trees (i.e., cherry trees and Monterey pine trees grown for holidays) that were planted for commercial use. These trees do not add significant ecological value to the property. However, the overall ecological value of the replacement trees that would be planted as a result of tree removal would be substantial. For native ordinance-sized trees, of which there are seven (7) subject to potential removal, 35 native 24-inch box trees (each approximately 3-4 years in age) would be planted to offset these trees. To offset the loss of the seventeen (17) non-native ordinance trees, 72 native 24-inch box trees would be required. Nineteen (19) 24-inch box trees would be required to be planted to mitigate for the loss of trees that are 12 to <18 inches in diameter that could potentially be removed from the project site. To mitigate for the trees that have a diameter of less than 12 inches, 8 native 15-gallon trees would be required (orchard trees are not subject to replacement). In total, 134 trees, most of which are greater than 3 feet tall, would be required for replacement if all trees that are subject to potential removal were to be removed. Furthermore, additional native vegetation, including trees not included in the replacement ratios, is planned to be planted between the future development and the Guadalupe River riparian corridor.

2. The comment is acknowledged. While a large band of dense trees such as a forest can reduce noise levels at shielded receivers, trees must be of sufficient height, density, and in an area at least 100 feet deep (distance between noise source and receiver) to provide measurable attenuation. Given that SR 85 is elevated adjacent to the project site, and that trees to be removed are relatively sparse, noise from SR 85 is not expected to increase at adjacent residences as a result of tree removal.

3. The comment is acknowledged. The Guadalupe River and its associated riparian habitat will remain untouched and a 100-foot development-free buffer will be established to further ensure that there are no adverse impacts to the Guadalupe River ecosystem. The chances that wildlife will move from the riparian habitat to the surrounding residential areas would remain equal to those posed under the current setting.

69.

To: Janis Moore

The City of San Jose

Department of Planning

200 East Santa Clara Street

San Jose, CA 95113-1905

Subject: EIR Almaden Ranch Retail

1. This study does not address the economic impacts on the community. Adding another big box to the community is a waste of time when there is already a vacant store just across the street. It is about time we stop using that land like trash. This developer is just trying to roll over the community and the city by using the poor economy to get as much as they want. There needs to be studies on the how the economy will be effected and what other business will close as a result of this development. This project should not be approved just so it can be another dark box in a few years. Please stay true to the long term plans of the city and make sure this development truly meets the comprehensive plans for San Jose.

Thanks

Angela Hogatt
5259 Fell Ave
San Jose, CA 95136

Responses to Letter No. 69, **Angela Hogate**

1. The comments are acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

70.

Janis Moore
Department of Planning, Building and Construction
200 East Santa Clara Street
San Jose, CA 95113-1905
Re: Almaden Ranch Retail Center Proposal Draft EIR

Dear Ms. Moore

1. After reviewing the Draft Environmental Impact Report for the Almaden Ranch Retail Center, I am concerned about the significant impact to the trees on the property. As the report indicates many of these trees are located within Riparian Buffer along Guadalupe River. This buffer is critical to protecting the habitat and health of the river. In fact, the city of San Jose requires a 100 foot buffer in its ordinance.

The study indicates that 121 trees were surveyed on the southwesterly corner of the property. Of those, 26 were located in the Riparian Buffer and would remain. However, the report also states that it is assumed that all the other 95 trees, including 24 ordinance size trees would be removed[1].

I find this unacceptable. We are going to allow the developer to remove almost 100 trees on the site and the mitigation recommended is to plant some more trees? This makes no sense.

I believe a stronger effort on the developer's part to preserve the existing tree canopy should be considered. The report should further investigate the impact on habitat would be if the trees are removed and replaced with 3 foot tall trees.

Thanks for your consideration,

Kathleen Jensen

[1] Almaden Ranch Retail Center Draft EIR. Summary Section page IV.

Responses to Letter No. 70, **Kathleen Jensen**

1. The comments are acknowledged. See response No. 1 to comment letter No. 68 from Bettye Baldock.

71.

