

APPENDIX A

**NOTICE OF PREPARATION, DISTRIBUTION LIST
AND COMMENTS RECEIVED**

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE
BALLPARK STUDY IN THE DIRIDON/ARENA AREA
IN THE CITY OF SAN JOSE**

Project Applicant: San Jose Redevelopment Agency
File Number: PP05-214
APN: 251-35-014; 259-48-011, -012, -013, -052, -053, -057, -060,
and -071; 261-35-002, -003, -006, -007, -010, -027, and
-030; and 261-37-025

As the Lead Agency, the City of San Jose will prepare an Environmental Impact Report (EIR) for a Ballpark Study in the Diridon/Arena Area and would like your views regarding the scope and content of the environmental information to be addressed in the EIR. The EIR may be used by your agency when considering approvals for this project. A brief description of the proposed project, its site boundaries, and a summary of the potential environmental effects are attached.

The project description, location, and probable environmental effects, which will be analyzed in the Draft EIR for the project, are attached. According to State law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. **Written comments will be accepted until January 3, 2006.** Please identify a contact person, and send your response to:

City of San Jose
Department of Planning, Building and Code Enforcement
Attention: Michael Rhoades
200 East Santa Clara Street, 3rd Floor
San José, California 95113
(408) 535-7823

Stephen M. Haase, AICP
Director, Department of Planning, Building & Code Enforcement

Deputy

Date: November 28, 2005

**NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE
BASEBALL STADIUM IN THE DIRIDON/ARENA AREA**

**San Jose, California
November 2005**

A. Introduction

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential for significant impacts on the environment; examine methods of reducing adverse environmental impacts; and consider alternatives to the project.

The Baseball Stadium in the Diridon/Arena Area Environmental Impact Report (EIR) will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the *CEQA Guidelines*. In accordance with CEQA requirements, the EIR will include the following:

- Summary of the proposed project and its potential environmental effects;
- Description of the proposed project;
- Description of the existing environmental setting, potential environmental impacts, and mitigation measures;
- Cumulative impacts;
- Alternatives to the proposed project; and
- Environmental consequences of the project, including: 1) the growth-inducing impacts of the proposed project; 2) any significant environmental effects which cannot be avoided if the project is implemented; 3) any significant irreversible and irretrievable commitments of resources; and 4) effects found not to be significant.

B. Project Location

The project site is located within the City of San Jose, in Santa Clara County. Figure 1 shows the project's regional location. The project site extends from the general area of West San Fernando Street south to West San Carlos Street. The site extends from Los Gatos Creek west to the rail road tracks. Figure 2 shows the location of project parcels in a local context.

The project site is comprised of varying land uses including commercial, light industrial, and office uses and associated surface parking lots and the San Jose Fire Department Training Center. Buildings in the project site range from one- to three-stories.

C. Description of the Project

The City of San José and the Redevelopment Agency of the City of San Jose are considering the development of a major league baseball stadium, a parking structure and a future commercial development site. Figure 3 (Site Location Study) shows a preliminary schematic drawing for the project. This Notice of Preparation is based on a conceptual plan for the stadium.

The project would reconfigure the 17 existing parcels in order to develop an approximately 706,800 square foot major league baseball stadium. Maximum capacity of the stadium would be 45,000 patrons. The baseball stadium, including all scoreboards, would have a maximum height of 200 feet. The lighting structures could exceed 200 feet in height, but no higher than 260 feet.

The stadium facility would also contain a combination of retail and restaurant uses either associated directly with the stadium or facilities located on the exterior of the building that provide general commercial or retail or food services.

As part of the proposed project, an approximately five-story, 1,200-space parking structure is proposed south of the stadium, south of Park Avenue. A pedestrian bridge crossing Park Avenue would connect the stadium and parking structure. Access to the parking structure would be provided from Park Avenue and South Autumn Street.

The project may also include the relocation of a PG&E substation currently located on the stadium site to a different location on the stadium site or to a location near or adjacent to the proposed parking facility on the south side of Park Avenue. If the substation is relocated, the existing substation will have to be decommissioned.

A future development site, located adjacent to the parking structure, at the southwest corner of Park Avenue and Bird Ave, is included as part of the proposed project and may include commercial uses associated with the baseball stadium. The height of the building on this site would be approximately 200 feet or less.

The baseball stadium would be located along the western edge of Downtown San Jose, and as such, would be accessible via several forms of public transportation. Existing transit service within the greater downtown area is provided by the Valley Transportation Authority (VTA), which provides bus, shuttle, and light rail services within Santa Clara County. The San José Diridon Station is located one block north of the project site and is served by Caltrain, the Altamont Commuter Express/Capital Corridor (ACE) train, Amtrak, and by future BART and high-speed rail service. Two light rail stations are also located within the immediate vicinity of the project site.

The proposed project would include demolition of existing structures on the site, closure of South Montgomery Street between West San Fernando Street and Park Avenue, and the realignment of South Autumn Street to the east of the project site

Agencies whose approval would or may be required include:

- City of San Jose
- Valley Transportation Authority

-
- Bay Area Regional Water Quality Control Board
 - Santa Clara Valley Water District
 - Santa Clara County Airport Land Use Commission
 - California Public Utilities Commission
 - Bay Area Air Quality Air Management District
 - California Department of Transportation
 - Federal Aviation Administration

D. POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

The Environmental Impact Report will identify the significant environmental to resulting from the construction and operation of the baseball stadium. The EIR will address the following specific environmental topics:

1. Land Use

The proposed project would occupy approximately 17 acres of land that is currently developed with commercial, light-industrial, and office uses. The proposed project's compatibility with surrounding land uses and General Plan and other applicable development plan policies will be discussed in the EIR. Appropriate mitigation measures will be identified for any significant land use impacts resulting from the proposed project.

2. Population, Employment, and Housing

The proposed project would contribute to increased job growth in San Jose. The EIR will describe the existing demographics of the project area and vicinity and assess the socioeconomic impacts that will be created by the proposed project, to the extent that they will directly or indirectly result in physical changes to the environment. Appropriate mitigation measures will be identified for any significant population, employment, or housing impacts resulting from the proposed project.

3. Transportation, Circulation and Parking

The proposed project would affect the traffic circulation and parking patterns in the project vicinity. The EIR will identify existing roadway conditions and other transportation elements (i.e., railroad, light rail, bus routes, bike routes, pedestrian routes, etc.) within and near the project site, including local streets and intersections, regional facilities (such as expressways), and freeways. The analysis will evaluate baseline (existing and approved) conditions against traffic impacts and the transportation improvements under the proposed project. Project traffic including planned roadway improvements in the area will be evaluated for conformance with the City's Transportation Level of Service Policy. The EIR will analyze potential impacts to the operations of the Norman Y. Mineta San Jose International Airport. Parking supply and demand impacts will also be discussed. The EIR will also analyze the project's compliance with adopted policies, plans, and programs supporting alternative modes of transportation. Mitigation measures for significant impacts will be identified, as appropriate.

4. Air Quality

Construction and operation of the stadium will increase air pollution emissions in the area. The EIR will address air quality impacts resulting from vehicle emissions from stadium traffic and operations. The EIR will also discuss compatibility with regional air quality plans. Construction-related air quality impacts, such as vehicle exhaust and dust will be qualitatively discussed. Odors that may result from potential restaurant uses at the site will also be discussed. Mitigation measures will be identified for potentially significant air quality impacts, as appropriate.

5. Noise

Construction and operation of the stadium will increase noise levels in the project area. The EIR will assess potential noise impacts associated with the project, including impacts to existing and future development. Noise levels will be evaluated for consistency with City of San Jose standards and guidelines. The potential for noise from the stadium's public address system, crowd noise, and pyrotechnic noise will also be considered. Mitigation measures to reduce noise impacts will be identified, as appropriate.

6. Biological Resources

The EIR will describe the existing biological conditions within the project area, and potential impacts of the proposed project on vegetation and wildlife, including special-status species. The EIR will evaluate the likelihood of any significant impacts, including effects on the adjacent Los Gatos Creek. Measures to reduce or avoid biological impacts will be recommended, where appropriate.

7. Geology, Soils, and Seismicity

The EIR will assess soil and geologic conditions of the project area to address seismic hazards, including the potential for liquefaction, ground-shaking, soil erosion, and subsidence. Mitigation measures will be recommended, where appropriate.

