

Davidson, John

From: Cynthia Nelson [cyndywalking@sbcglobal.net]
Sent: Tuesday, September 25, 2012 1:41 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Harker School at Children's shelter site

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

First, I would like to thank you to you for taking the time to read this email and consider it prior to making the final decision for the new Harker School site.

I am not against education or schools, in fact I'm a special education teacher for a school district within our county. I have been teaching for more than 15 years and have taught in 2 different school districts in this county. My 5 year old son just began kindergarten at our wonderful local public school, Carlton Ave School, and he is greatly enjoying it. I have heard that Harker is a very good school. However, it is not a need in our local community. We already have high quality public and private schools that serve our local population.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood. One of the other bidders for this site, **Xlinx** encourages their employees to volunteer in our local public schools and provide numerous positive benefits to our community.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

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

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. At the end of the school day, numerous cars are parked on several blocks around the school and it is very dangerous with parents and children darting out into the street to get to their cars. The Harker School, with a student population of 600,

would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Comments on the Mitigated Negative Declaration (MND)

Transportation/Traffic

The description states that ... “The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer.”

- Why is there a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.
- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at its Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... “The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals.”

- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... “Driveway counts shall be collected for three days (Tuesday - Thursday) during the period from four to eight weeks after the start of the school’s fall session.”

- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... “PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor’s Parcel No: 421-07-003”
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.
- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A “Keep Clear” marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... “By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school’s traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a “staggered start” – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... “Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... “Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out) “. See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – $(600 \text{ students} + 100 \text{ staff}) * 1.23 = 861$. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children’s Shelter.

The description states that “The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer.”

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... “Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that “The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that “Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.”. Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that “It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue”

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that “manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session.”

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.
- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... “Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue.”

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... “Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths.”
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that “the route from White Oaks Avenue is circuitous.” Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will ‘not be used’.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site’s parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.
- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.
- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. "Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location."

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, "Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We've even seen some putting on makeup, or my favorite, one gentleman who was eating a bowl of cereal. It's a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process." (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be "potentially" used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. "The school could implement pedestrian and bicycle safety programs to support walking and biking to school."

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPd, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... "The site will initially be used to launch Harker's new preschool and in 5-10 years will become the campus for the lower grades (K-5)." (<http://news.harker.org/union-avenue-campus-update/>)

Thank you again for considering my concerns, Cynthia M.W. Nelson

Davidson, John

From: Crystal Mangiameli [nicongigi@yahoo.com]
Sent: Monday, September 24, 2012 5:19 PM
To: John.batty@sanjoseca.gov
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Harker project PD12-027.

To Whom it May Concern,

As a resident of this neighborhood for the past 11 years, I am well aware of the existing traffic issues in our neighborhood. We live at the intersection of two major highways (85 and 17), and the associated major surface streets of Camden, Union and Bascom. We have three local elementary schools (Farnham, Carlton and St. Francis Cabrini), Union Middle and Leigh High Schools, Good Samaritan Hospital and the headquarters of Xilinx in close proximity. A result of this is that there is significant traffic today, especially on Union from Camden to Los-Gatos Almaden and on Camden itself as traffic feeds off of or on to 17 in the morning and afternoon. I know because I have one child at Carlton and one child at Union. Every morning I have to sit in a bit of traffic just to take my children down the street to school. I can't imagine an extra 600+ cars on the road. It is already so congested. Also there are children that ride bikes and walk to school down Union Avenue, more cars on the road makes it less safe for these children.

I believe that Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

These are some ways that our community will be negatively effected:

- The impact of increased traffic to Cambrian residents taking their children to Union Middle School, Carlton Elementary school, Leigh High School, Farnham Elementary School, St. Francis Cabrini Elementary and Middle School.
- The impact of increased traffic to Cambrian residents commuting to and from work.
- The use of residential streets as through ways.
- The queuing of cars on residential streets.
- The impact of school buses using the VTA's existing Bus Stop on Union Ave.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property onto Union Ave.

Best Regards,

Crystal Mangiameli

Davidson, John

From: Amie Christianson [amie.christianson@gmail.com]
Sent: Monday, September 24, 2012 5:08 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Harker project PD12-027.

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

My husband and share the concerns of many of our fellow Cambrian area residents that allowing Harker School to purchase the former Santa Clara County Children's Shelter will introduce several safety concerns to our community as well as the safety of Harker students, and provides little to no positive impact to the neighborhood nor will it provide significant ongoing financial benefit to the County.

Harker School will have a significant negative impact on the safety of our community. It will cause excessive traffic on our local streets. According to SJPd, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. With Harker enrollment at approximately 600 students and 100 staff members that would add at a minimum an additional 350 vehicles to the area on a daily basis. This count does not include accidents on other neighborhood streets that would be impacted with traffic as a result of the additional cars in the neighborhood.

The TIA states that a potential location for drop off is the Cambrian Park Plaza. Given the word "potential" this cannot be considered a definite option, especially given Cambrian Park Plaza is private property. Furthermore Cambrian Park Plaza is on the other side of Union Avenue which would require students to cross a busy street as well as walk a distance down a busy street. An additional concern to the safety of the students is the fact that there is not a safe sidewalk on the east side of Union to walk along as there is a frontage road along Union from 85 to Cambrian Park Plaza. With only 2 crosswalks on the 0.4 stretch of Union from Cambrian Park Plaza to the former Children's Center many children many children will likely walk a portion of the way on the frontage road which is extremely unsafe, or worse chose to jaywalk Union Avenue.

While all families have the right to choose between public and private education, we already have outstanding public and private schools that serve our local population. The closest private school to the proposed site for Harker is St. Francis Cabrini. St. Francis Cabrini provides a much more affordable option to families; with the highest possible per student tuition of \$8,219 at St. Francis Cabrini compared to \$27,500 per student tuition at Harker.

Given Harker is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. At the August 14, 2012 City Planning Commission meeting on the proposal, it was stated that the Harker bid barely exceed the next highest bid, which was submitted by a private business who would be required to pay taxes, taxes that would be very

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valuable to the City and the County of Santa Clara during these difficult economic times.

On the surface this appears to be a fiscally irresponsible decision. Looking at all the facts it appears that this sale of property was made on the basis of purchase price only and that the total value of the deal (including future tax revenues) was not considered. With many services provided by the County and City, as well as employment of County and City employees, negatively impacted by our budget crisis it would be irresponsible to accept a bid that barely exceeded the next highest bid when at a minimum the financial benefit to the County and City over a 3-5 year period should be taken into consideration.

Respectfully,

Amie Christianson

Davidson, John

From: Ruby Dosen [rubydosen@gmail.com]
Sent: Monday, September 24, 2012 4:56 PM
To: Baty, John
Cc: Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; john.davidson@sanjose.gov; Rocha, Donald; District1; District5; District3; District2; The Office of Mayor Chuck Reed; Hamilton, Peter
Subject: Harker School
Follow Up Flag: Follow up
Flag Status: Red

Hello Mr . Baty:

I would like for you to know that we don't want any more congestion in our neighborhood esp. not in a way that will not benefit any of the residents or the city.

Monthly on my way to drop offs, pick ups and run carpools or errands I see accidents in the congested intersection near the on / off ramp 85, people rushing to work and others rushing their kids....we have many kids from our neighborhood riding bikes to school and most drivers don't observe the bike rules.

I wanted to ride my bike in the AM to get to my ceramics studio off of Blossom Hill but am to afraid. I know many who are afraid to ride their bikes in the AM as that area of Union /Camden and 85 ramps is way to congested. WE DONT'T WANT TO PLAN or DEFER our daily way of LIFE because of TRAFFIC !

I know that many of the Harker parents have to get to work as well right after drop off... I happen to know many who live in lower income neighborhoods renting homes so that they can send their kids to Harker...one of my good friends lives in Fremont and drives her kids to Saratoga Harker. Thats very sad to know. Instead of BUILDING up our public schools we allow private schools to take over. I recall when Lone Hill closed and what a mess that was t make room for the preppy school there now. VERY VERY SAD!!!

I say ENOUGH PLEASE with the Harker project.

PLEASE Bring an establishment there which will **CREATE desperately needed**

JOBS in our neighborhood and the **city will collect**

MUCH NEEDED TAXES!!!

Thank you for your Listening.

Warmest Regards.

Ruby (Connway court and Cole

Davidson, John

From: Barbara Gini [barbara.gini@gmail.com]
Sent: Monday, September 24, 2012 4:33 PM
To: John.batty@sanjoseca.gov
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Concerns about Harker project PD12-027

Hello John,

I want this feedback to be included in the public record for the Harker project PD12-027.

As a resident of this neighborhood for the past five years I am well aware of the existing traffic issues in our neighborhood. We live at the intersection of two major highways (85 and 17), and the associated major surface streets of Camden, Union and Bascom. We have three local elementary schools (Farnham, Carlton and St. Francis Cabrini), Union Middle and Leigh High Schools, Good Samaritan Hospital and the headquarters of Xilinx in close proximity. A result of this is that there is significant traffic today, especially on Union from Camden to Los-Gatos Almaden and on Camden itself as traffic feeds off of or on to 17 in the morning and afternoon.

Traffic Impact on Residential Streets

Given the existing traffic situation, it is abundantly clear that the addition of [Harker School](#) will greatly stress Union Ave. As a resident it is also clear that for a parent to drop their child off at Harker, the quickest approach in both the AM and especially PM for parents traveling on southbound 85 from Los Altos, Saratoga, Cupertino, etc is to exit on Bascom and cut through the neighborhood residential streets from White Oaks to Faircrest to Jacksol onto Barrett. This is dismissed in the TIA as being "too circuitous", and it being more likely that parents would attempt a left-turn from Union across 2 lanes of congested traffic into Harker. It should be noted that while on a map the White Oaks/Barrett route may seem circuitous, it is slightly more that 1 mile with none of the traffic issue that Woodard has.

It is difficult to understand how any parent would contemplate using Woodard, Camden or even Union northbound (with associated left turn into Harker) as opposed to Barrett once they are familiar with the layout and traffic pattern of surface streets. I have little kids going to Carlton elementary, and having to drive them to school every morning I very well know that parents will look for the shortest way or any cut-thru available, and Barret is the easiest way.

The TIA itself recognizes that this will occur

"Queues formed on southbound Union Avenue extending past Charmeran Avenue, on **eastbound Barrett Avenue** (west of Union Avenue), and on eastbound Charmeran Avenue."

However, the MND then never addresses this issue and even when discussing the use of driveway counts to determine traffic impact once Harker is operational, residential streets are not included, just intersections on Union which already have traffic lights. I request that traffic monitoring be extended to residential streets such as Barrett and Charmeran that will bear the brunt of extra traffic.

Clearly having queues of cars on Barrett attempting to merge into Union just so they can travel the short distance will impact on our ability as residents to take our children to school or travel to work ourselves. For those unfortunate enough to live on Barrett, even getting out of their driveway may prove to be an issue. I would like to request that the impact of Harker on residential street traffic be fully evaluated. Clearly this was not done in the TIA, which seems to have been created with the assumption that it is likely that parents will exit on Union from 85, proceed north on Union and then somehow turn left across 2 lanes of congested traffic into Harker. While the turnout lane does exist, the idea that any significant number of cars would actually succeed in doing this in a reasonable amount of time at peak traffic hours without leading to a backup across the Union/Cole intersection seems optimistic at best.

There have been three meetings with Harker, two organized by Harker, and one by the City.

9/27/2012

The neighborhood's concerns regarding the use of our residential streets as a cut-through and for parking has been clearly and repeatedly communicated. It is difficult to understand how at this stage in the process the concerns of the community have still not been addressed. There have been statements regarding busing, however this has its own issues with

1. Impacting the flow of traffic on Union when a bus stops to unload/load students
2. Staging areas for buses since the bus stop in front of Harker can only accommodate one bus.
3. How will a bus traveling northbound on Union Ave then turn around so that it can use the bus stop on southbound Union.

PM Driveway Counts

In the MND there are statements on the collecting of driveway counts once the Harker school is up and running. However this is only limited to AM peak traffic. This is a concern since in the afternoon, southbound 85 has a substantial backup from just after the Bascom exit to past Union due to the merge of both southbound and northbound traffic from Highway 17 onto 85, just before the Union Ave exit. This makes it extremely unlikely that a parent would use Union Ave to get to Harker during the PM peak traffic hours. Instead parents will use Bascom, thus leading to the use of residential streets as shortcuts. I request that traffic monitoring be extended to PM hours and include streets such as Barrett and Charmeran.

Staggered Start Times

Another issue related to the institution of staggered start times at Harker as discussed in the Initial Study. Much is made of the increase from 10mins to 40mins (8am to 8:40am), however this seems to be somewhat irrelevant. What is important is when parents drop children off at the school. Even though a particular student's class may not start until 8:40, the school itself opens at 7:30am. For parents that need to get to work by 8 or 8:30, or with multiple students, the drop-off time is driven not be the start time, but by the overall family's schedule. It is not clear how staggered start times will actually affect the amount of traffic at the peak AM time.

Future Development

In the next 2 years a major development of the North 40 location in the Bascom/17/85/Lark site is being planned, and it is also envisioned that the Cambrian Plaza site at Union and Camden will also be developed. I would expect that at this stage a more holistic view towards traffic management for existing traffic patterns and anticipated changes with these new developments would exist. What is the plan to address Bascom/Union Ave traffic with the addition of these developments or is there any plan? Will these developments be adversely impacted, thus impacting the ability of the city to collect valuable tax revenue by the accommodation of Harker.

Thank you for your time,

Barbara Gini

4635 Fallstone CT
San Jose, CA 95124
(408) 317.8339

Davidson, John

From: Kristianna Hamann [muffeeeeeeee@gmail.com]
Sent: Monday, September 24, 2012 4:54 PM
To: Baty, John; Davidson, John
Cc: Rocha, Donald
Subject: Harker project PD12-027

My name is Kristianna Hamann and I am a resident of the Cambrian community. Along with many of my neighbors, I am concerned that Harker School's purchase of the Children's Shelter is a poor fit for this area. Traffic is already very heavy in the mornings, afternoons, and evenings, and I am sure adding 400 more vehicles to the daily flow will only worsen the problem. Additionally, since Harker will pay no property taxes on the parcel, it seems that San Jose really lost an opportunity for *sustained* revenue by rejecting the Xilinx offer.

I want this feedback to be included in the public record for Harker project PD12-027.

Thank you,
Kristianna Hamann
Sandy Ln, 95124

TO: Joseph Horwedel, Director
Planning, Building & Code Enforcement

Date: 24-Sep-12

RE: CSJ Permit PD12-027 – The New Harker School Campus at
4525 Union Avenue, San Jose, CA

SUBJ: My Review Comments on the PD Permit Documents, the Draft Initial Study and Mitigated
Negative Declaration Documents

This letter is part of a series of correspondences that I have sent via email to CSJ's Planning Department in response to Harker's PD Permit Application, their PD Permit Plans and the IS/MND.

Executive Summary

A. PD Permit Plans are not complete, with several design discrepancies:

- 1 Information shown on the Land Use Plan, Grading & Drainage Plans, SWPPP Plans, Architectural Building Plans & Elevations and Landscape Plans **conflict with each other**.
2. On Sep. 23rd I sent a letter via email to CSJ/Planning in which **I requested a Deferral** of Item 3, a. at the Director's Hearing scheduled on Sep. 26th
 - o The conflicts in the Documents prevent them from adequately addressing all impacts to the site and the community, as required by CSJ's Codes & Ordinances.
3. **Completed Plans** showing all Hardscape Paving Areas **have not been provided**.
 - o This critical information is required for the calculations to correctly identify pervious vs. impervious areas. As such, the SWPPP calculations are incorrect

C. CSJ's Public Review Process and Access to Documents

1. Harker's Proposed Construction Project's PD Application, PD Permit Plans & IS/MND required by CSJ's Codes & Ordinances was submitted to CSJ/Planning on Aug 24th. Their submittal consisted of:
 - o The PD Permit Application.
 - o Proposed Reference Documents - a 30"x42" PD Permit Plan Set of 17 sheets. These large plans are referred to as the 'Original' PD Plan Set. The set includes CSJ's required: Land Use Plan, Grading & Drainage Plans, SWPPP Plans, Architectural Building Plans & Elevations and Landscape Plans.
 - o The proposed project's 'Draft' IS/MND.
2. These original documents were released by CSJ for the required 30 day Public Circulation Period on Aug 24th. This started the Public Comment Period. The Comment Period ends at 5:00pm on Sept. 24th.
 - o Harker's Design Plans changed, in part, addressing several of the Community suggestions and comments that were submitted to CSJ at the beginning of the Public Circulation Period.
 - o On 31 Aug '12 Harker School submitted to CSJ/Planning a 'Revised' PD Plan Set, but not a revised IS/MND document
 - o The changes shown on the Revised PD Plan Set were made after the Draft IS/MND was issued for Circulation on Aug. 24th.
 - o The numerous Revisions made after issuance of the IS/MND for Public evaluation
3. The Community is allowed a full 30-day Review Period, to ensure that all impacts to the community have been properly mitigated.

**CSJ PD12-027 - Harker Campus
Review Comments on the Initial Study/Mitigated Negative Declaration Document**

B. Defer this project at the Director's Hearing on Sept. 26th:

1. Harker and their Design Team to make revisions to their PD Application Package.
2. Community to have adequate review of the 'Revised' PD Permit Plans and to provide their comments to CSJ.

**My Review Comments on the City of San Jose's
Intent to Adopt a Mitigated Negative Declaration for the
New Harker School Campus on Union Ave., SJ, CA**

Comments on CSJ's Public Notice Document

Dated 24 Aug '12

A. Project Description:

1. The description states "PD Permit to allow redevelopment of the ex. **7.7 acre** former County's Shelter campus including . . . improvements for a private elementary school for **up to 600 pre-K through 5th grade students.**"
 - o This statement DOES NOT reflect ALL of the uses on site.
 - o In writing and in presentations, Harker has stated that there will be after-school events, weekend activities and Summer Camps, all of which will bring more people, older children and adults onto the site on a frequent basis.
2. This description DOES NOT identify the additional parking of 160 cars during Special Events on the field, 2-3 times a year, with the increases in people and cars on-site
 - o The proposed plan identifies a large Athletic Field with '+/- 160 car Spaces,' and a large swimming pool in the rear of the parcel.
 - o Only 'up to 600' students' DOES NOT identify the additional uses of the site and the additional people on site during camps and special events.
 - o These additional people on-site are not adequately evaluated in this report.
3. Previous Zoning Designation - (Children's Shelter) PDC91-10-077 & PD92-3-021
 - o Why aren't the requirements from this past project applied to this new project?

Comments on Harker's Mitigated Negative Declaration

Dated 24 Aug '12

A. Findings: (page 1)

1. The findings by the CSJ described the project as it "will not have a significant effect on the environment in that the attached initial study **identifies one or more potentially significant effects** on the environment for which the project applicant . . . **has made or agrees to make project revisions that clearly mitigate** the effects to a less than significant level."
 - o All significant impacts have not been identified in this document.
 - o Such things as removing previous mitigation measures are not described.
 - o Impact to surrounding adjacent residential streets is not adequately identified.

**CSJ PD12-027 - Harker Campus
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- o Other minor elements are not addressed.

B. Mitigation Measures Included in the Project: (pages 1-4)

1. The MND states that “to reduce Potentially Significant Effects to a Less Than Significant Level.” The following is described.
2. **Item II - Agriculture and Forest Resources** – states “The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.”
 - o Previous On-site Mitigation Measures are not described.
 - o All trees planted on site were counted as Mitigation for the Hwy 85 construction project.
 - o During the development of the Children’s Shelter, the Hwy. 85 project did not have public sites to meet their required mitigation tree plantings. Mitigation locations were required to be in close proximity to the highway corridor to provide the urban forest that was removed.
 - o The original landscape architectural office for the Children’s Shelter was contacted by CSJ’s City Arborist at the time, Mark Beaudion. The city needed public locations to plant the mitigation trees along the Hwy. 85 corridor.
 - o The IS/MND does not address the removal of this existing mitigation, as such, the documents do not provide adequate tree replacement values. (refer to comments below)
3. Item VIII. Hazards and Hazardous Materials
 - o The only comments addressed are regarding testing the existing site soil.
 - o There is not mention of the introduction of hazardous chemicals brought on-site to meet the needs of the new pool.

Comments on Initial Study

Chapter 2. Project Description

A. Description

1. Again, the project description does not address the addition on on-site Special Events, Summer Camps and Site Rentals to outside groups. The proposed school includes, in part, the following components:
 - o Demolish two existing 4,877 square foot classroom buildings, for a total of 9,754 sf
 - o Construct a new 17,500 square foot, two-story multipurpose building.
 - o What is first floor square footage?
 - o Construct a new driveway and cul-de-sac for student drop-off and queuing.
 - o Add a new athletic field (natural grass)
 - o Provide related landscape and hardscape improvements throughout the site.
2. All paved areas are **not** shown or identified on the Proposed Plans.

B. Operations

1. States “The school would operate on a year-round basis, including summer programs. During the usual school year, normal hours of operation will be 7 AM to 6PM, Monday through Friday. Occasional off hour events may occur on the property, ending no later than 10 PM.”
 - o How occasional?

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- o If there is a pool on campus, won't there be early morning, 6am practice?
- o Will there be night lighting for the events that occur after dark up to 10pm?
- b. States "The campus may also be used on weekends; events may include performing arts presentations, parent-teacher conferences, Saturday swim lessons, youth sports competitions, open house, back to school night, other parent group gatherings, and community-requested uses."
 - o The weekend hours of operation are not identified. Only week days hours are listed.
 - o This statement leaves open too many parameters - What is the number of events, the hours of use, and the maximum number of attendance.

C. Demolition/Grading

- 1.

D. Lighting.

1. The project proposes only standard outdoor lighting for site access and security.
2. How can sports operate after dusk and until 10pm without lighting of the playfields or pool?

Comments on 'Revised' PD Permit Plans

(17) Sht's. at 30"x42", Received by CSJ on Aug. 31st

Sht. 1.0 - Title Sheet

A. Project Information – Proposed Site Coverage:

1. Building Coverage 77,570 sf 23%
2. Circulation/Parking 63,250 sf 19%
 - o This number did not change on the Revised PD Plans
3. Landscape/Hardscape 194,565 sf 58%
 - o Shouldn't quantities and percentage of each type be separated?
 - o Landscape is permeable and Hardscape is impervious
 - o Hardscape should not be included in the count for permeable areas?
4. Required Parking spaces
 - o 100 spaces for Staff Parking (1 space/staff member)
 - o Visitor Parking? Where do they park?
 - o Additional parking spaces needed for visitors.
5. Proposed Parking spaces – 117
 - o The 4 spaces in the cul-de-sac are part of this count.
 - o Parking in the cul-de-sac does not seem practical.
 - o Cars backing up will conflict with drop-off traffic.
6. Refer to comments below under Parking Lot Layout: Ex. trees may reduce this count.

Sht. 2.0 – Land Use Plan – (Exhibit C – Sept. 1991)

- A. Note 2 – Development Standards
 - a. Building Setbacks
 - o Building Separation – 25' min.

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- o Structures from Property line – 20' min.
- b. Private Open Space – 4.7 ac. – 45-65%
 - o Hardscape/Paved areas counted in this percentage.
 - o Acreage should not include Hardscape Areas

Sht. 3.0 – Site Plan

A. Missing Information and Lack of Coordination with SWPPP/ Landscape Plans

1. No one plan is completed, identifying all improvements and paved areas.
2. New elements, such as, the Play Area, the locations of the transformer, generator & dumpsters and paved areas around the student drop-off area.
3. Without the completed site plan, how can the SWPPP calculations be correct?
4. Site Plan conflicts with Landscape Plan – trees are shown over existing walkways and trees are in the way of new improvements.

B. Numerous Traffic Impacts, but No Proposed Street Improvements on Union Ave.

1. The Revised Plans do not propose any traffic improvements to Union Ave.
 - o Center turning lane along this section of Union already is
2. The Revised Plans show the Southern driveway with both left turn and right turn exiting.
 - o Exiting Left Turn Traffic will impede the flow of exiting cars.
 - o The morning traffic along Union is not conducive to left turns exiting out of the southern driveway.

C. Lack of Bus Pullout along Union Ave.

1. The Revised Plans shows a Bus Drop-off Zone for Student on Union Ave.
 - o No Bus pullout is shown.
 - o Numerous School Buses will be queuing on Union Ave., waiting their turn to unload.
 - o No off-street stacking lane is proposed.
2. Existing traffic lane adjacent to the property, lane no. 2, is barely 14 ft. wide.
 - o This width is not sufficient to handle a stopped bus and a passing car.
 - o The morning Traffic on Union Ave will be blocked by the School Buses.
3. A New Bus pullout area is needed
 - o Pullout to be long enough to accommodate Buses, their stacking and both acceleration and deceleration zones.

D. Incorrect Ex. Bldg. Outlines

1. Which line represents the outside edge of the ex. roofs vs. the face of the Bldg?
 - o It does not appear that the correct bldg. footprints are shown.
 - o Most of the roof overhangs are not shown, which means the areas shown are not correct.
 - o When I scale the drawing the Cottages measure 72' x 72', equaling **5,184 sf.**
 - o The square footage shown on the plan is 4,877 per Cottage
 - o This is a difference of 307 sf. per Cottage, totaling an **additional 1,842 sf.** roof coverage areas.
 - o This means that the Impervious Roof Areas is higher than that shown on Sht. 4.0.
2. How is Bldg. B3's rear exiting being addressed?
 - o Rear existing exiting doors are not shown on the plans.
 - o At the rear of each Cottage Bldg. there are doors that are emergency exits requiring a paved landing

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- area outside the door.
- o Exterior landings at doorways to be 'door width plus 42" in length for wheelchairs.
- o What is the door width?
- o With a standard door width of 36", plus the 42", a landing of 6'-5" should be provided.
- o It does not appear that this requirement has been met.
- 3. Where is the student evacuation area for each Bldg.?
- 4. Additional Cross Section should be provided.
 - o Verify the dimension between the ex. perimeter 8' high block wall along the southern property line and the corners of ex. Bldg. B4.
 - o Show ex. Bldg. footprints, ex. roof overhangs, ex. and new grades, new drop-off corridor, new walkways.

E. Parking Lot Layout

1. The southern driveway is identified as an entrance and an exit.
 - o It was my understanding that this driveway will be for exit only.
 - o Which is correct?
2. Vehicular Circulation
 - o How will cars be prevented from entering the southern driveway into the ex. parking lot?
 - o What prevents a car from turning into the center of the parking lot to drop off someone?
 - o There are 11 parking spaces shown at the north end of the parking lot. Won't there be a conflict between these cars backing up and the cars in the queue?
3. The front parking lot diagram of the Car Circulation for Student Drop-off.
 - o The diagram is not complete, is missing a long section of stacking cars and incorrectly shows the car circulation.
 - o If there are (3) drop-off lanes in the parking lot, how will the passenger circulation keep students from being hit by a passing car.?
4. The Revised Plans show the existing curved paved area in front of Bldg. A has been modified.
 - o The curved portion of the existing parking lot has not been modified.
 - o This creates an area for cars to bypass the drop-off traffic.
5. Ex. center pedestrian walkway projecting out from ex. Bldg. A's main entrance that connects to the public sidewalk along Union Ave.
 - o Ex. trees are located along the sides of this pedestrian walkway.
 - o The proposed parking lot layout does not reflect areas for these trees.
 - o If ex. trees are not shown in the parking lot it is hard to make a final parking count.

F. Student Drop-off Cal-de-sac

1. Where is the pedestrian circulation corridor?
 - o It is not clear how students exit cars and then get to walkways connecting to the campus
2. Why are (4) parking spaces in the cul-de-sac?
 - o Won't this adversely affect the drop-off circulation?
3. Two 'biocell' areas are identified along the south side of the drop-off corridor.
 - o What are the details of for the biocells? Isn't it swaled, with sloping sides? How will access to these areas be prevented? Fencing?
 - o How does this affect the student circulation from drop-off to the campus?

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G. New 2-Story Bldg.

1. The New Building location eliminates the entire central Campus Quad
2. No consideration was given to modifying existing Cottages to be 2-story
3. Creating a second story over Bldg's. B2 & B5 that connects them together keeps the Quad

H. New Athletic Field (Event Parking)

1. Event Parking on the Athletic Field
 - o This was not discussed at the Public Meeting
 - o What types of events require this much parking?
 - o How often will Event Parking occur within a year?
 - o Environmental documents do not reflect the increased traffic generated by a large Event?
2. Vehicular Access onto the Athletic Field
 - o The SWPPP plans shows a 12" deep bioswale between the basketball courts and the field
 - o The Civil Plan shows event traffic access to the field from the basketball courts.
 - o This doesn't work.
 - o Plans need to be revised and coordinated.
3. Current easement agreement between Xilinx and the County for vehicular access through the southern rear ex. emergency access corridor and gate into the Shelter?
 - o What is in the easement agreement?
 - o Aren't there limitations about the type and frequency of use of the ex. emergency access corridor and gate?
4. Features of the Athletic Field?
 - o Will the field be rented out to private groups?
 - o Hours of operation?
 - o Maximum number of people?
- e. Is night lighting of the field being proposed?

I. Separation between Bldgs.

1. Sht. 2.0 - Land Use Plan states that Bldg. separation to be 25' min.
2. Southwest section of the new 2-Story Bldg.
 - o The distance between the new Bldg. and ex. Bldg. B4 appears to be only 18'.
 - o Verify separation requirements are being met.

J. New Pool Building

- a. How are chemicals and supplies to be delivered to the new Pool Bldg.?
 - o Doesn't this require access through the southern rear ex. emergency access corridor?
 - o Has Xilinx been notified of this increased use?

K. New Pool

1. What is the size of the pool? How many lanes? Will there be diving boards?
2. What is the capacity of the pool?
3. What are the proposed hours for use of the pool? Weekends? Holidays?
4. A 6' high perimeter fence will surround the pool deck and pool.
5. Will the pool be used for summer camps?

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- o Maximum number of camps?
- o Maximum number of people per camp?
- o Is the traffic generated by camps addressed in the Env. Doc's.?
- o Where is parking provided for handicap access to the pool?
- 6. Is night lightings being proposed?
 - o Hours of operation?
 - o Height and quantity of light fixtures?
 - o Is the night lighting addressed in the Env. Doc's.?
- 7. Restrooms
 - o Based on the capacity of the pool, won't additional restrooms be required?
 - o Where is the access to the restrooms from the pool deck?
 - o Where are the required showers?
- 8. Bleachers
 - o Where will the bleachers for spectators be located?
 - o The decks along the sides of the new pool are shown as 10' wide.
 - o How many rows of seats are being proposed?
 - o What is the minimum clearance from the edge of the pool to the seating areas? 6' wide?
 - o It does not appear that enough space along the sides of the pool is being provided for spectators.
- 9. Storage
 - o Where are the storage areas for items like the large pool cover?
 - o There is usually a very large piece of equipment with a rolling system on wheels. Is there room on the pool deck for this equipment?
 - o Where are the storage areas for all other equipment storage?
- 10. Will there be a handicap accessible person lift for access for them to get into the pool?

L. Fire Truck Access to Bldg. B4 & new 2-story Bldg.

- a. Is there fire truck access from the ex. emergency access corridor in the southern rear corner of the site to Bldg. B4 and the new 2-story Bldg.?
 - o The plan shows a turning radius but not a 20' clear area for fire truck access along the south side of the site.
 - o The Planting Plan calls for large Oak trees along this corridor, preventing fire truck access to these two Bldgs.

M. North rear Fire Truck turn-around on new basketball courts

- a. Basketball poles are within the 20' wide corridor that is to be free of obstructions.
- b. The diagram shows the fire truck backing out using part of the drop-off cul-de-sac
 - o Isn't there a grade change between the cul-de-sac and the basketball courts?
 - o Why not just exit through the drop-off corridor?

N. Basketball Courts

- a. Will there be a fence along the curb & gutter along the north side of the basketball courts?
 - o There is a 12" drop off.
- b. How will balls be prevented from going over the wall?

Sht. 4.0 – Grading & Drainage Plan

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Sht. 4.1 – Stormwater Control Plan

A. CSJ's 'Infiltration/Harvesting and Use Feasibility Screening Worksheet'

1. This Worksheet is to be completed, with portions of the information shown on the plans.
2. No. 4 - Calculate the Potential Rainwater Capture Area for Screening of Harvesting and Use
 - o First sentence states "Complete this section for the entire project area"
 - o The total for New Impervious and New Pervious does not equal the 2.1 ac. identified in the Surface Comparison Table.
 - o Totals are Short by 471 sf.

B. Pervious & Impervious Surfaces Comparison Table

1. The Civil and Landscape Plans are not complete
 - o Information provided is incorrect because not all paved areas are shown, such as paving at the student drop off, internal paving areas and new playground areas.
 - o How can the calculations for screening criteria be determined under 'C.3 Regulated Projects' (known as the '50% Rule') that are required to implement Provision C.3 Stormwater Treatment Requirements be correct with missing information?

C. Total Area of Site Disturbed (acres): 2.1 ac. or 91,476 sf.

1. Project Total of 29,520 sf and 61,485 = 91,005 sf.
2. The Bldg. sf. for the Cottage's Roofs is **short by 1,842 sf.**
3. Current ratio of impervious & pervious is 52%,
 - o When the roof shortage is added, the ratio is down to 48%.
 - o With the plan discrepancies, the pervious areas will be reduced even further.
 - o This decreases the percentage even more, probably lower than 40%.
3. Totals Summarized do not match the numbers identified on the Sht. 3.0 - Site Plan
 - o (2) Existing Bldg's removed 9,754 sf.
 - o New Pool Bldg. footprint 2,512 sf.
 - o TOTAL ROOF AREAS 12,266 sf.
 - o Where is this number identified?
4. Impervious Roof Surfaces in Table:
 - o Roof Areas Disturbed 11,860 sf.
 - o Sidewalks, Patios, Paths 18,445 sf.
 - o TOTAL DISTRUBED 30,305 sf.
 - o Not all sidewalk and paved areas are shown.
 - o With additional paved areas, the number shown will be increased, decreasing pervious surfaces total.
5. Summary of Roof Areas:
 - o Replaced Roof Areas 11,860 sf.
 - o New Roof Areas 260 sf.
 - o Total Proposed Disturbed 12,120 sf.
 - o Where is the pool bldg. reflected?
6. The New Pool Bldg. is not reflected in the above calculations.
 - o Sht. 3.0 Bldg. size listed as 2,512 sf.
 - o This Bldg. square footage is not included in the numbers provided under impervious paving.
 - o Where is this Bldg. reflected?