Ms. Janis Morris
Planning Division
&
Councilmember Pyle
San Jose City Hall
200 East Santa Clara Street
San Jose, CA 95133

Dear Ms. Morris:

I am writing to express my sincere disagreement with an impending development which has just gone through an Economic Impact Review. I have read over 700 pages of the report and believe there are major issues which the developer needs to address before this can be recommended to the council.

1. How can we have all the traffic of a big box retailer added to our already crowded neighborhood? This large un-necessary big box retailer will be a regional draw and be a disaster for our neighborhood. I fail to see how deleting the residential portion of this proposed development can be consistent with the San Jose General Planning principals espoused by former administrations. Allowing a big box developer to skirt the standards of our own planning department should not be tolerated.

2. Please listen to the neighbors who do not want a regional big box retailer near their homes and especially in such proximity to our Guadalupe River.

3. I urge you to give this your careful attention and please keep the neighborhood informed of any opportunity to voice our opposition to this unwanted development.

Respectfully,

Hugo Hernandez
5445 Sanchez Dr SJ CA 95123

Responses to Letter No. 71, **Hugo Hernandez**

1. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. See also response No. 3 of comment letter No. 10 from Kai Chung.

2. The comment is acknowledged.

3. The comment is acknowledged. See IV. Master Responses, C. Notification, No. 1.

72.

City of San Jose
Planning Division
200 East Santa Clara Street
San Jose, CA 95113

CC: Council Member Nancy Pyle

Dear Janis Morris,

1. I would like to address the EIR for Arcadia development project slated for the intersection of Almaden Expressway and 85. This development will increase the traffic significantly. The current traffic impact study in the EIR is not comprehensive enough. A study area of all intersections within a half mile of the site should be studied in order to have a comprehensive understanding of the impacts on the community.

2. The traffic study should also address impacts the development will have on emergency response times in the community.

3. This project decrease pedestrian and cyclists safety. This project does not mesh with the long term smart growth goals of San Jose. Having places to look up your bike does not equate to a cyclists friendly development.

Thanks, (Caroline Lugo)

5443 Sanchez Dr
San Jose, CA 95123

Responses to Letter No. 72, **Caroline Lugo**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. See also response No. 3 to comment letter No. 11 from Joseph Shaheen.

2. The comment is acknowledged. Analysis of emergency response times is not part of the standard Transportation Impact Analysis scope. Emergency vehicles have the right-of-way on all roadways.

3. The comments are acknowledged. See response No. 2 to comment letter No. 65 from Rebecca A. Gorham.

73.

City of San Jose
Planning Division
Attn: Janis Morris and Councilmember Nancy Pyle
200 East Santa Clara Street
San Jose, CA 95113

1. I believe the EIR should address the unpermitted grading and removal of trees on the Arcadia property. A study should also be conducted to find out what type of soils were used and did razing the topography of the property impact the flood plain. Are the adjacent houses more susceptible to flooding long term because of this project and what will the noise mitigations be?
2. There needs to be more study conducted on the noise impacts on Tonino drive and Dawnview Ct.

Sincerely

963 Chynoweth Ave SJ Ca. 95136

Responses to Letter No. 73, **Donald Jefford, Jr.**

1. The comment is acknowledged. A report entitled Addendum to the Almaden / Chynoweth Project Final EIR for Grading Plan Approval and Tree Replacement was prepared by the City in 2004 to address the removal of two large eucalyptus trees from the easterly portion of the project site and the undocumented importation of fill material. Earth Systems Consultants Northern California conducted a fill quantity and environmental quality testing study at that time. The area of imported fill material covered approximately 14.5 acres, to a total depth of approximately one foot. As stated on page 114 of the Draft SEIR, the project site is not located within the limits of potential inundation with the occurrence of a 1 percent (100-year) flood. See response No. 6 to comment letter No. 6 from the Erikson Neighborhood Association and VEP Community Association. As stated on page 74 of the Draft SEIR, the 100-foot setback from the edge of the riparian corridor as measured from the dripline of riparian vegetation includes the locations of the two eucalyptus trees that were previously removed. Mitigation for the two eucalyptus trees that were removed was completed in 2006; a fee was paid to the City and trees were planted along Sanchez Drive.