8. Hydrology and Water Quality

The EIR will address any hydrology and storm drainage impacts that may occur as a result of the project. The analysis will discuss whether water quality and discharge requirements would be met, drainage patterns would be affected or altered, and if water resources would be degraded or depleted. Mitigation measures will be recommended, as appropriate.

9. Hazards

Historical releases of hazardous materials at or near the site could expose construction workers to hazardous materials during project development, and, if present, hazardous materials, soils and groundwater could potentially affect future workers and users of the project. Development of the project site would require the use of hazardous materials present in fuels, lubricants, and building materials. Project operation may include the use of pyrotechnics and other such hazardous materials. The EIR will include a description of the potential hazards on the site and the health and safety effects of development of the proposed project. Mitigation measures will be recommended, where appropriate.

10. Cultural and Paleontological Resources

The EIR will address potential impacts to historic structures and archaeological resources. The EIR will also address paleontological resources based on records review, literature search, and a field survey. Mitigation measures will be recommended, as appropriate.

11. Visual Quality and Aesthetics

The proposed project would change the existing visual character of the site from a mix of one- to three-story buildings with a variety of architectural styles to a major league baseball stadium, which may result in significant impacts to the visual character of the site and its surroundings. The EIR will describe the existing visual conditions of the project area and address the potential effects on scenic resources or any degradation to the existing visual character. New shade or shadowing onto nearby land uses or natural resources, particularly Los Gatos Creek, will be analyzed. Additionally, development of the proposed project would introduce new sources of light to the area. The EIR will discuss the potential adverse effects of three forms of light: spill light, obtrusive light, and glare. Mitigation measures will be identified to address significant impacts, as appropriate.

12. Utilities

The development of a baseball stadium will introduce new demands for utilities and infrastructure systems, including electricity, water supply; sanitary sewer/wastewater treatment and telecommunications. The availability and adequacy of existing services to serve the proposed project will be analyzed. Mitigation measures for any significant impacts to utilities and infrastructure will be recommended, as appropriate.

13. Public Services and Facilities

The development of a baseball stadium and associated uses on the project site may result in an increase in demand for fire and police protection services. Increased use of area parks and recreational facilities may occur as a result of project development. The EIR will identify existing police, fire, and recreational services serving the project area, and will quantify the increase in service demands resulting from the proposed project. The availability and adequacy of existing services will be analyzed. Mitigation measures will be identified for any significant impacts to public facilities and services.

14. Energy

The EIR will describe current energy demand from uses on the project site or in the project vicinity. The EIR will qualitatively describe potential impacts associated with increased energy demand due to the project and mitigation measures will be recommended where needed.

15. Consistency with Plans and Policies

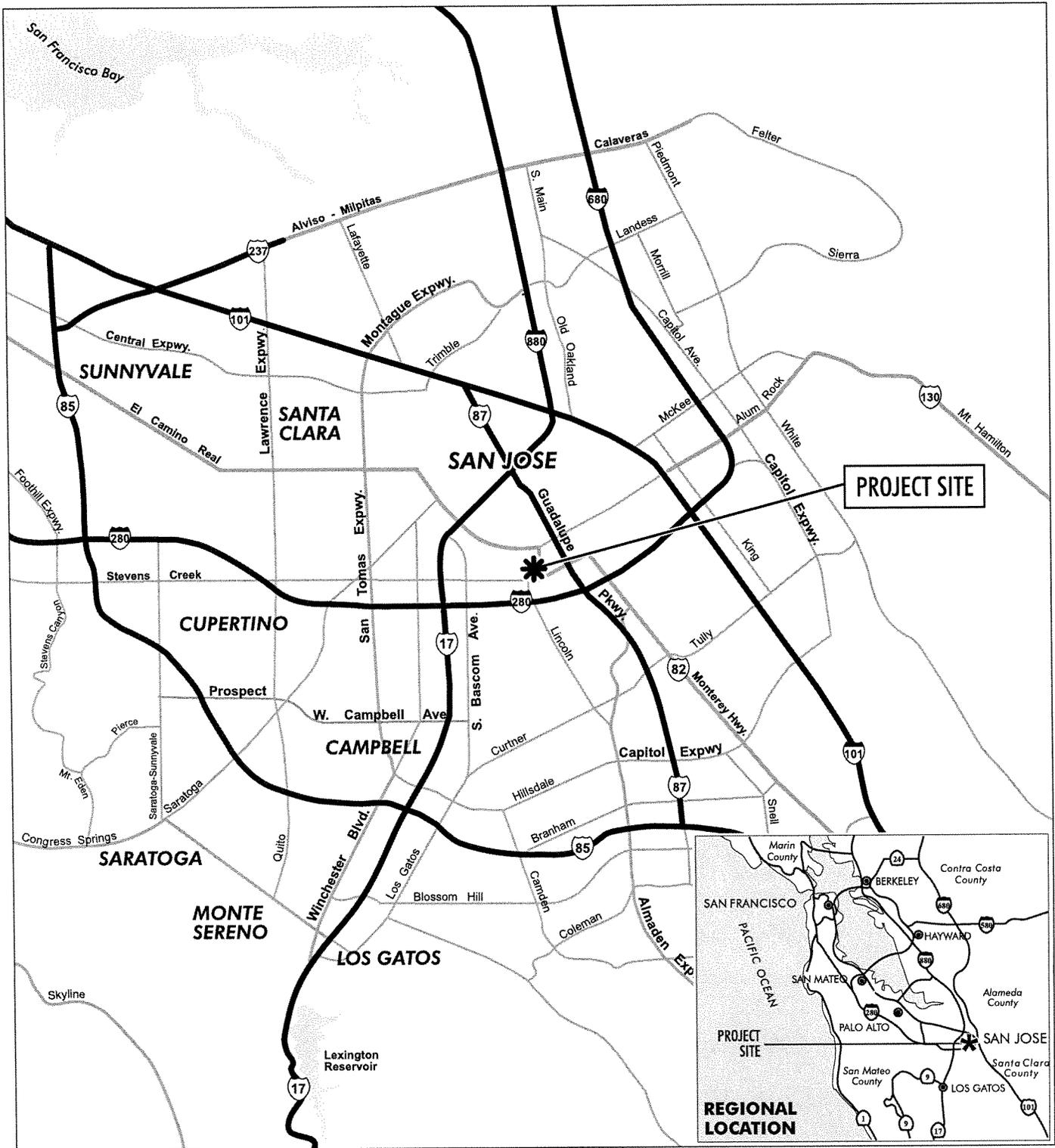
This section of the EIR will summarize project consistency with City plans and policies relevant to the project area, such as the City of San Jose General Plan, the Diridon/Arena Area Strategic Development Plan, and the San Jose Downtown Strategy 2000. The physical impacts associated with any plan or policy conflicts would be addressed. Likewise, conflicts relating to federal, State, and regional policies would be addressed in the EIR.

16. Cumulative and Growth Inducing Impacts

The EIR will address the potentially significant cumulative impacts of the project when considered with other planned development. This analysis will cover all environmental topics discussed in the EIR (e.g., traffic, air quality, etc.) and will specify which areas are anticipated to result in significant cumulative impacts. Cumulative impacts will be discussed qualitatively, except where quantitative data on other planned developments are available prior to publication of the Draft EIR. Where appropriate, mitigation measures will be identified.

17. Alternatives to the Project

The EIR will identify and address the potential impacts of four alternatives to the proposed project. These alternatives could include: 1) the CEQA required “No Project” alternative; 2) redevelopment of the project area to another use; 3) a redesigned site layout or adapted operating characteristics of the proposed use; and 4) a location alternative.