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7. The New Bldg. on Sht. 3.0 identifies a total of 17,500 sf., if I approximate the footprint - 8,750 sf.
 - o Where is this New Bldg. in the calculations?

Sht. 7A - Tree Removal & Mitigation Plan

A. On-Site Mitigation Table per CSJ Policy

1. It is unacceptable that only 68 trees are being proposed when 168 are being taken out.
2. Tree Replacement Ratios are not sufficient for removal of Trees that were previous Mitigation.
 - o See comments above regarding Hwy. 85 construction.
3. Not all trees on-site are shown.
 - o Parking Lot trees are not intified.

Sht. 7C - Landscape Plan

A. Plan is incomplete and conflicts with Existing Features & Civil Improvements:

1. This plan has not been thought through and has numerous conflicts with the other Plans in the PD Permit Set.
2. Tree locations
 - o Trees in front of Bldg's. B1 & B2 are shown in the existing sidewalk.
 - o Trees behind Bldg. B2 are shown on top of the new EVA turn-around.
 - o The Tree between Bldg. B4 & the Cafeteria are shown where the relocated dumpsters, transformer and generator will most likely be located. Storm drain lines also run through this area.
2. NO new playground is shown.
 - o Play equipment is required for K-5 children.

B. Tree Quantities Not Sufficient:

1. Only 68 trees are proposed, but the requirement is for 168.
2. There are numerous locations around the site for additional trees.

Davidson, John

From: tammyczarnecki@comcast.net
Sent: Monday, September 24, 2012 4:27 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Harker Public Comment/Concerned Cambrian Resident

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

I would like to share with you this feedback I have sent to the City of San Jose Department of Planning, Building and Code Enforcement to be included in the public record for File No. PD12-027, the proposal by the The Harker School to develop the existing 7.7 acre former Santa Clara County Children's Shelter campus into a pre-K through 5th grade school.

I, along with the overwhelming majority of other Cambrian Park residents, I believe, oppose the proposal and the Mitigated Negative Declaration (MND) because it does not adequately address issues already apparent with the proposal.

Further, I am concerned as well about the land sale process that appears to be allowing a private entity to take over this public resource with no clear benefit to the Cambrian community or to the City of San Jose.

Please know that I am not against education or schools. I have am a committed advocate for education. I also have a child who attends our local public school and I spend a significant amount of time volunteering in the school. I think that Harker is a high quality school. However, it is not a need in our local community. We already have "outstanding" public schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect

neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse our site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

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

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

Another item that, to me, seems as though it should have raised some flags within the Planning Department, is the apparently already determined need to use shuttle buses to mitigate some of the excess traffic. For this to be obviously needed at this stage, before the true magnitude of the traffic is even understood, should be a concern to all involved. It seems completely unreasonable to think that the parents of kindergarten and elementary school aged children in Palo Alto, Los Altos, Mountain View, Cupertino, Saratoga and Sunnyvale (cities mentioned in the MND) are going to be putting them on shuttle buses to send off to school. They will be driving them to school, regularly, as they will want to see them and support them in their learning environment, interact with their teachers on a regular basis, etc., as they should do.

Lastly, within the next few years a major development of the North 40 location in the Bascom/17/85/Lark site is being planned, and it is also envisioned that the Cambrian Plaza site at Union and Camden will also be developed. I would expect that at this stage a more holistic view towards traffic management for existing traffic patterns and anticipated

changes with these new developments would exist. What is the plan to address Bascom/Union Ave traffic with the addition of these developments or is there any plan? Will these developments be adversely impacted, thus impacting the ability of the city to collect valuable tax revenue by the accommodation of Harker.

I request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Thank you for your time,
Tammy Czarnecki

Davidson, John

From: Vickie Kent [vickielkent@yahoo.com]
Sent: Monday, September 24, 2012 4:26 PM
To: Baty, John
Subject: PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration
Follow Up Flag: Follow up
Flag Status: Red

September 24, 2012

John W. Baty, AICP, CGBP
Project Manager
City of San Jose
Planning, Building and Code Enforcement
200 E. Santa Clara Street
San Jose, CA 95113-1905

In Re: PD12-027 The Harker School – Public Notice of Intent to Adopt a Mitigated Negative Declaration

Dear Mr. Baty:

I am writing this letter to request that the city **not** adopt the subject Mitigated Negative Declaration (MND). By adopting this MND the city of San Jose will badly degrade the quality of life for the Cambrian Park community by increasing the amount of traffic (already at full capacity) at the highway 85 intersections to an unacceptable level. The unacceptable traffic levels will encourage parents, who are dropping off their children at the school, to use residential streets as alternative “throughways”.

The MND does not address the problem of parents using residential streets as “throughways” or alternative routes from crowded freeways to and from the school. Parents will use Branham Lane-to-Standish Drive-to-Cole Avenue-to-Union Avenue and vice versa as a way to avoid a section of the freeway or other over crowded streets. Standish Drive and Cole Avenue are already heavily used as alternative routes to and from Union and Leigh Avenues. White Road is also already heavily used from highway 17 as a throughway to keep from having to get onto the overcrowded highway 85.

What does the city intend to do to mitigate traffic on these residential streets?

As a resident of Cambrian Park, I use the Union Avenue, northbound on-ramp of highway 85 to go to work every Monday through Friday. Between 7 AM and 9 AM, it takes 20-30 minutes to get from my home on Standish Drive, through the stop light at highway 85, onto the on-ramp, and through the first five miles of

my fifteen-mile commute to Moffett Field where I work. These are the **existing** conditions of my daily commute to work. Adding 300 more cars using the highway 85 freeway at Union Avenue would cause a significant negative impact.

The city planners have noted in the MND that traffic along the above mentioned freeway segment and several other segments of the freeway would deteriorate from an acceptable level of LOS E or better under existing conditions to an unacceptable level of LOS F if the subject MND is adopted. The city proposes that Harker School can decrease the amount of traffic to an acceptable level by operating a voluntary shuttle bus program and stagger start times for its students. According to the MND, if the city determines that Harker School has not decreased the amount of traffic it adds to the freeway segments one of the following three options will be implemented. Harker School will have to:

- 1) Increase Transportation Demand Management (TDM) activities and attain compliance within four months. Compliance will be demonstrated by monitoring the driveway traffic at the school.
- 2) Reduce enrollment in the next academic year, or
- 3) Mitigate all traffic impacts in conformance with the City's Transportation Policies.

How would the reduction in school enrollment be determined? What would the city do to ensure that all traffic impacts are mitigated and in conformance with the City's Transportation Policies?

In addition, the MND provides that the school traffic must only be tracked for five years. What happens if at the five-year point, the school determines that the shuttle bus program and/or the staggered start times will be dropped?

The MND states that "1) Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union and Camden Avenues, 2) The VTA has developed a regional transportation plan, VTP 20351, to identify future transportation projects to accommodate project future travel demand, including Express Lanes on SR 85."

I could not find VTP 20351 at the VTA website but did find VTP 2035. In VTP 2035, I found the project that would include Express Lanes on SR 85. However, in the same report, I also found the statement that "Some of these projects are contingent on the availability of State or Federal funds within the next three years, and consequently may be delayed if the State and Federal fiscal condition does not improve." It is well known that the State and Federal fiscal condition is not showing signs of improvement for the near future. There is a high probability that it will be many years before there are any funds for such highway projects. In this economy, how can it be "smart planning" for the city to assume that the state and federal fiscal condition will improve?

In conclusion, I would respectfully request that the city not approve the subject MND. Opening a school at the Union Avenue site will substantially degrade the quality of life for Cambrian Park residents by downgrading the already "at capacity" level of traffic at Union Avenue freeway on and off ramps to the

“worst operating conditions”. The city’s only suggestions for bringing the impact of projected Harker School traffic into an “at capacity” level are that the school should use shuttle buses and staggered start times for classes. These methods have not worked to mitigate traffic at other Harker School sites. The city does not provide any remedy for using residential streets such as Cole Ave., Standish Dr., Branham Ln. and White Rd. as “throughways” to the Union Avenue school site.

Sincerely,

/Vickie L. Kent/

Vickie L. Kent
Cambrian Park Resident

Davidson, John

From: hawkfam007@aol.com
Sent: Monday, September 24, 2012 4:08 PM
To: Baty, John; Davidson, John
Subject: Harker School PD12-027

I want this feedback to be included in the public record for Harker project PD12-027

I have lived in this community for over 35 years and have raised a family here. Traffic has always been a top concern for me with regards to my **children's** safety.

I hopefully will retire and grow old in this community. Traffic is no fun thing for anyone but as a retired person it will bring so much stress to the everyday life. I would like to be able to move around my community without that stress. I feel that Harker is unable to work out a solution to its traffic issue. I believe if they were able to do so that would have already happened at their other two locations. The Saratoga Ave.site has been at that location for many years but yet just this month again an article was written in the newspaper about traffic congestion that it brings into that area and the mess it creates daily. Harker is still not able to remedy the traffic problem for those sites how can we believe they can

protect our community or even care to.

I have many other issue against this project but will only address traffic.

Please do not allow this project to continue.

Cheryl Hawkins
hawkfam007@aol.com

Davidson, John

From: Janae Pierre [janaepierre@yahoo.com]
Sent: Monday, September 24, 2012 3:56 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter; info@concernedcambrians.org
Subject: Say NO to Harker

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

I would like to first say thank you to you and all those involved in this project, in particular Councilman Rocha and his assistant Peter Hamilton, and Supervisor Yeager and his staff. Thank you to all for meeting with residents of our community and for patiently answering our many questions. I very much appreciate the time you have given me and others during this process.

Please know that I am not against education or schools. I have am a committed advocate for education. I also have two children who attend our local public schools and I spend a significant amount of time volunteering in these schools. I think that Harker is a high quality school. However, it is not a need in our local community. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse our site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

- The intensity of use (600 students and 100 staff). This is significantly more than the two previous uses, a children's shelter and a public elementary school.
- The impact of increased traffic to Cambrian residents taking their children to Union Middle School, Carlton Elementary school, Leigh High School, Farnham Elementary School, St. Francis Cabrini Elementary and Middle School.

9/27/2012

- The impact of increased traffic to Cambrian residents commuting to and from work.
- The use of residential streets as through ways.
- The queuing of cars on residential streets.
- The impact of school buses using the VTA's existing Bus Stop on Union Ave.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property onto Union Ave.

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Comments on the Mitigated Negative Declaration (MND)

Project Description

The description states ... "Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus including demolition of two existing 4,800 square foot buildings, construction of a new 17,500 square foot multi-purpose building, a 2,500 square foot accessory structure and other improvements for a private elementary school for up to 600 pre-K through 5th grade students."

- This description DOES NOT include the 100 staff that will also be on site.
- This description DOES NOT reflect all uses of the site. There will be summer camps, after school activities, weekend activities and site rentals to outside groups.
- The current site is zoned for an on-site school that covers 2-7% of the property. Harker will use 100% of the property as a school with none of the children living on-site. The previous zoning did not need to account for traffic impact caused by children being driven to school. Re-zoning is required.
- This description DOES NOT include any plans for construction work on Union Ave that would help mitigate the impact of traffic (eg construction of a median)

Transportation/Traffic

The description states that ... "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- Why is their a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.
- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... "The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals."

- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... "Driveway counts shall be collected for three days (Tuesday - Thursday) during the

period from four to eight weeks after the start of the school's fall session."

- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons."

- The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?
- The City of San Jose's General Plan "contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL". It seems that the DNL used by the noise consultants is 'conveniently' at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... "PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor's Parcel No: 421-07-003"
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.
- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A "Keep Clear" marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... "By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school's traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a "staggered start" – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... "Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... "Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out)". See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – (600 students + 100 staff) * 1.23 = 861. This is significantly different to

the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children's Shelter.

The description states that "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... "Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that "The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that "Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.". Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that "It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue"

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that "manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session."

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are

many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.

- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... "Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue."

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... "Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths."
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that "the route from White Oaks Avenue is circuitous." Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will 'not be used'.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site's parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.

- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.
- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentleman who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPd, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new preschool and in 5-10 years will become the campus for the lower grades (K-5).” (<http://news.harker.org/union-avenue-campus-update/>)

Please confirm that you received this letter and that it will be included in the public record for the Harker project PD12-027.

Thanks,
Janae Pierre
Resident on Union Avenue

Davidson, John

From: Susie Thompson [lbthompson41@yahoo.com]
Sent: Monday, September 24, 2012 3:26 PM
To: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Cc: Baty, John
Subject: Harker project PD12-027

Dear John,

I want this feedback to be included in the public record for the

I would like to first say thank you to you and all those involved in this project, in particular Councilman Rocha and his assistant Peter Hamilton, and Supervisor Yeager and his staff. Thank you to all for meeting with residents of our community and for patiently answering our many questions. I very much appreciate the time you have given me and others during this process.

Please know that I am not against education or schools. I have am a committed advocate for education. I also have two children who attend our local public schools and I spend a significant amount of time volunteering in these schools. I think that Harker is a high quality school. However, it is not a need in our local community. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse our site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

- The intensity of use (600 students and 100 staff). This is significantly more than the two previous uses, a children's shelter and a public elementary school.
- The impact of increased traffic to Cambrian residents taking their children to Union Middle School, Carlton Elementary school, Leigh High School, Farnham Elementary School, St. Francis Cabrini Elementary and Middle School.
- The impact of increased traffic to Cambrian residents commuting to and from work.

9/27/2012

- The use of residential streets as through ways.
- The queuing of cars on residential streets.
- The impact of school buses using the VTA's existing Bus Stop on Union Ave.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property onto Union Ave.

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Comments on the Mitigated Negative Declaration (MND)

Project Description

The description states ... "Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus including demolition of two existing 4,800 square foot buildings, construction of a new 17,500 square foot multi-purpose building, a 2,500 square foot accessory structure and other improvements for a private elementary school for up to 600 pre-K through 5th grade students."

- This description DOES NOT include the 100 staff that will also be on site.
- This description DOES NOT reflect all uses of the site. There will be summer camps, after school activities, weekend activities and site rentals to outside groups.
- The current site is zoned for an on-site school that covers 2-7% of the property. Harker will use 100% of the property as a school with none of the children living on-site. The previous zoning did not need to account for traffic impact caused by children being driven to school. Re-zoning is required.
- This description DOES NOT include any plans for construction work on Union Ave that would help mitigate the impact of traffic (eg construction of a median)

Transportation/Traffic

The description states that ... "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- Why is there a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.
- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... "The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals."

- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... "Driveway counts shall be collected for three days (Tuesday - Thursday) during the period from four to eight weeks after the start of the school's fall session."

- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons.”

- The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?
- The City of San Jose's General Plan “contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL”. It seems that the DNL used by the noise consultants is ‘conveniently’ at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... “PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor's Parcel No: 421-07-003”
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.
- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A “Keep Clear” marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... “By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school's traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a “staggered start” – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... “Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... “Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out) “. See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – (600 students + 100 staff) * 1.23 = 861. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children's Shelter.

The description states that “The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer.”

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... “Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that “The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that “Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.”. Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that “It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue”

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that “manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session.”

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.
- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... "Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue."

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... "Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths."
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that "the route from White Oaks Avenue is circuitous." Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will 'not be used'.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site's parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.
- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and

take residential streets.

- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentlemen who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPd, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new preschool and in 5-10 years will become the campus for the lower grades (K-5).” (<http://news.harker.org/union-avenue-campus-update/>)

Davidson, John

From: John O'Donovan [john@navonodo.com]
Sent: Monday, September 24, 2012 3:16 PM
To: Davidson, John; Baty, John; District1; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; Rocha, Donald; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Response to PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration

Hi John,

I want this feedback to be included in the public record for the Harker project PD12-027.

As a resident of this neighborhood for the past seven years I am well aware of the existing traffic issues in our neighborhood. We live at the intersection of two major highways (85 and 17), and the associated major surface streets of Camden, Union and Bascom. We have three local elementary schools (Farnham, Carlton and St. Francis Cabrini), Union Middle and Leigh High Schools, Good Samaritan Hospital and the headquarters of Xilinx in close proximity. A result of this is that there is significant traffic today, especially on Union from Camden to Los-Gatos Almaden and on Camden itself as traffic feeds off of or on to 17 in the morning and afternoon.

Traffic Impact on Residential Streets

Given the existing traffic situation, it is abundantly clear that the addition of Harker School will greatly stress Union Ave. As a resident it is also clear that for a parent to drop their child off at Harker, the quickest approach in both the AM and especially PM for parents traveling on southbound 85 from Los Altos, Saratoga, Cupertino, etc is to exit on Bascom and cut through the neighborhood residential streets from White Oaks to Faircrest to Jacksol onto Barrett. This is dismissed in the TIA as being "too circuitous", and it being more likely that parents would attempt a left-turn from Union across 2 lanes of congested traffic into Harker. It should be noted that while on a map the White Oaks/Barrett route may seem circuitous, it is slightly more than 1 mile with none of the traffic issue that Woodard has.

It is difficult to understand how any parent would contemplate using Woodard, Camden or even Union northbound (with associated left turn into Harker) as opposed to Barrett once they are familiar with the layout and traffic pattern of surface streets.

The TIA itself recognizes that this will occur

"Queues formed on southbound Union Avenue extending past Charmeran Avenue, on **eastbound Barrett Avenue** (west of Union Avenue), and on eastbound Charmeran Avenue."

However, the MND then never addresses this issue and even when discussing the use of driveway counts to determine traffic impact once Harker is operational, residential streets are not included, just intersections on Union which already have traffic lights. I request that traffic monitoring be extended to residential streets such as Barrett and Charmeran that will bear the brunt of extra traffic.

Clearly having queues of cars on Barrett attempting to merge into Union just so they can travel

the short distance will impact on our ability as residents to take our children to school or travel to work ourselves. For those unfortunate enough to live on Barrett, even getting out of their driveway may prove to be an issue. I would like to request that the impact of Harker on residential street traffic be fully evaluated. Clearly this was not done in the TIA, which seems to have been created with the assumption that it is likely that parents will exit on Union from 85, proceed north on Union and then somehow turn left across 2 lanes of congested traffic into Harker. While the turnout lane does exist, the idea that any significant number of cars would actually succeed in doing this in a reasonable amount of time at peak traffic hours without leading to a backup across the Union/Cole intersection seems optimistic at best.

There have been three meetings with Harker, two organized by Harker, and one by the City. The neighborhood's concerns regarding the use of our residential streets as a cut-through and for parking has been clearly and repeatedly communicated. It is difficult to understand how at this stage in the process the concerns of the community have still not been addressed. There have been statements regarding busing, however this has its own issues with

1. Impacting the flow of traffic on Union when a bus stops to unload/load students
2. Staging areas for buses since the bus stop in front of Harker can only accommodate one bus.
3. How will a bus traveling northbound on Union Ave then turn around so that it can use the bus stop on southbound Union.

PM Driveway Counts

In the MND there are statements on the collecting of driveway counts once the Harker school is up and running. However this is only limited to AM peak traffic. This is a concern since in the afternoon, southbound 85 has a substantial backup from just after the Bascom exit to past Union due to the merge of both southbound and northbound traffic from Highway 17 onto 85, just before the Union Ave exit. This makes it extremely unlikely that a parent would use Union Ave to get to Harker during the PM peak traffic hours. Instead parents will use Bascom, thus leading to the use of residential streets as shortcuts. I request that traffic monitoring be extended to PM hours and include streets such as Barrett and Charmeran.

Staggered Start Times

Another issue related to the institution of staggered start times at Harker as discussed in the Initial Study. Much is made of the increase from 10mins to 40mins (8am to 8:40am), however this seems to be somewhat irrelevant. What is important is when parents drop children off at the school. Even though a particular student's class may not start until 8:40, the school itself opens at 7:30am. For parents that need to get to work by 8 or 8:30, or with multiple students, the drop-off time is driven not be the start time, but by the overall family's schedule. It is not clear how staggered start times will actually affect the amount of traffic at the peak AM time.

Future Development

In the next 2 years a major development of the North 40 location in the Bascom/17/85/Lark site is being planned, and it is also envisioned that the Cambrian Plaza site at Union and Camden will also be developed. I would expect that at this stage a more holistic view towards traffic management for existing traffic patterns and anticipated changes with these new developments would exist. What is the plan to address Bascom/Union Ave traffic with the addition of these developments or is there any plan? Will these developments be adversely impacted, thus impacting the ability of the city to collect valuable tax revenue by the accommodation of Harker.

Davidson, John

From: Shelley Lautenslager [sblautenslager@yahoo.com]

Sent: Monday, September 24, 2012 3:13 PM

To: Baty, John

Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

I would like to first say thank you to you and all those involved in this project, in particular Councilman Rocha and his assistant Peter Hamilton, and Supervisor Yeager and his staff. Thank you to all for meeting with residents of our community and for patiently answering our many questions.

Please know that I am not against education or schools. I have am a committed advocate for education. I am an elementary school teacher at a local private school. I have 2 children that attend that school and spend a lot of time volunteering at the school, besides my teaching duties. I think that Harker is a high quality school. However, it is not a need in our local community. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse this site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

- The intensity of use (600 students and 100 staff). This is significantly more than the two previous uses, a children's shelter and a public elementary school.
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9/27/2012

- The queuing of cars on residential streets.
- The impact of school buses using the VTA's existing Bus Stop on Union Ave.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property onto Union Ave.

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Comments on the Mitigated Negative Declaration (MND)

Project Description

The description states ... "Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus including demolition of two existing 4,800 square foot buildings, construction of a new 17,500 square foot multi-purpose building, a 2,500 square foot accessory structure and other improvements for a private elementary school for up to 600 pre-K through 5th grade students."

- This description DOES NOT include the 100 staff that will also be on site.
- This description DOES NOT reflect all uses of the site. There will be summer camps, after school activities, weekend activities and site rentals to outside groups.
- The current site is zoned for an on-site school that covers 2-7% of the property. Harker will use 100% of the property as a school with none of the children living on-site. The previous zoning did not need to account for traffic impact caused by children being driven to school. Re-zoning is required.
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Transportation/Traffic

The description states that ... "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- Why is their a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.
- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... "The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals."

- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... "Driveway counts shall be collected for three days (Tuesday - Thursday) during the period from four to eight weeks after the start of the school's fall session."

- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons."

- The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?
- The City of San Jose's General Plan "contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL". It seems that the DNL used by the noise consultants is 'conveniently' at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... "PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor's Parcel No: 421-07-003"
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.
- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A "Keep Clear" marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... "By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school's traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a "staggered start" – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... "Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... "Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out)". See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – $(600 \text{ students} + 100 \text{ staff}) * 1.23 = 861$. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to

staggered times and the trip generation numbers attributed to the Children's Shelter.

The description states that "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... "Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that "The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that "Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.". Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that "It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue"

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that "manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session."

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are

many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.

- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... "Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue."

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... "Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths."
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that "the route from White Oaks Avenue is circuitous." Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will 'not be used'.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site's parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.

- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.
- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentleman who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPD, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new preschool and in 5-10 years will become the campus for the lower grades (K-5).” (<http://news.harker.org/union-avenue-campus-update/>)

Thank you for taking the time to read and review the concerns for our community.

Sincerely,
Shelley Lautenslager

Davidson, John

From: john bray [john_r_bray@yahoo.com]
Sent: Monday, September 24, 2012 3:00 PM
To: Baty, John
Subject: Harker Project PD12-027
Follow Up Flag: Follow up
Flag Status: Red

Dear John,

We would like to express that we are against the proposal by Harker School for a new campus on Union Avenue. I know a lot of others in the community have already given a detailed rebuttal to the report that was issued, so we'll not do that, but we have lived on Barrett Ave since 1997, and we would like to voice our traffic concerns based on our understanding of the neighborhood.

I don't believe the area has an adequate traffic infrastructure to allow the Harker proposal to be implemented without completely changing the existing character of the neighborhood. There is no signalized intersection for the Harker driveways. Since traffic backs up at the signal for Logic/Cole, there is no way for cars to make a left turn from Union into Harker without southbound traffic stopping several feet back to let them cross. This can case be a dangerous situation when one lane of traffic does not realize someone in the adjacent lane has stopped to allow a turn and they plow into a vehicle trying to make a left turn.

The Harker driveway is only a single lot beyond the Barrett/Union intersection, so traffic will back up on Union beyond Barrett Ave so that during peak school hours it's not possible to turn right or left onto Union from Barrett Ave. Carlton Avenue school and Union middle school serve families living on Barrett Ave, so the Harker school would be a traffic blockade for getting kids south on Union and across hwy 85.

We went to the Harker information meetings and do appreciate that they are trying to make accommodations including the entry into the property for drop off/pick up, however we know that when parents are struggling to get kids to school on time and not be tardy, they will take the path of least resistance regardless of what the formal school guidelines are. Rather that sit in a long queue to get to the official drop off point, they will park on Barrett avenue and walk the kids into the school to avoid the queue. Also, since making a left into Harker will be so difficult, it won't take parents long to realize they can exit Bascom avenue and cut through White Oaks, around the park, and down Barrett to avoid that left turn, either parking on Barrett and walking in, or making a right turn on Union and another right into Harker to avoid the left turn.

Our primary concern is that the traffic issues and safety for children playing in the neighborhood. Our street has been a wonderful place to live, and we don't wish it to become a congested school zone with speeding cars and no available street parking.

Sincerely,

John and Hannah Bray
2093 Barrett Ave

9/27/2012

Davidson, John

From: Karen Billmaier [karen@paloaltoegg.com]

Sent: Monday, September 24, 2012 2:50 PM

To: John.batty@sanjoseca.gov; The Office of Mayor Chuck Reed; District1; District1; District3; District2; The Office of Mayor Chuck Reed; District4

Cc: Hamilton, Peter; Davidson, John

Dear John,

I completely agree with the letter below. Please read all the information at hand before approving the Harker School project on Union Avenue in San Jose. This will greatly impact our neighborhoods that we have bought into long before Harker decided to buy the Children's Shelter. The traffic will be a nightmare. 700-800 cars coming down Union or cutting thru Barrett and Charmeran will be a burden on our streets. I have lived on Charmeran for 5 years and I lived on Barrett for 18 years prior to buying a home on Charmeran. One of the main reasons I moved off of Barrett was due to traffic cutting thru from Union to Bascom or vice versa. I raised 3 children on Barrett and they were never allowed out front unless myself or my husband were out front with them. The cars raced at about 40-45 miles per hour down our street. Now you will have parents coming from other areas of the bay area trying to get their children to Harker by 8 am. This will cause a huge traffic jam on Union. The Children's Shelter has no where near the street or parking lot to handle that amount of traffic. If you want to see Harker in action go by their campus on Bucknell at drop off or pick up. It is a nightmare and they have about 4 times as much surface street area that is not in residential housing areas. Please review all the material below as this project is not a good fit for this location. If you want to discuss please feel free to give me a call.

Thanks so much for your time.

Karen Billmaier
15146 Charmeran Ave,
San Jose, Ca 95124
408-377-7227

Previous address from 1989-2009
2251 Barrett Ave.
San Jose, Ca 95124

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

I would like to first say thank you to you and all those involved in this project, in particular Councilman Rocha and his assistant Peter Hamilton, and Supervisor Yeager and his staff. Thank you to all for meeting with residents of our community and for patiently answering our many questions. I very much appreciate the time you have given me and others during this process.

Please know that I am not against education or schools. I have am a committed advocate for education. I also have two children who attend our local public schools and I spend a significant amount of time volunteering in these schools. I think that Harker is a high quality school. However, it is not a need in our local community. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

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At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.

The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... "The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals."

This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.

This description DOES NOT include cars that will park on residential streets.

This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... "Driveway counts shall be collected for three days (Tuesday - Thursday) during the period from four to eight weeks after the start of the school's fall session."

Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons."

The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?

The City of San Jose's General Plan "contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL". It seems that the DNL used by the noise consultants is 'conveniently' at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

Barrett Ave is referred to only ONCE in the MND ... "PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor's Parcel No: 421-07-003"

Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.

Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.

The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.

The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.

The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A "Keep Clear" marking is needed at this intersection.

The street parking impact to Barrett Ave and Union Ave has not been studied.

It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.

I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... "By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school's traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

Counts should not be reduced for a “staggered start” – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact. The description states that ... “Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

The TIA actually states ... “Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out) “. See page (i) in the TIA. Therefore the maximum numbers are inconsistent.

The trip generation math does not make sense – $(600 \text{ students} + 100 \text{ staff}) * 1.23 = 861$. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children’s Shelter.

The description states that “The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer.”

How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.

Per the CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.

When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.

Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... “Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that “The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that “Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.”. Again, this number is significantly less than the 35 riders stated in the IS (and TIA).

This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.

I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that “It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue”

This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that “manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session.”

What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?

Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there

many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.

I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

The plans for the shuttle buses are very vague. The number of buses needed is not addressed.

The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... "Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue."

The MND does not address these queues and does not limit use of these streets by Harker School.

Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.

Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... "Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths."

LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.

The TIA states that "the route from White Oaks Avenue is circuitous." Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will 'not be used'.

Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site's parking lot.

In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).

Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.

An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.

Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.

The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and

rice a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)

Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentlemen who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)

Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.

Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPD, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new prescho

Thanks,

Karen Billmaier
Senior Sales Specialist
Palo Alto Egg Company
Cell: 408-509-7019
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Davidson, John

From: John Shuler [jayshuler@me.com]
Sent: Monday, September 24, 2012 12:59 PM
To: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed;
Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor
Chuck Reed; District4; Hamilton, Peter
Subject: Harker Project PD12-027

John,

I want to add my voice to the opposition to the Harker Project PD12-027. I drive down Barrett to Union and past that location on at least a weekly basis to take my daughter to Leigh High School from my home off White Oaks on the other side of Houge Park. I confess that, even in doing that, I am sympathetic to those living on Barrett regarding the additional traffic I am creating on that residential street, and I am ABSOLUTELY CERTAIN that the addition of Harker School to the proposed site will impact not only these Cambrian residents, but also increase traffic as far away as White Oaks, near my house, as people seek a short cut to the queue that is sure to form in the morning and evening during student drop-off and pick-up times.

I also agree that the use of the site by Harker will increase City costs and displace potential revenue from alternative uses of that site, with virtually no additional benefit to the citizens of San Jose or Cambrian. Harker is a fine school, but it is far too expensive for any but the most well-heeled in our area. The rationale that this might attract wealthy homeowners to the area is, in my opinion, misconceived, considering the current demographics. The loss of home value from the traffic will further detract from city revenue and citizen satisfaction.

There may be some conditions upon which the plan might work. In particular, the ability of the site itself to accommodate its own queue, through a perimeter drive along the north, west, and south side of the property, along with some kind of traffic control on Union and perhaps some alternations to Barrett, would certainly mitigate some of the concerns of the closest residents. However, this would not solve the "short cut" problem.

In short, I oppose this project without considerably more investigation and mitigation planning on the part of Harker and the City.

Regards,

Jay Shuler
4020 Halkins Drive
San Jose, CA 95124
408-505-2844

Davidson, John

From: James Bohan [jpbohan@yahoo.com]
Sent: Monday, September 24, 2012 12:50 PM
To: Baty, John
Cc: Davidson, John
Subject: feedback regarding File No. PD12-027, The Harker School's proposal to develop the former Children's Shelter site

Mr. Baty,

I would like this feedback to be included in the public record for File No. PD12-027, the proposal by the The Harker School to develop the existing 7.7 acre former Santa Clara County Children's Shelter campus into a pre-K through 5th grade school.

I, along with the overwhelming majority of other Cambrian Park residents, I believe, oppose the proposal and the Mitigated Negative Declaration (MND) because it does not adequately address issues already apparent with the proposal.

Further, I am concerned as well about the land sale process that appears to be allowing a private entity to take over this public resource with no clear benefit to the Cambrian community or to the City of San Jose.

Specifically, it is my understanding that, as a non-profit entity, Harker does not pay income, sales or property taxes. A for profit entity, like a business, would generate millions of dollars in tax revenue. At the August 14, 2012 City Planning Commission meeting on the proposal, it was stated that the Harker bid barely exceed the next highest bid, which was submitted by a private business who would be required to pay taxes, taxes that would be very valuable to the City and the County of Santa Clara during these difficult economic times. I am concerned that this sale of property was apparently made on the basis of purchase price only and that the total value of the deal (including future tax revenues) was not considered. On the surface this appears to be a fiscally irresponsible decision.

Additionally, though Harker has a non-profit status, it is not at all clear to me what benefit their services would have to the community. Though non-profit, Harker is a private school, with a current elementary school tuition of \$27,500 per year. I have read that only 2% of Harker students are from the Cambrian area of San Jose, and that only 18% are from all of the San Jose area. Unlike the previous history of the property as a school, which the Harker representatives have referred to as part of their argument that the proposed use is consistent with the historical use of the property (mentioned by them multiple times during the August 14, 2012 community meeting), that previous history was as a public/neighborhood school from what I understand, with many of the students arriving at school on foot or by bike. This proposed development will result in a significant amount of increased regional traffic, coming from multiple cites/counties, without any measurable local benefit.