2. The comment is acknowledged. See IV. Master Responses, B. Noise, Nos. 2 and 3.

74.

CITY OF SAN JOSE
PLANNING DIVISION
JANIS MORRIS

200 EAST SANTA CLARA STREET
SAN JOSE, CA 95133

DEAR MS. MORRIS:

AS A RESIDENT OF SAN JOSE AND A VOTER, I WANTED TO WRITE TO YOU ABOUT A CONCERN I HAVE WITH THE PROPOSED ALMADEN RANCH RETAIL CENTER.

1. I AM VERY CONCERNED ABOUT A PROPOSED ATTEMPT TO PUT A LARGE REGIONAL DESITINATON TYPE FACILITY IN THIS NEIGHBORHOOD. FURTHERMORE, I HAVE SEEN REPORTS OF A BRIDGE TO ACCOMPANY THIS PROJECT.

2. AS A TAXPAYER, I AM ASTONISHED THAT A DEVELOPER AND BIG BOX STORE WOULD ASK THE COMMUNITY TO PICK UP THE TAB ON A BRIDGE TO WAL-MART. IF THIS PROJECT CAUSES ENOUGH TRAFFIC TO WARRANT A BRIDGE INTO THE NEIGHBORHOOD, I DO NOT WANT TO PAY FOR THE TRAFFIC TO CONGEST OUTSIDE MY HOME.

3. PLEASE LOOK AT THIS ENVIRONMENTAL IMPACT CLOSELY AND DON'T LET BIG BUSINESS DESTROY OUR COMMUNITY.

THIS SEEMS UNWANTED AND UNNECESSARY IN OUR NEIGHBORHOOD. WE ALREADY HAVE PLENTY OF OPTIONS WITHOUT ONE THAT BRINGS AN UNWANTED BRIDGE.

SINCERELY, Jared Ring

(408) 529-1067

Responses to Letter No. 74, **Jared Ring**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2.

2. The comments are acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 2 and D. Project Description, No. 1.

3. The comment is acknowledged.

75

ALMADEN RANCH RETAIL CENTER OPEN COMMUNITY LETTER

As nearby residents to the proposed Almaden Ranch Retail Center, we want to express our desire to see the Environmental Impact Study further examine the following issues that will impact the surrounding community.

1. Expanded Traffic Impact Study—A more comprehensive study of the traffic impacts from the proposed shopping center including the surrounding neighborhood streets.
2. Noise Mitigation – The development will create substantial noise increases and this impact should be studied in further detail.
3. Environmental Impacts—A detailed study of migratory bird and the impacts on Guadalupe Creek
4. Economic Impacts—An assessment of the potential economic impacts of 400,000 square feet of retail on surrounding businesses
5. Blight and Crime Study —Conduct a study on the impacts of already vacant retail space in the immediate area and impacts on the crime rates.

Sincerely,

KAI CHUNG 4943 TONINO DR SJ CA 95136
name address
9394888@GMAIL.com
telephone or e-mail

Kathleen Pinheiro 4931 Tonino Dr. SJ., CA 95136
name address
Krose_pinheiro@yahoo.com
telephone or e-mail

JOHN & CAROL ARAIZAGA 4871 TONINO DR SJ 95136
name address
408 265 8172
telephone or e-mail

Gary Prideaux 4865 TONINO DR SJ 95136
name address
gary.prideaux@gmail.com
telephone or e-mail

ALMADEN RANCH RETAIL CENTER OPEN COMMUNITY LETTER

As nearby residents to the proposed Almaden Ranch Retail Center, we want to express our desire to see the Environmental Impact Study further examine the following issues that will impact the surrounding community.