PROJECT SITE

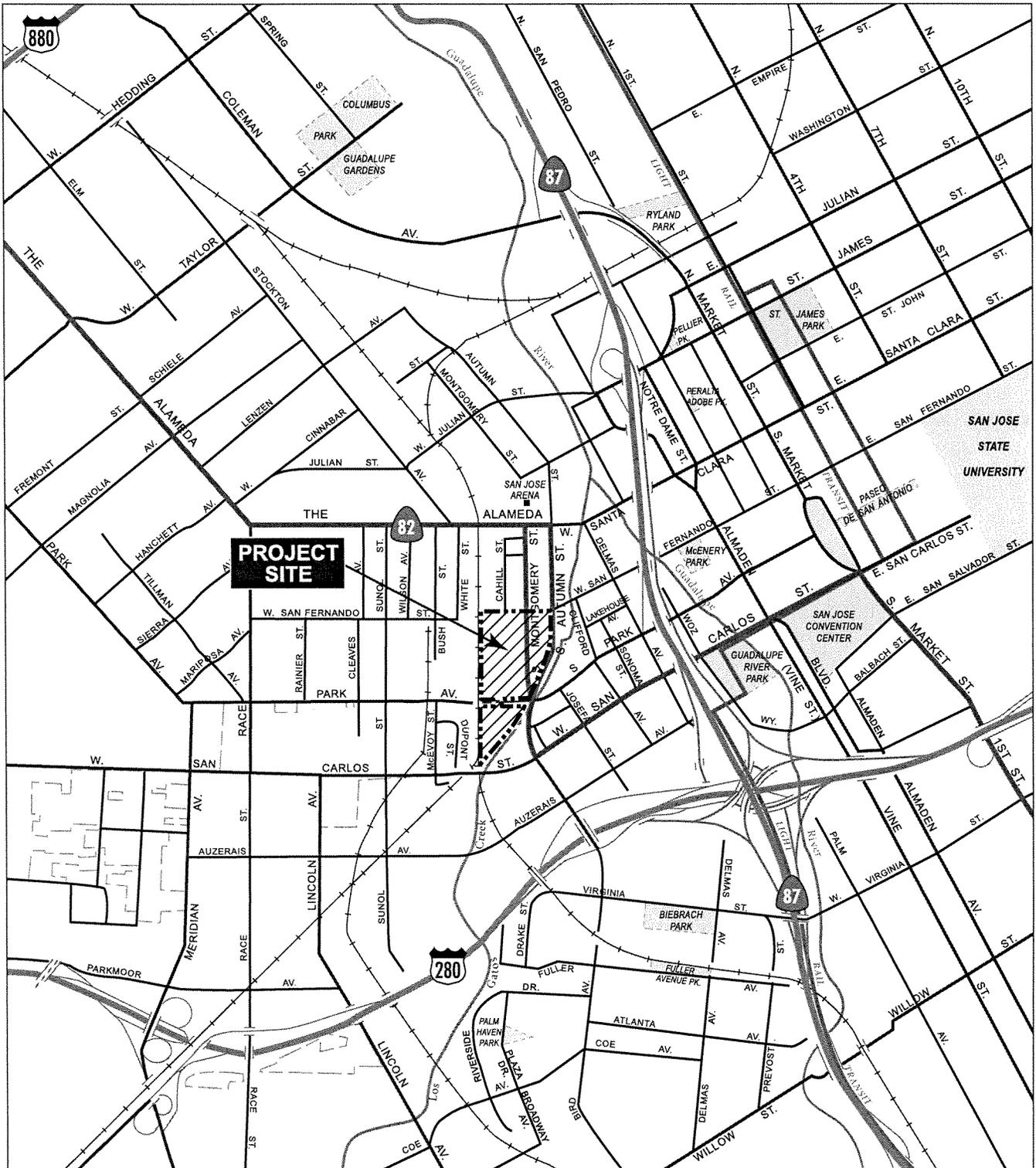
REGIONAL LOCATION

FIGURE 1

LSA



Baseball Stadium in the Diridon/Arena Area
Regional Location Map



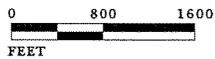
LSA

FIGURE 2



PROJECT SITE

Baseball Stadium in the Diridon/Arena Area
Project Site Location





LSA

FIGURE 3

Baseball Stadium in the Diridon/Arena Area
 Site Location Study



Arnold
Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Sean Walsh
Director

Notice of Preparation

November 30, 2005

To: Reviewing Agencies
Re: Ballpark Study in the Diridon/Arena Area
SCH# 2005112126

Attached for your review and comment is the Notice of Preparation (NOP) for the Ballpark Study in the Diridon/Arena Area draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

M. Rhoades
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113-1905

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base
Ballpark Study in the Diridon/Arena Area**

SCH Number: 2005112126

Type: NOP - Notice of Preparation

Project Description

The City of San Jose Redevelopment Agency is considering the development of a major league baseball stadium, a parking structure and a future commercial development site. The project would reconfigure the 17 existing parcels in order to develop an approximately 706,800 square foot major league baseball stadium. Maximum capacity of the stadium would be 45,000 patrons. The baseball stadium, including all scoreboards, would have a maximum height of 200 feet. The lighting structures could exceed 200 feet in height. As part of the proposed project, an approximately five-story, 1,200-space parking structure is proposed south of the stadium, south of Park Avenue. A pedestrian bridge crossing Park Avenue would connect the stadium and parking structure. Access to the parking structure would be provided from Park Avenue and South Autumn Street. The project may also include the relocation of a PG&E substation currently located on the stadium site to a different location on the stadium site or to a location near or adjacent to the proposed parking facility on the south side of Park Avenue.

Project Lead Agency San Jose, City of

Contact Information M. Rhoades

Primary Contact: City of San Jose

Phone: 408 535-7800

Fax

Address:: 200 East Santa Clara Street **City:** San Jose, **State:** CA **Zip:** 95113-1905

Project Location

County: Santa Clara

City: San Jose

Region:

Cross Streets: W. San Fernando, Park Avenue, Autumn Street

Parcel No: Multiple

Township: **Range:** **Section:** **Base:**

Proximity To

Highways: 82,87,280,880

Airports: NYM-SJ Int'l

Railways: UPRR

Waterways: Los Gatos Creek, Guadalupe River

Schools: Luther Burbank

Land Use: Land Use: Industrial, Manufacturing, Commercial, Transportation facilities. Zoning: Light Industrial, General Commercial. General Plan: General Commercial, Transit-Oriented Mixed Use.

Project Issues

Aesthetic/Visual, Air Quality, Archaeologic-Historic, Drainage/Absorption, Economics/Jobs, Flood Plain/Flooding, Geologic/Seismic, Noise, Public Services, Recreation/Parks, Sewer Capacity, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Water Quality, Water Supply, Wetland/Riparian, Landuse, Cumulative Effects

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Parks and Recreation; Department of Fish and Game, Region 3; Department of Health Services; Native American Heritage Commission; Public Utilities Commission; **Caltrans, Division of Aeronautics**; California Highway Patrol; **Caltrans, District 4**; Department of Toxic Substances Control; **Regional Water Quality Control Board, Region 2**

Date Received: 11/29/2005 **Start of Review:** 11/29/2005 **End of Review:** 12/28/2005