And regarding the certain increase in traffic, I am also under the impression that there was no traffic analysis on what will change on Barrett Avenue, which is the nearest residential street to the property, and is even mentioned on page one of the Mitigated Negative Declaration as the Project Location. This is, if true, honestly unbelievable, and I would hope that the City engineers would not accept a report from the private firm hired by Harker to do the analysis without this information. I am very interested in hearing whether there are, perhaps somewhere else in the project documents, adequate mitigations and safeguards in place to prevent what would otherwise certainly be overwhelming traffic on Barrett.

Another item that, to me, seems as though it should have raised some flags within the Planning Department, is the apparently already determined need to use shuttle buses to mitigate some of the excess traffic. For this to be obviously needed at this stage, before the true magnitude of the traffic is even understood, should be a concern to

9/27/2012

all involved. It seems completely unreasonable to think that the parents of kindergarten and elementary school age children in Palo Alto, Los Altos, Mountain View, Cupertino, Saratoga and Sunnyvale (cities mentioned in the MND) are going to be putting them on shuttle buses to send off to school. They will be driving them to school, regularly, as they will want to see them and support them in their learning environment, interact with their teachers on a regular basis, etc., as they should do.

In summary, there are just too many flaws in this proposal and the Mitigated Negative Declaration for the City to allow this project to proceed as currently planned, especially considering the considerable impact there would be to the community with no tangible benefit for its, or the City's, residents.

Respectfully,

James Bohan

2263 Barrett Avenue

San Jose, CA 95124

jpbohan@yahoo.com

Davidson, John

From: marina murray ;~) [forthetwins2@yahoo.com]
Sent: Monday, September 24, 2012 12:48 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Proposed Harker School Development on Union Avenue.
Attachments: HarkerPublicComment2.pdf

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

Please know that I am not against education or schools. I have am a committed advocate for education. I have two children who attend our local public school and I spend a significant amount of time volunteering in these schools. I think that Harker is a high quality school. However, **it is not a need in our local community**. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will **not pay property taxes**, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." **Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.**

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse our site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

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

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Comments on the Mitigated Negative Declaration (MND)

Project Description

The description states ... "Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus including demolition of two existing 4,800 square foot buildings, construction of a new 17,500 square foot multi-purpose building, a 2,500 square foot accessory structure and other improvements for a private elementary school for up to 600 pre-K through 5th grade students."

- This description DOES NOT include the 100 staff that will also be on site.
- This description DOES NOT reflect all uses of the site. There will be summer camps, after school activities, weekend activities and site rentals to outside groups.
- The current site is zoned for an on-site school that covers 2-7% of the property. Harker will use 100% of the property as a school with none of the children living on-site. The previous zoning did not need to account for traffic impact caused by children being driven to school. Re-zoning is required.
- This description DOES NOT include any plans for construction work on Union Ave that would help mitigate the impact of traffic (eg construction of a median)

Transportation/Traffic

The description states that ... "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- Why is there a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.
- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

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- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

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- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

Comments on the Initial Study (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons.”

- The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?
- The City of San Jose's General Plan “contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL”. It seems that the DNL used by the noise consultants is ‘conveniently’ at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... “PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor’s Parcel No: 421-07-003”
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.
- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A “Keep Clear” marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... “By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school’s traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a “staggered start” – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... “Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... “Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out) “. See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – $(600 \text{ students} + 100 \text{ staff}) * 1.23 = 861$. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children’s Shelter.

The description states that “The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer.”

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... “Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that “The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that “Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.”. Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that “It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue”

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

Comments on the Traffic Impact Analysis (TIA)

Manual Counts

The TIA (page 15) states that “manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session.”

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.
- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... “Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue.”

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... “Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths.”
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that “the route from White Oaks Avenue is circuitous.” Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will ‘not be used’.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site’s parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.
- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.
- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentleman who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPd, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

Additional Inconsistencies

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new preschool and in 5-10 years will become the campus for the lower grades (K-5).” (<http://news.harker.org/union-avenue-campus-update/>)

Please note additional comments and concerns in the attachment.

Thank you for your help in this matter,
Marina Murray
Cambrian Park resident 11 1/2 years

Response to PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration

Issue 1:

Barrett Avenue was not properly addressed in the Traffic Impact Analysis. The Traffic Impact Analysis Handbook Volume 1 from 2008 on Page 24 states:

“An intersection be included for analysis if 10 or more project-generated trips utilize a travel lane during one or more peak hours. However, it should be noted that intersections that do not meet this criterion may be included at the discretion of City staff.”

The non-signalized intersection of Union Ave and Barrett Ave was not studied in the Traffic Impact Analysis. The only intersections that were studied in the TIA are the 7 signalized intersections listed on Page 4 of the TIA.

The intersection of Union Ave and Barrett Ave SHOULD HAVE BEEN INCLUDED in the TIA because it will have 10 or more project-generated trips in a travel lane during one or more peak hours. Additionally, City staff should have included this intersection “at their discretion” since it is located just 75 feet from the primary entrance to the project property.

Figure 12 (Potential Neighborhood Traffic Routes and Daily Volumes) in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets range between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use it for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site’s parking lot.

Figure 6 (Directions of Approach and Departure) in the TIA indicates that only 1% of the AM trip distribution will flow along Chameran Ave and one will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood. The freeway onramp to northbound 85 at Union already backs up during the school’s AM peak hour (refer to video: <http://www.youtube.com/watch?v=rS0YN2z41fU>). An additional 300+ vehicles will make this onramp so overly congested that drivers will seek an alternate way to enter northbound 85. The shortest and most logical route is to shortcut through the local residential neighborhood using Barrett Ave, Jacksol Dr, Faircrest Dr, White Oaks Ave, and Bascom Ave and then to use the northbound 85 onramp at Bascom Ave. THE INCREASED TRAFFIC ON BARRETT IS NOT ADDRESSED IN THE TIA NOR IS IT MITIGATED BY THE DRAFT MND.

The only mention of Barrett Ave is on page 45 of the TIA. The only proposal made in the TIA is for school administration to create a working group with the neighborhood. THIS APPROACH IS NOT ACCEPTABLE. It has no teeth and its success cannot be measured.

Harker School has heard feedback from the public every month since May stating that the traffic impact on Barrett Ave is a major concern. Yet the only feedback provided by Harker on this subject is that once the project is established they will meet with residents and try to resolve it. THIS APPROACH IS NOT ACCEPTABLE.

Barrett Ave also posts a safety concern. Barrett Ave has a “blind corner” that impacts drivers trying to turn onto Union Ave. The 2 photos in Figure 1 and Figure 2 were taken from Union Ave facing south at the corner of Union Ave and Barrett Ave. They demonstrate how all cars must stop beyond the white stop line in order to see whether there is any oncoming traffic before they can safely turn onto Union Ave.

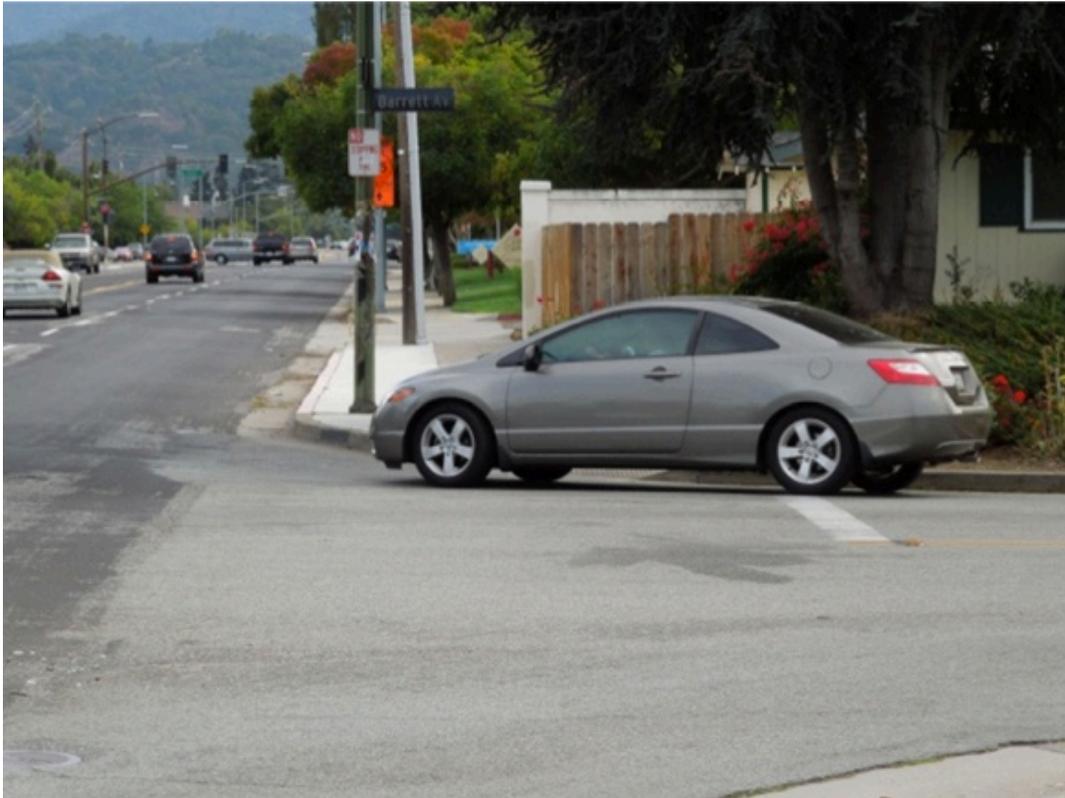


Figure 1: Driver must cross white line to see traffic approaching from left



Figure 2: Driver on Barrett must pull far beyond white line to see all southbound Union traffic approaching from left

The 3 photos in Figure 3, Figure 4, and Figure 5 were taken from Barrett Ave facing north along Union Ave. Figure 3 shows what a driver sees when stopped at the white stop line. Figure 4 shows what a driver sees when stopped 5 feet beyond the white stop line. And Figure 5 shows what a driver sees when stopped 10 feet beyond the white stop line.



Figure 3: Driver's view when stopped at white line.

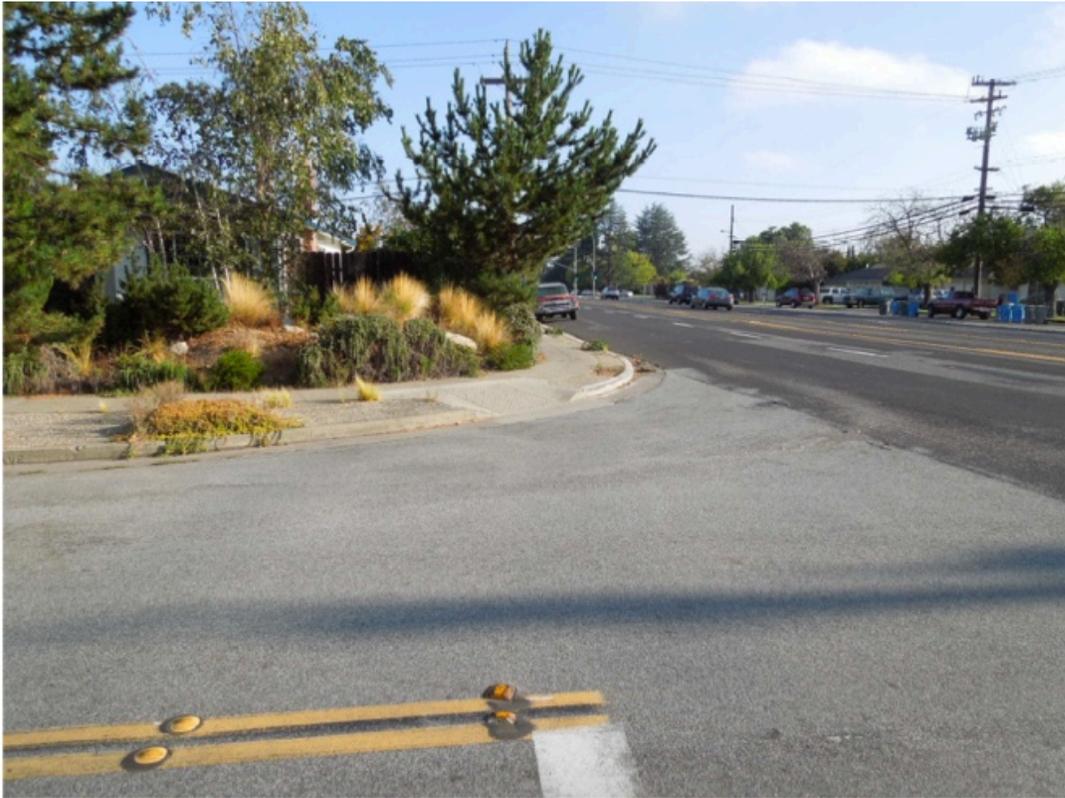


Figure 4: Driver's view when stopped 5 feet beyond white line.



Figure 5: Driver's view when stopped 10 feet beyond white line.

The only clear view of both lanes of southbound Union occurs when a driver pulls 10 feet beyond the white line. But anyone driving 10 feet beyond the white line will block the street crossing area. This poses a major safety hazard. This intersection will have pedestrian traffic from parents parking their cars on Barrett Ave, Union Ave, and Chameran Ave and walking their children to school.

Also, Barrett Ave does not have a painted crosswalk at the intersection of Union Ave.

Action 1:

AN ENVIRONMENTAL IMPACT REPORT (EIR) IS NEEDED!

The traffic count impact to Barrett Ave, Jacksol Dr, Faircrest Dr, and White Oaks Ave has not been studied. Barrett Ave is already at the high end of the range for reasonable traffic volume. Jacksol, Faircrest, White Oaks, and Barrett are not intended for inter- neighborhood traffic.

The street parking impact to Barrett Ave and Union Ave has not been studied.

The pedestrian traffic that results from cars parking on Barrett Ave, Union Ave, Charmeran Ave, and Cole Dr has not been studied.

The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.

The “blind corner” at Barrett Ave facing north on Union Ave has not been studied.

The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied.

AN ENVIRONMENTAL IMPACT REPORT (EIR) IS NEEDED!

This is the only way to determine the true impact to Barrett Ave. This is the only way to ensure a fair resolution can be reached.

The Draft MND should not be adopted. An EIR should be required.

Issue 2:

The Transportation Demand Management program proposed by Harker will not reduce the number of AM peak hour trips to 350.

The Traffic Impact Analysis (Appendix E) includes a TDM Plan. The Plan contains a TDM Memo from Mike Bassoni (Harker Facilities Mgr) that states 25% of families are already use carpooling. The TDM Memo also states that the Fremont shuttle “is highly popular and has a current ridership of 25 students.” It also states that they began offering a new shuttle from Palo Alto/Los Altos and that they “already have 35 students signed up to take advantage of this service.”

However, as shown in Figure 6, a Sep 18, 2012 Harker News story (<http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>) with a headline of “New Shuttle Service from Peninsula Draws More Than Two Dozen Riders Daily” contradicts the rosy numbers that Mike provided in the TDM Memo.

0

 Tweet

Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far. There has been a parent-run shuttle from Fremont for some years which the Peninsula shuttle will complement, solving, for some families, the knotty issue of driving to drop students, then returning to their home area for work.

The shuttle makes one stop in Portola Valley, one in Los Altos, then heads to the middle school where upper school students transfer to a waiting bus that takes them to their campus, while the shuttle itself continues on to the lower school.

Cost is quite reasonable at \$25 per student per week, with discounts for families of three or more riders. Aside from cutting down on pollution and traffic, and saving parents' time, Pip Sanders (Zoe, grade 4), said, "Running the shuttle expands Harker's outreach and accessibility to families who live some distance from Harker."

"I would love to see our ridership increase!" said Heather Perrotta, Harker transportation manager. "Not only does it decrease traffic on our campuses, it gives a sense of bonding to the students. They are able to get to know other students from their neighborhood that they may otherwise not have known. It can also be an opportunity to get some last minute studying done before class."

Harker is open to expanding the service to other areas, too. "We are hoping that the success of this route will lead to others, and we will be exploring those possibilities over the course of this year using the same market testing methods we did for this one," said Greg Lawson, assistant head of school for student affairs.

The parent-organized Fremont shuttle has been running for more than 15 years, said Monica Kumar (Gaurav, grade 11; Maya, grade 7), who organizes the shuttle. That bus has had between six and 11 riders this year. "My son is now a junior and he took the shuttle from kindergarten until tenth grade," when he started driving himself, she said. "My daughter is still taking the shuttle.

"The shuttle saves time for busy parents and makes sure kids get to school safely and on time!" said Kumar. "Of course, it is a greener option as well, as opposed to all the parents driving on their own."

Cost for the Fremont shuttle, operated by Durham Transportation, is based on a flat fee by the bus company so the current cost depends on the number of riders per day. "The more kids, the less cost per child!" she said.

The Fremont shuttle does return students to Fremont, but the numbers are dropping on the return leg. "The number of kids taking the return bus are much smaller," noted Kumar. "Each year I keep thinking it will be the last year for (the return service) but we keep going!"

Figure 6: Sep 18, 2012 Harker News Online feature story

The Harker news story states that this year's Fremont shuttle is only transporting 6 to 11 students per day. Page 46 of the MND states that 35 students live in that area. Using an average of 8 students per day, the participation rate for Fremont is only 23%.

The Harker News story states that the Palo Alto/Los Altos ridership is 25 students. Page 46 of the MND states that 60 students live in that area. The participation rate for Palo Alto/Los Altos is only 42%.

Harker has stated they are currently achieving a 60-70% participation rate. THIS IS CLEARLY NOT TRUE. They have substantially overstated the impact of their shuttle service.

You can also assume that shuttle ridership will come at the expense of some carpoolers. Therefore any actual shuttle ridership will have a lower reduction rate to peak hour trips than what is stated in the MND.

There is a substantial amount of false and misleading information in the MND regarding the impact of Harker shuttles.

Action 2:

I REQUEST THAT A FULL ENVIRONMENTAL IMPACT REPORT BE CONDUCTED BEFORE ANY TYPE OF APPROVAL IS GRANTED BY THE CITY PLANNING DEPARTMENT.

This is the only way to ensure the traffic impact from Harker Elementary's 600 students, 100 staff, and 1000+ vehicle trips per day are thoroughly and accurately analyzed.

Issue 3:

The Union Ave location does not offer safe or adequate car queuing capacity outside of the property.

Harker currently has serious traffic backups outside of the existing K-5 campus on Bucknall Rd. They do their best to stack cars within their property but the truth is there are simply too many cars arriving within the same general timeframe. The existing traffic woes at the Bucknall campus can be viewed at these video links:

1. <http://www.youtube.com/watch?v=EDISlrm3hd4>
2. <http://www.youtube.com/watch?v=oMPGmVxiSY4>
3. <http://www.youtube.com/watch?v=yut0EWXsB2w>

At the Bucknall campus, even with carpooling and an established Fremont shuttle they still experience car queuing for multiple blocks along the outside of their property on multiple sides.

When viewing the three videos you will see parents and children jaywalking across the street thru traffic just to get to campus as quickly as possible.

The Union Ave location is less equipped than Bucknall to handle car queuing on the surrounding



streets. As shown in Figure 7, the Bucknall campus is surrounded on 5 sides (85%) by streets and surrounded on only 1 side (15%) by houses. But as shown in Figure 8, the proposed Union campus is surrounded on 5 sides (85%) but houses and businesses and only 1 side (15%) by streets.

Figure 7: Existing Bucknall campus with street frontage highlighted in green and house boundary in red



Figure 8: Proposed Union campus with street frontage highlighted in green, businesses boundary in yellow, and house boundary in red

Action 3:

The TIA and MND FAILED TO ADDRESS CAR QUEUING OUTSIDE OF THE PROJECT PROPERTY. This is a major concern to the local residents and must be addressed.

I REQUEST THAT A FULL ENVIRONMENTAL IMPACT REPORT BE CONDUCTED BEFORE ANY TYPE OF APPROVAL IS GRANTED BY THE CITY PLANNING DEPARTMENT.

Issue 4:

Table 6 in the TIA understates the number of Net New Harker Trips because the reduction due to Existing Receiving Center Use is overstated.

Page 26 of the TIA states:

“Traffic generated by the fully operating children’s shelter site (72 AM peak hour trips and 64 PM peak hour trips) was subtracted to yield the net new trips generated by the school under the Project Scenarios.”

Page 22 of the TIA states:

“According to City guidelines, traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years. The site is currently occupied by buildings that were used as a children’s shelter until October 2009. When in full operation, the shelter averaged approximately 100 daily staff members and could support up to 95 children on- site.”

Page 22 of the TIA states:

“According to City guidelines, traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years. The site is currently occupied by buildings that were used as a children’s shelter until October 2009. When in full operation, the shelter averaged approximately 100 daily staff members and could support up to 95 children on- site.”

and

“While the children’s shelter is no longer in operation, it is used as a receiving center with 25 staff members and generates 18 vehicle trips in the morning and 16 trips in the evening (based on driveway counts). Since most of the vehicle trips to and from the site are generated by staff, it is estimated that the children’s shelter under full operation would generate four times the existing peak hour volumes (100 staff members vs. 25 staff members). The net new traffic (full operation – existing operation) generated by the children’s shelter was estimated to be 36 inbound trips and 18 outbound trips during the AM peak hour and 18 inbound trips and 30 outbound trips during the PM peak hour. These trips were added under these conditions.”

I reviewed the entire San Jose Traffic Impact Analysis Guidelines 2008 Volume 1 and there is no guideline stating “traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years.”

Page 15 of 23

This summer Fehr Peers performed a traffic count at the site driveway and found it to have had 18 vehicle trips in the morning. However the TIA fails to state whether any of the 18 vehicle trips were conducted during the school’s expected peak traffic hour (7:30 AM to 8:30 AM or 7:45 AM to 8:45 AM). The County’s Receiving Center operation is the only active operation running on the project site today and it opens at 7:00 AM so one could reasonably assume that the majority of the morning staff arrives at approximately 7:00 AM, which is well before the expected school peak traffic hour. According to Page 34 of the San Jose Traffic Impact Analysis Guidelines 2008 Volume 1, “The field observations shall be documented in the TIA along with the date, day, and time of the field visit.” Fehr Peers DID NOT INCLUDE the required documentation of date, day, and specific times that the driveway counts were taken. Thus the count of 18 should not be deemed representative of the current “AM peak hour trip count”.

Fehr Peers also unnecessarily multiplied the full morning traffic count by 4 and came up with an “AM peak hour trip count” of 72. Since the Children’s Shelter wound down operations 3 years ago and the site currently only operates with a staff of 25, there are no reasonable grounds for prorating the current traffic count (which they did when they multiplied the trip count by 4) and then subtracting the prorated total from the school trip estimates.

Action 4:

Since the Receiving Center opens at 7:00 AM and closes at 9:00 PM and because there is no documentation to support that any of the vehicles counted on site occurred during the AM Peak Hour or the PM Peak Hour, there should be no reduction for Existing Receiving Center Use.

Issue 5:

Table 6 in the TIA understates the number of Net New Harker Trips because the reduction due to Staggered Start Times is overstated.

There should be no reduction of AM Peak Hour trips due to Staggered Start Times.

Even though the school has proposed using two different start times (8:00 AM and 8:40 AM) for the upper elementary and lower elementary grades, students will still be dropped off primarily between 7:30 AM and 8:30 AM.

Harker School offers free extended care between 7:00 AM and 6:00 PM. Children in the lower elementary grades can still be dropped off at 8:00 AM even if the start time is 8:40 AM. Parents who need to get to work between 8:30 AM and 9:00 AM or parents with children in both the upper and lower elementary grades will continue to drop their children off during the peak hour and will not wait until after 8:30 AM to drop off.

Action 5:

There should be no reduction to the AM Peak Hour trip generation estimates for Staggered Start Times.

Issue 6:

The entire Project appears to be based on an incorrect student count maximum of 600 students.

According to the footnote of Table 6, the student count at Harker Elementary School at Bucknall Rd is 604 students. The Project has stated there will be a maximum of 600 students. Because the existing campus at Bucknall Rd currently has 604 students the Project Plan for the Union Ave location should be based on the same number of students.

Action 6:

If the Project Plan should have been based on 604 students instead of 600 students then all calculations, analysis, and assessments based on the student population were done incorrectly and must be redone.

If the student maximum is considered a “hard maximum” and if Harker School intends to limit enrollment throughout the year to 600 students (including mid-session additions, summer programs, etc.), then the City needs to produce a plan on how to ensure this maximum is never exceeded.

If the student maximum is considered a “soft maximum” and if Harker School is permitted to exceed the stated maximum of 600 students with impunity, then the Project Plan needs to state this and all of the reports and analysis need to be based on a higher maximum threshold such as 650 students. This change would need to be communicated to the public and the public would need at least 2 weeks to review the changes to the Project Plan and IS/MND.

Issue 7:

The MND and the Noise Assessment (Appendix D) DO NOT reflect the correct timeframe that the pool would be used. According to Harker School's website, they run summer programs for K-6 during June through August and those programs include daily afternoon swim lessons, water games, and other water activities. The Noise Impact on Neighborhood (Section L of MND) states that Harker School has proposed that the pool facility would only be used from March through May and from August through October. It should reflect the fact that the pool would be used from March through October.

Action 7:

Correct the Noise Assessment and the MND.

Issue 8:

The Noise Assessment (Appendix D) Table 5 DOES NOT reflect the correct operational noise levels for Recreational Swimming or for Swim Lessons/Lap Swimming. The first paragraph on Page 11 indicates that I&R's own measurements at pools indicate "noise levels at a distance of 75 feet from the near edge of a pool" generate average noise ranging from 58 to 62 dBA L(eq) and 66 to 67 dBA L(eq). The 2nd bullet on Page 10 indicates that the closest edge of the pool would be 95 feet to the property line of Esther Drive residences, which is only 20 feet further than the 75 feet reference distance of I&R's measurements. However, Table 5 lists the operational noise levels at the nearest residential property line for Recreational Swimming at only 56 to 57 dBA L(eq) and for Swim Lessons/Lap Swimming at only 48 to 52 dBA L(eq).

Similarly, the L(max) data in Table 5 is incorrect. The first paragraph on Page 11 indicates the measurements at 75 feet range from 72 to 79 dBA L(max) for recreation swimming and from 70 to 75 dBA L(max) for lap swimming and swim lessons. However, Table 5 lists the operational noise levels at the nearest property line for Recreational Swimming at only 63 to 70 dBA L(max) and for Swim Lessons/Lap Swimming at only 61 to 66 dBA L(max).

The DNL values listed in Table 5 for Recreational Swimming and for Swim Lessons/Lap Swimming are therefore incorrect.

Action 8:

The Noise Assessment and the MND need to be corrected. City then should determine if this affects the impact assessment for Impact 2 Operational Noise. If it does, the City should determine if this requires mitigation and what the appropriate mitigation would be.

Issue 9:

The MND and the Noise Assessment DO NOT include noise analysis for swim meets. The Noise Impact on Neighborhood lists Operational Noise Levels for Recreational Swimming and for Swim Lessons/Lap Swimming. According to Harker School's website, Harker School currently provide competitive swimming programs for 4th and 5th graders and as part of this program the 5th graders

participate in swim meets. I was a competitive swimmer and I know first-hand that swim meets (and swim practices) are much louder than recreational swimming, swim lessons, and regular lap swimming due to whistling, yelling, and cheering from coaches, spectators, and other swimmers. According to the Site Plan, the swimming pool will be located less than 120 feet from the houses along Esther Drive and 200 feet from the houses along Barrett Ave. The noise from competitive swim practices and swim meets would negatively impact the neighboring residences.

Action 9:

Harker School should not be permitted to host competitive swim meets or competitive swim practices on this site unless they enclose the pool area. The enclosure can be similar to the one at the International Swim Center in Santa Clara (refer to the white domed enclosure shown in Figure 9).



Figure 9: International Swim Center in Santa Clara, CA with dome-covered swimming pool

Any reported and substantiated violations should require Harker School to close their pool for 30 days or until the pool is enclosed, whichever comes first.

The entry doors to the pool enclosure need to face away from the neighboring residences. This will minimize the noise impact to residences when the doors are propped open, e.g. to cool down the interior.

Other benefits of requiring a pool enclosure is that the pool would be more secure and can be used year-round.

Issue 10:

The Site Plan does not include enough bike racks to meet the San Jose Municipal Code.

The Figure 4 (Site Plan) of the Draft MND shows two bike racks with each capable of holding 10 bikes. The total capacity listed in the Site Plan is 20 bikes.

Table 20-190 in Chapter 20 of the San Jose Municipal Code lists the following requirements for bike racks:

Table 20-190 Parking Spaces Required by Land Use			
Use	Vehicle Parking Required	Applicable Sections	Bicycle Parking Required
School- elementary (K - 8)	1 per teacher, plus 1 per employee	Note 6	1 per 10 full-time employees plus 6 per classroom

Note 6. When part or all of the bicycle parking spaces required for a land use is based on the number of full-time employees, that portion shall be provided in long-term bicycle parking facilities. When part or all of the bicycle parking spaces required for a land use is based on classrooms, that portion shall be provided in short-term bicycle parking facilities. When the bicycle parking required for a land use is based solely on square footage or other criteria in the table, at least eighty percent of the bicycle parking spaces shall be provided in short-term bicycle parking facilities and at most twenty percent shall be provided in long-term bicycle facilities.

Page i of the TIA states that the number of faculty and staff is expected to be 100.

I was unable to figure out the exact number of classrooms to be constructed. The Site Plan indicates there will be 6 in B1, 6 in B2, 6 in B4, 6 in B5, 10 in Multi-Purpose, and that there will be at least 3 in D. Based on this information, the minimum number of new classrooms will be 37.

Action 10:

San Jose Municipal Code requires that the site have 10 long-term bicycle parking facilities and at least 222 short-term bicycle parking facilities. Harker Elementary School will need to meet the municipal code requirements. The project plan needs to be amended.

Davidson, John

From: Lisa Johnson [lisjohnson11@yahoo.com]
Sent: Monday, September 24, 2012 12:26 PM
To: Baty, John
Cc: Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org; District1; District5; District3; District2; The Office of Mayor Chuck Reed; District4; Hamilton, Peter
Subject: Harker Project PD12-027

want this feedback to be included in the public record for the Harker project PD12-027.

Development of City/County space is inevitable. With development comes traffic and noise and there will always be debate as to how land should be used. What is not debatable is the way the property is used and that it should fit into the City/County self-described and written rules.

What I seek is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted me to purchase my home in 1989.

The Envision San Jose 2040 General Plan was written for a reason. This proposed use of the land does not fit into this plan in any way.

The Traffic Demand Management program proposed is merely a baby step when we need this proposal to be at a full running speed prior to ever feeling like Harker will make our neighborhood a better place. This TMD DOES NOT adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis. An Environmental Impact Report would answer the questions that continually rear their heads as these meetings/discussions and plans are reviewed.

As a past teacher and parent at St. Frances Cabrini, I had more than enough opportunity to work morning and afternoon yard duty to see the chaos that parents go through every day. Mornings are crazy, people are late, in a hurry and parents will do anything they can to get their kids out of the car and into class to beat the bell. Cabrini has 2 entries to the campus and 2 exits. There are 2 distinct traffic patterns that Cabrini parents can choose from, but once that choice is made there is no switching into the other traffic flow. Harker has proposed 1 entry and one exit to their campus for 600 (+/-) students, and there are directional options parents can take that will create havoc in their proposed patterns.

The student drop-off area Harker is proposing is in no way enough space to allow for all of these parents to queue up to drop off students. Back-up is inevitable. The cars will be entering through the north entry, will line up (blocking a lane) on Union Avenue, and will curl back onto Barrett Avenue, blocking driveway after driveway and will mean that current homeowners will not be able to get out of our own driveways, will have extended waiting times to be able to pull out onto Union Avenue (north and south bound). A current, typical morning, between 7:40 and 8:15, it takes 2-4 minutes to be able to pull out. This is without the addition of 600 students being dropped off. This is just unacceptable. Harker must find a way to design/built a queue that runs throughout the campus to be able to stack up these cars.

I suggest the northern entry to remain where it is, it should run to the back of the campus against the north wall, turn left (south) at the end of the property, then turn left (east) at the south perimeter of the property running all the way to the front of the campus, allowing for a right turn only onto Union Avenue. This option would also provide campus parking for special events, better access for fire and police if/when needed, as well as deliveries.

The number of cars backing up on the campus, along Union Avenue, and down Barrett Avenue, with running engines is a question that was not studied as deeply as it should have been in the proposal and Traffic Impact Analysis. An Environmental Impact Report would be able to study this more and provide much better answers.

How does this increased land use work into the 2040 plan?

San Jose Policy states: “Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions.”

Harker is not a 'local' school. Only 2% of students who attend Harker are from the Cambrian area of San Jose. Only 18% are from all of San Jose area (Appendix D TIA: TDM Plan). This use DOES NOT benefit the broader San Jose “community” and more specifically it DOES NOT benefit the Cambrian community.

San Jose policy – “Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled.”

I don't think any parent, is going to have their PreK, Kinder or 5th grader, walk to school from Cupertino, or Los Altos, or Fremont.

Harker's feet need to be held to the fire, NOW! These ever changing plans, ever changing comments and ever changing ideas do not instill a feeling of faith that Harker will ever uphold their end of this 'deal'. I ask that you deny this land use permit.

Davidson, John

From: sriddell [kixs@comcast.net]
Sent: Monday, September 24, 2012 11:52 AM
To: Horwedel, Joseph; Yakubu, Salifu; John.batty@sanjoseca.gov; Davidson, John; Rocha, Donald; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; The Office of Mayor Chuck Reed; District1; District2; Oliverio, Pierluigi; District7; District3; District4; District5; Herrera, Rose; District9; Office of Councilmember Nancy Pyle; Webmaster Manager; city.auditor
Subject: Harker Project

These comments are to be included in the public record for the Harker project PD12-027.

We are requesting that the City of San Jose require the Harker School to have an Environmental Impact Report completed to answer all the questions that continue to be raised regarding the proposed use of the land on Union Avenue. An EIR will further study the traffic impact and alternative scenarios to the current plan.