1. Expanded Traffic Impact Study—A more comprehensive study of the traffic impacts from the proposed shopping center including the surrounding neighborhood streets.
2. Noise Mitigation – The development will create substantial noise increases and this impact should be studied in further detail.
3. Environmental Impacts—A detailed study of migratory bird and the impacts on Guadalupe Creek
4. Economic Impacts—An assessment of the potential economic impacts of 400,000 square feet of retail on surrounding businesses
5. Blight and Crime Study —Conduct a study on the impacts of already vacant retail space in the immediate area and impacts on the crime rates.

Sincerely,

CAROLYN RICHARDS 4847 TONINO Dr., San Jose, CA 95136
name **address**
408-723-5174
telephone or e-mail

Jared Ring 4835 Tonino Drive
name **address**
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Michelle Ring 4835 Tonino Dr.
name **address**
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JOSEPH SITAHEEN
name **address**
408-218-1429 4817 TONINO DR
telephone or e-mail

ALMADEN RANCH RETAIL CENTER OPEN COMMUNITY LETTER

As nearby residents to the proposed Almaden Ranch Retail Center, we want to express our desire to see the Environmental Impact Study further examine the following issues that will impact the surrounding community.

1. Expanded Traffic Impact Study—A more comprehensive study of the traffic impacts from the proposed shopping center including the surrounding neighborhood streets.
2. Noise Mitigation – The development will create substantial noise increases and this impact should be studied in further detail.
3. Environmental Impacts—A detailed study of migratory bird and the impacts on Guadalupe Creek
4. Economic Impacts—An assessment of the potential economic impacts of 400,000 square feet of retail on surrounding businesses
5. Blight and Crime Study —Conduct a study on the impacts of already vacant retail space in the immediate area and impacts on the crime rates.

Sincerely,

Nicole Dunbar 4905 Tonino Drive SJ CA 95136

name **address**

nicole_dunbar@sjwater.com

telephone or e-mail

LORRAINE POTTER 954 Chynoweth AVE

name **address**

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Don JEFFORD 963 Chynoweth Ave

name **address**

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telephone or e-mail

Charlotte Jefford 963 Chynoweth Ave

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408-269-8188

telephone or e-mail

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Sincerely,

DON S JEFFORD SR

name **address**

Don S Jefford SR 963 Chynoweth AV

telephone or e-mail

Jennifer Schweitzer 959 Chynoweth Ave.

name **address**

408-978-2514

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Tania Kemefer 3475 Sanchez Dr.

name **address**

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[illegible] 5427 SANchez

name **address**

telephone or e-mail

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Sincerely,

Carolina Lugo 5443 Sanchez Dr San Jose, CA 95123

name **address**

telephone or e-mail

Hugo Hernandez 5443 Sanchez Dr San Jose, CA 95123

name **address**

telephone or e-mail

VIC VEGA 934 CHYNEWETH AVE, S. JOSE 95132

name **address**

telephone or e-mail

Tina Vega 394 Greenpark Way SJ, CA 95136

name **address**

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Sincerely,

Kathleen Jensen 928 Chynoweth Ave San Jose
name **address**

telephone or e-mail

Howard C. Daws 942 Chynoweth Ave SJ
name **address**

telephone or e-mail

Beverly Munson 948 Fell Ct SJ
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Jason Chun 956 Fell Ct. SJ 95136
name **address**

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Sincerely,

Lauretta Schultz 5288 Fell Ave, 95136
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266-6903
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Betty Baldwin 5294 Fell Ave 95136
name **address**
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Sincerely,

Frank DeLuna 5227 Fell Ave SJ

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Lynn Rosewell 968 Dawnview Court

name **address**

(408) 448-5154

telephone or e-mail

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Sincerely,

Daniel Hall 972 Dawnview Ct.