County: Santa Clara

NOP Distribution List

<input checked="" type="checkbox"/> <u>Resources Agency</u> Nadell Gayou	<input checked="" type="checkbox"/> <u>Fish & Game Region 3</u> Robert Floerke	<input checked="" type="checkbox"/> <u>Public Utilities Commission</u> Ken Lewis	<input checked="" type="checkbox"/> <u>Caltrans, District 8</u> Dan Kopulsky	<input checked="" type="checkbox"/> <u>Regional Water Quality Control Board (RWQCB)</u>
<input type="checkbox"/> <u>Resources Agency</u> Nadell Gayou	<input type="checkbox"/> <u>Fish & Game Region 4</u> Mike Mulligan	<input type="checkbox"/> <u>State Lands Commission</u> Jean Sarino	<input type="checkbox"/> <u>Caltrans, District 9</u> Gayle Rosander	<input type="checkbox"/> <u>RWQCB 1</u> Cathleen Hudson
<input type="checkbox"/> <u>Dept. of Boating & Waterways</u> David Johnson	<input type="checkbox"/> <u>Fish & Game Region 5</u> Don Chadwick Habitat Conservation Program	<input type="checkbox"/> <u>Tahoe Regional Planning Agency (TRPA)</u> Cherry Jacques	<input type="checkbox"/> <u>Caltrans, District 10</u> Tom Dumas	<input type="checkbox"/> <u>North Coast Region (1)</u>
<input type="checkbox"/> <u>California Coastal Commission</u> Elizabeth A. Fuchs	<input type="checkbox"/> <u>Fish & Game Region 6</u> Gabriela Gatchel Habitat Conservation Program	<input type="checkbox"/> <u>Business, Trans & Housing</u>	<input checked="" type="checkbox"/> <u>Caltrans, District 11</u> Mario Orso	<input type="checkbox"/> <u>Environmental Document Coordinator</u> San Francisco Bay Region (2)
<input type="checkbox"/> <u>Colorado River Board</u> Gerald R. Zimmerman	<input type="checkbox"/> <u>Fish & Game Region 6 I/M</u> Tammy Allen Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> <u>Caltrans - Division of Aeronautics</u> Sandy Hesnard	<input type="checkbox"/> <u>Caltrans, District 12</u> Bob Joseph	<input type="checkbox"/> <u>RWQCB 2</u> Central Coast Region (3)
<input type="checkbox"/> <u>Dept. of Conservation</u> Roseanne Taylor	<input type="checkbox"/> <u>Dept. of Fish & Game M</u> George Isaac Marine Region	<input type="checkbox"/> <u>Caltrans - Planning</u> Terri Pancovic	<input type="checkbox"/> <u>Cal EPA</u>	<input type="checkbox"/> <u>RWQCB 3</u> Central Coast Region (3)
<input type="checkbox"/> <u>California Energy Commission</u> Roger Johnson	<input type="checkbox"/> <u>Food & Agriculture</u> Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> <u>California Highway Patrol</u> John Olejnik Office of Special Projects	<input type="checkbox"/> <u>Air Resources Board</u>	<input type="checkbox"/> <u>RWQCB 4</u> Jonathan Bishop Los Angeles Region (4)
<input type="checkbox"/> <u>Dept. of Forestry & Fire Protection</u> Allen Robertson	<input type="checkbox"/> <u>Other Departments</u>	<input type="checkbox"/> <u>Housing & Community Development</u> Lisa Nichols Housing Policy Division	<input type="checkbox"/> <u>Airport Projects</u> Jim Lerner	<input type="checkbox"/> <u>RWQCB 5</u> Central Valley Region (5)
<input type="checkbox"/> <u>Office of Historic Preservation</u> Wayne Donaldson	<input type="checkbox"/> <u>Dept. of Health Services</u> Veronica Rameriz Dept. of Health/Drinking Water	<input type="checkbox"/> <u>Housing & Community Development</u> Lisa Nichols Housing Policy Division	<input type="checkbox"/> <u>Transportation Projects</u> Kurt Karperos	<input type="checkbox"/> <u>RWQCB 5F</u> Central Valley Region (5) Fresno Branch Office
<input checked="" type="checkbox"/> <u>Dept. of Parks & Recreation Environmental Stewardship Section</u>	<input type="checkbox"/> <u>Dept. of General Services</u> Robert Sleppy Environmental Services Section	<input type="checkbox"/> <u>Dept. of Transportation</u>	<input type="checkbox"/> <u>Industrial Projects</u> Mike Tollstrup	<input type="checkbox"/> <u>RWQCB 5R</u> Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> <u>Reclamation Board</u> DeeDee Jones	<input type="checkbox"/> <u>Dept. of Health Services</u> Veronica Rameriz Dept. of Health/Drinking Water	<input type="checkbox"/> <u>Caltrans, District 1</u> Rex Jackman	<input type="checkbox"/> <u>California Integrated Waste Management Board</u> Sue O'Leary	<input type="checkbox"/> <u>RWQCB 6</u> Lahontan Region (6)
<input type="checkbox"/> <u>S.F. Bay Conservation & Dev't. Comm.</u> Steve McAdam	<input checked="" type="checkbox"/> <u>Independent Commissions, Boards</u>	<input type="checkbox"/> <u>Caltrans, District 2</u> Marcelino Gonzalez	<input type="checkbox"/> <u>State Water Resources Control Board</u> Jim Hockenberry Division of Financial Assistance	<input type="checkbox"/> <u>RWQCB 6V</u> Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> <u>Dept. of Water Resources</u> Nadell Gayou	<input type="checkbox"/> <u>Delta Protection Commission</u> Debbie Eddy	<input type="checkbox"/> <u>Caltrans, District 3</u> Katherine Eastham	<input type="checkbox"/> <u>State Water Resources Control Board</u> Student Intern, 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> <u>RWQCB 7</u> Colorado River Basin Region (7)
<input type="checkbox"/> <u>Conservancy</u>	<input type="checkbox"/> <u>Office of Emergency Services</u> Dennis Castillo	<input type="checkbox"/> <u>Caltrans, District 4</u> Tim Sable	<input type="checkbox"/> <u>State Water Resources Control Board</u> Steven Herrera Division of Water Rights	<input type="checkbox"/> <u>RWQCB 8</u> Santa Ana Region (8)
<input type="checkbox"/> <u>Fish and Game</u>	<input type="checkbox"/> <u>Governor's Office of Planning & Research</u> State Clearinghouse	<input type="checkbox"/> <u>Caltrans, District 5</u> David Murray	<input checked="" type="checkbox"/> <u>Dept. of Toxic Substances Control</u> CEQA Tracking Center	<input type="checkbox"/> <u>RWQCB 9</u> San Diego Region (9)
<input type="checkbox"/> <u>Dept. of Fish & Game</u> Scott Flint Environmental Services Division	<input checked="" type="checkbox"/> <u>Native American Heritage Comm.</u> Debbie Treadway	<input type="checkbox"/> <u>Caltrans, District 6</u> Marc Birbaum	<input type="checkbox"/> <u>Department of Pesticide Regulation</u>	<input type="checkbox"/> <u>Other</u>
<input type="checkbox"/> <u>Fish & Game Region 1</u> Donald Koch		<input type="checkbox"/> <u>Caltrans, District 7</u> Cheryl J. Powell		
<input type="checkbox"/> <u>Fish & Game Region 2</u> Banky Curtis				

Baseball Stadium in the Diridon/Arena Area
Questions and Comments Provided by the Attendees at the
EIR Scoping Meeting
December 15, 2005

- What was the City's notification process for the meeting?
- A major Neighborhood Association in the area did not receive any notification. The City should talk with and notify the surrounding Neighborhood Associations.
- Area residents mention that their neighborhoods are already impacted by the Arena and Downtown traffic/noise.
- The EIR needs to have comprehensive traffic plans, needs to look at the potential ultimate density in the area, beyond the existing and proposed uses.
- What is the increased capacity of the stadium for concerts (in which the at-grade playing field is used for seating)?
- How will people get back and forth between neighborhoods? If on foot, how do they get there? Broader pedestrian circulation study should be included.
- What will happen to the 5 acres of park and field areas designated on the Fire Training Center site?
- Open space should be explored along Los Gatos Creek.
- The EIR should discuss damage to surrounding neighborhoods and the potential property damage that tends to occur after certain types of events.
- Impacts to neighborhoods west of the tracks should be discussed.
- Resident permit only parking is not effective. There is illegal parking, especially along San Fernando.
- Potential impacts to local streets should be discussed; these smaller streets should be detailed on maps.
- What are the circulation impacts (specifically on local streets) of removing the segment of Montgomery Street?
- Where is traffic diverted in case of event closures on Autumn Street?
- Consider traffic diverters, closing the street end of heavily impacted local streets (Gifford Avenue especially).
- If the project goes through; the local church located on Montgomery Street would most likely have to move. Will the City help with relocation?
- Why is a stadium being proposed when the City doesn't have a team?
- What would be the noise/traffic impacts of simultaneous events at the proposed ballpark and existing Arena?

- What are the conflicts between differing events? Will noise from differing events interfere with events at either the Arena or ballpark?
- What are the impacts of applause, music etc.; residents who live near the City College can hear noise from the Arena to the point that they can't hold conversations within their homes.
- Explore the completion of Autumn to Coleman Avenue.
- Mountain bike and pedestrian paths should be of appropriate widths.
- The project should complete the Los Gatos Creek trail from San Carlos to Santa Clara Street.
- Look at KB Homes EIR.
- Discuss safe routes to schools over 280, specifically Gardner School, in conjunction with day games.
- School access near 280 is already dangerous.
- What would be the impacts on traffic/safety during day games and circulation along school routes?
- Roads should reach appropriate setbacks for the creek, would be best if development exceeded these setbacks.
- Is the City talking with PG&E about "relocating" the substation?
- The PG&E study conclusions will be included in the EIR.
- The intersection of San Fernando/Gifford is already impacted by pedestrian activity/cars/light rail trains. This is a confined intersection.
- What would be the design alternatives?
- What are the design options to reduce noise, light, and glare?
- Will there be screening between the ballpark and adjacent neighborhoods?
- What are the energy demands of the ballpark? Consider power generation for the facility.
- Stadium in LA with solar panels.
- Where does the neighborhood impact from event attendees come in?
- What stadiums are being looked at as the "benchmark"?
- Can the City explore the impacts to neighbors that live near other stadiums?
- San Francisco ballpark is not appropriate because of the difference in residential character; residential uses were developed after or along with the ballpark.
- What Alternative sites have been explored? Will these and others be discussed in the EIR?
- What are the options for constructing the stadium below grade to reduce its height and possibly lessen impacts?
- Potential noise mitigation could include similar measures taken in airport approach zones, such as window replacement and insulation programs for nearby homes.