Although the Harker School has notified some homeowner's within the 1,000 foot radius of the school, not all homeowner's were actually notified. There are hundreds more people who will be directly affected by the traffic this use will cause on our local residential streets. Without the proper notification, Cambrian residents have not had the opportunity to respond to the proposal. At each community meeting, regardless of who it was sponsored by or where it was held, the information coming from Harker Staff and legal representatives, has been different. We have heard car counts as high as 700 and as low as 206. We believe an EIR would be able to give us true information regarding traffic, emissions, etc., based on numerous options that it would outline..

The Public Outreach for this project has been inadequate, to say the least, as well as less that truthful. Telephone messages left at people's homes stating that if Harker isn't approved, low income housing would be the alternative neighbors could look forward to. We believe with a complete EIR in place, all questions would be answered and neighborhood fears would be put to rest.

An EIR could study the cumulative conditions that pending and future developments will have in combination with this project, on traffic levels. At this time, there is a very large development being planned on Los Gatos Blvd. (between 85 and Lark Avenue) that will also have a significant impact on the 85/Bascom Avenue intersection. This too will directly impact the entries and exits that will be used on Hwy 85 at Union Avenue.

Residential townhouses/condominiums and retail space has been the plan for the large parcel that is currently Cambrian Plaza Shopping center (SE corner of Union and Camden Aves). When this shopping center is razed and several hundred residences are added, with several hundred cars added to the intersections of Camden & Union, Woodard & Union, Charmeran & Union, and 85 & Union (not to mention the intersections without stop lights) , we will have a traffic nightmare on our hands. Who will then be responsible for the fallout when all of that hits the fan? Wouldn't an EIR now, prevent that later?

I respectfully request that the Planning Department NOT approve the proposal from the Harker School by declining the land use permit.

Bruce and Sandy Riddell
2194 Paseo Del Oro
San Jose 95124

9/27/2012

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027.

I would like to first say thank you to you and all those involved in this project, in particular Councilman Rocha and his assistant Peter Hamilton, and Supervisor Yeager and his staff. Thank you to all for meeting with residents of our community and for patiently answering our many questions. I very much appreciate the time you have given me and others during this process.

Please know that I am not against education or schools. I have a Ph.D. and am a committed advocate for education. I also have two children who attend our local public schools and I spend a significant amount of time volunteering in these schools. I think that Harker is a high quality school. However, it is not a need in our local community. We already have outstanding public and private schools that serve our local population.

It is very disappointing that the proposed development will not continue the tradition of using this site for public good. This site was originally Parker Elementary School, a public school which provided a free education to those living in our community. From 1993-2010, the site was used as a Children's Shelter and provided a home to children in our community who didn't have a safe place to live. Only 2% of students who attend Harker elementary school actually reside in the Cambrian area. The extremely high cost of tuition for this school means that the education here is not accessible to the majority of residents. And so the tradition ends ... if the proposed project goes ahead, this site would be for exclusive use by those who can afford it, the majority of whom do not live here.

Harker School will have a significant negative impact on our community. It will cause excessive traffic on our local streets, will have a serious impact on air quality, is a non-profit and so will not pay property taxes, will provide no new jobs, will provide little support, if any, to local commerce or local schools. We need a development on this site that will provide jobs, will pay taxes, will give back to the community and will maintain our quiet and safe neighborhood.

Approving the proposed development violates the City's Smart Growth policies. According to the San Jose website ... "These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life." Allowing Harker School to occupy the site at Union Ave. disregards all of these policies.

Members of our community have created a website (www.concernedcambrians.org) where we share information regarding the proposed development. I would like to include this site and all of the information contained therein in my public comment. Please feel free to peruse our site to watch videos of current traffic congestion, and read about the reasons we oppose the proposal as well as Mercury News articles, council members newsletters, SJPD reports, maps and site Issues and our neighborhood petition. We are using this site to keep our friends and neighbors informed. It is also a repository for much of our documentation regarding this project and we therefore want to submit it for public record.

The Mitigated Negative Declaration (MND) does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

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

- The impact of school buses using the VTA's existing Bus Stop on Union Ave.
- The queuing of cars on Union Ave as they enter the property and the impact of cars turning right and left out of the property onto Union Ave.

A comparable land use for a private school with similar enrollment is St. Francis Cabrini School. This has a student population of 650. But there are two entrances and two exits, and the school site is 14 acres. The traffic on Woodard Ave is above maximum capacity, with 3900 trips per day. St Francis Cabrini is a significant contributor to this traffic. The Harker School, with a student population of 600, would have one entrance, one exit and is on 7.7 acres. The data speaks for itself.

I believe that the Initial Study is not sufficient. I therefore request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or PLanning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Aine O'Donovan
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 San Jose, CA 95124
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 (408) 888-1752

COMMENTS ON THE MITIGATED NEGATIVE DECLARATION (MND)

Project Description

The description states ... "Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus including demolition of two existing 4,800 square foot buildings, construction of a new 17,500 square foot multi-purpose building, a 2,500 square foot accessory structure and other improvements for a private elementary school for up to 600 pre-K through 5th grade students."

- This description DOES NOT include the 100 staff that will also be on site.
- This description DOES NOT reflect all uses of the site. There will be summer camps, after school activities, weekend activities and site rentals to outside groups.
- The current site is zoned for an on-site school that covers 2-7% of the property. Harker will use 100% of the property as a school with none of the children living on-site. The previous zoning did not need to account for traffic impact caused by children being driven to school. Re-zoning is required.
- This description DOES NOT include any plans for construction work on Union Ave that would help mitigate the impact of traffic (eg construction of a median)

Transportation/Traffic

The description states that ... "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- Why is there a shuttle bus program for AM traffic only? Why is there not a shuttle bus program for PM traffic also? According to Envision San Jose 2040 policy, peak hours for vehicle trip counts are 7am-9am and 4pm-6pm. Harker needs to also address concerns and mitigate during peak PM hours.
- At a recent Community outreach meeting, Chris Nikoloff of Harker publicly announced that trips would be reduced to 206. Harker are consistently changing the numbers they provide. We do not know what numbers to believe. Therefore it cannot be guaranteed that they will follow through on any of their promises.

- The shuttle bus program must be made MANDATORY for Harker families. Currently, Harker has one shuttle bus in use at it's Bucknall campus. Harker needs to increase this number to the level that would be used at the Union site, and require parents to use the service. Only when the system proves to be effective and the number of trips is reduced to 350, should the system be allowed to be put in place at the Union site.

The description states that ... "The driveway counts shall be collected by an independent vendor for the AM peak period between 7 AM - 9 AM with inbound and outbound volumes reported in 15-minute intervals."

- This description DOES NOT reflect traffic congestion on Union Ave or on any surrounding residential streets.
- This description DOES NOT include cars that will park on residential streets.
- This description DOES NOT reflect traffic congestion during PM peak period.

The description states that ... "Driveway counts shall be collected for three days (Tuesday - Thursday) during the period from four to eight weeks after the start of the school's fall session."

- Counts need to be taken on at least two other occasions during the school year. The school should not be notified of when these counts will take place.

COMMENTS ON THE INITIAL STUDY (IS)

Noise and Vibration, Chapter 3, section L

According to the report, the noise consultant measured noise from outdoor field sport and basketball activities as well as sports activities within gymnasiums at similar schools in the Bay Area ... Maximum noise levels from these activities typically result from whistles and voices, and can reach 75 dBA at a distance of 50 feet. Measurements of sporting activities occurring within gymnasiums have also shown that average exterior noise levels at five feet from an open gym door can range from 67 - 69 dBA, while maximum instantaneous noise levels from these sources can reach 73 - 77 at this distance. Measurements by the noise consultant at various swim centers and community pools indicate that noise levels at a distance of 75 feet from the near edge of a pool where recreation swimming and lap swimming/swim lessons were occurring generate average noise levels of 58 - 62 dBA from swim lessons/ lap swimming. Recreational swimming, where the children playing is the dominant noise, generates average noise levels of about 66 - 67 dBA. Maximum noise levels can range from 72 - 79 dBA during recreation swimming and from 70 - 75 dBA during lap swimming/swim lessons."

- The results of the noise calculations are presented in Table 2 on page 39. However the maximum noise levels reported for any activity is 70dBA. Why are the true numbers not reported, as in the above text?
- The City of San Jose's General Plan "contains policies and goals which pertain to desired noise levels for various land uses located within the City ... the General Plan cites exterior DNL goals for school use is 70 dBA DNL". It seems that the DNL used by the noise consultants is 'conveniently' at 70dBA. Why are the higher numbers measured (those above 70dBA) not used?

Transportation, Chapter 3, section P

Barrett Ave is the street that will be primarily impacted and yet it is COMPLETELY IGNORED in the Initial Study.

- Barrett Ave is referred to only ONCE in the MND ... "PROJECT LOCATION & ASSESSORS PARCEL NO.: West side of Union Avenue, approximately 100-feet south of Barrett Avenue (4525 Union Ave); Assessor's Parcel No: 421-07-003"
- Barrett Ave is NEVER referred to in the 53 pages of the Initial Study.

- Barrett Ave is 100ft from the property and also borders one side of the property. It is totally negligent of the City to ignore the impact of traffic on this street.
- The Traffic Impact Analysis (TIA) prepared by Fehr & Peers evaluated the level of service at seven intersections in the area surrounding the site. The Union Ave and Barrett Ave intersection was NOT evaluated. The impact of traffic on Barrett Ave was also not evaluated. I will discuss this further in my comments below on the TIA.
- The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.
- The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied. A "Keep Clear" marking is needed at this intersection.
- The street parking impact to Barrett Ave and Union Ave has not been studied.
- It is critical that the LOS for Barrett Ave be determined and also the impact of Harker traffic on this LOS.
- I request that an EIR be completed to accurately address the impact of traffic on Barrett Ave. The MND should not be adopted as is.

The description states that ... "By spreading the school start times over a time span of 40 minutes will increase the amount of traffic entering and exiting the site before and after the school's traffic peak hour. This will therefore reduce the amount of traffic generated by the school during the AM peak hour by approximately 20 percent.

- Counts should not be reduced for a "staggered start" – all trips occur within peak hours (7am - 9am), as outlined by San Jose Planning. Therefore all trips should be counted. Reducing by 20% is a mis-representation of the true impact.

The description states that ... "Based on the findings in the TIA, the proposed school would add 572 AM peak hour trips (314 in and 258 out) and 404 PM peak hour trips (198 in and 206 out) to the surrounding roadway system.

- The TIA actually states ... "Harker School is projected to generate 518 AM peak hour trips (278 in and 240 out) and 356 PM peak hour trips (180 in and 176 out) ". See page (i) in the TIA. Therefore the maximum numbers are inconsistent.
- The trip generation math does not make sense – $(600 \text{ students} + 100 \text{ staff}) * 1.23 = 861$. This is significantly different to the 572 number in the IS and the 518 number in the TIA, even after applying the supposed 20% reduction due to staggered times and the trip generation numbers attributed to the Children's Shelter.

The description states that "The project proponent shall implement a comprehensive shuttle bus program as part of its Transportation Demand Management (TDM) program to limit AM peak hour vehicle trips to 350 trips or fewer."

- How many buses will Harker use? This number was not provided. How many buses are mandatory for the impact on LOS to be insignificant? The number of buses required to decrease trip generation to 350 (or 206 as stated at the community outreach meeting) needs to be clearly defined. Use of buses needs to be MANDATORY.
- Per the *CA Department of Motor Vehicles V C Section 22454 Schoolbus Meeting and Passing* (<http://www.dmv.ca.gov/pubs/vctop/d11/vc22454.htm>), all traffic traveling in the same direction as the bus will need to stop for the duration of time that is needed to unload the children. Therefore both lanes on Union Ave going southbound will need to come to a complete stop for at least 5mins. This will happen multiple times as each bus pulls into the VTA Bus Stop. If we assume 7 buses (to replace the 222 trips), this is a 35min stoppage of traffic on Union Ave during peak AM hours. This is just not feasible on this busy street. Traffic will also be significantly backed up and will impact the Camden/Union junction significantly (and this is already at an LOS of D). The California school district laws for buses are described here ... http://www.dmv.ca.gov/pubs/cdl_hm/sec10.htm and these will need to be followed as the Harker buses are using a public roadway and not a designated Harker Bus pullout.
- When a bus travels on southbound 85 and exits on Union Ave, it will need to make a U turn somewhere in order to turn around and park outside the school. Where will the bus make this U turn? The description needs to address this issue.
- Currently there is room for one bus at the Bus Stop on Union Ave. Where will the remaining buses park/wait while they wait for this bus to unload? This issue needs to be addressed.

The description states that ... “Based on the existing Fremont shuttle ridership (25 riders in an area with 35 students) and current subscription to the Palo Alto/Los Altos shuttle being added this fall (35 riders in an area with 60 students), approximately 60 to 70 percent of the students in areas served by shuttle buses could reasonably be assumed to use the shuttle buses at the Union Avenue school site.

- Please refer to the Harker website which discusses bus usage ... <http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>. This article was written on Sept. 18, 2012 and states that “The parent-organized Fremont shuttle has been running for more than 15 years ... That bus has had between six and 11 riders this year.) This number is significantly less than the 25 riders stated in the IS (and TIA). This article also states that “Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far.”. Again, this number is significantly less than the 35 riders stated in the IS (and TIA).
- This description therefore DOES NOT accurately reflect current bus usage. As is typical with Harker, the numbers used in their reporting are mis-representations of reality.
- I request that accurate numbers be used for bus usage and that all determinations using these numbers be re-calculated.

The description states that “It was determined that there are few potential pending developments and these developments are too early in their planning stages to make reasonable assumptions regarding trip generation and effects on intersection operations. However, general conclusions regarding cumulative traffic conditions can be made ... Traffic volume increases due to future development will exacerbate unacceptable operations on segments of SR 85, at the Union Avenue on-ramps, and the intersection of Union Avenue and Camden Avenue”

- This description does not take into account the North 40 proposal on Los Gatos Blvd and Lark Ave. (<http://www.losgatosnorth40.com/>). The projected commencement for construction is 2014. This project will have a significant impact on traffic on 85/Bascom and 85/Union junctions and on surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.
- This description does not take into account development of Cambrian Park Plaza which will impact significantly traffic on Camden/Union and 85/Union junctions, and surrounding residential streets. This project needs to be taken into account when determining the impact of Harker.

COMMENTS ON THE TRAFFIC IMPACT ANALYSIS (TIA)

Manual Counts

The TIA (page 15) states that “manual counts [were] conducted in early December 2011 and in early June 2012 when schools were in normal session.”

- What is the exact date in early June? Why is this not listed? Was school really in session? Most local schools were on vacation from June 8th onwards. Was the traffic study done prior to June 8th?
- Even if the traffic study was done between June 1st and June 8th, this is typically a slow period at schools as there are many events and activities that reduce peak traffic. So a traffic study during this time period is not an accurate reflection of typical peak traffic.
- I request that a traffic study be repeated in October 2012 and that these results be used in all calculations.

Freeway Segments

Harker Elementary School will impact five of the eleven freeway segments that are currently operating at LOS F by adding more than 1 percent of the capacity to those segments. Therefore the project will

have a significant impact on freeway operations. The mitigation measure is to implement a comprehensive shuttle bus program to reduce the amount of traffic added to the roadway system, including the five freeway segments. With this shuttle program, the freeway impact will be less-than-significant.

- The plans for the shuttle buses are very vague. The number of buses needed is not addressed.
- The impact of this number of buses on the freeways is not accurately addressed.

Study intersections

The intersections evaluated do not include the Union ave and Barret Ave. Barrett Ave borders the site and is the most likely street to be used as a cut-through and for residential parking. This street needs to be evaluated, as described in the comments on the IS section above.

Residential Streets

The TIA recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets ... "Queues formed on southbound Union Avenue extending past Charmeran Avenue, on eastbound Barrett Avenue (west of Union Avenue), and on eastbound Charmeran Avenue."

- The MND does not address these queues and does not limit use of these streets by Harker School.
- Use of residential streets surrounding the property should not be allowed by Harker School. Cars should be restricted to the main arteries ... 85, Bascom, Union and Camden.
- Queuing and parking (to unload students) on residential streets are not in alignment with San Jose policy ... "Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths."
- LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by Harker.
- The TIA states that "the route from White Oaks Avenue is circuitous." Are we therefore supposed to infer that Harker parents will not use this route? There is no statement saying that this route will 'not be used'.
- Figure 12 in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets ranges between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use this street for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site's parking lot.
- In particular, cars that turn left out of the property onto Union Ave will make another left turn onto Barrett so that they can cut through residential neighborhoods and easily access the carpool lane on 85/Bascom. There is no carpool lane on 85/Union so this is not an attractive route for those trying to head North on 85 during peak AM period (according to the TIA, 47% of Harker families will travel 85 South so we can assume that 47% will travel 85 North after they drop off their child at school).
- Figure 6 in the TIA indicates that only 1% of the AM trip distribution will flow along Charmeran Ave and 1% will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood.
- An EIR is needed to determine the true impact of the increase in traffic on residential streets.

Driveway Operations

Figure 10 and Figure 11 show traffic exiting from the southern driveway. This traffic can turn right or turn left onto Union Ave.

- Traffic turning right will most likely attempt to enter the on-ramp to 85. Videos of this junction (on our website www.concernedcambrians.org) shows an already very congested junction. Given

the very short distance between the southern driveway and the on-ramp, there will be traffic chaos in this strip of roadway.

- Turning left will cause additional traffic chaos. With mitigations, there is an estimated 9 car queue on the turning lane into the northern driveway (per the TIA). This will use all of the available road in front of the site. When a car exits to turn left, it will need to cross over two lanes of traffic and enter the lanes on Union Ave going North. This is a significant safety issue. Where will these cars go to get back on 85? They should take the main arteries: Union/Camden/Bascom route, and enter 85 at the 85/Bascom junction. But the likelihood is that they will attempt to turn left on Barrett or Charmeran and take residential streets.
- The left turn request needs to be denied. I request that a median be built on Union Ave to prevent this left turn and enforce a right turn only.

Site Plan review

The description states .. “Harker currently provides on-site personnel to direct traffic for better circulation and quicker drop-off times and should continue to provide personnel at the new school location.”

- Per the videos of traffic at the Bucknall campus, this system is not working and major back up occurs on residential streets. (<http://concernedcambrians.org/facts/traffic-videos/>)
- Per a column in the Mercury news, “Despite how much we communicate with parents about the dangers, many of them still text or make phone calls while in the lot. We’ve even seen some putting on makeup, or my favorite, one gentlemen who was eating a bowl of cereal. It’s a fragile balance, the movement of cars in and out. The delay of one car because a parent is distracted can impact the entire process.” (<http://concernedcambrians.org/news-updates/mr-roadshow/>)
- Therefore this description is inaccurate and is meaningless for the Union site.

Remote Drop-off/pick-up

The TIA states that a potential location for drop off is the Cambrian Park Plaza.

- Confirmation of usage of this car park is needed. Stating that it can be “potentially” used is wishful thinking.

Bicycle and pedestrian programs

The TIA states .. “The school could implement pedestrian and bicycle safety programs to support walking and biking to school.”

- Currently 2% of Harker families live in Cambrian, most of whom are not within walking or biking distance. There will be very few, if any, families walking or biking to school.
- Cambrian residents who would like to walk and bike to school currently cannot do this because of the significant amount of traffic already on Union Ave and residential streets. According to SJPD, there were 94 traffic accidents on Union Ave between Hwy 85 and Camden Ave between Jan 2008 and June 2012. Biking and walking to school is not an option for our children unfortunately.

ADDITIONAL INCONSISTENCIES

At all of the Community outreach meetings Chris Nikoloff of Harker publicly announced that the elementary school would occupy the Union Campus in 8-10 years. In an article on the Harker website, dated Aug. 31, 2012, it is stated that ... “The site will initially be used to launch Harker’s new preschool and in 5-10 years will become the campus for the lower grades (K-5).” (<http://news.harker.org/union-avenue-campus-update/>)

Davidson, John

From: Jeffrey Pickard [jeff.pickard22@gmail.com]
Sent: Monday, September 24, 2012 9:31 AM
To: Baty, John
Subject: Response to PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration

Follow Up Flag: Follow up

Flag Status: Red

Dear John,

I want this applied to the public record in response to the Harker project PD12-027.

I do not believe that either the city or the Harker school is operating under good faith with the residents of the Cambrian neighborhood.

I believe that the property would have been better served being sold to Xilinx next door being that it would bring better property, revenue, and job creation to the neighborhood. Or could have been sold to the Low Income Housing bidder. That sale would have paid all the stake holders back and would have met the City's Envision 2040 and 2020 plans. There likely would have been little impact to the neighborhood and a higher moral good would have been achieved. For 15 years, the Children's Shelter provided Low Income housing to the most deserving in our society. The shelter had little impact to the neighborhood and was a source of pride for the community.

I live at 2042 Barrett Ave directly on the other side of the wall behind the proposed Harker School. The direct impact the air quality, noise pollution, and traffic will have serious an un-mitigable repercussions to me, my family, and senior neighbors.

I further request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

By doing this the City of San Jose, The Harker Academy, and neighborhood will have a better picture of what we will be looking at if the school project moves forward. The county has been very eager to sell of this property and trying to find the quickest way to do so.

I am not against progress but it need to be done in a transparent fashion so we the comunity do not have to legally appeal the project every step of the way to confirm that what the Harker Academy and the City are putting in place will not "seriously" impact the comunity as a whole.

Although the Harker School has notified some homeowner's within the 1,000 foot radius of the school, not all homeowner's were actually notified. There are hundreds more people who will be directly affected by the traffic this use would cause on our local residential streets. Without the proper notification, Cambrian residents have not had the opportunity to respond to the proposal

Up to this point The Harker School has not operated under "Good Faith" with the comunity, they have repeatedly insinuated and told that the only two options for the property are their school or a low income housing development. Trying to scare the senior citizens and families with children into support of their plan.

These actions are not in line with the way the City of San Jose operates and these scare tactics are not in line with the good neighbor picture that the Harker Academy is trying to portray.

Currently Harker is UNABLE TO MITIGATE THE TRAFFIC IMPACTS AT THEIR CURRENTSCHOOL SITES. They are unable to control parents and students from Jaywalking, parking in front of drive ways, blocking street accesses, and creating an unsafe environment. There is no reason to believe that Harker will take any steps to mitigate their impact on the neighborhood unless they are LEGALLY obligated to do so by clear and written limitations. Harker is currently in violation of local traffic codes. To see an example of this please see the videos of the current mess at the Bucknull campus at: www.concernedcambrians.org

The Traffic Demand Management program (TDM) proposed is a step in the right direction, however, it does not adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis (e.g. impact of shuttle buses blocking traffic on Union, flow of shuttle buses to reach VTA bus stop on Union, etc.).

With only one entrance at the project proponent site the moral hazard for a parent to skip the queue and park on a residential street (Barrett) and walk to avoid a line will be extreme.

9/27/2012

If you refer to Page 45 of San Jose TIA Guidelines Volume 1 where it says that Cumulative Conditions need to be addressed in the Traffic Impact Analysis. Since the TIA doesn't address Cambrian Park Plaza or North 40, the TIA is not sufficient.

An EIR would take into consideration all of the factors that are left of the MDN & TIA, such as the future redevelopment of Cambrian Park Plaza.

I also have additional questions:

1. Why has there not been a full acoustical report due the fact that the teachers whistles, and student noises, and bell's during the day.
2. Are the standard start times implacable to each grade level IE You are not allowed to drop off your child until your designated start time.
3. Why does the TDP program not call for mandatory to carpool?
4. Who will be monitoring the TDP program?
5. Who is paying for the TDP Program?
6. How will the TDP monitoring report be distributed to the comunity?
7. I would like to see a separate traffic analysis that shows what the number of students (Less than 600) (That could be enrolled that would not make a significant impact the LOS Standard for CMP freeway segments.
8. We want a EIR that further studies traffic impact and alternative scenarios to the current plan.
9. We want to know what the reduction of enrollment will be if the TDM Program does not work?
10. We want an EIR because the Public outreach around this product has been inadequate.
11. Why was there not an EIR to study the cumulative conditions that pending and future developments will have in combination with this project on traffic levels.
12. Why did they not asses cars for carbon emissions in the Air Quality Assessment?

Jeffrey Pickard
2042 Barrett Ave
San Jose, CA 95124
408.482.3846
jeff.pickard22@gmail.com

Davidson, John

From: Phillip Yuste [mjypay@att.net]
Sent: Monday, September 24, 2012 9:30 AM
To: Baty, John; Davidson, John
Cc: Rocha, Donald
Subject: The Harker Sale PD12-027

I want this feedback to be included in the public record for The Harker project PD12-027.

I am not able to attend the Public Hearing because some ignorant City employee scheduled the date for the public hearing on a Jewish Holiday, actually on the holiest holiday of the year, Yom Kippur. So below are my additional comments to an email I sent on September 18, to Don Rocha regarding my concern for the traffic nightmare in my neighborhood.

What I want is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted my husband I to purchase our home in January of 1989.

The Envision San Jose 2040 General Plan was written for a reason. This proposed use of the land does not fit into this plan in any way.

The Traffic Demand Management program proposed is merely a baby step when we need this proposal to be at a full running speed prior to ever feeling like Harker will make our neighborhood a better place. This TMD DOES NOT adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis.

An Environmental Impact Report will answer all the questions that are continually raised regarding the proposed use of the land on Union Avenue. Also there should be some consideration put into this regarding enhancements coming to the Cambrian Shopping Center located on the corner of Union and Camden.

Harker continues to come up with different fixes to try and satisfy the neighborhood. I do not believe Harker will uphold their end of the deal.

Additionally, Harker is not a 'local' school. Only 2% of students who attend Harker are from the Cambrian area of San Jose. Only 18% are from all of San Jose area (Appendix D TIA: TDM Plan). This use DOES NOT benefit the broader San Jose "community" and more specifically it DOES NOT benefit the Cambrian community.

I ask that you deny this land use permit and sale to Harker School.

Marci Yuste

Davidson, John

From: Jeffrey Pickard [jjeff.pickard22@gmail.com]
Sent: Monday, September 24, 2012 9:15 AM
To: John Battin/RFAN
Cc: Baty, John; Davidson, John; The Office of Mayor Chuck Reed; District3; District1; District2; District4; District5; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration

Dear John,

I want this applied to the public record in response to the Harker project PD12-027.

I do not believe that either the city or the Harker school is operating under good faith with the residents of the Cambrian neighborhood.

I believe that the property would have been better served being sold to Xilinx next door being that it would bring better property, revenue, and job creation to the neighborhood. Or could have been sold to the Low Income Housing bidder. That sale would have paid all the stake holders back and would have met the City's Envision 2040 and 2020 plans. There likely would have been little impact to the neighborhood and a higher moral good would have been achieved. For 15 years, the Children's Shelter provided Low Income housing to the most deserving in our society. The shelter had little impact to the neighborhood and was a source of pride for the community.

I live at 2042 Barrett Ave directly on the other side of the wall behind the proposed Harker School. The direct impact the air quality, noise pollution, and traffic will have serious an un-mitigable repercussions to me, my family, and senior neighbors.

I further request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

By doing this the City of San Jose, The Harker Academy, and neighborhood will have a better picture of what we will be looking at if the school project moves forward. The county has been very eager to sell of this property and trying to find the quickest way to do so.

I am not against progress but it need to be done in a transparent fashion so we the community do not have to legally appeal the project every step of the way to confirm that what the Harker Academy and the City are putting in place will not "seriously" impact the community as a whole.

Although the Harker School has notified some homeowner's within the 1,000 foot radius of the school, not all homeowner's were actually notified. There are hundreds more people who will be directly affected by the traffic this use would cause on our local residential streets. Without the proper notification, Cambrian residents have not had the opportunity to respond to the proposal

Up to this point The Harker School has not operated under "Good Faith" with the community, they have repeatedly insinuated and told that the only two options for the property are their school or a low income housing development. Trying to scare the senior citizens and families with children into support of their plan.

These actions are not in line with the way the City of San Jose operates and these scare tactics are not in line with the good neighbor picture that the Harker Academy is trying to portray.

Currently Harker is UNABLE TO MITIGATE THE TRAFFIC IMPACTS AT THEIR CURRENTSCHOOL SITES. They are unable to control parents and students from Jaywalking, parking in front of drive ways, blocking street accesses, and creating an unsafe environment. There is no reason to believe that Harker will take any steps to mitigate their impact on the neighborhood unless they are LEGALLY obligated to do so by clear and written limitations. Harker is currently in violation of local traffic codes. To see an example of this please see the videos of the current mess at the Bucknull campus at: www.concernedcambrians.org

The Traffic Demand Management program (TDM) proposed is a step in the right direction, however, it does not adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis (e.g. impact of shuttle buses blocking traffic on Union, flow of shuttle buses to reach VTA bus stop on Union, etc.).

With only one entrance at the project proponent site the moral hazard for a parent to skip the queue and park on a residential street (Barrett) and walk to avoid a line will be extreme.

9/27/2012

If you refer to Page 45 of San Jose TIA Guidelines Volume 1 where it says that Cumulative Conditions need to be addressed in the Traffic Impact Analysis. Since the TIA doesn't address Cambrian Park Plaza or North 40, the TIA is not sufficient.

An EIR would take into consideration all of the factors that are left of the MDN & TIA, such as the future redevelopment of Cambrian Park Plaza.

I also have additional questions:

1. Why has there not been a full acoustical report due the fact that the teachers whistles, and student noises, and bell's during the day.
2. Are the standard start times implacable to each grade level IE You are not allowed to drop off your child until your designated start time.
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12. Why did they not asses cars for carbon emissions in the Air Quality Assessment?

Jeffrey Pickard
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408.482.3846
jeff.pickard22@gmail.com

Davidson, John

From: cino345@comcast.net
Sent: Monday, September 24, 2012 6:53 AM
To: Baty, John; Davidson, John; Rocha, Donald
Cc: Maja Schleicher-Joos
Subject: Harker project PD12-027 Comment

Dear City Planning Department Representatives Baty and Davidson,

I am writing to express my concern about the plans for Harker to enter our Cambrian Neighborhood near Union and 85. I want this feedback to be included in the record for Harker project PD12-027. I have been a resident in the neighborhood since 1997 and have enjoyed my family's residence here since the beginning. We currently reside at the corner of Herring Avenue and Esther Avenue.

I am a daily commuter from the South Bay to Sunnyvale and I often use 85 and Union Avenue in the morning and evening on my commute. I already experience daily congestion at 85 and Union, especially in the morning, and I can't imagine hundreds more cars trying to use the Union Avenue onramp at 85 during the morning and evening rush hours. I have heard that this intersection is currently ranked an "F" on its traffic report card and I have a lot of personal experience backing up this rating.

Even with the mitigations currently planned to reduce traffic, assuming they are as successful as they are planned, I believe the extra vehicles from Harker families and Harker staff and the imbalance of too few parking spaces for the hundreds of new Harker students and staff is going to create a traffic nightmare in our local vicinity!

Because of the traffic nightmare that is likely to occur, I expect 2 major negative impacts that will significantly impact the quality of life in our neighborhood. The first is that the Harker families (for students and staff) will be queued up outside and off the school property causing high traffic with increased delays, pollution, and noise, as well as the increased risk for accidents. I expect this to cause major problems especially at 85 and Union, Union and Barrett, Union and Charmeran, Union and Woodard, Esther and Barrett, Esther and Woodard, and Esther and Herring. The second is that both the Harker families (for student and staff) and the local neighborhood residents will be driving through our neighborhood (surrounded by Bascom, Union, Camden, and 85) to avoid the inevitable traffic snarls. This adds significant more neighborhood traffic, delays, noise, pollution, and risk of incidents and injuries to people who live in our neighborhood. I am especially concerned of our local children who are walking in the local neighborhood to their schools (that already include Farnham Elementary, St. Francis Cabrini, Union Middle School, and Leigh High School). I am really worried about such children getting hit by inattentive drivers zooming around the local traffic corners.

For these reasons I am opposed to the Harker project and the high level of expected new personnel and traffic that will be entering our neighborhood and causing excess traffic, delays, noise, pollution, and risk of incidents and injuries and I hope you join my opposition. If the project does go through, I hope you address my concerns and post traffic signals around our neighborhood to avoid drivers "cutting" through our neighborhood (especially at Barrett, Charmeran, Herring, and Woodard Avenues that use Esther Avenues as a connector) and provide strict monitoring of the changes in the traffic levels and resulting issues to help mitigate the expected negative effects of this project.

Sincerely,

Dave Schleicher

Resident of 152 42 Herring Avenue, San Jose, CA, 95124

9/27/2012

Response to PD12-027
The Harker School - Public Notice
Intent to Adopt a Mitigated
Negative Declaration

Jeff Bollini
September 24, 2012

Issue 1:

Barrett Avenue was not properly addressed in the Traffic Impact Analysis.

The Traffic Impact Analysis Handbook Volume 1 from 2008 on Page 24 states:

“An intersection be included for analysis if 10 or more project-generated trips utilize a travel lane during one or more peak hours. However, it should be noted that intersections that do not meet this criterion may be included at the discretion of City staff.”

The non-signalized intersection of Union Ave and Barrett Ave was not studied in the Traffic Impact Analysis. The only intersections that were studied in the TIA are the 7 signalized intersections listed on Page 4 of the TIA.

The intersection of Union Ave and Barrett Ave SHOULD HAVE BEEN INCLUDED in the TIA because it will have 10 or more project-generated trips in a travel lane during one or more peak hours. Additionally, City staff should have included this intersection “at their discretion” since it is located just 75 feet from the primary entrance to the project property.

Figure 12 (Potential Neighborhood Traffic Routes and Daily Volumes) in the TIA indicates that daily traffic volume on Barrett Ave between Union Ave and Esther Dr is at 1730 vpd. Page 45 of the TIA states that typical carrying capacity for neighborhood streets range between 1200 and 1800 vpd. The traffic volume on Barrett Ave will exceed 1800 vpd when Harker School traffic starts to use it for on-street parking, as a cut-through route, and as a turn-around street when cars back up waiting to turn left from northbound Union Ave into the site’s parking lot.