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408-269-5219

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Norman Kind 975 Dawnview Ct

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Responses to Letter No. 75, **Almaden Ranch Retail Center Open Community Letter**

1. The comment is acknowledged. See IV. Master Responses, E. Transportation / Traffic, No. 1. See also response No. 3 to comment letter No. 11 from Joseph Shaheen.

2. The comment is acknowledged. See IV. Master Responses, B. Noise, Nos. 1, 2 and 3.

3. The comment is acknowledged. See response No. 2 to comment letter No. 48 from Rene M. Duenas. This response assumes that the comment is in reference to the Guadalupe River that is adjacent to the project site, rather than the Guadalupe Creek that is a tributary of the Guadalupe River several miles upstream of the adjacent stretch. Also see response No. 2 to comment letter No. 32 from Joanne Saso.

4. The comment is acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1.

5. The comment is acknowledged. See IV. Master Responses, A. Economic Impacts, No. 1. Also see response No. 4 to comment letter No. 51 from Lee-Ann Refregier.

V. TEXT AMENDMENTS

The following sections of the report are amended as noted. New wording is underlined. Deleted wording is lined out. ~~Deleted~~.

SUMMARY

Revise the Summary as necessary in accordance with the following Text Amendments.

I. C. DESCRIPTION

page 16 *Revise the Hydromodification Management Basin paragraph as follows:*

Hydromodification Management Plan (HMP) Basin

An HMP basin, as shown on Figure 17, is planned within the riparian setback along the Guadalupe River frontage that will maintain runoff from the site at pre-development levels. Development of the basin would conform to the City's Riparian Corridor Policy Study. All storm drainage runoff from the site will be collected in an underground system and discharged to the HMP basin. The outlet from the HMP basin will be a pipe connecting to the existing 120-inch diameter City storm drainage line running along the easterly edge of the project site. This existing City storm drainage line ultimately discharges directly into the river on the north side of the adjacent percolation ponds. A 12-foot-wide unpaved Santa Clara Valley Water District maintenance road will be situated between the HMP basin and the riparian corridor.