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Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2005112126
Project Title Ballpark Study in the Diridon/Arena Area
Lead Agency San Jose, City of

Type NOP Notice of Preparation

Description The City of San Jose Redevelopment Agency is considering the development of a major league baseball stadium, a parking structure and a future commercial development site. The project would reconfigure the 17 existing parcels in order to develop an approximately 706,800 square foot major league baseball stadium. Maximum capacity of the stadium would be 45,000 patrons. The baseball stadium, including all scoreboards, would have a maximum height of 200 feet. The lighting structures could exceed 200 feet in height. As part of the proposed project, an approximately five-story, 1,200-space parking structure is proposed south of the stadium, south of Park Avenue. A pedestrian bridge crossing Park Avenue would connect the stadium and parking structure. Access to the parking structure would be provided from Park Avenue and South Autumn Street. The project may also include the relocation of a PG&E substation currently located on the stadium site to a different location on the stadium site or to a location near or adjacent to the proposed parking facility on the south side of Park Avenue.

Lead Agency Contact

Name M. Rhoades
Agency City of San Jose
Phone 408 535-7800
email
Address 200 East Santa Clara Street
City San Jose
State CA **Zip** 95113-1905
Fax

Project Location

County Santa Clara
City San Jose
Region
Cross Streets W. San Fernando, Park Avenue, Autumn Street
Parcel No. Multiple
Township **Range** **Section** **Base**

Proximity to:

Highways 82,87,280,880
Airports NYM-SJ Int'l
Railways UPRR
Waterways Los Gatos Creek, Guadalupe River
Schools Luther Burbank
Land Use Land Use: Industrial, Manufacturing, Commercial, Transportation facilities. Zoning: Light Industrial, General Commercial. General Plan: General Commercial, Transit-Oriented Mixed Use.

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Fish and Game, Region 3; Department of Health Services; Native American Heritage Commission; Public Utilities Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 2

Document Details Report
State Clearinghouse Data Base

Date Received 11/29/2005

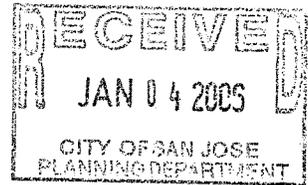
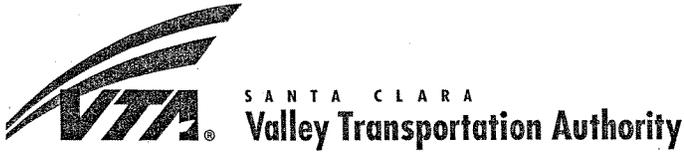
Start of Review 11/29/2005

End of Review 12/28/2005

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

NOP Distribution List

<input checked="" type="checkbox"/> Resources Agency Nadell Gayou	<input type="checkbox"/> Fish & Game Region 3 Robert Floerke	<input type="checkbox"/> Public Utilities Commission Ken Lewis	<input type="checkbox"/> Caltrans, District 8 Dan Kopulsky	<input type="checkbox"/> Regional Water Quality Control Board (RWQCB)
<input type="checkbox"/> Dept. of Boating & Waterways David Johnson	<input type="checkbox"/> Fish & Game Region 4 Mike Mulligan	<input type="checkbox"/> State Lands Commission Jean Sarino	<input type="checkbox"/> Caltrans, District 9 Gayle Rosander	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs	<input type="checkbox"/> Fish & Game Region 5 Don Chadwick Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Caltrans, District 10 Tom Dumas	<input checked="" type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman	<input type="checkbox"/> Fish & Game Region 6 Gabrina Gatchel Habitat Conservation Program	<input type="checkbox"/> Business, Trans & Housing Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Caltrans, District 11 Mario Orso	<input type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Dept. of Conservation Roseanne Taylor	<input type="checkbox"/> Fish & Game Region 6 I/M Tammy Allen Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Caltrans, District 12 Bob Joseph	<input type="checkbox"/> RWQCB 4 Jonathan Bishop Los Angeles Region (4)
<input type="checkbox"/> California Energy Commission Roger Johnson	<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> California Highway Patrol John Olejnik Office of Special Projects	<input type="checkbox"/> Cal EPA	<input type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> Dept. of Forestry & Fire Protection Allen Robertson	<input type="checkbox"/> Other Departments	<input type="checkbox"/> Housing & Community Development Lisa Nichols Housing Policy Division	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Office of Historic Preservation Wayne Donaldson	<input type="checkbox"/> Food & Agriculture Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> Dept. of Transportation	<input type="checkbox"/> Airport Projects Jim Lerner	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Dept. of Parks & Recreation Environmental Stewardship Section	<input type="checkbox"/> Dept. of General Services Public School Construction	<input type="checkbox"/> Caltrans, District 1 Rex Jackman	<input type="checkbox"/> Transportation Projects Kurt Karperos	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input type="checkbox"/> Reclamation Board DeeDee Jones	<input type="checkbox"/> Dept. of General Services Environmental Services Section	<input type="checkbox"/> Caltrans, District 2 Marcelino Gonzalez	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam	<input type="checkbox"/> Dept. of Health Services Veronica Rameriz Dept. of Health/Drinking Water	<input type="checkbox"/> Caltrans, District 3 Katherine Eastham	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> Dept. of Water Resources Nadell Gayou	<input type="checkbox"/> Independent Commissions/Boards	<input type="checkbox"/> Caltrans, District 4 Tim Sable	<input type="checkbox"/> State Water Resources Control Board Sue O'Leary	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> Conservancy	<input type="checkbox"/> Delta Protection Commission Debbie Eddy	<input type="checkbox"/> Caltrans, District 5 David Murray	<input type="checkbox"/> State Water Resources Control Board Steven Herrera	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input type="checkbox"/> Fish and Game Scott Flint Environmental Services Division	<input type="checkbox"/> Office of Emergency Services Dennis Castrillo	<input type="checkbox"/> Caltrans, District 6 Marc Birnbaum	<input type="checkbox"/> State Water Resources Control Board Division of Water Rights	<input type="checkbox"/> Other
<input type="checkbox"/> Fish & Game Region 1 Donald Koch	<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Caltrans, District 7 Cheryl J. Powell	<input type="checkbox"/> Student Intern, 401 Water Quality Certification Unit Division of Water Quality	
<input type="checkbox"/> Fish & Game Region 2 Banky Curtis	<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway		<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	
			<input type="checkbox"/> Department of Pesticide Regulation	



December 21, 2005

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

Attention: Michael Rhoades

Subject: City File No. PP05-214 / Ballpark Study in the Diridon/Arena Area

Dear Mr. Rhoades:

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Ballpark Study in the Diridon/Arena Area. We have the following comments.

Transit Center Impacts

In the 20% SVRTC-BART station plan, VTA has proposed two alternative transit center locations immediately adjacent to the proposed ballpark; the block bordered by Cahill Street, Diridon Caltrain Station, Caltrain tracks, and Offerson Street and the block bordered by Cahill Street, Station Green, Montgomery Street and West San Fernando Street. One of these two sites is expected to replace the existing transit center, which is located on the west side of Cahill Street Between the Diridon Caltrain Station and the Alameda.

The proposed ballpark would pose a direct conflict with the transit center site bordered by Cahill Street, Diridon Caltrain Station, Caltrain tracks, and Offerson Street as this site is a part of the proposed ballpark site. The transit center bordered by Cahill Street, Station Green, Montgomery Street, and West San Fernando Street is located directly north of the proposed ballpark site and traffic generated from both facilities will be sharing West San Fernando Street as a primary access street.