Figure 6 (Directions of Approach and Departure) in the TIA indicates that only 1% of the AM trip distribution will flow along Chameran Ave and one will flow along Barrett Ave. This grossly underestimates the amount of traffic that will cut through the neighborhood. The freeway onramp to northbound 85 at Union already backs up during the school’s AM peak hour (refer to video: <http://www.youtube.com/watch?v=rS0YN2z41fU>). An additional 300+ vehicles will make this onramp so overly congested that drivers will seek an alternate way to enter northbound 85. The shortest and most logical route is to shortcut through the local residential neighborhood using Barrett Ave, Jacksol Dr, Faircrest Dr, White Oaks Ave, and Bascom Ave and then to use the northbound 85 onramp at Bascom Ave. **THE INCREASED TRAFFIC ON BARRETT IS NOT ADDRESSED IN THE TIA NOR IS IT MITIGATED BY THE DRAFT MND.**

The only mention of Barrett Ave is on page 45 of the TIA. The only proposal made in the TIA is for school administration to create a working group with the neighborhood. **THIS APPROACH IS NOT ACCEPTABLE.** It has no teeth and its success cannot be measured.

Harker School has heard feedback from the public every month since May stating that the traffic impact on Barrett Ave is a major concern. Yet the only feedback provided by Harker on this subject is that once the project is established they will meet with residents and try to resolve it. THIS APPROACH IS NOT ACCEPTABLE.

Barrett Ave also posts a safety concern. Barrett Ave has a “blind corner” that impacts drivers trying to turn onto Union Ave. The 2 photos in Figure 1 and Figure 2 were taken from Union Ave facing south at the corner of Union Ave and Barrett Ave. They demonstrate how all cars must stop beyond the white stop line in order to see whether there is any oncoming traffic before they can safely turn onto Union Ave.



Figure 1: Driver must cross white line to see traffic approaching from left



Figure 2: Driver on Barrett must pull far beyond white line to see all southbound Union traffic approaching from left

The 3 photos in Figure 3, Figure 4, and Figure 5 were taken from Barrett Ave facing north along Union Ave. Figure 3 shows what a driver sees when stopped at the white stop line. Figure 4 shows what a driver sees when stopped 5 feet beyond the white stop line. And Figure 5 shows what a driver sees when stopped 10 feet beyond the white stop line.



Figure 3: Driver's view when stopped at white line.



Figure 4: Driver's view when stopped 5 feet beyond white line.



Figure 5: Driver's view when stopped 10 feet beyond white line.

The only clear view of both lanes of southbound Union occurs when a driver pulls 10 feet beyond the white line. But anyone driving 10 feet beyond the white line will block the street crossing area. This poses a major safety hazard. This intersection will have pedestrian traffic from parents parking their cars on Barrett Ave, Union Ave, and Chameran Ave and walking their children to school.

Also, Barrett Ave does not have a painted crosswalk at the intersection of Union Ave.

Action 1:

AN ENVIRONMENTAL IMPACT REPORT (EIR) IS NEEDED!

The traffic count impact to Barrett Ave, Jacksol Dr, Faircrest Dr, and White Oaks Ave has not been studied. Barrett Ave is already at the high end of the range for reasonable traffic volume. Jacksol, Faircrest, White Oaks, and Barrett are not intended for inter-neighborhood traffic.

The street parking impact to Barrett Ave and Union Ave has not been studied.

The pedestrian traffic that results from cars parking on Barrett Ave, Union Ave, Charmeran Ave, and Cole Dr has not been studied.

The need for a crosswalk at the intersection of Barrett Ave and Union Ave has not been studied.

The “blind corner” at Barrett Ave facing north on Union Ave has not been studied.

The traffic backup on southbound Union Ave which will block Barrett Ave has not been studied.

AN ENVIRONMENTAL IMPACT REPORT (EIR) IS NEEDED!

This is the only way to determine the true impact to Barrett Ave. This is the only way to ensure a fair resolution can be reached.

The Draft MND should not be adopted. An EIR should be required.

Issue 2:

The Transportation Demand Management program proposed by Harker will not reduce the number of AM peak hour trips to 350.

The Traffic Impact Analysis (Appendix E) includes a TDM Plan. The Plan contains a TDM Memo from Mike Bassoni (Harker Facilities Mgr) that states 25% of families are already use carpooling. The TDM Memo also states that the Fremont shuttle “is highly popular and has a current ridership of 25 students.” It also states that they began offering a new shuttle from Palo Alto/Los Altos and that they “already have 35 students signed up to take advantage of this service.”

However, as shown in Figure 6, a Sep 18, 2012 Harker News story (<http://news.harker.org/new-shuttle-service-from-peninsula-draws-more-than-two-dozen-riders-daily/>) with a headline of “New Shuttle Service from Peninsula Draws More Than Two Dozen Riders Daily” contradicts the rosy numbers that Mike provided in the TDM Memo.

0

Tweet

Harker has introduced its first school-run shuttle, which will serve those on the Peninsula; 25 students are riding it so far. There has been a parent-run shuttle from Fremont for some years which the Peninsula shuttle will complement, solving, for some families, the knotty issue of driving to drop students, then returning to their home area for work.

The shuttle makes one stop in Portola Valley, one in Los Altos, then heads to the middle school where upper school students transfer to a waiting bus that takes them to their campus, while the shuttle itself continues on to the lower school.

Cost is quite reasonable at \$25 per student per week, with discounts for families of three or more riders. Aside from cutting down on pollution and traffic, and saving parents' time, Pip Sanders (Zoe, grade 4), said, "Running the shuttle expands Harker's outreach and accessibility to families who live some distance from Harker."

"I would love to see our ridership increase!" said Heather Perrotta, Harker transportation manager. "Not only does it decrease traffic on our campuses, it gives a sense of bonding to the students. They are able to get to know other students from their neighborhood that they may otherwise not have known. It can also be an opportunity to get some last minute studying done before class."

Harker is open to expanding the service to other areas, too. "We are hoping that the success of this route will lead to others, and we will be exploring those possibilities over the course of this year using the same market testing methods we did for this one," said Greg Lawson, assistant head of school for student affairs.

The parent-organized Fremont shuttle has been running for more than 15 years, said Monica Kumar (Gaurav, grade 11; Maya, grade 7), who organizes the shuttle. That bus has had between six and 11 riders this year. "My son is now a junior and he took the shuttle from kindergarten until tenth grade," when he started driving himself, she said. "My daughter is still taking the shuttle.

"The shuttle saves time for busy parents and makes sure kids get to school safely and on time!" said Kumar. "Of course, it is a greener option as well, as opposed to all the parents driving on their own."

Cost for the Fremont shuttle, operated by Durham Transportation, is based on a flat fee by the bus company so the current cost depends on the number of riders per day. "The more kids, the less cost per child!" she said.

The Fremont shuttle does return students to Fremont, but the numbers are dropping on the return leg. "The number of kids taking the return bus are much smaller," noted Kumar. "Each year I keep thinking it will be the last year for (the return service) but we keep going!"

Figure 6: Sep 18, 2012 Harker News Online feature story

The Harker news story states that this year's Fremont shuttle is only transporting 6 to 11 students per day. Page 46 of the MND states that 35 students live in that area. Using an average of 8 students per day, the participation rate for Fremont is only 23%.

The Harker News story states that the Palo Alto/Los Altos ridership is 25 students. Page 46 of the MND states that 60 students live in that area. The participation rate for Palo Alto/Los Altos is only 42%.

Harker has stated they are currently achieving a 60-70% participation rate. THIS IS CLEARLY NOT TRUE. They have substantially overstated the impact of their shuttle service.

You can also assume that shuttle ridership will come at the expense of some carpoolers. Therefore any actual shuttle ridership will have a lower reduction rate to peak hour trips than what is stated in the MND.

There is a substantial amount of false and misleading information in the MND regarding the impact of Harker shuttles.

Action 2:

I REQUEST THAT A FULL ENVIRONMENTAL IMPACT REPORT BE CONDUCTED BEFORE ANY TYPE OF APPROVAL IS GRANTED BY THE CITY PLANNING DEPARTMENT.

This is the only way to ensure the traffic impact from Harker Elementary's 600 students, 100 staff, and 1000+ vehicle trips per day are thoroughly and accurately analyzed.

Issue 3:

The Union Ave location does not offer safe or adequate car queuing capacity outside of the property.

Harker currently has serious traffic backups outside of the existing K-5 campus on Bucknall Rd. They do their best to stack cars within their property but the truth is there are simply too many cars arriving within the same general timeframe. The existing traffic woes at the Bucknall campus can be viewed at these video links:

1. <http://www.youtube.com/watch?v=EDlSIrm3hd4>
2. <http://www.youtube.com/watch?v=oMPGmVxiSY4>
3. <http://www.youtube.com/watch?v=yut0EWXsB2w>

At the Bucknall campus, even with carpooling and an established Fremont shuttle they still experience car queuing for multiple blocks along the outside of their property on multiple sides.

When viewing the three videos you will see parents and children jaywalking across the street thru traffic just to get to campus as quickly as possible.

The Union Ave location is less equipped than Bucknall to handle car queuing on the surrounding streets. As shown in Figure 7, the Bucknall campus is surrounded on 5 sides (85%) by streets and surrounded on only 1 side (15%) by houses. But as shown in Figure 8, the proposed Union campus is surrounded on 5 sides (85%) but houses and businesses and only 1 side (15%) by streets.

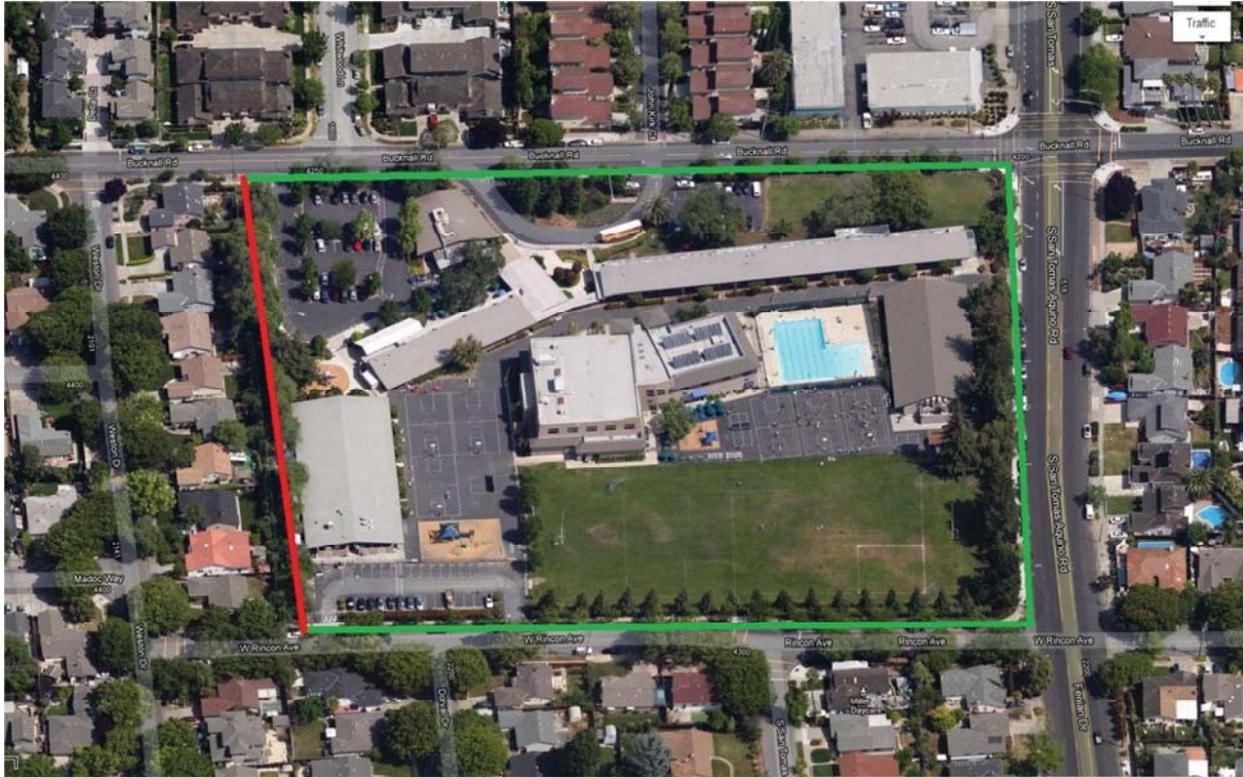


Figure 7: Existing Bucknall campus with street frontage highlighted in green and house boundary in red



Figure 8: Proposed Union campus with street frontage highlighted in green, businesses boundary in yellow, and house boundary in red

Action 3:

The TIA and MND FAILED TO ADDRESS CAR QUEUING OUTSIDE OF THE PROJECT PROPERTY. This is a major concern to the local residents and must be addressed.

I REQUEST THAT A FULL ENVIRONMENTAL IMPACT REPORT BE CONDUCTED BEFORE ANY TYPE OF APPROVAL IS GRANTED BY THE CITY PLANNING DEPARTMENT.

Issue 4:

Table 6 in the TIA understates the number of Net New Harker Trips because the reduction due to Existing Receiving Center Use is overstated.

Page 26 of the TIA states:

“Traffic generated by the fully operating children’s shelter site (72 AM peak hour trips and 64 PM peak hour trips) was subtracted to yield the net new trips generated by the school under the Project Scenarios.”

Page 22 of the TIA states:

“According to City guidelines, traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years. The site is currently occupied by buildings that were used as a children’s shelter until October 2009. When in full operation, the shelter averaged approximately 100 daily staff members and could support up to 95 children on-site.”

Page 22 of the TIA states:

“According to City guidelines, traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years. The site is currently occupied by buildings that were used as a children’s shelter until October 2009. When in full operation, the shelter averaged approximately 100 daily staff members and could support up to 95 children on-site.”

and

“While the children’s shelter is no longer in operation, it is used as a receiving center with 25 staff members and generates 18 vehicle trips in the morning and 16 trips in the evening (based on driveway counts). Since most of the vehicle trips to and from the site are generated by staff, it is estimated that the children’s shelter under full operation would generate four times the existing peak hour volumes (100 staff members vs. 25 staff members). The net new traffic (full operation – existing operation) generated by the children’s shelter was estimated to be 36 inbound trips and 18 outbound trips during the AM peak hour and 18 inbound trips and 30 outbound trips during the PM peak hour. These trips were added under these conditions.”

I reviewed the entire San Jose Traffic Impact Analysis Guidelines 2008 Volume 1 and there is no guideline stating “traffic generated by existing uses on the site are included under Background Conditions if the use was open within the past 5 years.”

This summer Fehr Peers performed a traffic count at the site driveway and found it to have had 18 vehicle trips in the morning. However the TIA fails to state whether any of the 18 vehicle trips were conducted during the school's expected peak traffic hour (7:30 AM to 8:30 AM or 7:45 AM to 8:45 AM). The County's Receiving Center operation is the only active operation running on the project site today and it opens at 7:00 AM so one could reasonably assume that the majority of the morning staff arrives at approximately 7:00 AM, which is well before the expected school peak traffic hour. According to Page 34 of the San Jose Traffic Impact Analysis Guidelines 2008 Volume 1, "The field observations shall be documented in the TIA along with the date, day, and time of the field visit." Fehr Peers DID NOT INCLUDE the required documentation of date, day, and specific times that the driveway counts were taken. Thus the count of 18 should not be deemed representative of the current "AM peak hour trip count".

Fehr Peers also unnecessarily multiplied the full morning traffic count by 4 and came up with an "AM peak hour trip count" of 72. Since the Children's Shelter wound down operations 3 years ago and the site currently only operates with a staff of 25, there are no reasonable grounds for prorating the current traffic count (which they did when they multiplied the trip count by 4) and then subtracting the prorated total from the school trip estimates.

Action 4:

Since the Receiving Center opens at 7:00 AM and closes at 9:00 PM and because there is no documentation to support that any of the vehicles counted on site occurred during the AM Peak Hour or the PM Peak Hour, there should be no reduction for Existing Receiving Center Use.

Issue 5:

Table 6 in the TIA understates the number of Net New Harker Trips because the reduction due to Staggered Start Times is overstated.

There should be no reduction of AM Peak Hour trips due to Staggered Start Times.

Even though the school has proposed using two different start times (8:00 AM and 8:40 AM) for the upper elementary and lower elementary grades, students will still be dropped off primarily between 7:30 AM and 8:30 AM.

Harker School offers free extended care between 7:00 AM and 6:00 PM. Children in the lower elementary grades can still be dropped off at 8:00 AM even if the start time is 8:40 AM. Parents who need to get to work between 8:30 AM and 9:00 AM or parents with children in both the upper and lower elementary grades will continue to drop their children off during the peak hour and will not wait until after 8:30 AM to drop off.

Action 5:

There should be no reduction to the AM Peak Hour trip generation estimates for Staggered Start Times.

Issue 6:

The entire Project appears to be based on an incorrect student count maximum of 600 students.

According to the footnote of Table 6, the student count at Harker Elementary School at Bucknall Rd is 604 students. The Project has stated there will be a maximum of 600 students. Because the existing campus at Bucknall Rd currently has 604 students the Project Plan for the Union Ave location should be based on the same number of students.

Action 6:

If the Project Plan should have been based on 604 students instead of 600 students then all calculations, analysis, and assessments based on the student population were done incorrectly and must be redone.

If the student maximum is considered a “hard maximum” and if Harker School intends to limit enrollment throughout the year to 600 students (including mid-session additions, summer programs, etc.), then the City needs to produce a plan on how to ensure this maximum is never exceeded.

If the student maximum is considered a “soft maximum” and if Harker School is permitted to exceed the stated maximum of 600 students with impunity, then the Project Plan needs to state this and all of the reports and analysis need to be based on a higher maximum threshold such as 650 students. This change would need to be communicated to the public and the public would need at least 2 weeks to review the changes to the Project Plan and IS/MND.

Issue 7:

The MND and the Noise Assessment (Appendix D) DO NOT reflect the correct timeframe that the pool would be used. According to Harker School's website, they run summer programs for K-6 during June through August and those programs include daily afternoon swim lessons, water games, and other water activities. The Noise Impact on Neighborhood (Section L of MND) states that Harker School has proposed that the pool facility would only be used from March through May and from August through October. It should reflect the fact that the pool would be used from March through October.

Action 7:

Correct the Noise Assessment and the MND.

Issue 8:

The Noise Assessment (Appendix D) Table 5 DOES NOT reflect the correct operational noise levels for Recreational Swimming or for Swim Lessons/Lap Swimming. The first paragraph on Page 11 indicates that I&R's own measurements at pools indicate "noise levels at a distance of 75 feet from the near edge of a pool" generate average noise ranging from 58 to 62 dBA L(eq) and 66 to 67 dBA L(eq). The 2nd bullet on Page 10 indicates that the closest edge of the pool would be 95 feet to the property line of Esther Drive residences, which is only 20 feet further than the 75 feet reference distance of I&R's measurements. However, Table 5 lists the operational noise levels at the nearest residential property line for Recreational Swimming at only 56 to 57 dBA L(eq) and for Swim Lessons/Lap Swimming at only 48 to 52 dBA L(eq).

Similarly, the L(max) data in Table 5 is incorrect. The first paragraph on Page 11 indicates the measurements at 75 feet range from 72 to 79 dBA L(max) for recreation swimming and from 70 to 75 dBA L(max) for lap swimming and swim lessons. However, Table 5 lists the operational noise levels at the nearest property line for Recreational Swimming at only 63 to 70 dBA L(max) and for Swim Lessons/Lap Swimming at only 61 to 66 dBA L(max).

The DNL values listed in Table 5 for Recreational Swimming and for Swim Lessons/Lap Swimming are therefore incorrect.

Action 8:

The Noise Assessment and the MND need to be corrected. City then should determine if this affects the impact assessment for Impact 2 Operational Noise. If it does, the City should determine if this requires mitigation and what the appropriate mitigation would be.

Issue 9:

The MND and the Noise Assessment DO NOT include noise analysis for swim meets. The Noise Impact on Neighborhood lists Operational Noise Levels for Recreational Swimming and for Swim Lessons/Lap Swimming. According to Harker School's website, Harker School currently provide competitive swimming programs for 4th and 5th graders and as part of this program the 5th graders participate in swim meets. I was a competitive swimmer and I know first-hand that swim meets (and swim practices) are much louder than recreational swimming, swim lessons, and regular lap swimming due to whistling, yelling, and cheering from coaches, spectators, and other swimmers. According to the Site Plan, the swimming pool will be located less than 120 feet from the houses along Esther Drive and 200 feet from the houses along Barrett Ave. The noise from competitive swim practices and swim meets would negatively impact the neighboring residences.

Action 9:

Harker School should not be permitted to host competitive swim meets or competitive swim practices on this site unless they enclose the pool area. The enclosure can be similar to the one at the International Swim Center in Santa Clara (refer to the white domed enclosure shown in Figure 9).



Figure 9: International Swim Center in Santa Clara, CA with dome-covered swimming pool

Any reported and substantiated violations should require Harker School to close their pool for 30 days or until the pool is enclosed, whichever comes first.

The entry doors to the pool enclosure need to face away from the neighboring residences. This will minimize the noise impact to residences when the doors are propped open, e.g. to cool down the interior.

Other benefits of requiring a pool enclosure is that the pool would be more secure and can be used year-round.

Issue 10:

The Site Plan does not include enough bike racks to meet the San Jose Municipal Code.

The Figure 4 (Site Plan) of the Draft MND shows two bike racks with each capable of holding 10 bikes. The total capacity listed in the Site Plan is 20 bikes.

Table 20-190 in Chapter 20 of the San Jose Municipal Code lists the following requirements for bike racks:

Table 20-190 Parking Spaces Required by Land Use			
Use	Vehicle Parking Required	Applicable Sections	Bicycle Parking Required
School- elementary (K - 8)	1 per teacher, plus 1 per employee	Note 6	1 per 10 full-time employees plus 6 per classroom

Note 6. When part or all of the bicycle parking spaces required for a land use is based on the number of full-time employees, that portion shall be provided in long-term bicycle parking facilities. When part or all of the bicycle parking spaces required for a land use is based on classrooms, that portion shall be provided in short-term bicycle parking facilities. When the bicycle parking required for a land use is based solely on square footage or other criteria in the table, at least eighty percent of the bicycle parking spaces shall be provided in short-term bicycle parking facilities and at most twenty percent shall be provided in long-term bicycle facilities.

Page i of the TIA states that the number of faculty and staff is expected to be 100.

I was unable to figure out the exact number of classrooms to be constructed. The Site Plan indicates there will be 6 in B1, 6 in B2, 6 in B4, 6 in B5, 10 in Multi-Purpose, and that there will be at least 3 in D. Based on this information, the minimum number of new classrooms will be 37.

Action 10:

San Jose Municipal Code requires that the site have 10 long-term bicycle parking facilities and at least 222 short-term bicycle parking facilities. Harker Elementary School will need to meet the municipal code requirements. The project plan needs to be amended.

Davidson, John

From: John Battin/RFAN [John.Battin@rfan.com]
Sent: Monday, September 24, 2012 1:58 AM
To: Baty, John
Cc: Davidson, John; The Office of Mayor Chuck Reed; District3; District1; District2; District3; District4; District5; District 6; District7; District8; Office of Councilmember Nancy Pyle
Subject: PD12-027 & MND for Public Record (aka Harker Project) - Removing a Low Income Hosuing Asset for an Elite Non-Profit College Preparatory?

Dear John,

I want this feedback to be included in the public record for the Harker project PD12-027

It is disappointing that Santa Clara County did not accept the first bids in early 2011 from a Low Income Housing bidder. That sale would have paid all the stake holders back and would have met the City's Envision 2040 and 2020 plans. There likely would have been little impact to the neighborhood and a higher moral good would have been achieved. For 15 years, the Children's Shelter provided Low Income housing to the most deserving in our society. The shelter had little impact to the neighborhood and was a source of pride for the community.

I live in the neighborhood off of Cole and Union. The proposed Harker project is not a good fit for the neighborhood. It is not even an "acceptable" fit for the neighborhood. I have listed the following reasons to argue against this project.

I further request that a full Environmental Impact Report be obtained before any type of approval is granted by the City or Planning Department. I ask that the City request a full and comprehensive Environmental Impact Report in order to understand the impact of this project.

Sincerely,

John J Battin
 14754 Bronson Ave
 San Jose, CA
 95124

PD12-027 (aka Harker Project) should not be approved because:

1. This site is a City of San Jose Housing Asset for Low Income Special Needs. The San Jose Housing Department lists the Children's Shelter as an active asset in support of low income housing requirements. The City of San Jose has a significant need for Special Needs Low Income Housing facilities and sites. The City sincerely should not remove a prime location (on a high transit corridor) from the public domain.

The MND, Section M (Population and Housing) Thresholds for CEQA Checklist, item B, is INCORRECT. There is a significant impact for removing this Low Income property asset from the public domain, necessitating replacement at public costs. For reference, here is the Section of the CEQA Checklist that is incorrect:

2. Harker is UNABLE TO MITIGATE THE TRAFFIC IMPACTS AT THEIR CURRENT SCHOOL SITES. They are unable to control parents and students from Jaywalking, parking in front of drive ways, blocking street accesses, and creating an unsafe environment. There is no reason to believe that Harker will take any steps to mitigate their impact on the

9/27/2012

neighborhood unless they are LEGALLY obligated to do so by clear and written limitations. Harker is currently in violation of local traffic codes.

Here is a link to multiple recent videos showing the lack of traffic mitigation. <http://www.youtube.com/watch?v=EDISlrm3hd4&noredirect=1>

3. The Traffic Impact Analysis Report (Fehrs&Peers) and MND significantly underestimate trip counts in order to result in a "No Impact" or "Less Than Significant Impact." If you start with faulty data, you'll end up with false answers.

Since the TIA and MND are full of false assumptions and inconsistent variables, I request that a full and complete Environmental Impact Report be required before granting approval.

A. Noted Inconsistent data between TIA, MND and Public Statements made by Harker

i. MND is based on results of TIA, TIA is inaccurate

1. Inconsistent trip counts. This point needs public clarification and correction.

a. TIA (518)

b. MND (572)

2. The TIA is based on traffic data collected in June during peak vacation days with little traffic impact

from nearby schools. This data is not representative of actual traffic patterns.

3. **The TIA FALSELY and UNETHICALLY uses unsubstantiated data to lower the net new trip counts added by the Project.** The TIA uses false assumptions about the Children's Shelter traffic generation when at full capacity (approximately 100 employees) to lower the impact of the added trip counts by the project (Page 22 fo TIA). The TIA assumes all 100 employees ALL arrive and leave at the same time (no one would take that bet). Since this was an active shelter, you can reasonably assume 1/3 of the employees worked the swing shift or night shift. Also, the other 2/3 could have started before 7:30 AM and left by 4:30A, a valid assumption, which is outside the PEAK HOURS of impact. Since there is no accurate data available to collaborate the TIA claims, it should be removed. This is FALSE and INACCURATE. Again, they have no knowledge of the employee start times at either the old Children's Shelter or the Processing Faculty (current operating status).

ii. Public statements from Mr. Chris Nikoloff (206) – made 9/13

1. Trip generation math doesn't add up – $600 \text{ students} + 100 \text{ staff} * 1.23 = 861$ (TIA estimate is 518, even after applying current use deduction, count is understated)

2. Trip generation count (Table 6 in TIA) does not include trips generated by 100 staff, only 600 students. If faculty plan to use vehicles all trips should be counted.

3. Trip generation count (Table 6 in TIA) reduces count due to "staggered start". Counts should not be reduced for "staggered start" – all trips occur within peak hours (7am -9am) as outlined by San Jose Planning and should be counted.

4. Table in TIA (Appendix D: TDM Plan) is inconsistent with statement that 600 students attend the Harker School – only 491 accounted for in table and staff impact is not addressed.

4. San Jose has NOTHING to gain from this project. This project violates most of the Envision San Jose 2040 General Plan policies.

This project does not provide a benefit to Cambrian Park in any fashion. This project specifically violates the following provisions of the Envision 2040 General Plan:

A. Chapter 5 – Interconnected City

i. Land Use

1. Current project includes travel from as far as 50 miles away with greater than 30% of all students traveling more than 15 miles and only 2% (11 students) coming from the immediate Cambrian community (based on Appendix D of TIA: TDM Plan)

San Jose policy - “Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions.”

ii. City Connector Street

1. MND does not require the project proponent only use City Connector Streets to move to and from project location even though project location is on a Connector street and more than 80% of students come from outside San Jose

San Jose policy - “Automobiles, bicycles, pedestrians, and trucks are prioritized equally in this roadway type. Transit use, if any, is incidental. These streets typically have four or six traffic lanes and would accommodate moderate to high volumes of through traffic within and beyond the City. Pedestrians are accommodated with sidewalks.”

iii. Residential Streets

1. MND recognizes significant queuing impact on Barrett and Charmeran Ave , both residential streets, (see: TIA: Driveway Operations & Neighborhood Intrusion) w/o limiting the use of these streets by project proponent

2. LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by project proponent

San Jose policy – “Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths.”

B. Chapter 6 – Land Use and Transportation

i. The proposed project does not meet policy standards since it fails to:

1. Foster job creation per Policy LU-1.1 Estimate is no net new jobs with existing staff moving to location

. San Jose policy - "Foster development ...particularly with respect to increasing jobs and economic development and increasing the City's jobs-to-employed resident ratio..."

2. Encourage walking per Policy LU-1.1. Ninety-nine percent (99%+) of student body and staff will commute

San Jose policy – "Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled."

3. Meet local and state standards for traffic impact per Policy LU-1.5.
Camden /Union & 85 freeway exceed LOS thresholds

San Jose policy – "With new development or expansion and improvement of existing development or uses, incorporate measures to comply with current Federal, State, and local standards."

4.. Preserve quasi-public lands suitable for private community gathering facilities, particularly within residential neighborhoods, per Policy LU-1.8

a. Only 2% of students are from the Cambrian area of San Jose (Appendix D TIA: TDM Plan)

b. Only 18% are from all of San Jose area (Appendix D TIA: TDM Plan)

c. It is not suitable for the local community since access to it requires \$27,000 in annual tuition and 82% of proposed users are not in the San Jose community – this is not "quasi-public, it's private

d. This use does not benefit the broader San Jose "community" and more specifically it does not benefit the Cambrian community

e. The project proponent use does not create a "community gathering facility", since it is much different than a religious or fraternal institution serving the community or a YMCA or other truly quasi-public entity which serves the local community

f. San Jose is the largest city in the Bay Area and I understand that San Jose must have a regional perspective, however, when 82% of the users of a San Jose designated "quasi-public" facility come from outside San Jose, the City is not living up to the spirit of the policy to preserve "private community gathering facilities within residential neighborhoods", especially given the negative impact to the community

San Jose policy – "Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private Community Gathering Facilities, particularly within the Residential Neighborhoods, Urban Villages and commercial areas, and to reduce the potential conversion of employment lands to non-employment use."

5. This project proposes to remove a residential facility from public domain and convert it to a nonresidential use in violation of LU-9.10 Discourage substantial expansion of existing nonresidential uses (e.g., major structural improvements or expansions) that are incompatible with residential uses on properties designated for residential use.

Davidson, John

From: blake4@sbcglobal.net
Sent: Sunday, September 23, 2012 9:35 PM
To: Horwedel, Joseph; Yakubu, Salifu; John.batty@sanjoseca.gov; Davidson, John; Rocha, Donald; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; The Office of Mayor Chuck Reed; District1; District2; Oliverio, Pierluigi; District7; District3; District4; District5; Herrera, Rose; District9; Office of Councilmember Nancy Pyle; Webmaster Manager; city.auditor
Subject: Union Avenue - Harker School Proposal

These comments are to be included in the public record for the Harker project PD12-027.

I am requesting that the City of San Jose require the Harker School to have an Environmental Impact Report done to answer all the questions that continue to be raised regarding the proposed use of the land on Union Avenue.

An EIR will further study the traffic impact and alternative scenarios to the current plan.

Although the Harker School has notified some homeowner's within the 1,000 foot radius of the school, not all homeowner's were actually notified. There are hundreds more people who will be directly affected by the traffic this use would cause on our local residential streets. Without the proper notification, Cambrian residents have not had the opportunity to respond to the proposal. At each community meeting - regardless of who it was sponsored by or where it was held - the information coming from Harker Staff and legal representatives, has been different. We have heard car counts as high as 700 and as low as 206. An EIR would be able to give us true information regarding traffic, emissions, etc., based on numerous options that would be outlined on an EIR.

The Public Outreach for this project has been inadequate as well as less than truthful. There have been telephone messages left at people's homes stating that if Harker isn't approved, low income housing would be the alternative neighbors could look forward to. With a complete EIR in place, all questions would be answered and neighborhood fears would be put to rest.

An EIR could study the cumulative conditions that pending and future developments will have in combination with this project, on traffic levels. At this time, there is a very large development being planned on Los Gatos Blvd. (between 85 and Lark Avenue) that will have a significant impact on the 85/Bascom Avenue intersection. This will directly impact the entries and exits that will be used on Hwy 85 at Union Avenue.

Residential townhouses/condominiums and retail space has been the plan for the large parcel that is currently Cambrian Plaza Shopping center (SE corner of Union and Camden Aves). When this shopping center is razed and several hundred residences are added, with several hundred cars added to the intersections of Camden & Union, Woodard & Union, Charmeran & Union, and 85 & Union (not to mention the intersections without stop lights) we will have a traffic nightmare on our hands. Who will then be responsible for the fallout when all of that hits the fan? Wouldn't an EIR now, prevent that later?