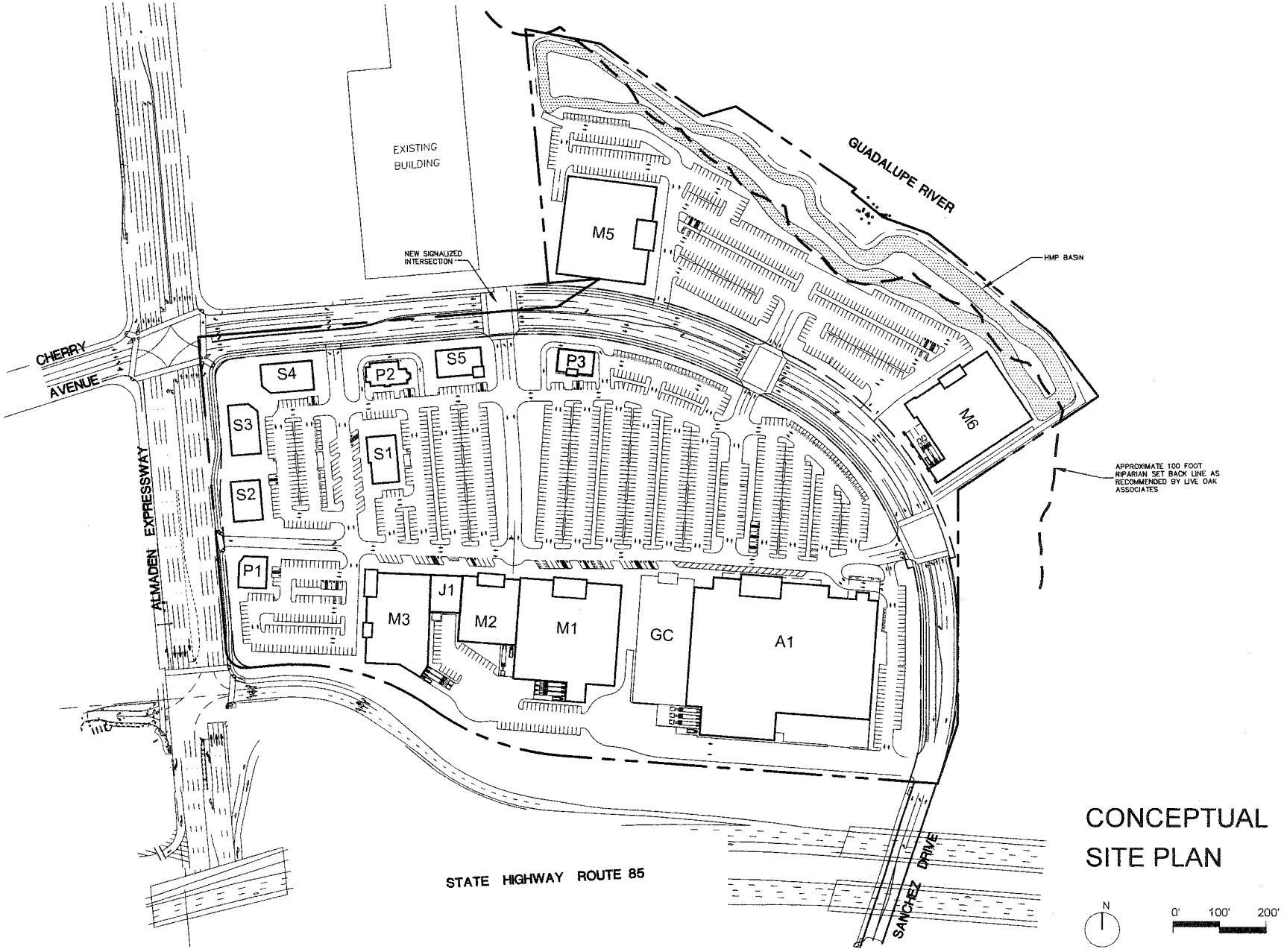
The primary purpose of the HMP basin is to hold the site's stormwater runoff in accordance with the RWQCB's Municipal Regional Stormwater NPDES Permit and City of San Jose Policy 8-14; however, since the basin is to be located adjacent to the riparian corridor, it has also been specifically designed with the dual function of increasing the habitat quality between the Guadalupe River riparian corridor and future site development. Plantings planned for installation along the HMP basin bed and banks will be from locally-adapted planting stock, as proposed in the habitat creation plan discussed in the Biotic Evaluation in Appendix C.

page 20 *Replace the Conceptual Site Plan, Figure 16, with the revised Conceptual Site Plan dated July 20, 2011, as shown on the following page.*

II. I. GUADALUPE RIVER WATERSHED PROJECT

page 45 *Revise the section title as follows:*

II. I. UPPER GUADALUPE RIVER ~~WATERSHED~~ FLOOD PROTECTION PROJECT, REACH 12



CONCEPTUAL SITE PLAN

SGPA ARCHITECTURE + PLANNING
SAN FRANCISCO SAN DIEGO

developed by:
HUNTER PROPERTIES
CUPERTINO, CA

Arradia Development Co.
SAN JOSE, CA

ALMADEN RANCH

HIGHWAY 85 + ALMADEN EXPRESSWAY
SAN JOSE, CALIFORNIA

4 of 5 Sheets
21005-P01
07/20/2011

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Figure 16

G:\Civil\153300\Dwg\2010 REZONING\ EIR-CONC.SITE PLAN.dwg Jul 20, 2011 - 10:45am

page 45 *Add the following after the second paragraph:*

Reach 12 of the Upper Guadalupe River Flood Protection Project is scheduled for construction in June, 2012.

page 45 *Revise the Consistency paragraph as follows:*

Consistency

~~The project does not hinder, and has no impact on, the adjacent Guadalupe River Watershed project.~~Any potential impacts on the flood protection project would be mitigated through the HMP basin, water quality BMPs, inclusion of the riparian corridor setback, and/or coordination of the project with the Santa Clara Valley Water District.