The transit center at the Diridon/Arena Station is a major inter-modal hub for Caltrain, light rail, and regional buses generating heavy transit activities. VTA anticipates that the transit activities would significantly increase with the addition of a BART station here in the future. VTA staff requests that the environmental document contain critical studies of potential traffic volume, circulation, and conflicts (particularly between the hours of 3:30 PM and 7:00 PM) as well as effective mitigation measures to maintain on-time operation of the buses on all streets and during all hours within the sphere of influence of the Arena and proposed ballpark, as well as any other anticipated development projects in the area.

On-Site Planning and Design

Silicon Valley Rapid Transit Corridor (SVRTC)

VTA recommends the environmental document include the discussion of SVRTC project. The SVRTC description should reflect:

- The SVRTC 35% P.E. alignment design and 20% P.E. station design.
- The SVRTC 2030 travel forecast data: 8,903 boardings and 1,300 parking spaces at the Diridon Station.
- The relocated Bus Transit Center.

VTA recommends that one of the project alternatives be housing and office development. This alternative should be formed in the context of the Metropolitan Transit Commission (MTC) Transit Oriented Development (TOD) policy that sets an average threshold of housing units that need to be provided within a ½ mile radius of SVRTC BART stations.

VTA staff looks forward to reviewing generated ridership for each alternative on transit systems at the Diridon Intermodal Station. Transit systems include Caltrain, Altamont Commuter Express (ACE), Capitol Corridor, VTA Light Rail, VTA Bus, and future systems, including BART. Please identify the differences in land use and ridership (systemwide and by station) from that assumed in the SVRTC project.

Traffic and Circulation

Please identify how the alternatives will impact the SVRTC project; specifically the impact the stadium alternative will have on the Downtown and Diridon stations when stadium event traffic overlaps with BART commuter traffic. This study should include:

- Traffic and circulation on the regional and local street network.
- Bike/pedestrian, transit, auto access/egress to and from the BART stations.
- Passenger flow within BART stations.

VTA recommends, as a mitigation measure, that operational strategies be identified and implemented for managing BART patrons inside and outside the Diridon and Downtown stations when stadium event traffic overlaps with commute traffic.

Parking

VTA anticipates a cumulative impact on parking (BART, stadium alternative, other alternatives) and proposes as a mitigation measure, the feasibility of shared parking and other strategies that maximize parking utilization and minimize land for parking should be identified and implemented whenever possible.

For more information on the SVRTC, please call Marian Lee-Skowronek, Transportation Planning, at (408) 321-5779.

Transportation Impact Analysis Report

VTA's Congestion Management Program (CMP) requires a Transportation Impact Analysis (TIA) for any project that is expected to generate 100 or more new peak-hour trips. Based on the information provided on the size of the project, a TIA is required.

VTA's *Transportation Impact Analysis Guidelines* should be used when preparing the TIA. These *Guidelines* include the analysis of bicycle facilities, parking, site circulation and pedestrian access, as well as roadways, and may be downloaded from www.vta.org/news/vtacmp/. For more information on TIA guidelines, please call Murali Ramanujam, Development & Congestion Management Division, at (408) 952-8905.

VTA Support Services

VTA staff look forward to reviewing future development plans for this site when they become available.

Thank you for the opportunity to review this project. If you have any questions, please call Tyler Newgren at (408) 321-5821.

Sincerely,



Carolyn M. Gonot
Chief Development Officer

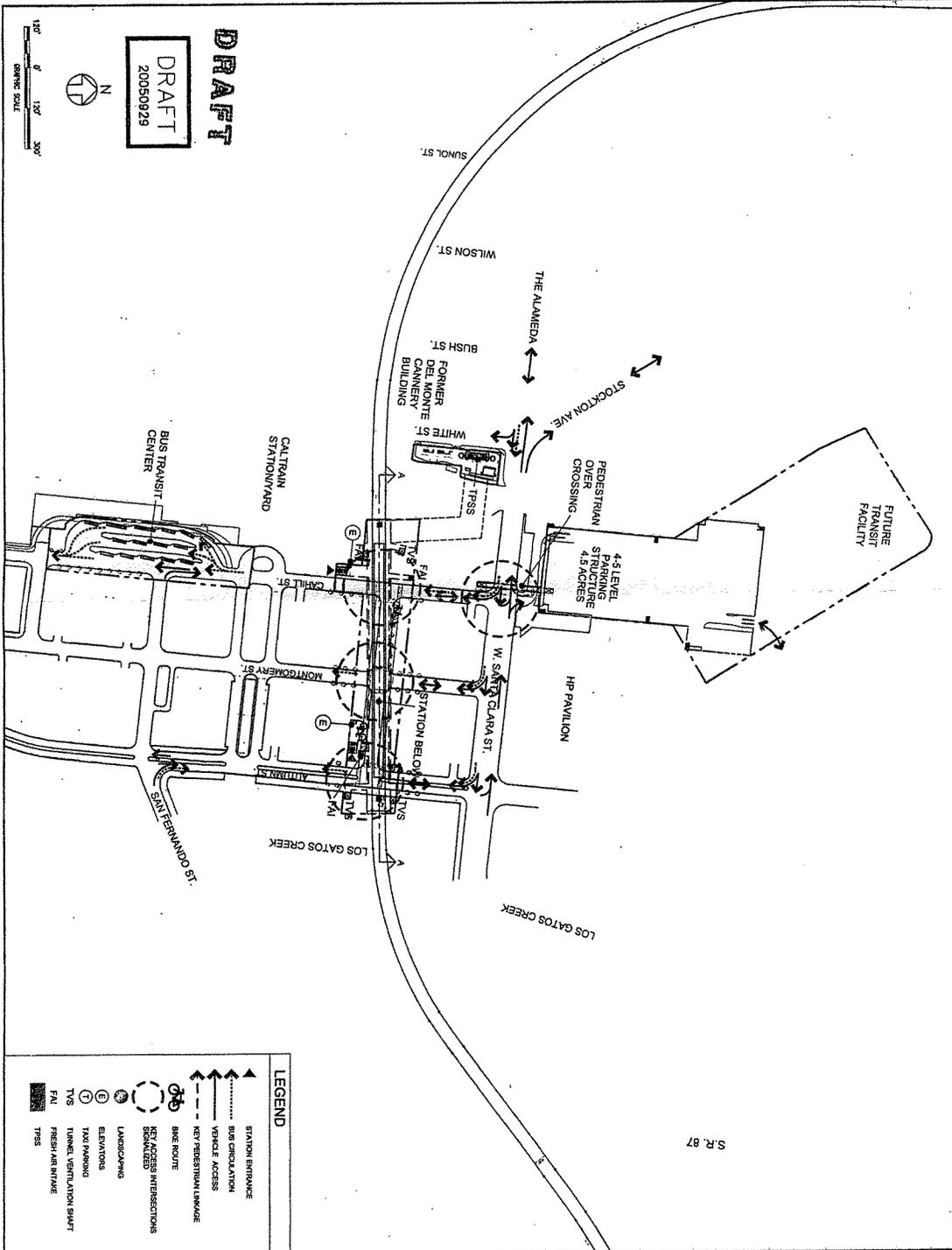
CMG:TN:kh

cc: Samantha Swan, VTA
Roy Molseed, VTA

Figure B-

EAST BUS TRANSIT CENTER OPTION

SITE PLAN



DRAFT
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20050829

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DEC 20 2005

Memorandum

TO: Michael Rhoades
PBCE

FROM: Cary Greene
Airport

SUBJECT: NOP for Baseball Stadium in
Diridon/Arena Area

DATE: December 16, 2005

The Airport Department has reviewed the DEIR Notice of Preparation for the proposed baseball stadium development project along S. Autumn Street south of the Diridon Station. We offer the following comments regarding San Jose International Airport:

1. The project description states that the stadium would have a maximum height of 260 feet, with a potential commercial building at the south end of the site having a maximum height of 200 feet. Due to the Airport's proximity, the entire project site is subject to the notification and review requirements defined by Federal Aviation Regulations, Part 77. Under these standards, most of the site is limited to a maximum elevation of 208 feet above mean sea level (higher at the south end of the site) unless otherwise determined by the Federal Aviation Administration (FAA) to not be a hazard to aircraft operations. As the ground elevation of the site appears to be roughly 95-100 feet above sea level, any proposed structure higher than approximately 110 feet in height would likely exceed the elevation limit standard.