I respectfully request that the Planning Department NOT approve the proposal from the Harker School by declining the land use permit.

Blake Hurt
4451 Tomrick Avenue
San Jose, CA 95124

9/27/2012

I want this feedback to be included in the public record for Harker project PD12-027.

I just became aware of the proposed bid by Harker School and wish to voice my opposition. Their request to relocate the school to 4525 Union Avenue will cause a traffic nightmare and will not benefit local area residents or businesses.

Having such a large private school on that site will create excessive traffic along Union Avenue and surrounding streets. I am worried about dangerous conditions created by parents impatient to drop off or pickup their children. I recently lived across the street from a San Jose elementary school. The traffic was terrible. Parents would park in red zones, make unsafe and illegal U-turns, dart out in traffic (with their children!), run red lights and ignore the stop signs and crossing guards. It could take 10 minutes to get out of my driveway and drive ½ a block.

When I attended Parker School my friends and I could safely walk to and from school. We crossed Union Avenue. We walked safely on our streets. We played outside and rode our bikes without worrying we'd be hit by a speeding car. Although I no longer live on Cole Drive, when I did people would drive above the 25 mph limit as they used it for a short cut between Union Avenue and Leigh Avenue. There were several times I was honked at for signaling my intention to turn into my driveway. I can only imagine how much worse traffic on streets like Cole will become with the added traffic created by Harker.

Now I live off of Byron Drive and Union near a school that is used for after school and weekend sporting events. The parents turn around in private driveways and crowd the streets along the park. They open their doors to load and unload children and sporting equipment. This narrows the roadway just wide enough for cars to inch by in the center of the street. It makes it difficult to get around. During sporting events there is no street parking available for residents and their guests.

I often drive Union Avenue between Foxworthy Avenue and Samaritan Drive. Right now traffic is awful. It doesn't matter what time of day you travel that stretch of road, but it is much worse for the morning and evening commutes. If 600 or so additional vehicles crowd our streets the time to get through that area will be unbearable. And as more frustrated, angry drivers get stuck in the traffic it will lead to people doing stupid things to get ahead of the car in front of them.

Harker has evening events throughout the year. Parents and family attending these events will need to find parking. Most likely they will find it on our neighborhood streets. When events get out late at night people walking to their cars won't realize their voices can be heard in the houses they pass. Numerous cars starting up and driving along our quiet residential streets will be an annoyance for families getting ready for bed.

Also, all but a very few students at Harker come from the Cambrian community. The Harker parents and staff will have no reason to stop and shop in the area. They won't shop at our local stores or eat at our local restaurants. There isn't any economic benefit to having Harker here.

Allowing Harker to build their academy in Cambrian will negatively impact my quality of life and that of my neighbors. When Highway 85 went in traffic along Union Avenue got worse. We can't let it get even worse with a project that has no community benefit.

Please do not allow them to build their private not-for profit school on Union Avenue.

Sincerely,

Deborah Cook

Davidson, John

From: Wayne Sakakuchi [waynesakakuchi@gmail.com]
Sent: Sunday, September 23, 2012 6:56 PM
To: Baty, John
Cc: Rocha, Donald; cris.forsyth@asm.ca.gov
Subject: Harker project PD12-027
Follow Up Flag: Follow up
Flag Status: Red

To Planning Department

I am sending public comment on Harker project PD12-027, and I want this included in the public record.

I am against the Harker school going into the Children's shelter site on Union Avenue. I realize that all government agencies are under considerable financial pressure, but, that is no excuse to ignore both the General Plan and the Smart Growth policies that were developed to protect neighborhoods from exactly this kind of development. I am asking our Planning Department to stand up for those rules, regulations and guidelines, and turn down this project, so that it can be opened for new bids which will match our community needs.

I have lived on Charmeran for 12 years and commuted on the 85 corridor for all of those 12 years. The proposal to put Harker at this location makes no sense, for the following reasons.

1. From a traffic perspective, you will be giving me a nightmare for the rest of my life. I will have to cross through 500 cars trying to dodge into one driveway. This will be hell. I will have to compete with 400+ of them for a slot to sit and wait on the onramp at 85. (presuming 100 teachers stay at school). My wife will have a similar experience.

As far as Harker's traffic impact study goes, no one can convince me that it will have "no impact." It is simply not true. Whatever the standards were in the report, they are in direct contradiction to what the actual experience on the street is. The onramp is already backed up both North and South on Union every morning. And in the late afternoon, the 85 South traffic is nasty through the Union exit. At the very least I would ask you to expand the study to look at a larger radius of impact. And communicate with all those in the surrounding areas to ask what their opinion is. Most of them were never informed even though this will directly impact their lives. This was kept very quiet.

2. Quality of Life. People moved to this neighborhood and it's 75 yr old houses to get away from the insane traffic sprawl, noise and incivility that exists in other areas. WE paid money to buy houses here for those reasons. The Harker proposal will change all that. The traffic sprawl will go on for hours every morning, and afternoon as well as weekends, with spillover of cars carrying desperate, late parents onto every side street. It will destroy the calm and peaceful neighborhood which we live in. The Smart Growth policies were crafted to encourage bicycle lanes and pedestrian safety zones on streets like Union for the health and well-being of the community that lives on Charmeran, Barrett, White Oak, etc... The Harker project is in direct contradiction to these goals.

3. This will have a direct impact on Xilinx, one of the few large employers in the vicinity. Xilinx contributes to the immediate community and the tax base of San Jose. The added traffic in morning and nights will directly affect them.

4. As a nonprofit, they will pay nothing toward the tax base of the community that is serving them. This is exploitation, pure and simple.

This is why I am asking the Planning Department to stand up and be accounted for by doing the right thing. Say no to this project by rejecting the bid.

Best Regards
Wayne Sakakuchi

Davidson, John

From: Richard Lowe [slyrichardbrain@yahoo.com]
Sent: Sunday, September 23, 2012 6:22 PM
To: Baty, John; Davidson, John; Rocha, Donald; The Office of Mayor Chuck Reed; Ken.Yeager@bosgov.org
Cc: Richard Lowe
Subject: Harker school in Cambrian

Dear Sirs:

I want this feedback to be included in the public record for the Harker Harker project PD12-027.

Development of City/County space is inevitable. With development comes traffic and noise and there will always be debate as to how land should be used. What is not debatable is the way the property is used and that it should fit into the City/County self-described and written rules.

What I seek is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted me to purchase my home in 1993.

The Envision San Jose 2040 General Plan was written for a reason. This proposed use of the land does not fit into this plan in any way.

The Traffic Demand Management program proposed is merely a baby step when we need this proposal to be at a full running speed prior to ever feeling like Harker will make our neighborhood a better place. This TMD DOES NOT adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis. An Environmental Impact Report would answer the questions that continually rear their heads as these meetings/discussions and plans are reviewed.

As a student, who's parent drives me and my siblings to Leigh High School and Union Middle school (with 13 year history of driving to Union School and Campbell union school districts,) I have had more than enough opportunity to witness the chaos that parents go through every day. Mornings are crazy, people are late, in a hurry and parents will do anything they can to get their kids out of the car and into class to beat the bell. That means the increased traffic on Union ave. will likely create a change in traffic patterns: parents will cut through our neighborhoods between Bascom and Union, and Woodard and White Oaks at likely increased speeds. That means my neighborhood is now less safe if Harker goes in.

The student drop-off area Harker is proposing is in no way enough space to allow for all of these parents to queue up to drop off students. Back-up is inevitable. The cars will be entering through the north entry, will line up (blocking a lane) on Union Avenue, and will

curl back onto Barrett Avenue, blocking driveway after driveway and will mean that current homeowners will not be able to get out of our own driveways, will have extended waiting times to be able to pull out onto Union Avenue (north and south bound). A current, typical morning, [between 7:40 and 8:15](#), it takes 2-4 minutes to be able to pull out. This is without the addition of 600 students being dropped off. This is just unacceptable. Many of the residents who's driveways are not blocked but use Barratt will have to be queued up on Barratt Avenue, increasing our already lengthy wait time just to pull onto Union Avenue. We have to drop our kids off at Leigh high school, Union Middle School and Carlton Elementary schools.

The number of cars backing up on the campus, along Union Avenue, and down Barrett Avenue, with running engines is a question that was not studied as deeply as it should have been in the proposal and Traffic Impact Analysis. An Environmental Impact Report would be able to study this more and provide much better answers.

How does this increased land use work into the 2040 plan?

San Jose Policy states: “Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions.”

Harker is not a 'local' school. Only 2% of students who attend Harker are from the Cambrian area of San Jose. Only 18% are from all of San Jose area (Appendix D TIA: TDM Plan). This use DOES NOT benefit the broader San Jose “community” and more specifically it DOES NOT benefit the Cambrian community.

San Jose policy – “Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled.”

I don't think any parent, is going to have their PreK, Kinder or 5th grader, walk to school from Cupertino or Los Altos.

As our own residential property taxes continue to increase, we are being forced to welcome [Harker School](#), a non-profit organization in to our neighborhood. Our own taxes cannot cover police and fire districts. We have limited Library hours. Our schools don't have funding they need. There are potholes in our roads and projects that have gone undone for years because of lack of funds. And the City is OK with throwing out the potential income of \$300+K per year that would be paid by just about any other entity who would purchase this property?

Less than 20% of the population of Harker students live in San Jose. The property taxes paid by these parents are not paid in San Jose, yet they will be using our streets and services.

In a nutshell: Harker will increase Cambrian's traffic. Harker will

decrease Cambrian's air quality. Harker will increase Cambrian's police/fire expenses. Harker will decrease Cambrian's quality of living.

This use IS NOT suitable for the **local community** since access to it requires \$27,000-\$37,000 in annual tuition and 82% of proposed users are not in the San Jose community – this is not “quasi-public”, it’s private!

This use DOES NOT benefit the broader San Jose “community” and more specifically it does not benefit the Cambrian community.

The project proponent use DOES NOT create a “community gathering facility”, since it is much different than a religious or fraternal institution serving the community or a YMCA or other truly quasi-public entity which serves the local community.

San Jose is the largest city in the Bay Area and I understand that San Jose must have a regional perspective, however, when 82% of the users of a San Jose designated “quasi-public” facility come from outside San Jose, the City is not living up to the spirit of the 2040 policy to preserve “private community gathering facilities within residential neighborhoods”, especially given the negative impact to our community.

San Jose 2040 policy – “Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private **Community** Gathering Facilities, particularly within the Residential Neighborhoods, Urban Villages and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.”

Not only is the City of San Jose, by approving this land use, in complete denial of their own policies, the City is letting down it's own people.

Although the Harker School has notified some homeowner's within the 1,000 foot radius of the school, not all homeowner's were actually notified. There are hundreds more people who will be directly affected by the traffic this use would cause on our local residential streets. Without the proper notification, Cambrian residents have not had the opportunity to respond to the proposal. At each community meeting - regardless of who it was sponsored by or where it was held - the information coming from Harker Staff and legal representatives, has been different. We have heard car counts as high as 700 and as low as 206. An EIR would be able to give us true information regarding traffic, emissions, etc., based on numerous options that would be outlined on an EIR.

The Public Outreach for this project has been inadequate as well as less that truthful. There have been telephone messages left at people's homes stating that if Harker isn't approved, low income housing would be the alternative neighbors could look forward to. Harker representatives also said this at one of their sponsored meetings. With a complete EIR in place, all questions would be answered and neighborhood fears would be put to rest.

Residential townhouses/condominiums and retail space has been the plan for the large parcel that is currently Cambrian Plaza Shopping center (SE corner of Union and Camden Aves). When this shopping center is razed and several hundred residences are added, with several hundred cars added to the intersections of Camden & Union, Woodard & Union, Charmeran & Union, and 85 & Union (not to mention the intersections without stop lights) we will have a traffic nightmare on our hands. Who will then be responsible for the fallout when all of that hits the fan? Wouldn't an EIR now, prevent that later?

I respectfully request that the Planning Department NOT approve the proposal from the Harker School by declining the land use permit.

Sincerely,
Richard Lowe

Davidson, John

From: Cheryl Lowe [cheryl.lowe7@gmail.com]
Sent: Sunday, September 23, 2012 6:10 PM
To: cheryl.lowe7@gmail.com
Subject: Harker school in Cambrian

Dear Sirs:

I want this feedback to be included in the public record for the Harker project PD12-027.

Development of City/County space is inevitable. With development comes traffic and noise and there will always be debate as to how land should be used. What is not debatable is the way the property is used and that it should fit into the City/County self-described and written rules.

What I seek is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted me to purchase my home in 1993.

The Envision San Jose 2040 General Plan was written for a reason. This proposed use of the land does not fit into this plan in any way.

The Traffic Demand Management program proposed is merely a baby step when we need this proposal to be at a full running speed prior to ever feeling like Harker will make our neighborhood a better place. This TMD DOES NOT adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis. An Environmental Impact Report would answer the questions that continually rear their heads as these meetings/discussions and plans are reviewed.

As a parent who drives our kids enrolled in Leigh High School and Union Middle school (with 13 year history of driving to Union School and Campbell union school districts,) I have had more than enough opportunity to witness the chaos that parents go through every day. Mornings are crazy, people are late, in a hurry and parents will do anything they can to get their kids out of the car and into class to beat the bell. That means the increased traffic on Union ave. will likely create a change in traffic patterns: parents will cut through our neighborhoods between Bascom and Union, and Woodard and White Oaks at likely increased speeds. That means my neighborhood is now less safe if Harker goes in.

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space to allow for all of these parents to queue up to drop off students. Back-up is inevitable. The cars will be entering through the north entry, will line up (blocking a lane) on Union Avenue, and will curl back onto Barrett Avenue, blocking driveway after driveway and will mean that current homeowners will not be able to get out of our own driveways, will have extended waiting times to be able to pull out onto Union Avenue (north and south bound). A current, typical morning, [between 7:40 and 8:15](#), it takes 2-4 minutes to be able to pull out. This is without the addition of 600 students being dropped off. This is just unacceptable. Many of the residents who's driveways are not blocked but use Barratt will have to be queued up on Barratt Avenue, increasing our already lengthy wait time just to pull onto Union Avenue. We have to drop our kids off at Leigh high school, Union Middle School and Carlton Elementary schools.

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OK with throwing out the potential income of \$300+K per year that would be paid by just about any other entity who would purchase this property?

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I respectfully request that the Planning Department NOT approve the proposal from the Harker School by declining the land use permit.

Sincerely,
Cheryl Lowe

Davidson, John

From: Allison Hatzenbuhler [ahatzen@54321.com]
Sent: Sunday, September 23, 2012 5:46 PM
To: Horwedel, Joseph; Yakubu, Salifu; John.batty@sanjoseca.gov; Davidson, John; Rocha, Donald; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; The Office of Mayor Chuck Reed; District1; District2; Oliverio, Pierluigi; District7; District3; District4; District5; Herrera, Rose; District9; Office of Councilmember Nancy Pyle; Webmaster Manager; city.auditor
Subject: Concerned Citizens Website - Harker proposal

To whom it may concern:

I neglected to include our website address to an earlier email that I sent out this afternoon. I would like to include this site and all of the information contained therein. Please feel free to peruse our site to see videos of current traffic congestion, and read about the reasons we oppose the proposal, Mercury News articles, council members newsletters, SJPD reports, Maps and Site Issues, our neighborhood petition, and well as how we are trying to keep our friends and neighbors informed. www.concernedcambrians.org

I would like this email to be included in the public record for the Harker project PD12-027.

Reasons we oppose proposed project

The Harker School has filed for a “change of use” for the Children’s Shelter property on Union Ave. Their proposal to construct a private elementary school will negatively impact the Cambrian neighborhood with:

Excessive Traffic

- With 600 students and 90 staff, there will be an additional 400+ cars twice a day & year round (school on week days, events at weekends and camps in the summer)
- The current proposal only allows 43 cars to queue on school property. All other cars will need to queue on our local roads.
- The Harker School has said they will use shuttle busses to transport some of their students (with the intention of reducing number of cars to 206). However, these buses will need to park on Union Ave and will therefore block the right hand lane, thus stopping traffic in this lane. Also, these buses are only available in the morning. There will be NO buses in the afternoon.
- Increase in traffic violates the City Transportation Policy
 - “General Plan policies discourage inter-neighborhood movement of people and goods on neighborhood streets. Streets are to be designed for vehicular, bicycle and pedestrian safety. Neighborhood streets should discourage both through vehicular traffic and unsafe speeds”
 - New Private Development requires the development to “create a pedestrian friendly environment”
- Increased traffic is regional – it is coming from multiple cities/counties without local benefit
- Children and parents who attempt to go to Leigh HS, Ida Price, Union Middle, Farnham, Carlton or St. Frances Cabrini schools will incur increased traffic at Union Ave & several surrounding streets
- Increased traffic at Union/85 & Bascom/85 junctions

Lost Tax Revenue

Harker is a **non-profit** entity and does not pay income, sales or property taxes. A for profit entity, like a business, would generate millions of dollars in tax revenue.

No New Jobs

The community will lose job creation that a business or other project would bring since Harker plans to transfer existing staff (max 90 staff).

Limited Local Philanthropy

Current local businesses give to the local public schools. As a private, non-profit school, The Harker School will seek donations.

Limited Local Commerce

Other land uses would create increased demand for local restaurants, shops, and grocery stores. A transient population is unlikely to frequent local shops/restaurants.

Limited access to facilities for local community

The Harker School is private and is not obligated to make available facilities (their three campuses are currently not available to the local community). The purpose of this school is to meet the needs of the students, not serve the local community, like religious institutions or other “quasi-public” entities. The school does not serve the local community.

Does not align with the City’s Smart Growth policies

Per the City of San Jose website: “For nearly three decades, San Jose has implemented smart growth policies. These policies foster economic development, revitalize downtown, protect neighborhoods, build housing, preserve open space, link land use and transportation planning, and direct growth to appropriate areas. San Jose has enjoyed job and housing growth near transit corridors, creation of parks and neighborhood services, and a low crime rate for a major city. A strong policy foundation, proactive planning and political support have resulted in a community with a high quality of life.” How does this align with the current proposal?

In summary, The Harker School is a private entity which does not serve the local community, does not carry on the tradition of the previous two uses of the property (The Children’s Shelter provided services for abused children; Parker School provided a public education for local children) and negatively impacts the local community with increased traffic.

Allison Hatzenbuhler
4451 Tomrick Avenue
SAn Jose, CA 95124

Davidson, John

From: Allison Hatzenbuhler [ahatzen@54321.com]
Sent: Sunday, September 23, 2012 5:28 PM
To: Horwedel, Joseph; Yakubu, Salifu; John.batty@sanjoseca.gov; Davidson, John; Rocha, Donald; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; The Office of Mayor Chuck Reed; District1; District2; Oliverio, Pierluigi; District7; District3; District4; District5; Herrera, Rose; District9; Office of Councilmember Nancy Pyle; Webmaster Manager; city.auditor
Subject: Harker Proposal

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I would like this email to be included in the public record for the Harker project PD12-027.

Allison Hatzenbuhler

Davidson, John

From: Yakubu, Salifu
Sent: Monday, September 24, 2012 8:09 AM
To: Baty, John
Subject: FW: Harker project PD12-027
Follow Up Flag: Follow up
Flag Status: Red

From: Yakubu, Salifu
Sent: Monday, September 24, 2012 8:06 AM
To: 'Allison Hatzenbuhler'; Horwedel, Joseph
Subject: RE: Harker project PD12-027

Alison,

We have received your emails on the Harker project, PD12-027, and will forward them to the project manager for inclusion in the public record.

Thank you for your involvement in the public review process of this project.

Salifu Yakubu, AICP

Certified Green Building Professional

Division Manager

Department of Planning, Building and Code Enforcement

City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905
website: www.sanjoseca.gov

Tel (408) 535-7911
Fax (408) 292-6055
email: salifu.yakubu@sanjoseca.gov

From: Allison Hatzenbuhler [mailto:ahatzen@54321.com]
Sent: Sunday, September 23, 2012 12:03 PM
To: Yakubu, Salifu; Horwedel, Joseph
Subject: Harker project PD12-027

I want this feedback to be included in the public record for the Harker project PD12-027.

Development of City/County space is inevitable. With development comes traffic and noise and there will always be debate as to how land should be used. What is not debatable is the way the property is used and that it should fit into the City/County self-described and written rules.

9/27/2012

What I seek is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted me to purchase my home in 1989.

The Envision San Jose 2040 General Plan was written for a reason. This proposed use of the land does not fit into this plan in any way.

The Traffic Demand Management program proposed is merely a baby step when we need this proposal to be at a full running speed prior to ever feeling like Harker will make our neighborhood a better place. This TMD DOES NOT adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis. An Environmental Impact Report would answer the questions that continually rear their heads as these meetings/discussions and plans are reviewed.

As a past teacher and parent at St. Frances Cabrini, I had more than enough opportunity to work morning and afternoon yard duty to see the chaos that parents go through every day. Mornings are crazy, people are late, in a hurry and parents will do anything they can to get their kids out of the car and into class to beat the bell. Cabrini has 2 entries to the campus and 2 exits. There are 2 distinct traffic patterns that Cabrini parents can choose from, but once that choice is made there is no switching into the other traffic flow. Harker has proposed 1 entry and one exit to their campus for 600 (+/-) students, and there are directional options parents can take that will create havoc in their proposed patterns.

The student drop-off area Harker is proposing is in no way enough space to allow for all of these parents to queue up to drop off students. Back-up is inevitable. The cars will be entering through the north entry, will line up (blocking a lane) on Union Avenue, and will curl back onto Barrett Avenue, blocking driveway after driveway and will mean that current homeowners will not be able to get out of our own driveways, will have extended waiting times to be able to pull out onto Union Avenue (north and south bound). A current, typical morning, between 7:40 and 8:15, it takes 2-4 minutes to be able to pull out. This is without the addition of 600 students being dropped off. This is just unacceptable. Harker must find a way to design/built a queue that runs throughout the campus to be able to stack up these cars.

I suggest the northern entry to remain where it is, it should run to the back of the campus against the north wall, turn left (south) at the end of the property, then turn left (east) at the south perimeter of the property running all the way to the front of the campus, allowing for a right turn only onto Union Avenue. This option would also provide campus parking for special events, better access for fire and police if/when needed, as well as deliveries.

The number of cars backing up on the campus, along Union Avenue, and down Barrett Avenue, with running engines is a question that was not studied as deeply as it should have been in the proposal and Traffic Impact Analysis. An Environmental Impact Report would be able to study this more and provide much better answers.

How does this increased land use work into the 2040 plan?

San Jose Policy states: "Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions."

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San Jose policy – "Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled."

I don't think any parent, is going to have their PreK, Kinder or 5th grader, walk to school from Cupertino, or Los Altos, or Fremont.

Harker's feet need to be held to the fire, NOW! These ever changing plans, ever changing comments and ever changing ideas do not instill a feeling of faith that Harker will ever uphold their end of this 'deal'. I ask that you deny this land use permit.

Allison Hatzenbuehler
4451 Tomrick Avenue
San Jose, CA 95124

TO: Joseph Horwedel, Director
Planning, Building & Code Enforcement

Date: 21-Sep-12

RE: CSJ Permit PD12-027 – The New Harker School Campus at
4525 Union Avenue, San Jose, CA

SUBJ: **SUBJ: Defer PD12-027 Project, Take Item Out-of-Order at
Planning Director's Hearing on Sept. 26th**

The Harker School submitted a Draft Mitigated Negative Declaration to CSJ's Planning Department in August 2012 for a new Harker School Campus on the site of the existing County's Children's Shelter. My following comments are provided during the Draft IS/MND Public Comment Period which started circulation on 24-Aug-12, ending on September 24th. The Initial Study & Draft Mitigated Negative Declaration's documents are provided online at CSJ's EIR website as of Sep. 20th. The Revised Architectural & Engineering Plans dated 31-Aug-12 were made available by the Planning Department's Project Manager on Sep. 20th.

My Initial Review Comments on the City of San Jose's Intent to Adopt a Mitigated Negative Declaration for the New Harker School Campus on Union Ave., SJ, CA

Executive Summary:

1. Defer Item 3, a. PD-027.

Per CSJ's Agenda for the Planning Director's Hearing on Sept. 26th, Order of Business, Item 1, Deferrals, **I am requesting** that CSJ's Planning Director **take Item 3, a. PD12-027** Harker Campus on Union Ave. **Out of Order**, have it heard first on the matter of Deferral and allow the audience to speak to the question of deferring this project.

2. Grant a (2) week extension:

- o Harker and their Design Team to have (1) week to make revisions to their PD Application Package.
- o Community to have (1) week to adequately review the 'Revised' PD Permit Plans and provide their comments to CSJ.

3. PD Permit Plans are not complete.,

- o Critical **information** needed for calculations of permeable vs. impervious areas **is missing** or not correctly identified on the plans.
- o The Civil Engineering Plans do **not** match the SWPPP Plans and the Landscape Plans
- o The SWPPP calculations are incorrect because the information on the plans conflict with each other.

Harker's Proposed Project Permit Plans & Reference Documents:

Background:

The documents submitted to CSJ/Panning, consist of a 30"x42" PD permit plan set of 17 sheet, required by CSJ's Codes and Ordinances for obtaining a Permit for construction. The large plans are referred to as the 'Original' PD Plan Set. The proposed project's 'Draft' IS/MND, also required for City Approval, was submitted at the same time. The Original PD Plan Set includes CSJ's required: Land Use Plan, Grading &

CSJ PD12-027 - Harker Campus
Initial Review Comments on the Initial Study/Mitigated Negative Declaration Documents

Drainage Plans, SWPPP Plans, Architectural Building Plans & Elevations and Landscape Plans.

Summary of the Availability of the Proposed PD Permit Plans & Documents:

- Harker's submitted the PD Permit Application and Proposed Reference Documents to CSJ/Planning in August 2012.
- These original documents were released by CSJ for the 30 day Public Circulation Period on Aug 24th. This started the Public Comment Period. The Comment Period ends at 5:00pm on Sept. 24th.
- Design changes were made to the Original PD Plan Set, in part, addressing several of the Community suggestions and comments that were submitted to CSJ at the beginning of the Public Circulation Period.
- On 31 Aug °12 Harker School submitted to CSJ/Planning a 'Revised' PD Plan Set, but not a revised IS/MND document.
- The changes shown on the Revised PD Plan Set were made after the Draft IS/MND was issued for Circulation on Aug. 24th, which means that the various revision made have not been included in the IS/MND evaluation.
- The Community needs the full 30 day review time for their evaluation, to ensure that all impacts to the community have been properly mitigated.

Davidson, John

From: Rick Hatzenbuhler [rhatzen@54321.com]

Sent: Sunday, September 23, 2012 12:43 PM

To: Horwedel, Joseph; Yakubu, Salifu; John.batty@sanjoseca.gov; Davidson, John; Rocha, Donald; Ken.Yeager@bos.sccgov.org; The Office of Mayor Chuck Reed; The Office of Mayor Chuck Reed; District1; District2; Oliverio, Pierluigi; District7; District3; District4; District5; Herrera, Rose; District9; Office of Councilmember Nancy Pyle; Webmaster Manager; city.auditor

Subject: Harker project PD12-027

I want this feedback to be included in the public record for the Harker project PD12-027. Let me know if you need me to send it another way to make it public.

In this time of economic uncertainty with budgets which are not and seemingly can not be balanced, why is it that the County can sell to, and the City of San Jose can approve the purchase of a property, to a non-profit organization that will pay nothing into the City coffers?

As our own residential property taxes continue to increase, we are being forced to welcome Harker School, a non-profit organization in to our neighborhood? Our own taxes cannot cover police and fire districts. We have limited Library hours. Our schools don't have funding they need. There are potholes in our roads and projects that have gone undone for years because of lack of funds. And the City is OK with throwing out the potential income of \$300+K per year that would be paid by just about any other entity who would purchase this property?

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San Jose is the largest city in the Bay Area and I understand that San Jose must have a regional perspective, however, when 82% of the users of a San Jose designated “quasi-public” facility come from outside San Jose, the City is not living up to the spirit of the 2040 policy to preserve “private community gathering facilities within residential neighborhoods”, especially given the negative impact to our community.

San Jose 2040 policy – “Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private **Community** Gathering Facilities, particularly within the Residential Neighborhoods, Urban Villages and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.”

Not only is the City of San Jose, by approving this land use, in complete denial of their own policies, the City is letting down it's own people. As a voting member of this community, I encourage you to support your constituents - the people who voted you in to the offices you hold - and act in good faith to our requests and the policies that you have all agreed to. Deny this land use permit.

Rick Hatzenbuhler

4451 Tomrick Avenue

San Jose, Ca 95124

Davidson, John

From: Carol Gutstein [leocarolgutstein@gmail.com]
Sent: Saturday, September 22, 2012 5:11 PM
To: Baty, John
Cc: Davidson, John; Rocha, Donald
Subject: Welcome Harker

I have been a resident of the Cambrian area for over 30 years. I, and many of my neighbors, welcome Harker to our neighborhood. Harker has a longstanding reputation for excellence in education. I was born & raised in California when the quality of it's education was among the best in the world. That has sadly changed and is one of the biggest problems facing our community, state and nation. ALL CITIZENS should support & promote quality education for our children and our future. The Union Ave site has long been dedicated to the welfare of children & Harker's use will continue that tradition as well as utilize the taxpayer improvements that have been made to the site & preserve the open space. The existing schools, Farnam & St Francis Cabrini create traffic congestion at certain hours, but we cope with that in the interest of educating our children. I have attended ALL of the community meetings and feel that Harker has made significant efforts to adapt its plans to address concerns of the Cambrian community. I am troubled by the statements of many of the objectors who present a very NIMBY attitude & narrow focus. Residents complain about the Cabrini and Xilinx drivers. ANY development of the site, such as commercial, or high density housing will cause traffic issues. Traffic & congestion is the price we pay from living in a urban area & for progress. Overall, Harker's presence will add value to the Cambrian community.

“I want this feedback to be included in the public record for Harker project PD12-027.”

Davidson, John

From: Sharon Barbaccia [sbarbaccia@comcast.net]
Sent: Friday, September 21, 2012 6:34 PM
To: Baty, John; Davidson, John
Cc: Rocha, Donald
Subject: traffic concerns regarding Harker project

I want this feedback to be included in the public record for Harker project PD12-027.

I am very concerned about the traffic impacts from the possible Harker project. The school would place a large burden on our already crowded roads in our community. The traffic on Camden Avenue and Union Avenues is already dreadful, especially in the morning and the evening when the school's traffic would be highest. Also, many cars already take short-cuts through our neighborhood streets to avoid the traffic and lights on Camden and Union Avenues. This would increase exponentially with a large increase in traffic on Camden and Union Avenues. This is a very dangerous proposition, since many of our streets have few street lights and no sidewalks, making them very dark. Children coming home from school and people walking their dogs are forced to walk along the roadside in the dark, and when cars are parked on the street, the children and other walkers must walk right in the traffic lane with the cars. Cars tend to speed on our streets. The combination of the dark, the speed, and the proximity of the walkers to the cars will be a deadly one. Please do not allow this to happen!

Thank you for your consideration.

Sharon Barbaccia
14431 Wyrick Avenue

Davidson, John

From: Rocky Hudson [rocky.hudson@rocketmail.com]
Sent: Friday, September 21, 2012 3:21 PM
To: Baty, John; Davidson, John
Cc: donald.rocka@sanjoseca.gov
Subject: harker campus

I want this feed back included in the public record for harker project PD12-027.

I am a home owner very near the Children's Shelter located on Union Avenue. I strongly oppose any school type setting to locate to this property.

I am mostly concerned with the safety of the children that will be attending this location if it indeed becomes a school. . I understand there have been a few different options the Harker Academy is proposing for drop off of the children. I believe the most recent is the buses to stop on Union Avenue in front of the school, allowing the children to exit the buses there. Due to the congestion of Union Avenue and the narrowing of this street directly in front of this property the City of San Jose has NO STOPPING signs posted directly in front of this site. If an automobile and certainly a bus stops at the curb currently, they would force automobiles traveling behind to either stop or most likely enter the lane next over to avoid rear ending the stopped bus. What happens to that possible distracted driver that is traveling in the lane where this bus is now parked with kids exciting. I hate to think of a fully loaded bus being rear ended causing injuries to a large number of children - this could be devastating! OR an accident happening because this same drive swerves into the next lane injuring other drivers in that lane! This is very real possiblity as we live with these distracted drivers currently! My other concern is if there is a large number of cars leaving this parking lot, they will exit one or two ways. To the left crossing two lands of traffic, which is very hard to do with the number of cars on Union Avenue in the mornings - they would be at the mercy of drivers allowing them to cross, which is not likely in the morning. 2nd option would be to go right, which has them at a signal light less than 20 yards once on Union Avenue. If the light is red this again would cause 0 cars being allowed to exit this parking lot. This in turn would back up all cars in the lot as well as cars trying to get into the lot. Basically a complete stand still.

I guess the city could always use our tax dollars to put in a street light!! If the City chose this option it would bring the number of traffic lights within 25-50 yards of this property to 5!! Regards Tom Hudson

Davidson, John

From: egomom1@aol.com
Sent: Friday, September 21, 2012 2:15 PM
To: Baty, John; Davidson, John
Cc: Rocha, Donald; "<Donald.Rocha">@sanjoseca.gov"; grichards@mercurynews.com; "<grichards">@mercurynews.com"; cris.forsyth@asm.ca.gov; "<cris.forsyth">@asm.ca.gov"; sherhold@mercurynews.com; "<sherhold">@mercurynews.com
Subject: Harker project PD12-027

I am sending public comment on Harker project PD12-027, and I want it included in the public record. I state that I have lived most of my life on Charmeran and I am AGAINST the proposed Harker school entering our neighborhood. The project as proposed violates everything we want in our quiet, peaceful, clean, home-based neighborhood. This is not just a line item purchase, it is very personal to us because it affects every aspect of our lives.