III. I. HAZARDS AND HAZARDOUS MATERIALS

page 106 *Revise the introductory paragraph as follows:*

AEI Consultants conducted a Phase I environmental site assessment dated May 6, 2011 that is included in Appendix G. In addition, AEI Consultants prepared a letter report in response to comments on the Draft SEIR by the Department of Toxic Substances Control (DTSC), dated July 25, 2011, that is also included in Appendix G.

page 111 *Add the following to the bottom of the page at the end of the Soil Contamination discussions.*

Comparison to 2011 Screening Levels

In response to DTSC concerns, the results of the previous soil testing were compared to current regulatory screening levels. Based on the planned commercial/retail use of the property with no residential component, the maximum concentrations of contaminants (including dieldrin) along with current screening levels for commercial/industrial land use are summarized in the letter report in Appendix G. The only potential contaminant detected above the referenced screening levels is arsenic, which is present at less than 10 mg/kg reported in one set of data (1997) and two other samples collected at the site with reported concentrations of 2.5 mg/kg and 2.8 mg/kg (2004). Although the reported detection limit (1997) is above the screening levels, the reported arsenic concentrations are within the range of naturally-occurring arsenic concentrations in the San Jose area; therefore, arsenic concentrations present at the site appear consistent with naturally-occurring conditions. Based on this comparison to current screening levels for commercial/industrial land use, no mitigation measures for any soil contamination would be required.

page 112 *Revise the Impact Summary as follows:*

Impact Summary

~~Due to the historic agricultural use of the site, subsurface conditions obscured by existing structures and/or dieldrin levels in one location could result in **significant hazards and hazardous materials impacts**.~~The project would have a **less-than-significant** hazards and hazardous materials impact.

pages 112-113 *Revise the Mitigation Measures Included in the Project as follows:*

MITIGATION MEASURES INCLUDED IN THE PROJECT

~~**Soil Contamination**~~

- ~~Prior to issuance of a Grading Permit, soil at the pertinent location shall be sampled for dieldrin. The applicant shall submit a letter to the Environmental Compliance Officer of the City's Environmental Services Department to confirm that any and all dieldrin-impacted soil found above the agreed-upon health protective cleanup criteria has been removed for offsite disposal at a permitted facility in accordance with all relevant laws and regulations.~~

- ~~Prior to issuance of grading permits, a Site Management Plan (SMP) shall be prepared to establish management practices for handling any impacted soil material that may be encountered during site development and soil-disturbing activities. Components of the SMP shall include but are not limited to:~~

  - ~~Site control procedures to control the flow of personnel, vehicles, and materials in and out of the site;~~
  - ~~Measures to minimize dust generation, stormwater runoff, and tracking of soil offsite as well as to reduce the possibility of the creation of preferential pathways for chemicals of potential concern detected in groundwater beneath the site;~~
  - ~~Protocols for conducting earthwork activities in areas where impacted soil is present or suspected. Worker training requirements, health and safety measures, and soil handling procedures will be described, if warranted;~~
  - ~~Protocols for addressing buried structures, wells, debris, or unidentified areas of impacted soil encountered during site development activities;~~
  - ~~Protocols to evaluate the quality of soil suspected of being contaminated so that appropriate mitigation, disposal or reuse of the soil can be determined;~~
  - ~~Procedures for handling and mitigating any impacted soils;~~
  - ~~Land use covenants and site operation and maintenance protocols to minimize the possibility of future disturbance and exposure of remaining residual contaminants.~~

  ~~A copy of the SMP shall be provided to the appropriate regulatory agencies including DTSC, the Santa Clara County Environmental Health Department, and the Director of the City's Environmental Services Department for review and approval, with a copy to the Director of Planning, Building and Code Enforcement. The provisions of the SMP shall be implemented to the satisfaction of the Director of Planning, Building and Code Enforcement.~~

None required.