Therefore, the Draft EIR should identify the project's land use compatibility with the Airport as a potentially significant impact. Pursuant to City General Plan Transportation Policy #47 and (if applicable) #49, appropriate mitigation to reduce the impact to a level of insignificance consists of FAA issuance of "No Hazard" determinations, incorporation of FAA-specified lighting/markings and construction notifications into project design and permit approvals, and property owner dedication of aviation easements to the City.

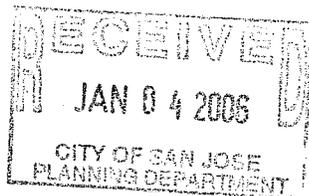
2. The project site is located outside the current and projected 65 dB CNEL impact area of San Jose International Airport.
3. The project site also appears to be located outside the County Airport Land Use Commission (ALUC) referral boundary as adopted 12/14/05 for the Airport.

If you or the DEIR consultant have any questions regarding these comments, please contact me at 501-7702 or by e-mail; otherwise, please provide the Airport a copy of any Administrative Draft EIR for review when available.

Cary Greene
Airport Planner



December 28, 2005



File: 30932
Los Gatos

Mr. Michael Rhoades
Planning Division
City of San Jose
200 East Santa Clara Street, Third Floor
San Jose, CA 95113

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Ballpark Study
in the Diridon/Arena Area

Dear Mr. Rhoades:

The Santa Clara Valley Water District (District) has reviewed the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Ballpark Study in the Diridon /Arena Area dated November 28, 2005, and received by the District on November 30, 2005.

The proposed project is located adjacent to Los Gatos Creek, a District facility, and District right of way; and, therefore, the proposed project will require a District permit, as per District Ordinance 83-2.

Based on our review of the proposed project as described in the above-referenced document, we have the following comments:

1. Based on the Federal Insurance Rate Maps, the project is located on panel 25 of the City of San Jose FIRM maps in a flood hazard Zone D with the special flood hazard Zone A contained within Los Gatos Creek.
2. The parcels identified as part of this project are located adjacent to District fee title property and District easement is located on Assessor's Parcel Number (APN) 259-48-057. District right of way should be identified, particularly easements within the project limits. Structures and other improvements are not to encroach onto the District's fee title property or easements.
3. Since the project site is greater than 1 acre, a Notice of Intent must be filed to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges associated with construction activity with the State Water Resources Control Board prior to the start of construction. A Storm Water Pollution Prevention Plan must also be prepared for the site.
4. The NOP states that shading of the creek will be analyzed as part of the Visual Quality and Aesthetics section. The impacts of shading of the creek should also be part of the Biological Resources sections as shading impacts can adversely impact the riparian habitat and associated biological resources.

5. The Biological Resources section should include analysis of the impacts of lighting from the stadium and associated development on the riparian corridor.
6. Los Gatos Creek supports two special status species Chinook salmon and steelhead and project impacts to these species should be analyzed in the Biological Resources section. Please also note that District biologists have observed both species in the creek during summer months and the document should identify the potential for their presence at any time of year in the creek.
7. Sites proposed for use to mitigate for project impacts to the riparian corridor should be identified and should not include properties owned by the District.
8. The proposed project should include 100-foot setbacks to the riparian corridor to protect the riparian habitat.
9. If dewatering is required as part of the project, the dewatering operation may impact the riparian habitat, through loss and/or damage to vegetation, increased turbidity of the creek from the discharge of groundwater into the creek, reduction of creek flows, and increase in the temperature of the water in the creek due to discharge of groundwater. Dewatering at the site during construction should not increase the temperature or turbidity of the creek; contain contaminants in the return flow to the creek; or decrease flows in the creek.
10. The DEIR should discuss the need for upgrading any existing outfalls in Los Gatos Creek and/or construction of new outfalls into the creek. Potential impacts and mitigation measures associated with any outfall work should be discussed in the appropriate sections of the document.
11. The Hydrology and Water Quality section should include a discussion of how the project will comply with the new C.3 provisions of the NPDES permit that require implementation of postconstruction measures to improve water quality. Please note that use of landscaping based measures to slow flow and filter storm water are acceptable measures and encouraged; however, the use of direct infiltration measures such as drywells is not allowed.

District records show seven wells located within the project area—APN 261-35-027 one well; APN 261-35-014 three wells; APN 261-37-025 one well; and APN 259-48-011 two wells. To protect groundwater quality and in accordance with District Ordinance 90-1, all existing wells affected by new or redevelopment need to be identified and properly registered with the District and either be maintained or destroyed in accordance with the District's standards. Project plans should clearly identify all wells within the project area and whether they are to remain, be modified, or be destroyed. Destruction of any well and the construction of any new wells proposed, including monitoring wells, require a permit from the District prior to construction. Property owners or their representative should contact the District Wells and Water Production Unit at (408) 265-2607, extension 2660, for more information.

Mr. Michael Rhoades
Page 3
December 28, 2005

Please submit two sets of revised plans addressing the above comments to the District for permit review. Reference District File No. 30932 on further correspondence regarding this project.

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

Sincerely,



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

cc: S. Tippetts, V. Stephens, M. Klemencic, C. Haggerty, File (2)
ch:fd
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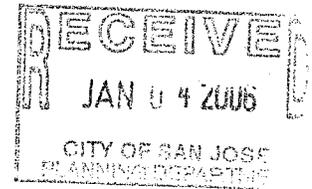


SANTA CLARA COUNTY

Airport Land Use Commission

County Government Center, 70 W. Hedding Street, East Wing, 7th Fl., San Jose, CA 95110
(408) 299-5798 FAX (408) 288-9198

December 22, 2005



Mr. Michael Rhoades
City of San Jose
Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

RE: Notice of Preparation of Draft Environmental Impact Report for the Ballpark Study in the Diridon/Arena Area in the City of San Jose (File Number PP05-214)
APN 251-35-014, 259-48-011, 259-48-012, 259-48-013, 259-48-052, 259-48-053, 259-48-071; 261-35-002, 261-35-003, 261-35-006, 261-35-007, 261-35-010, 261-35-027, 261-35-030 and 261-37-025

Dear Mr. Rhoades:

I am writing in response to the Notice of Preparation (NOP) of the Draft Environmental Impact Report for the Ballpark Study in the Diridon/ Areal Area.

Santa Clara County Airport Land Use Commission (ALUC) considered the NOP on December 14, 2005. The ALUC expressed concern regarding potential pyrotechnics that may be associated with stadium events. While the proposed project is located outside the San Jose International Airport referral boundary, the project is not outside the aircraft flight track. The ALUC recommends that "pyrotechnics" be defined in the Draft Environmental Impact Report. The altitude of any such pyrotechnics should be limited to a height below the FAR Part 77 imaginary surface for the project site. In addition, pyrotechnic events should be coordinated with the San Jose International Airport control tower.

The ALUC appreciates the opportunity comment on this NOP.

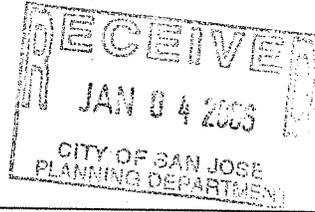
Sincerely,

Dana Peak, Program Manager
Staff to the ALUC

County of Santa Clara

Roads and Airports Department
Land Development and Permits

101 Skyport Drive
San Jose, California 95110-1302
(408) 573-2460 FAX (408) 441-0275



December 28, 2005

Michael Rhoades
City of San Jose
Department of Planning, Building and
Code Enforcement
200 East San Jose, CA 95113

Subject: Notice of Preparation (NOP) of Draft Environmental Impact Report (DEIR) for the Ballpark study in the Diridon/Arena Area in the City of San Jose (CSJ)
CSJ File # PP05-214
W. San Fernando/ S.Autumn Street

Dear Rhoades,

We have reviewed the NOP of DEIR for Ballpark study dated November 2005. The following are our comments;

- As acknowledge by this notice, this proposed project would affect the traffic circulation and parking patterns in the project vicinity. It is recommended that the traffic analysis should analyze potentials impacts on intersections and regional facilities including Almaden Expressway. Mitigation measures for significant impacts should be discussed and identified.

When ready please provide the County a copy of the DEIR for our review. Thank you for the opportunity to comment on this project. Should you have any questions, please contact me at (408) 573-2450.

Sincerely,

A handwritten signature in black ink, appearing to read "Carmelo Peralta".