What we need is leadership. What we want is for our representatives to stand up and say this is wrong for our community. We need the Planning commission to say NO to the bid because it violates the General Plan for this area, and the Smart Growth Policies, both of which the Planning Commission has a moral, if not actual, responsibility to defend. Because it's their job.

1. I understand that an elementary school was there originally, but it enrolled the LOCAL children and the parents supported the LOCAL businesses. Add to that that the children walked to school. Union and the surrounding streets were not designed to hold 400-500 polluting, motionless vehicles congesting the already over populated streets twice a day! Having a school on the property is one thing but having this sort of traffic, twice a day, is simply a bad deal for anyone who lives off of Union, or drives down Union or through the Union-85 transition. The nightmares on Barrett, Charmeran, and the onramp will be a neverending source of strife and stress FOREVER if this happens. We, the neighbors know this is fact. We have seen the Bucknall campus fiasco and read the papers and complaints. We don't want speed bumps, we want you NOT to dump 1,000 cars a day onto our 4 block radius.

2. Right now we can walk across the street. We can back out of our driveways. Our little kids can actually bike on the street. It is quiet and peaceful, which is why we bought in this neighborhood. However if Harker is allowed to move in with 500 cars trying to negotiate to a single entrance at the proposed Harker campus, twice a day and event weekends, at warp speeds because of time constraints, the cars will fly in every direction. Harker parents will care nothing more than getting their children to school and getting on with their day. This street will never be peaceful again. It is our quality of life that this will destroy and we want our leadership to fight for it.

3. Who will be held responsible for the first accident? Or the first injury? We know it will happen and want to prevent it NOW. By not putting the problem in. The police reports show 94 accidents in this section since 2008. It is a "high level" of traffic incidents, according to the police and sherriffs office. And those numbers are on a Union with a "good" traffic pattern and flow. What you propose will destroy that "good" pattern and make the safety much worse with higher levels of accidents. Has anyone checked if our auto insurance will go up if the incidents increase by 2 fold? A likely target in stop-and-go insanity when folks are late for work.

4. And we are stuck with the toxic penalties. I think about the exhaust of adding 1,000 parked cars to our little area and the damage it will do to the environment and kids lungs. Surely they can find another location where they don't have a toxic commute and parking problem. Last I heard there are literally hundreds of vacant properties farther North where these kids actually live and their parents work. It makes more sense for logistics, practicality and "Green" resource conservation to put the school where the kids are.

5. Unlike all the residents that have sunk their hard earned money into our community, Harker doesn't represent any kids living here. Nor do they want to have any interaction with the local community. They won't buy anything, and certainly won't help anyone, they will only use services at our expense. And they don't pay taxes for the disruption they cause to us, the neighborhood they are affecting. This is a valueless proposition for us, as residents and we resent the proposal.

6. Lastly, the elitist attitudes that Harker has displayed make it even worse. They admit they won't do anything for the local kids, not even a scholarship. And they refuse to either carpool or parse the traffic to say 30 cars every 15 minutes to save our quality of life. They are simply exploiting a situation to take advantage of a Santa Clara fire sale. And they will be exploiting us forever. Harker is a non-profit organization that is looking out for themselves not the community and this project needs to be stopped immediately.

7. Rudimentary math alone shows how much this purchase will cost the Cambrian Park residents. It is a lose lose deal for the county and the community knowing that not a penny of taxes will be paid. It was proven that the offer could have been declined from the beginning and is extremely disheartening to see the lack of forethought and support for all of us who have contributed so much to the community. I implore you as our representatives to stand up and show how this is proposal is a mistake for the location being considered.

I appreciate your time and effort and pray that your conscience will direct you in the path of righteousness. Think of what you would do should this purchase have been happening next door to you!

Many thanks,
Ellen Gohmann
15182 Charmeran Ave
408-377-9694

Davidson, John

From: Grace Ybarra [GYbarra@GYbarraLaw.com]
Sent: Friday, September 21, 2012 10:22 AM
To: 'John.batty@sanjoseca.gov'; Davidson, John; Rocha, Donald
Subject: RE: HARKER ACADEMY

I have resided in the Cambrian area for thirty-five years. We live in an urban area and there is no way we can avoid TRAFFIC and CONGESTION. I believe that having the Harker Academy in our neighborhood would be of great benefit to our community and I for one welcome Harker's presence. We have other schools in the neighborhood and their is traffic congestion when the parents drop off and pick up their children. The temporary congestion during these times is a small price to pay for educating our children. Harker has produced outstanding students who have gone on to become productive members of our society. I think it's time for all of us to consider the greater good.

Grace M. Kubota Ybarra
Attorney at Law
2155 S. Bascom Avenue
Suite 214
Campbell, CA 95008
(408)369-8031
(408)369-9724 (fax)
gybarra@gybarralaw.com

Davidson, John

From: Brian Burke [burkebnc@pacbell.net]
Sent: Friday, September 21, 2012 9:23 AM
To: Baty, John
Cc: Hamilton, Peter; Rocha, Donald; The Office of Mayor Chuck Reed; Davidson, John
Subject: PD12-027 & MND for Public Record

John,

I want this feedback to be included in the public record for the Harker project PD12-027. Let me know if you need me to send it another way to make it public.

Separately, I will send the scans of over 400 Cambrian residents who signed a petition opposing the project as proposed.

I want to start by saying thank you for your time, your professionalism as well as the information you have provided me during this process. The same goes for others in the Planning Department and from Councilman Rocha and his staff and Supervisor Yeager and his staff. This is a new process for me and your patience has been much appreciated. Your inclusion of links from the Planning Department website to the documents and appendices was immensely helpful and a significant time saver.

I understand that this property will be developed, by someone, and that development will bring some level of traffic and noise, I'm not a Luddite. What I seek is responsible, balanced development which maintains the quiet, peaceful and safe Cambrian neighborhood which attracted me to the area in the first place.

Other potential land uses have the advantage of offsetting increased traffic and noise by providing public benefits such as tax revenue, jobs, local commerce or community access to the property that the proposed project does not offer. This doesn't mean the project proponent can't use the property under any circumstance – I don't hold that view. It means they have to do more to reduce the negative impact they bring to the neighborhood through increased traffic and the removal of public property from the public domain since they are not providing commensurate community benefits – it's about balance.

The Traffic Demand Management program (TDM) proposed is a step in the right direction, however, it does not adequately address the concerns of the neighborhood and introduces issues not addressed in the Traffic Impact Analysis (e.g. impact of shuttle buses blocking traffic on Union, flow of shuttle buses to reach VTA bus stop on Union, etc.).

A comparison of land uses for a private school with similar enrollment:

	St. Frances Cabrini School (SFC)	the Harker School Proposal
Students	650	600
Entrances	2 (Camden & Woodard)	1 (Union)
Exits	2 (Camden & Woodard)	1 (Union)
Acreage	14	7.7

Everything is double. And per the Traffic Impact Analysis, the busiest residential street is Woodard with over 3900 trips per day, I'm sure the SFC traffic has something to do with that. Even with the additional parking and extra entrances/exits, parents park on Woodard, Esther and other residential streets to drop their kids off at SFC. With only one entrance at the project proponent site the moral hazard for a parent to skip the queue and park on a residential street (Barrett) and walk to avoid a line will be extreme.

I apologize in advance for the long email, but I was compelled to raise specific issues with the proposal and offer specific recommendations below which I believe will address my concerns.

Do not hesitate to call me with any questions or comments on the below. I can best be reached via mobile phone at 408-464-0424 or by email.

Lastly, I can get behind the proposal if they hold to the public comments made by Mr. Chris Nikoloff on September 13 for a max AM trip generation of 206 trips, which I will round to 210 for the remainder of the letter. But that must include all trips, and the analysis done in the TIA excludes the 100 faculty and staff and reduces trip count by almost 150 for staggering the start time even though both start times occur during peak AM traffic of 7am - 9am, these counts need to be adjusted.

Again, thank you and I look forward to the meeting on September 26th.

Brian Burke
4144 White Oaks Ave
San Jose, CA 95124

Introduction

I, along with many other Cambrian residents, oppose the proposal and the Mitigated Negative Declaration (MND) because it does not comply with Envision San Jose 2040 policy or adequately address and mitigate:

1. The intensity of use (600 students and 100 staff). It is significantly more than the two previous uses, a children's shelter and a public elementary school
2. The impact of increased traffic to Cambrian residents taking their children to Union Middle School (south side of 85 freeway)
3. The impact of increased traffic to Cambrian residents taking their children to Carlton Elementary school (south side of 85 freeway)
4. The impact of increased traffic to Cambrian residents attending or taking their children to Leigh High School (southeast of project location)
5. The impact of increased traffic to Cambrian residents commuting to and from work
6. The use of residential streets as through ways
7. The queuing of cars on residential streets

In addition, the project proponent has never implemented such an extensive Transportation Demand Management program at any of its campus locations. Given that 75% of the current project proponent students do not leverage carpools, 73% of families only have one child attending project proponent schools, only 25 students leverage shuttles (out of 1800) and, I estimate, that only 15% (TDM states 50 staff across all campuses) of the project proponent elementary faculty and staff participated in carpools, even with financial incentives getting to 210 trips will be a challenge.

In order to reach such a low trips generation during AM peak hours they will have to dramatically change parent, student and staff behavior.

They should be doing this for at least 3 years prior to occupying the site and if they are unable to meet the trip generation limits they should be forced to reduce enrollment.

Envision San Jose 2040 General Plan policy violations

The proposed use and the MND do not meet, and therefor violate, the letter, spirit or both of the Envision San Jose 2040 General Plan policies, specifically:

1. Chapter 5 – Interconnected City

- a. Land Use
 - i. Current project includes travel from as far as 50 miles away with greater than 30% of all students traveling more than 15 miles and only 2% (11 students) coming from the immediate Cambrian community (based on Appendix D of TIA: TDM Plan)
 - 1. San Jose policy - “Compact, mixed-use development reduces travel distances, encourages active transportation modes that contribute to a healthful community, and reduce greenhouse gas emissions.”

- b. City Connector Street
 - i. MND does not require the project proponent only use City Connector Streets to move to and from project location even though project location is on a Connector street and more than 80% of students come from outside San Jose
 - 1. San Jose policy - “Automobiles, bicycles, pedestrians, and trucks are prioritized equally in this roadway type. Transit use, if any, is incidental. These streets typically have four or six traffic lanes and would accommodate moderate to high volumes of through traffic within and beyond the City. Pedestrians are accommodated with sidewalks.”

- b. Residential Streets
 - i. MND recognizes significant queuing impact on Barrett and Charmeran Ave, both residential streets, (see: TIA: Driveway Operations & Neighborhood Intrusion) w/o limiting the use of these streets by project proponent
 - ii. LOS D at Camden/Union, high traffic volume on Woodard and Level F on westbound 85 Freeway will encourage use of residential streets as a cut-through, again MND does not limit the use of these streets by project proponent
 - 1. San Jose policy – “Automobiles, bicycles, and trucks are accommodated equally in the roadway. Transit use is rare. These streets accommodate low volumes of local traffic and primarily provide access to property. Through traffic is discouraged. Neighborhood traffic management strategies to slow and discourage through automobile and truck traffic may be appropriate. Pedestrians are accommodated with sidewalks or paths.”

2. Chapter 6 – Land Use and Transportation

- a. The proposed project does not meet policy standards since it fails to:
 - i. Foster job creation per Policy LU-1.1 Estimate is no net new jobs with existing staff moving to location
 - 1. San Jose policy - “Foster development ...particularly with respect to increasing jobs and economic development and increasing the City’s jobs-to-employed resident ratio...”
 - ii. Encourage walking per Policy LU-1.1. Ninety-nine percent (99%+) of student body and staff will commute
 - 1. San Jose policy – “Encourage Walking. Create safe, attractive, and accessible pedestrian connections between developments and to adjacent public streets to minimize vehicular miles traveled.”
 - iii. Meet local and state standards for traffic impact per Policy LU-1.5. Camden/Union & 85 freeway exceed LOS thresholds
 - 1. San Jose policy – “With new development or expansion and improvement of existing development or uses, incorporate measures to comply with current Federal, State, and local standards.”
 - iv. Preserve quasi-public lands suitable for private community gathering facilities, particularly within residential neighborhoods, per Policy LU-1.8
 - 1. Only 2% of students are from the Cambrian area of San Jose (Appendix D TIA: TDM Plan)

2. Only 18% are from all of San Jose area (Appendix D TIA: TDM Plan)
3. It is not suitable for the **local community** since access to it requires \$27,000 in annual tuition and 82% of proposed users are not in the San Jose community – this is not “quasi-public, it’s private
4. This use does not benefit the broader San Jose “community” and more specifically it does not benefit the Cambrian community
5. The project proponent use does not create a “community gathering facility”, since it is much different than a religious or fraternal institution serving the community or a YMCA or other truly quasi-public entity which serves the local community
6. San Jose is the largest city in the Bay Area and I understand that San Jose must have a regional perspective, however, when 82% of the users of a San Jose designated “quasi-public” facility come from outside San Jose, the City is not living up to the spirit of the policy to preserve “private community gathering facilities within residential neighborhoods”, especially given the negative impact to the community
 - a. San Jose policy – “Preserve existing Public/Quasi-Public lands in order to maintain an inventory of sites suitable for Private **Community** Gathering Facilities, particularly within the Residential Neighborhoods, Urban Villages and commercial areas, and to reduce the potential conversion of employment lands to non-employment use.”

Data Inconsistencies in TIA, MND, Public Statements & Undercounting Trip Counts

3. Inconsistent data between TIA, MND and Public Statements made by Harker
 - a. MND is based on results of TIA, TIA is inaccurate
 - i. Inconsistent trip counts
 1. TIA (518)
 2. MND (572)
 - ii. Inconsistent limits proposed
 1. MND & TDM (350)
 2. Public statements from Mr. Chris Nikoloff (206) – made 9/13
 - iii. Trip generation math doesn’t add up – $600 \text{ students} + 100 \text{ staff} * 1.23 = 861$ (TIA estimate is 518, even after applying current use deduction, count is understated)
 - iv. Trip generation count (Table 6 in TIA) does not include trips generated by 100 staff, only 600 students. If faculty plan to use vehicles all trips should be counted.
 - v. Trip generation count (Table 6 in TIA) reduces count due to “staggered start”. Counts should not be reduced for “staggered start” – all trips occur within peak hours (7am -9am) as outlined by San Jose Planning and should be counted
 - vi. Table in TIA (Appendix D: TDM Plan) is inconsistent with statement that 600 students attend the Harker School – only 491 accounted for in table and staff impact is not addressed
 - vii. Project proponent made statements to neighbors going door to door that the other option if Harker doesn’t move in is “low-income housing” even though Harker knew or should have known, that the second highest bidder was a business and the County turned down an offer from low-income housing group due to a low \$14m bid - this was publicly stated by a Cambrian resident at the meeting on 9/13

MND Recommendations

1. Require the project proponent to adhere to Envision San Jose 2040 policy definition of AM and PM

peak hours for vehicle trip counts (7AM – 9AM & 4PM – 6PM)

2. Require project proponent faculty, staff, parents of students and visitors to only use connector streets to get to and from property
 - a. Connector streets which are acceptable:
 - i. Union Ave
 - ii. Camden Ave
 - iii. Bascom Ave
 - b. Non-compliance would result in fines, mandatory use of shuttle service by violating faculty, staff or parents of students, reduction in student enrollment next term (e.g. Fall or Spring)
3. Prohibit the project proponent staff, parents of students, visitors from using residential streets to get to and from property
 - a. Residential streets which shall not to be used:
 - i. Charmeran Ave.
 - ii. Barrett Ave.
 - iii. Jacksol Ave.
 - iv. White Oaks Ave.
 - v. Esther Dr.
 - vi. Chelsea Dr.
 - vii. Herring Dr.
 - viii. Stratford Dr.
 - ix. Cole Dr.
 - b. Non-compliance would result in fines, mandatory use of shuttle service by violating faculty, staff or parents of students, reduction in student enrollment next term (e.g. Fall or Spring)
4. Prohibit left hand turn out of project proponent driveway during AM peak hours to discourage use of residential streets as through-way
 - a. With shuttle buses dropping off children at VTA bus stop and cars queuing in the median, it actually may be dangerous to permit left hand turns
5. Limit trip generation count to 210 per (Mr. Chris Nikoloff publicly committed to 206 on 9/13/12):
 - a. AM peak (7am – 9am)
 - b. PM peak (4pm – 6pm)
 - c. Trip generation count shall include all faculty, staff and parents dropping off students, plus visitors

- d. Verify trip count for three years at current Bucknell campus prior to occupying Union Ave property

6. TDM Monitoring

- a. Require monitoring of trip count by third party
- b. Trip count monitoring should be done randomly on a Tuesday, Wednesday, Thursday in both Fall and Spring
- c. The Harker School should not be made aware of monitoring prior, only after counts have been conducted
- d. Bi-annual, random monitoring should occur for a minimum of 10 years after school reaches maximum capacity (600 students + 100 staff)
- e. After monitoring period, project proponent must still maintain trip count below 210
- f. Community or City could request monitoring to begin again for any reason

7. TDM Non-compliance

- a. If trip count exceeds maximum permitted (maximum permitted is 210 trips generated in AM and PM) the project proponent will:
 - i. Increase TDM activities (e.g. require more students and staff to use shuttle program) immediately to get within compliance, including requiring participation in TDM
 - ii. Reduce enrollment in the next school term (e.g. if trip count exceeds maximum in Fall, reduction in enrollment should occur the following semester or trimester, not the following Fall, otherwise residents are subject to non-compliance for a year without relief)
 - iii. **NOTE** – current TDM proposal includes a third option – this should be removed since it will require Cambrian residents to constantly track and monitor City transportation policy changes, which is an unsustainable burden to Cambrian residents

- 8. Ensure impact of using VTA bus stop as shuttle stop is included in LOS and traffic modeling in TIA since traffic in right lane headed southbound on Union Ave will not be able to pass shuttles as the drop children off
 - a. Neighborhood preference would be to use project proponent driveway as shuttle drop off, not a city Connector street
- 9. MND should require shuttle bus to only use Connector Streets of Union, Camden and Bascom Ave per Envision San Jose policy given shuttles are coming from primarily from other cities
 - a. Connector streets “typically have four or six traffic lanes and would accommodate moderate to high volumes of through traffic within and beyond the City.”
- 10. MND should specify acceptable shuttle bus routes since it is unlikely that shuttle buses exiting Union Ave will be able to use VTA bus stop in front of property since it will require a u-turn on Union Ave or at one of the streets north (e.g. Barrett, Charmeran, which are residential)
 - a. One option is to exit on Bascom head north to Camden, head west on Camden and then

southbound on Union

11. Limit weekend use of property to Saturday's only to limit noise and traffic to neighboring homes
12. Limit special event use (e.g. graduations, holiday events, tournaments, etc.) to no more than 12 times per year, including weekend use
13. Limit winter and summer camp operating hours to week days
14. Require a minimum of 4 consecutive weeks without any activity (school in session, camps, tournaments, etc.) during the summer months
15. Lastly, some out of the box thinking - If the project is to move forward (with the recommendations above) and it is classified as quasi-public, then make facilities available at no cost to Cambrian residents or the City of San Jose – but specify availability , otherwise it is a hollow promise

Davidson, John

From: Felice Hollingsworth [felicehollingsworth@gmail.com]
Sent: Thursday, September 20, 2012 11:12 PM
To: Baty, John; Davidson, John
Subject: Harker Project PD12-027

Dear John Baty: John.baty@sanjoseca.gov & John Davidson: john.davidson@sanjoseca.gov

I want this feedback to be included in the public record for Harker project PD12-027.

As a longtime resident of Cambrian for over 23 years, I have witnessed many changes in our community, many of which have been positive. The Harker project has created a lot of controversy because it lacks written commitments from the school, the city and the county. It's like putting a puzzle together with pieces missing. I want my concerns to be noted.

Excessive Traffic: Access to Highway 85 is currently a nightmare between 7:30-9:00 am. Neighborhood traffic on Cole Drive has increased as commuters use it as a shortcut to Leigh Avenue and from Leigh Avenue to Union to gain access to Highway 85. Cole must be added to the "Restricted Street" list. We have already had a dog hit by a truck and a car rear-ended. Also, concerned parents have posted "Slow Down, Children at Play" signs on the street.

Drop off Locations: There was mention of drop off/pick up locations in the area. Have they been identified and will there be additional meetings to address citizens' concerns at these locations?

Staggered Schedules: Staggered drop-off schedules and limiting the number of vehicles entering the school seems far-fetched. Let's face it, if parents have to be at work by 9:00 am they will drop off their children when it's convenient for them. As a private school, they are paying for their children to attend and it's Harker's responsibility to accommodate them. I see little or no enforcement of the staggered schedule unless the city assigns a law enforcement officer to manage this and Harker pays for this service.

Community Use: Harker has verbally indicated a willingness to open its campus for community use for little or no fee. Until there is written documentation, we should consider the campus closed to the community.

I find it interesting that the city has expended so much time and resources in this project. I would like to see how much the city has already invested in analyzing the traffic conditions, coordinating community meetings, and responding to numerous resident complaints/comments. What are the financial costs and the benefits to the community by moving forward on this project?

Also, I would like to see County officials attend future meetings since this project impacts County residents

Sincerely,

Felice Hollingsworth
Cole Drive, San Jose

--



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Edmund G. Brown Jr.
Governor

September 19, 2012

Mr. John Davidson
Department of Planning Building and
Code Enforcement
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

REVIEW OF DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION,
HARKER SCHOOL REDEVELOPMENT PROJECT, SAN JOSE, SANTA CLARA
COUNTY (SCH# 2012082077)

Dear Mr. Davidson:

The Department of Toxic Substances Control (DTSC) has reviewed the Draft Initial Study/ Mitigated Negative Declaration (Draft IS/MND) for the Harker School Redevelopment project dated August 24, 2012. The due date to submit comments is September 24, 2012.

The City of San Jose (City) is seeking to obtain a Planned Development Permit to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus located at 4525 Union Avenue in the city of San Jose (Site). The project will consist of the demolition of two existing 4,800 square foot (sqf) buildings, construction of a new 17,500 sqf multi-purpose building, a 2,500 sqf accessory structure and other improvements for a private elementary school accommodating up to 600 pre-K through 5th grade students. Based on a review of the Draft IS/MND, DTSC would like to provide the following comments:

1. If the City plans to use State funds for the project, then the City shall comply with the requirements of California Education Code, § 17213.1 and § 17213.2, unless otherwise specifically exempted under § 17268.
2. If past or present structures existed on the Site, then these structures may have resulted in potential environmental concerns at the Site due to lead from lead-based paint and/or organochlorine pesticides from termiticide applications. In addition, past or present electrical transformers may have resulted in potential environmental concerns at the Site due to polychlorinated biphenyls associated with oils used within older transformers. DTSC recommends that these

environmental concerns be investigated and possibly mitigated, in accordance with DTSC's *"Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead from Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006"*.

3. If the Site was previously used for agricultural purposes, pesticides (such as DDT, DDE, toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the *"Interim Guidance for Sampling Agricultural Soils (Third Revision), dated August 2008"*. This guidance should be followed to sample agricultural properties where development is anticipated.
4. The Site appears to be located within 10-miles of a geological unit potentially containing naturally occurring asbestos (NOA). Pursuant to DTSC's *"Interim Guidance – Naturally Occurring Asbestos at School Sites, Revised September 24, 2004"*, further action should be considered and conducted to determine whether a naturally occurring hazardous material (i.e., NOA) is present, based on reasonably available information about the property and the area in its vicinity.
5. If a response action is required at the Site based on the results of the above investigations, and/or other information, the Draft IS/MND will require an analysis of the potential public health and environmental impacts associated with any proposed response action, pursuant to requirements of the CEQA (Pub. Resources Code, Div. 13, §21000 et seq.), and its implementing Guidelines (CCR, Title 14, §15000 et seq.), prior to approval or adoption of the Draft IS/MND for the project. A discussion of the mitigation and/or removal actions, if necessary, and associated cumulative impacts to the Site and the surrounding environment, should be included in the Draft IS/MND. It is DTSC's opinion that the discussion presented in the Draft IS/MND does not provide the detail necessary to meet the above requirements. If sufficient information to discuss the proposed mitigation and/or removal actions, and their associated impacts to the Site and the surrounding environment, are not available for inclusion in the Draft IS/MND, then an Addendum or Supplement to the Draft IS/MND may be required.

DTSC is also administering the Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program which provides low-interest loans to investigate and cleanup hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. These loans are available to developers, businesses, schools, and local governments.

Mr. John Davidson
September 19, 2012
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For additional information on DTSC's Schools process or CLEAN Program, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to discuss this matter further, please contact me at (916) 255-3695, or via e-mail at bud.duke@dtsc.ca.gov.

Sincerely,



Harold (Bud) Duke, PG
Senior Engineering Geologist
Northern California Schools
Brownfields and Environmental Restoration Program

cc: via e-mail

State Clearinghouse (State.clearinghouse@opr.ca.gov)
Office of Planning and Research

Michael O'Neill (Moneill@cde.ca.gov)
Department of Education – Sacramento, CA

Nancy Ritter (Nancy.Ritter@dtsc.ca.gov)
DTSC CEQA Tracking Center – Sacramento HQ

School Reading File – Cal Center

CEQA Reading File – Chatsworth

Davidson, John

From: Chris Carroll [chrismscarroll@yahoo.com]
Sent: Wednesday, September 19, 2012 12:10 PM
To: Baty, John; Davidson, John
Cc: Rocha, Donald; sherhold@mercurynews.com
Subject: Public comment on Harker project PD12-027

I am sending public comment on Harker project PD12-027, and I want it included in the public record.

I state that I am against the proposed project since it clearly doesn't meet the carefully targetted goals in the General Plan for this area, nor the Smart Growth Policys which we set to build our future neighborhoods for increased liveability. I am asking that the Bid be denied and the bidding process be reopened. Since the economy has improved we are likely to get a much better prospect, in alignment with our community development plans.

My objections are stated as follows:

1. Community losses.

My household is typical. One parent will have to drive a student from Charmeran Ave, across all of the Harker traffic, to get to Carlton Elementary, drop off the student, and come back to fight with the Harker traffic a 2nd time to get onto 85 North at Union. The second parent will already be fighting through the Harker traffic to get to the 85 onramp and then competing with them to get on the freeway. WE EACH WILL HAVE TO DEAL WITH THE HARKER TRAFFIC MESS TWICE EVERY WORKDAY MORNING FOR AS LONG AS WE LIVE HERE. That is a lot of traffic mess to put up with. In fact it will cost our household at least an hour a day plus frustration. No one has offered us any compensation or recourse for our costs in this project. And everyone else who uses Union or the 85 onramp will have the same kind of payment due every morning.

2. Even the police department cringes at this nightmare. The Union corridor is already a "high incident" area with 94 accidents in 4 years. Now you want to add 400 stop-and-go cars every morning and night. This is a 'through' corridor for moving cars through, not parking them! The difference in needs cannot be me simultaneously. It will be ugly, and very unsafe. And San Jose will have to pay for any attempts at traffic corrections too. And with the financial situation in our city, we will be in for lengthy delays if we get any help at all on that situation.

3. Harker lies. They told us their current neighbors "Don't mind the traffic around their existing schools" Well I believe Mr. Roadshow and he definately told a very different tale. I also believe the people in those neighborhoods who actively speak out about the problems. And I believe my own brakes when I have had to lock them up on Saratoga, in the disasterous drop off situation there. The truth is that Harker is probably more responsive than some other schools. But this Union site was built for a walk-in student body, and would make a lousy fit for a drop off campus. Everyone who lives here knows it. AT Bucknall the drop offs are scattered over 3 street entrances, not just one. Here the problems would be triple what is seen at Bucknall. That is obvious, so stop telling lies. And don't believe any traffic study they paid for.

4. We have no recourse. When it fails in a really ugly way, the familys who live here pay all the penalties, in increased commuting time, increased commute costs, increased commute frustration and anger, and decreased safety for our home based neighborhood, and decreased quality of life. The only time for our political process to look after our needs, the needs of their own constituents is NOW, before it happens.

5. Refuse the bid, since it clearly doesn't meet the carefully targetted goals in the General Plan for this area, nor the Smart Growth Policys which we clearly set to keep our neighborhoods pedestrian friendly, and minimize commuting. Both of these took years to develop and are completely valueless without adherence by our local leadership. Can't you be sued for failure to follow it's dictates? Aren't there penalties when the Planning commission ignores the body you are set to represent?

6. The people who donated(i.e. Joe Montana), built, and developed this property clearly intended it to be a community resource. Harker's school will do nothing for the community whatsoever. Los Altos maybe but Cambrian, San Jose nothing. Don't fall for any misrepresentation on that score.

7. Recently, Harker stated their clients "won't carpool." Don't you have to wonder why? So they suggested buses to another campus leaving from Los Altos. Now think about that. In a day when we are all trying to go Green to some extent, surely they can find a place that will save EVERYONE a long commute, a ton of energy and pollution and commuting stress on both parents and kids by locating the campus North where their client base lives. Don't exploit our little neighborhood, just because they can afford to. This project makes NO Sense for their kids or ours. Please, turn the bid down.

Chris Carroll
15171 Charmeran Ave
San Jose CA 95124

Davidson, John

From: Sharon Mandell [sharonomink@yahoo.com]
Sent: Tuesday, September 18, 2012 7:31 PM
To: Davidson, John; Baty, John
Subject: Harker Campus in Cambrian

Follow Up Flag: Follow up
Flag Status: Red

Gentlemen,

I live in the "affected" neighborhood of the apparently controversial new Harker campus. I need to say that I welcome the addition of such a quality institution as opposed to what might be other, less attractive options. Traffic in our neighborhood and area is almost non-existent, even at rush hour, and while I understand some small number of families may have to wait 30-60 seconds longer to get out of their driveways, the overall impact of Harker on the community will be a positive one. I hope you won't listen to the loud voices of the few in making your decision in welcoming a great school to the neighborhood.

I understand that some segment of the population feels Harker doesn't serve "our" needs. My daughter attended Harker from 4th-8th grade. We made a different choice for high school. I know at least five other families within two blocks of my home who send or have sent their children to Harker - so I believe it is a misrepresentation to say that Harker isn't for those who live in the immediate area.

Again, I encourage you to welcome Harker's SJ expansion to our neighborhood. I am sorry I haven't been able to attend the meetings and represent my opinion in person.

Best,
Sharon Mandell
4137 Houge Ct.
San Jose, CA 95124
408-410-6623

Sent from my iPad

Davidson, John

From: trhud5@aol.com
Sent: Tuesday, September 18, 2012 1:57 PM
To: Davidson, John; Baty, John
Cc: Rocha, Donald
Subject: Harker Project PD12-027

I want this feedback to be included in the public record for the Harker project PD12-027.

I am writing to you today to strongly oppose the Harker Academy proposed opening of the academy at the Children shelter located on Union Avenue. I believe that Harker is a remarkable Academy and in no way have any bias against this institution. I strongly believe that this location is unsuitable for any type of school setting..

I have been a homeowner within the Cambrian park area since 1988. I have seen much growth to this small area. When traveling a mere one mile . you will see the most growth as you travel from Camden Avenue to Los Gatos Almaden Road. Since living here we have seen many positive changes to the area such as Highway 85, and the Xilinx Corporation. Even though not warmly welcomed original, the Xilinx Corporation has worked hard to become a good neighbor, with many of the Xilinx employees living in our surrounding neighborhoods as well as getting involved, working in our locale schools, giving money and talent to help our children. Xilinx has worked hard to lessen the congestion they contribute to this already over worked roadway. Besides these two major factors located on this 1 mile stretch there are other major factors helping to overload Union Avenue. Down this one miles stretch we currently have 6 schools, both public and private, feeding out onto Union Avenue. Starting at one end with Saint Frances Cabrini School and Farnham Elementary, to the opposite end with Stratford School and Union Middle School. In the middle is Carlton Elementary and Global School of Silicon Valley. In addition to these schools there are numerous daycare facility's as well. Other growth in this one mile stretch is the high density housing that has been built at the corner of Los Gatos Almaden Road and Union Avenue as well as the Townhouses at Union and Carlton Avenue, which includes the Hospice of the Valley facility. At both ends of this one mile stretch we have two large shopping complexes, a gas station and strip mall at Woodard Road.

With this growth it has brought conveniences and positive changes for our community, but this little road has been pushed to the limit. The only option The City of SJ has had to help with the congestion down this 1 mile stretch is to put stop lights in some cases, every few feet! 8 traffic lights is the number of stops you will sit at in this 1 mile stretch of Union Avenue. 4 of these lights are within a few hundred feet of the Children's Shelter!

This community is not stating we do not want traffic we are stating that we are at the capacity of traffic for this small road that has no other options for expansion. We don't need anymore signals lights they don't solve the already overloaded traffic congestion on Union Avenue! What we do need is for our Government officials to do the right thing and opposed this project, which is the right thing to do for all including Harker Academy!

Regards

Tracy Hudson
14866 Conway Court
San Jose CA 95124 .

Davidson, John

From: Stacey Ament [saments@yahoo.com]
Sent: Monday, September 17, 2012 9:59 PM
To: John.batty@sanjoseca.gov; Davidson, John
Subject: Harker Opposition: I want this feedback to be included in the public record for Harker project PD12-027.

Dear Mr Batty and Mr Davidson,

I am deeply opposed to the City of San Jose allowing Harker Schools to open on Union Ave. It is completely irresponsible of the City to allow a business that would funnel 400+ additional cars a day through an already maxed out congested area.

This decision will not only impact our neighbors locally but add an additional burden to an already heavy commute on 85. The Union and Bascom highway entrances will be bursting at the seams for cars both coming and going during peak commute times. The negative impacts of Harker far outweigh any positives.

This type of business would be better suited going into a business park that is not surrounded by thousands of homes. It needs to be in an area where there is the infrastructure to support the additional traffic and parking.