page 113 *Revise the Conclusion as follows:*

CONCLUSION

~~The implementation of the above soil contamination mitigation measures will reduce the project's hazards and hazardous materials impact to a **less-than-significant impact with mitigation.**~~The project's hazards and hazardous materials impact would be a **less-than-significant impact.**

TECHNICAL APPENDIX

Add the following to the Technical Appendix List of included subconsultants' reports in Volume I and Volume II; and include the document in Appendix G of Volume II:

Review of DTSC Comments to EIR, 14418-14540 Almaden Expressway, San Jose, California, AEI Consultants, July 25, 2011

TECHNICAL APPENDIX

APPENDIX G

Hazardous Materials

AEI Consultants
Environmental & Engineering Services
2500 Camino Diablo, Walnut Creek, CA 94597
Tel: 925.746.6000 Fax: 925.746.6099

July 25, 2011

Brad Durga
Arcadia Companies
900 East Hamilton Avenue
Campbell, CA 95008
bd@arcadiacompanies.com

Subject: **Review of DTSC Comments to EIR**
14418-14540 Almaden Expressway
San Jose, California
AEI Project No. 296578

Dear Mr. Durga:

At your request, AEI has reviewed the June 21, 2011 letter from the Department of Toxic Substances Control (DTSC) which provides comment on the Draft Subsequent Environmental Impact Report (EIR) for the Almaden Ranch Retail Center Planned Development at the above referenced address. The letter from DTSC requests confirmation that the results of prior testing do not exceed current regulatory screening levels.

Soil testing was performed at the site in 1996 and 2004 to investigate possible impact associated with historical agricultural use, the proximity to the Guadalupe River, and undocumented fill soils. The property is planned for commercial and retail development, with no residential component. The results of this testing are summarized below, showing the maximum concentrations of the contaminants referenced in the DTSC letter along with screening levels for commercial / industrial land use based on the planned development of the property. These concentrations are compared below to the US EPA Regional Screening Levels (RSLs, 2011), the California Human Health Screening Levels (CHHSLs, 2010), and for petroleum contaminants, the San Francisco Bay Regional Water Quality Control Board Environmental Screen Levels (ESLs, 2008).

Summary of Findings and Current Regulatory Screening Levels:

Contaminant	Maximum Concentration	RSL	CHHSL	ESL
DDD	0.045	7.2	9.0	-
DDE	0.76	5.1	6.3	-
DDT	0.1	7.0	6.3	-
Dieldrin	0.061	0.11	0.13	-
Lead	16	800	320	-
Mercury	3.8	43	180	-
Arsenic	<10	1.6	0.24	-
TPH-diesel	4.1	-	-	83
TPH-motor oil	35	-	-	2500

Note: All values are in milligrams per kilogram (mg/kg)
All analytical data from Earth Systems Consultants, 1997 or 2004

The only potential contaminant detected above the referenced screening levels is arsenic present at less than 10 mg/kg reported in one set of data (1997) and two other samples for arsenic collected at the site with reported concentrations of 2.5 mg/kg and 2.8 mg/kg (2004). Although the reported detection limit for the 1997 data is above the screening level, naturally occurring arsenic concentrations in the San Jose area commonly range from less than 5 mg/kg to upwards of 12 to 15 mg/kg. Based on this, arsenic present at the site appears consistent with naturally occurring conditions.

Based on a review of the Phase I Environmental Site Assessment (ESA) prepared by AEI for the property in May 2011, this comparison of findings with current regulatory screening levels is not expected to significantly alter the findings or recommendations of that report. Based on the planned commercial nature of the development and therefore use of commercial / industrial land use screening levels, the concentrations of potential contaminants detected during the prior investigations are below the referenced screening levels. Therefore, no mitigation measures should be necessary relating to these prior investigation results.

I can be reached at 800/801-3224, extension 104 or at pmcintyre@aeiconsultants.com, if you have questions or need any additional information.

Sincerely,
AEI Consultants

Peter McIntyre, PG, REA
Sr. Vice President