Union does not allow for parking and drop off so the long lines of cars would completely bog down Union Ave. If a parent would choose to park and walk their child in they are at great risk of getting hit by a car. Harker is currently in a residential neighborhood where they can park and cross a residential street and drop their child off safely. The proposed Union location does not offer that.

The surrounding areas are home to many children who use the cross at Union and 85 to reach Union Middle School as well at Leigh High School. Any child that has to travel over the 85 freeway to reach their neighborhood school is in immediate danger due to the congestion of cars getting onto 85. Does the city plan to have a full time solution to ensure our children's safety? Is this even a concern?

If the city feels it is OK to proceed they should submit their detailed plan on how they will manage an already dangerous area during the morning commute.

I would suggest that Harker and the city has to bear the cost of supplying a full time cross guard at each crossing point on Union at Camden/Charmeran/Cole/85 Northbound entrance/85 Southbound entrance/ as well as the Bascom entrance to pedestrians can cross safely during morning drop off and afternoon pick up. Or, if Harker is a non profit would they be expected to contribute for it's neighbors safety? Would the tax payers in the surrounding area bear this burden as well?

NO ONE'S SAFETY SHOULD BE COMPROMISED SO THE CITY OF SAN JOSE CAN MAKE A REAL ESTATE DEAL.

Stacey Ament

Davidson, John

From: Kristin Vest [thevests@sbcglobal.net]
Sent: Wednesday, September 12, 2012 12:05 PM
To: Davidson, John
Cc: john.baty@sanjoseca.com
Subject: I want this feedback to be included in the public record for Harker project PD12-027."

Hello John,

There is already traffic difficulty at Union Ave and Northbound 85 every morning at school drop off times. I drive this every morning around 8:20, and the 85N onramp fills up so the left turn lane cannot turn on the green arrow so the traffic backs up onto Union Ave.

Almost every parent at Harker will likely drop off their child and then take northbound 85. I am imagining hundreds more cars jamming an already difficult area. I have not been informed of a single positive thing that Harker will bring to our community and I have no doubt that it will compound our traffic problems. If you want to do a traffic study, one morning, add 500 cars between 8:10 and 8:30 turning right onto 85N from Union on a school morning. Choose a rainy day when more people drive to school. (Not a Wednesday when public schools have a staggered start lessening traffic). See how people like it!

I live very close to Xilinx and they have been an excellent neighbor, active in our public schools, and they employ a significant number of people in our community. Please reconsider the sale of this property to Harker. Our elected officials need to consider the quality of life and community as well as sales price.

Thank You,

Kristin Vest

Davidson, John

From: Mark Hernandez [parkxray@yahoo.com]
Sent: Monday, September 17, 2012 1:18 PM
To: John.batty@sanjoseca.gov
Cc: Davidson, John
Subject: Against Harker

As a resident of the Cambrian neighborhood I am completely against another school in or area. We have two schools a few blocks away (St. Francis and Farham). Traffic and speeders are terrible. I look forward to the schools summer

break when this subsides. We don't need more traffic through our neighborhoods. From what I gather the school would not contribute any tax revenue for our financially strapped city or county services they will consume. I am not as well

versed as you folks are at running the show but It occurs to me you should have a business or some other entity the that would generate revenue for the local economy not one that takes and doesn't contribute.

Respectfully,

Mark Hernandez

Davidson, John

From: Baty, John
Sent: Tuesday, September 18, 2012 9:59 AM
To: Sheila Reno
Cc: Davidson, John
Subject: RE: Harker on Union
Attachments: PD12-027_HN.pdf

Hi Ms. Reno,
 Thank you for your email.

I will include your concerns in the public record for the proposed Harker School project.

You are also welcome to attend a Public Hearing for this project on Wednesday, September 26th at 9:00a.m. in the City Council Chambers to provide additional testimony. Attached is a copy of the Public Hearing Notice.

Regards,
 -John B.

John W. Baty, AICP, CGBP

Project Manager
 City of San José
 Planning, Building and Code Enforcement
 200 E. Santa Clara Street
 San Jose, CA 95113-1905
 (408) 535-7894 Direct
 (408) 292-6055 Fax
John.Baty@SanJoseCA.gov

From: Sheila Reno [mailto:sleeppr@sbcglobal.net]
Sent: Monday, September 17, 2012 1:09 PM
To: Baty, John; Davidson, John
Subject: Harker on Union

Hello Mr. Baty and Mr. Davidson,

For 19 years I have lived on Tomrick Avenue which is off of Barrett which is off of Union next to where Harker want to put their new school.

I have nothing against Harker.

I do have concerns regarding the traffic that will happen. We have all of us residents with children who have or want to drive our kids to school which means driving by the Children's shelter, by Xlinix and over 85. Those who need to go to work, or just run errands. It busy already. If you let Harker move in it will be a nightmare for us or when our children start driving themselves.

There is traffic with us parents driving kids to school, people who need to get on 85 for work or college. Then people who are getting off at union to go to Xlinix for work. If Harker is there and once they dropped off the children then they need to go somewhere, more cars trying to get on 85 with metering lights - which will back up Union more for us who are trying to get our kids to school, more cars on Union to Los Gatos Almaden Road, or Union to Camden, or worse on to out residential streets.

I remember when there was a night time accident and the city had to close Camden from Union to Bascom to make the safe repairs, Union was a mess! It was so hard for me to enter Union from Barrett

9/27/2012

because all the drivers, they were impatient they were tired of the traffic and how slow it was going because we were trying to merge in with them and they were trying to get on to 85 because they couldn't get on to 17, and the metering lights were on which made it worse than a snails pace.

Please consider our request not to permit Harker to buy the Children's Shelter location. I do believe Harker can find a more suitable location to continue their fine education.

Sincerely,

Sheila K. Reno
408-489-4647 (cell)

Davidson, John

From: Jon Sanchez [jpsanchez27@gmail.com]
Sent: Monday, September 17, 2012 11:28 AM
To: Davidson, John
Cc: Rocha, Donald
Subject: Harker School at Cambrian Park

Dear Mr. Davidson,

My name is Jon Sanchez. I am a resident of Cambrian Park, currently living on Ebbesen Avenue. My neighborhood is directly behind the Children's shelter and accessed off of Barrett Avenue.

I am deeply concerned that if Harker School were allowed to move in at the current Children's shelter location, traffic on Barrett Avenue would be inappropriate to the kind of neighborhood we currently maintain behind the shelter. Barrett lies between Union and Bascom and is already a thoroughfare for inconsiderate people driving their cars well over the 25 mph speed limit and into the 40 mph range. In addition, the line that would form twice a day at Barrett and Union and would not be constructive for the neighborhood.

If there was some way to guarantee to the residents that Barrett would not be used for the loading and unloading of kids, this may help assuage residents that there is some benefit to Harker coming into the area.

Thank you,
Jon

Davidson, John

From: Baty, John
Sent: Tuesday, September 18, 2012 9:42 AM
To: Marie MacDonald
Cc: Davidson, John
Subject: RE: Harker School Project - Concerned Cambrian Neighbours

Mr. and Mrs. MacDonald,
 Thank you for your email.

Your feedback will be included in the public record for the proposed Harker School project (PD12-027).

Regards,
 -John B.

John W. Baty, AICP, CGBP

Project Manager
 City of San José
 Planning, Building and Code Enforcement
 200 E. Santa Clara Street
 San Jose, CA 95113-1905
 (408) 535-7894 Direct
 (408) 292-6055 Fax
John.Baty@SanJoseCA.gov

From: Marie MacDonald [mailto:kenandmarie@simplylagos.com]
Sent: Friday, September 14, 2012 8:45 AM
To: Baty, John; Davidson, John
Subject: Harker School Project - Concerned Cambrian Neighbours

Dear John Baty: John.baty@sanjoseca.gov & John Davidson: john.davidson@sanjoseca.gov

I want this feedback to be included in the public record for Harker project PD12-027.

We would like to draw your attention to our concerns regarding the Proposed Harker School Project in our Cambrian Community. We have been attending the various community meetings which have been informative but that still leave opened issues. Harker had expressed verbally several commitments to address community concerns. This is good and these need to be firmed up in writing with penalties to Harker for non-compliance.

Traffic: There needs to be documented evidence of better management of parent dropoff/pickup traffic that overflows on to the street. Harker need to be held accountable to Firm Restricted Streets and to Documented Staggered Drop-off/Pick-up Times.

Firm Restricted Streets: We live on Cole Drive which becomes a major through-way for Community Rush-Hour Traffic. Speeding is also an issue on Cole. Cole must be on the list of Restricted Streets with penalties to parents if they ignore restricted streets. This is critical for the safety of our children and our pets.

Staggered Drop-off/Pick-up Times: There needs to be a firm number of staggered time-slots and a firm number of cars allowed per staggered time slot.

Access to Facilities: Harker verbally expressed that facilities will be opened to the community "when available" with low to no cost, but this is very vague and generic. I would like to see a documented commitment to weekly number of hours of community access to facilities and cost/no cost commitment.

9/27/2012

This will show that Harker is working in the spirit of partnership to the community.

Commitment to Implementation of a Community Council: Harker verbally expressed that they would be opened to such a forum. Again I would like to see a written commitment that Harker initiates this council on receiving Final Approval to proceed. In the first 6 months of Harker Go Live Date, the council should meet daily to address traffic and other priority issues, moving to a weekly, then monthly forum.

I appreciate your attention to our concerns intended to preserve the culture and lifestyle of our Cambrian Community. Requesting Harker make their commitments in writing while applying penalties for non-compliance will hold Harker accountable for their commitments. If they are truly committed to partnering and being thoughtful of our Cambrian Community, they will embrace these requests.

Sincerely,
Marie and Ken MacDonald
Cole Drive, San Jose

Davidson, John

From: Kristin Vest [thevests@sbcglobal.net]
Sent: Wednesday, September 12, 2012 12:05 PM
To: Davidson, John
Cc: john.baty@sanjoseca.com
Subject: I want this feedback to be included in the public record for Harker project PD12-027."

Hello John,

There is already traffic difficulty at Union Ave and Northbound 85 every morning at school drop off times. I drive this every morning around 8:20, and the 85N onramp fills up so the left turn lane cannot turn on the green arrow so the traffic backs up onto Union Ave.

Almost every parent at Harker will likely drop off their child and then take northbound 85. I am imagining hundreds more cars jamming an already difficult area. I have not been informed of a single positive thing that Harker will bring to our community and I have no doubt that it will compound our traffic problems. If you want to do a traffic study, one morning, add 500 cars between 8:10 and 8:30 turning right onto 85N from Union on a school morning. Choose a rainy day when more people drive to school. (Not a Wednesday when public schools have a staggered start lessening traffic). See how people like it!

I live very close to Xilinx and they have been an excellent neighbor, active in our public schools, and they employ a significant number of people in our community. Please reconsider the sale of this property to Harker. Our elected officials need to consider the quality of life and community as well as sales price.

Thank You,

Kristin Vest

Davidson, John

From: Baty, John
Sent: Tuesday, September 18, 2012 7:51 PM
To: Terry Lanier
Cc: Davidson, John; Mack, Karen; Banwait, Manjit
Subject: RE: Harker school
Attachments: PD12-027_HN.pdf

Terry,
Thank you for your email.

I will include your concerns regarding the proposed project in the public record and also share them with John Davidson on our Environmental Team and with Karen Mack & Manjit Banwait in Public Works.

You are welcome to attend a Public Hearing for this project on Wednesday, September 26th at 9:00a.m. in the City Council Chambers to provide additional testimony. Attached is a copy of the Public Hearing Notice.

Regards,
-John B.

John W. Baty, AICP, CGBP

Project Manager
City of San José
Planning, Building and Code Enforcement
200 E. Santa Clara Street
San Jose, CA 95113-1905
(408) 535-7894 Direct
(408) 292-6055 Fax
John.Baty@SanJoseCA.gov

From: Terry Lanier [mailto:Terry@imgw.com]
Sent: Wednesday, September 12, 2012 9:49 AM
To: Baty, John
Subject: Harker school

John,

I am a Cambrian resident, living on Conway Ave, inside the impact zone.

I am concerned that there will be left turns permitted, both into and out of the site.

My concerns center on two things.

Especially in the morning, Union Ave is very busy. Allowing left turns will impact traffic flow adversely. People will be waiting to make left turns in the median strip and there will be near misses and possibly accidents as drivers become impatient and then dart across incoming traffic.

As you know, Conway Ave crosses Cole. We are in the portion of Conway to the south of Cole. Before 85 opened, we were assured that there would be no traffic impact on Cole, with people driving up Cole to access the northbound onramp. Not only is there increased traffic on Cole, but it is commuter traffic traveling at speeds unsafe for a residential neighborhood. It is common to have to wait for several cars to pass before being able to turn west onto Cole, at any hour of the day and in particular during the morning commute. I cannot believe that there will not be an increased impact when parents are dropping off children in the morning and picking them up in the afternoon.

Thank you for your attention to my concerns.

Tharan J Lanier, CPA
LMGW Certified Public Accountants
20520 Prospect Road Suite 200
Saratoga, CA 95070
(408) 252-1800 x225
Fax: (408) 252-1875
www.LMGW.Com



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Davidson, John

From: John [jim.jim@gmail.com]
Sent: Thursday, September 20, 2012 8:23 AM
To: Baty, John
Subject: Re: Planned Development Permit

Follow Up Flag: Follow up
Flag Status: Red

Mr. Baty:

Thank you for replying to my e-mail and taking into consideration my comments. Unfortunately I am unable to attend the Public Hearing that will be taking place on September 26th due to prior commitments. As much as I would love to give my voice on the issue pertaining to Harker taking over the old Children's shelter on Union Ave., I feel it is a done deal in granting Harker the site. No matter what the citizens of Cambrian Park say, do I feel will sway the decisions that the Planning Department has already decided. I do want to inject one statement if you will allow me. In every community lies the people that make up that community and the city of that community looks to these citizens for support. On the other hand the community looks to the city to protect them, help them in their problems along with not allowing outside forces to disrupt their way of life. As I and a number of other citizens of the Cambrian Park area surrounding this site, we ask ourselves "What does Harker bring to our community that will benefit us"? As we see it, there will be traffic congestion, noise pollution and a large number of traffic accidents, we don't see any benefit.

Mr. Baty, it is a heavy decision on you and the board whether or not to allow Harker to take over this land. If it is the money the city needs, I can not argue with you. I am well aware the city of San Jose needs money, but if you want to weigh the statement on how can Harker benefit the community you need to decide against granting Harker. After living in the area for over 50 years I take great pride in my community. If you doubt my concerns please feel free to discuss the matter with your own people Mr. Lanz and Mr. Upson. I have had a number of dealings with both gentlemen. GFor once I wish the citizens of this community would be heard. As I close sir....."Good Luck" and Thank you once again.

John Masciocchi

On 9/18/2012 7:47 PM, Baty, John wrote:

> Mr. Masciocchi,
> Thank you for your email.
>
> I will include your concerns regarding the proposed project in the public record.
>
> You are also welcome to attend a Public Hearing for this project on Wednesday, September 26th at 9:00a.m. in the City Council Chambers to provide additional testimony. Attached is a copy of the Public Hearing Notice.
>
> Regards,
>
> -John B.
>
> John W. Baty, AICP, CGBP
> Project Manager
> City of San José
> Planning, Building and Code Enforcement 200 E. Santa Clara Street San
> Jose, CA 95113-1905
> (408) 535-7894 Direct
> (408) 292-6055 Fax
> John.Baty@SanJoseCA.gov
>
> -----Original Message-----

> From: John [mailto:jjm.jjm@gmail.com]
> Sent: Tuesday, September 11, 2012 4:43 PM
> To: Baty, John
> Subject: Planned Development Permit
>
> Mr. Baty:
>
> As a residence living at 15340 Charmeran Ave. I wanted to inform you
> that it saddens me greatly that the Cambrian Park area will be taking
> on a new bully and that is Harker School. I am a very long residence
> within the Cambrian Park area. Matter of fact as a child I attended
> the site in question when it was Parker Elementary. I then went on to
> Union Middle School and finally attended Camden High School that is
> now a mall with Lucky as its leader. Both Parker and Camden were torn
> down "NOT" because there was a need but because money was a big
> factor. I realize Harker is paying big bucks and San Jose needs the
> money. Harker I have dealt with in the past and well aware they are a
> very powerful
> institution within San Jose. Cambrian Park which was once was
> a cozy bedroom community is now a High Tech development with cars
> buzzing at full speed, with no concern what will happen once a place
> is developed.
> All I can say that it is going to be one big mess between the students
> of Harker, Highway 85 and don't forget the electronic firm Logic.
> This does not include the two schools on Woodard Road. I fear someone
> is going to get hurt or even worse, killed. Then what.
> Mr. Baty, I am well aware I have no power to stop this nor am I a
> powerful political figure head within Cambrian Park.
> I am well aware money talks louder then the concerns of the people
> that live by.
> It is going to be very interesting what happen.
> Good Luck
>
>
> John Masciocchi
>
>

Davidson, John

From: Burke Family [burkebnc@pacbell.net]
Sent: Monday, August 27, 2012 8:20 PM
To: Baty, John
Cc: Davidson, John; Hamilton, Peter
Subject: Re: PD12-027 The Harker School - Public Notice Intent to Adopt a Mitigated Negative Declaration

John,

Thank you for sending. I'm very disappointed that the planning department views the addition of 350 cars twice a day in my neighborhood acceptable.

Where should persons submit written comments?

Thanks,

Brian

Sent from my iPad

On Aug 27, 2012, at 11:56 AM, "Baty, John" <John.Baty@sanjoseca.gov> wrote:

Dear Community Member:

You are receiving this email because you signed-up at the August 14, 2012 community meeting to receive future updates on the proposed Harker School at 4525 Union Avenue. If you no longer wish to receive email updates please let me know and I will remove you from the list.

This email is to let you know that the City has performed environmental review on the proposed project to allow redevelopment of the existing 7.7 acre former Santa Clara County Children's Shelter campus for a private elementary school use for up to 600 pre-K through 5th grade students.

Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented.

The public comment period for this draft Mitigated Negative Declaration ends at **5:00 p.m. on September 24, 2012**. Before that time/day, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

The draft MND, initial study, and reference documents are available online at:
<http://www.sanjoseca.gov/planning/eir/MND.asp>

Regards,
-John B.

John W. Baty, AICP, CGBP
Project Manager
City of San José

Planning, Building and Code Enforcement
200 E. Santa Clara Street
San Jose, CA 95113-1905
(408) 535-7894 Direct
(408) 292-6055 Fax
John.Baty@SanJoseCA.gov

Davidson, John

From: Kurisu, Stacy [skurisu@angioscore.com]
Sent: Thursday, August 16, 2012 12:43 PM
To: Baty, John
Subject: Cambrian and Harker Academy

Hi John,

My name is Stacy Kurisu and I live in the unincorporated pocket of Cambrian across from the proposed Harker Academy campus. As a resident and parent of the community, I support providing excellent education to our children; however, I must consider the safety of my family and neighbors first. My house is on Standish Drive, which is often used as a thoroughfare into and out of our neighborhood. My neighbors and I are currently working with the County and CHP on speed abatement measures because on a few occasions, speeders have almost hit our kids playing outside (we have 17 kids on our section of Standish between Cole and Branham ranging from 2 years to 16 years).

We have asked the County to look at installing roundabouts, speed bumps, etc.; however, due to budgets, we are told this is not feasible. I am hoping that the visibility the issue is now receiving, and the upcoming Traffic Assessment, will open up the possibility for some of these solutions to be executed, and/or support our fight for alternative solutions to keep us safe!

I understand that the site will be occupied, whether it's by Harker Academy or someone else. Therefore, I ask that you please help us with our mission to keep our streets safe by recommending and supporting speed abatement measures in our neighborhood.

Thank you!

Sincerely,

Stacy Kurisu
14928 Standish Drive
San Jose, CA 95124

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 12:32 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Sridhar Gangadharan** <sridharg@pacbell.net>
Date: Wed, Aug 15, 2012 at 10:40 AM
Subject: Against the Motion: Harker's planned purchase of Children's Shelter School
To: SayNoToHarker@gmail.com

ATTN: San Jose Planning Department

I am against the idea of Harker's planned purchase of Children's shelter School. As a San Jose resident, I feel this will severely impact many aspects of the Cambrian community.

- 1) Traffic - This will severely impact parents who are dropping their kids to St. Frances Cabrini (on Woodard Drive). People who want to use 85 would either need to take city roads and/or add at least another 10-15 mins to their commute.
- 2) Children's Shelter was non-profit philanthropic entity. Harker is a money making business machine with no tax benefits to the City. Do we really want to go that route? BTW, what happens to the kids in Children's Shelter?
- 3) I understand Harker is not opening a new school, but simply relocating their old one. This would mean, no additional jobs.

I don't see any additional benefits to the City of San Jose or the residents of Cambrian. The only one to profit from this is the Harker School Management.

Regards,
Sridhar

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 12:33 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: Crystal Mangiameli <nicongigi@yahoo.com>
Date: Thu, Jun 21, 2012 at 4:48 PM
Subject:
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

To Whom It May Concern,

I live in the Cambrian neighborhood off of Cole Drive. I am very worried and concerned about the talks of Harker Academy purchasing the Children Shelter. Putting Harker Academy on Union Avenue, a street that is already congested with traffic would be a huge mistake. With Highway 85 being right there, it is hard enough trying to get onto Union Avenue to take my kids to school. I feel that it will also be a safety hazard for the kids walking and riding bikes to school. I oppose this purchase and hope that the concerns of the Cambrian Neighborhood would be recognized and respected. We do not want Harker Academy here!

Best Regards,

Crystal Mangiameli

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 12:33 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Melanie Lara** <tyjmmelara@yahoo.com>
Date: Thu, Jun 21, 2012 at 1:28 PM
Subject: NO TO HARKER!
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>
Cc: Melanie Lara <tyjmmelara@yahoo.com>

To whom it may concern,

This email is to let you know that I'm joining my neighborhood in an effort to stop Harker from purchasing the Children's Shelter on Union Ave.

Plain and simple, I'm not supporting it because of the potential traffic chaos that it would create on our streets. Not only it will be a traffic nuisance, but more dangerous for the kids too because of additional vehicles driving through. Being on Mystic Drive and facing Houge Park, we already experience traffic because of people going to the park. We certainly don't need more.

Please stop Harker!

Sincerely,
Melanie Lara

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 12:34 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Cynthia Nelson** <cyndywalking@sbcglobal.net>
Date: Thu, Jun 21, 2012 at 12:06 PM
Subject: Concerns regarding Harker
To: saynotoharker@gmail.com

To whom it may concern,

I'm a resident in the neighborhood where Harker Academy is planning to take over the former Children's shelter. I'm very, very concerned about how the increase in the number of cars dropping off & picking up the children from school will impact my neighborhood. There is already a large amount of traffic in the neighborhood with the businesses, freeway entrance & exit, and several schools in area. Regularly, cars trying to get onto the freeway block the ability of other cars to drive along Union Ave. I worry that the increase in traffic will greatly impact my ability to exit my street onto Union Ave in order to get my self to work & my own child to our neighborhood public school. In addition, my street is frequently used as a means to get from Union Ave to Bascom Ave. These drivers usually speed down our street without respect for the families and young children that live on our street. I'm afraid that more drivers, parents in a hurry to get to work after dropping off their children or onto errands after picking up their children, are going to be racing up and down my street when the Harker school opens on Union Ave.

Respectfully submitted for your consideration,
Cynthia Nelson

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:14 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: <stephanie-oneill@comcast.net>
Date: Wed, Jun 20, 2012 at 6:19 PM
Subject: Against Harker School moving into our neighborhood
To: saynotoharker@gmail.com

Hello,

I am a homeowner on Barrett Avenue and my backyard shares a retaining wall with the childrens shelter. I am totaly against the Harker School moving in and distrupting our neighborhood! As it stands now, traffic is terrible on Union Avenue and it will only get worse if Harker School or any school opens at this facility. My oldest son currently rides his bike to school and I would not trust the several hundred parents rushing to drop their children off, to make his safety their priority. Harker School moving in to our neighborhood is not an option!!
Stephanie O'Neill

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:14 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Yang Song** <helenyangsong@yahoo.com>
Date: Wed, Jun 20, 2012 at 12:25 AM
Subject: Say No to Harker
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>
Cc: "helenyangsong@yahoo.com" <helenyangsong@yahoo.com>

To Whom It May Concern,

If Harker buys the Children's Shelter, we will have a traffic nightmare. My family are strongly against this purchase. We've been living in this neighborhood for more than 10 years, and we value our great neighborhood. We do not want this purchase break our peaceful live and put us in danger. I hope our voice will be heard clearly. Thank you.

Helen Song, Wei Chen & Family

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:14 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Victor Huang** <huangvictor@hotmail.com>
Date: Tue, Jun 19, 2012 at 9:28 PM
Subject: No Harker
To: saynotoharker@gmail.com

I strongly against Harker builds a school in our neighborhood. This will put our kids in dangerous. It's already many schools in our neighborhood, we don't need any more schools around us.

Please count my vote to SAY NO TO HAEKER! I will do whatever I can to stop Harker in our neighborhood and safe our kids.

Your neighbor,
Victor Huang

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:16 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: <chingng97@yahoo.com>
Date: Tue, Jun 19, 2012 at 8:28 PM
Subject: I DO NOT want Harker in my neighborhood!!!
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

My son rides the bike to school at Leigh and has complained about drivers not paying attention to cyclist.
I can just imagine the increase in traffic and increased risk for my son and all the children cyclists out there. No, no, no to Harker!!!! Keep Harker School out of my neighborhood!!!!

Ching Ng
Resident of cambrian neighborhood

Sent from my iPad

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:16 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Phillip Yuste** <mjypay@att.net>
Date: Tue, Jun 19, 2012 at 7:41 PM
Subject:
To: saynotoharker@gmail.com

The traffic will be awful. The impact of the stress due to traffic will be enormous to the neighborhood. This location was for a children's shelter never meant for a school of this size.

I SAY NO.....

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:17 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Mark Hernandez** <parkxray@yahoo.com>
Date: Tue, Jun 19, 2012 at 7:02 PM
Subject: Harker
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

I oppose the shelter becoming a school. Funding and county building approval was originally for a SHELTER not a school.

Stratford Drive resident.

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:17 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: Crawford, Marilyn <Marilyn.Crawford@sjcc.edu>
Date: Tue, Jun 19, 2012 at 9:08 AM
Subject: Children's Shelter - Harker School
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

I live on Herring Avenue. During the school year I have a difficult time commuting through traffic going to St. Francis Cabrini School. The parents driving their children to school are aggressive and dangerous.

At the stop sign located at Esther and Herring streets, parents barge through not following the law for a four way stop. The same thing happens at Esther and Woodard.

Trying to turn left on Union at Chameran can be very dangerous. Parents will create a non-existent lane by darting around a car turning left (south) on Union so they can rush across the intersection. There have been many near collisions at this intersection. Other times parents will be in such a rush that they will not notice bicycles or pedestrians in the crosswalk.

In addition, cars going west through the light at Charmaran and Union will bear right onto Herring and cut the curve too tight. This places them clearly in the east bound lane for traffic approaching Chameran. There have been several near accidents at all of these locations.

Dealing with more aggressive parents driving their children to school through our neighborhood has been a constant nightmare. for several years I can't believe that we are going to add up to 600 parents to the problem.

Moreover, I don't know what these parents are thinking. They are placing their children at risk of physical injury but they are also teaching their children to break the law, to be aggressive, and to be disrespectful to other citizens with whom they should share the road.

Then after teaching their children these horrific lessons, these very parents expect their children to arrive at school calm and collected ready to absorb the lessons the teacher's have prepared for the day. Parents are their children's first teachers. These parents are teaching behavior that degrades the interaction in the classroom and in the neighborhood.

I support the efforts to prevent Harker School from purchasing the Children's Shelter on Union Avenue. The content of this email may be used to support the effort to block the purchase of the Children's Shelter, however, you must request permission to use my name.

Marilyn Crawford, M.Ed.
Learning Specialist
Educational Therapist

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:18 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **t Venegas** <tevenegas@yahoo.com>
Date: Tue, Jun 19, 2012 at 7:16 AM
Subject:
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

No on bringing in Harker

Theresa Venegas

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:18 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Lisa Spinale** <lisaspinale@yahoo.com>
Date: Mon, Jun 18, 2012 at 8:32 PM
Subject: Against the move
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

To Whom This May Concern,

I found out today that Harker Acedemy is in the process of buying the old Children's Shelter building over here on Union Ave/85 next to Xilinx. I am not against Harker itself, but I am against the conjested traffic it will create year round. We recently bought a our first home within walking distance to this location due to the safe neighborhood and no traffic which is perfect for our kids to play, and it is quiet. It will completely change everything for our kids and our neighborhood if Harker transfers here. It will be extremely disappointing.

I vote "NO"! I am letting everyone in our neighborhood be aware.

Thank you for reading~

Lisa Spinale

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:15 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Roger Murray** <mrleeroymurray@sbcglobal.net>
Date: Mon, Jun 18, 2012 at 6:30 PM
Subject: No to another School
To: saynotoharker@gmail.com

To whom it may concern,

I disagree with another school in our area; we need to support our local public schools with parent support and commentment. We can bring a change if we all work together.

Roger,

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:19 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Kristin Vest** <thevests@sbcglobal.net>
Date: Mon, May 7, 2012 at 6:25 PM
Subject: I agree!
To: SayNoToHarker@gmail.com

I often have to wait two cycles to get through the light at Union and Logic drive after I drop off at Carlton at 8:10am. I share all of the concerns about traffic on Union Avenue. 600 cars dropping off and picking up each day seems a lot for our neighborhood to bear with no discernible benefit. Would much prefer Xilinx !

Kristin Vest
4591 Marbella Ct.

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:19 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Stacey Ament** <saments@yahoo.com>
Date: Mon, May 7, 2012 at 4:35 PM
Subject: Say No to Harker School
To: "saynotoharker@gmail.com" <saynotoharker@gmail.com>

To Whom it May Concern,

I am writing this letter in opposition to the planned Harker School opening at the former SCC Children's Shelter at 4525 Union Ave.

Moving the Harker School to this location would severely impact an already heavily congested area.

The Harker traffic would not only impact Union Ave but would increase the cut through traffic through the surrounding neighbor hoods through Cole Ave, Standish Ave from Leigh, Bascom and Camden. These areas are unincorporated and do not have sidewalks.

Our children ride their bikes and walk through these streets. Redirecting traffic through these areas would increase the risk of accidents within our neighborhoods tremendously.

It is incredibly irresponsible of Santa Clara County to allow this type of business to move within our neighborhood without having a plan as to handle the increase in traffic.

Stacey Ament
14870 Berry Way
San Jose, CA 95124

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:19 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Jodi S. Lemons** <jodi@joellemons.com>
Date: Mon, May 7, 2012 at 8:58 AM
Subject: HARKER GO SOMEWHERE ELSE!
To: SayNoToHarker@gmail.com

When I heard about Harker School potentially coming to my Cambrian neighborhood, I immediately envisioned the chaos that would ensue. The Cambrian neighborhood should remain a tree-lined, traffic-free, quiet and safe place to live. This is OUR neighborhood and residential families take a lot of care to make sure our streets remain like the "old fashioned" neighborhoods from the 1950's. I personally take pride in the fact that I live in an area where neighbors talk to each other, block parties are held and the spirit of a community lives. I OPPOSE Harker School muscling their way into my neighborhood, bringing speeding cars, unsafe drivers, excessive noise and pollution to my peaceful community. NO! NO! NO! I already see the impact that the Samaritan Drive townhouses has brought to my street. Every morning cars race down my street, parents block streets, driveways, it's like a racetrack. The drivers (parents) have no regard for the streets, they're not theirs, they just use them as thoroughfares and parking lots. The increase in car traffic has been astounding. We were assured that our quiet neighborhood would remain unchanged. Not so! Harker, find another location, leave OUR neighborhood alone. We love living and raising our children in this community. We are a family community, let us stay that way.

Jodi Lemons

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:20 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: janaepierre@yahoo.com <janaepierre@yahoo.com>
Date: Mon, May 7, 2012 at 8:54 AM
Subject: NO on Harker on Union Avenue
To: saynotoharker@gmail.com

I say NO to Harker on Union Avenue. I do not support them coming into our neighborhood, creating a parking lot on Union avenue and the surrounding areas, adding excessive pollution with their archaic drop off and pick up methods, and then leaving our community for the day while we live in the mess. If they can afford \$26k for a kindergarten education, then they can afford a location that has more open space and will not create so much havoc to the residents. We do not want to pick up their mess. I do not support Harker's purchase of this facility on Union avenue. You will have so many unhappy and protesting residents that it will not bring benefits (financial or otherwise) to the community.

Say no to Harker!

Janae Pierre

Resident on Union Avenue near Carlton and parent of children attending Carlton Avenue school

Davidson, John

From: Aine O'Donovan [aine_odonovan@yahoo.com]
Sent: Monday, September 24, 2012 1:21 PM
To: Baty, John; Rocha, Donald; Davidson, John; Ken.Yeager@bos.sccgov.org
Subject: Response to PD12-027 The Harker School

Please include the following email in the public record for the Harker project PD12-027.

Thank you,
Aine O'Donovan

----- Forwarded message -----

From: **Shanthi venkatesh** <shanthi.venkatesh@gmail.com>
Date: Thu, May 3, 2012 at 1:10 PM
Subject: No Harker
To: SayNoTOHarker@gmail.com

Dear Sirs/Madams

No Harker Academy please!

This would be a negative impact for our neighborhoods. For example, traffic is already too heavy at the 85 and U need relief as it is. The addition of a school with several hundred students and around 90 staff members and their impact the traffic. This will likely lead to our residential streets being used as short-cuts from Leigh, Bascom and Please NO Harker school or any institution at this site that would increase our already heavily congested area.

Sincerely
Shanthi N
Salina dr.
San Jose