Carmelo Peralta
Project Engineer

Cc: MA, RS, WRL



BOARD OF DIRECTORS 2005

MICHAEL D. NEVIN, CHAIR
KEN YEAGER, VICE CHAIR
JOSE CISNEROS
DON GAGE
JIM HARTNETT
ARTHUR L. LLOYD
JOHN MCLEMORE
SOPHE MAXWELL
STUART SUNSHINE

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

December 12, 2005

Mr. Michael Rhoades, Environmental Project Manager
City of San José Department of Planning,
Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

SUBJECT: Caltrain comments on the Notice of Preparation of a Draft
Environmental Impact Report for the Proposed Ballpark Study in the
Diridon/Arena Area of San José (File # PP05-214)

Dear Mr. Rhoades:

Thank you for sending us a copy of the Notice of Preparation of a Draft
Environmental Impact Report for the Proposed Ballpark Study in the Diridon/Arena
Area of San José.

We have the following comments on the proposed ballpark study:

1. The Ballpark Development, Commercial Development, Parking Structure, and P.G. & E. Substation are being proposed adjacent to an existing rail line that includes existing freight and passenger service, future Dumbarton passenger rail service, future Capitol Corridor passenger rail service and proposed future California High-speed Rail corridor.
2. It appears from the aerial map included with the Notice of Preparation, that part of the Peninsula Corridor Joint Powers Board (JPB) property (in the northwest corner of the proposed project) is being included as part of the proposed project. If JPB property is to be taken as part of the project, the City should know that the San José Caltrain station is on the National Register of Historic Places (NRHP), and the small portion shown on the map is in the footprint of the NRHP resource. The Caltrain station property is under a covenant (see enclosed), that has certain restrictions associated with the property. The loss of Caltrain and contract employee parking at this location will need to be mitigated by the project.
3. The height of the proposed structure at 200 feet, and 260 feet for lighting as discussed in the NOP, the lighting/shading or visual dominance of the proposed project on the Caltrain station could be considered an adverse effect of a NRHP resource.

PENINSULA CORRIDOR JOINT POWERS BOARD
1250 San Carlos Avenue – P.O. Box 3006
San Carlos, CA 94070-1306 (650) 508-6269

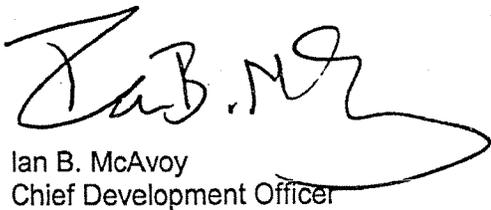
Mr. Michael Rhoades
December 12, 2005
Page 2 of 2

4. The Noise and Vibration Study should take into account the proximity of the proposed project to the existing rail line and identify mitigation measures to be incorporated in the project if needed.
5. The parking ratio and price of parking at the proposed development should be carefully studied and considered in order to further support transit ridership and the regional benefits such as air quality and reduced congestion that accrue from it. The report should outline how the operators of the ballpark will mitigate the ballpark patrons from parking in the Caltrain parking areas.
6. We commend your efforts to support and promote transit-oriented development, which increases transit ridership as many studies have shown.

The Peninsula Corridor Joint Powers Board (JPB) looks forward to working with the City on this study.

Please send us two copies of the Draft Environmental Impact Report when it is made available. If you have any questions, please contact Erik Ólafsson of my staff at (650) 508-6368. Thank you.

Sincerely,



Ian B. McAvoy
Chief Development Officer

enclosure

cc: Ian McAvoy, Darrell Maxey, Stephen Chao, Anthony Quicho, Dick Dahllof, Brian Fitzpatrick, Gary Cardona, Ed Stewart, Erik Ólafsson, Doc-Control

PRESERVATION COVENANT

SAN JOSE CAHILL STREET CALTRAIN STATION

In consideration of the conveyance of certain improved real property, the San Jose Cahill Street Caltrain Station, hereinafter referred to as the STATION, located in the City of San Jose, Santa Clara County, State of California, eligible for inclusion on the National Register of Historic Places as "Southern Pacific Depot", and which is more fully described in Appendix 1, by the California Department of Transportation (CALTRANS), to the Peninsula Corridor Joint Powers Board (BOARD), a public agency composed of representatives of the City and County of San Francisco, the San Mateo County Transit District, and the Santa Clara County Transit District, the BOARD hereby covenants on behalf of itself, its successors, and assigns at all times to the South Bay Historical Railroad Society (SOCIETY) to maintain and preserve all original exterior and interior architectural features and fixtures as described in Appendix 2, as follows:

1. The BOARD shall preserve and maintain the STATION in accordance with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (National Park Service, revised 1990) in order to preserve and enhance those qualities that make the STATION eligible for inclusion in the National Register of Historic Places.

2. All construction, alteration, remodeling, or installations shall conform to the State Historic Building Code (SHBC) (Title 24, Building Standards, Part 8).

3. No demolition, destruction, or significant alteration (except to restore for the preservation or enhancement of historic values) of the STATION shall occur without prior approval of the California Legislature by statute, in accordance with State Public Resources Code Section 5027, quoted herein:

Any building or structure that is listed on the National Register of Historic Places and is transferred from state ownership to another public agency shall not be demolished, destroyed, or significantly altered, except for restoration to preserve its historical values, without the prior approval of the Legislature by statute. This section applies to any building or structure transferred from state ownership to another public agency after January 1, 1987. (Added by Stats. 1987,

c. 1358, § 2.3)

4. The BOARD shall permit Caltrans, under license, to rehabilitate the San Jose Cahill Street Caltrain Station in accordance with the plans and specifications developed by Caltrans, the City of San Jose, and Santa Clara County in consultation with the SHPO.

5. The SOCIETY shall be permitted at all reasonable times to inspect the STATION in order to ascertain if the above conditions are being observed.

6. The SOCIETY shall be notified by the BOARD, its successors and assigns, of proposed plans for construction, alteration, remodeling, or installations which would affect the structural integrity or appearance of the STATION. The SOCIETY shall review and approve such proposed plans, at its discretion.

7. In the event of a violation of this covenant, and in addition to any remedy now or hereafter provided by law, the SOCIETY may, following reasonable notice to the BOARD, institute suit to enjoin said violation or to require the restoration of the STATION to CALTRANS.

8. The BOARD agrees that the SOCIETY may at its discretion, without prior notice to the BOARD, convey and assign all or part of its rights and responsibilities contained herein to another organization of similar responsibility.

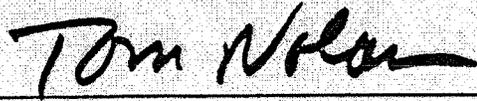
9. This covenant is binding on the BOARD, its successors, and assigns. Restrictions, stipulations, and covenants contained herein shall be inserted by the BOARD verbatim or by express reference in any deed or other legal instrument by which it acquires title to the STATION and by which the BOARD divests itself of either the fee simple title or any other lesser estate in the STATION or any part thereof.

10. The failure of the SOCIETY to exercise any right or remedy granted under this instrument shall not have the effect of waiving or limiting the exercise of any other right or remedy or the use of such right or remedy at any other time.

11. This covenant may be jointly amended or released in writing, and such amendment or release shall become effective upon its recordation in the Recorder's Office of Santa Clara County, California for the STATION.

12. This covenant shall be binding servitude upon the STATION and shall be deemed to run with the land. Execution of this covenant shall constitute conclusive evidence that the BOARD agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

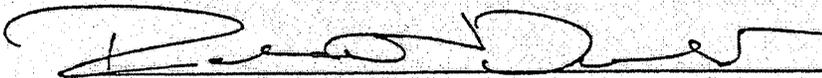
PENINSULA CORRIDOR JOINT POWERS BOARD



Chairperson

Date

SOUTH BAY HISTORICAL RAILROAD SOCIETY



Robert J. Dolci
Chairman of the Board

4/10/92
Date

APPENDIX 1

San Jose Cahill Street Caltrain Station
Cahill Street at San Fernando Street
Assessor's Parcel # 261-35-024
(Caltrans Parcel # 47232-1)

NOTE: For the purposes of this covenant, the San Jose Cahill Street Caltrain Station parcel includes both Parcel 47232-1 AND Parcel A, which was split off of Parcel 47232-1 when Caltrans purchased Parcel A in 1990. Each parcel is described below.

PARCEL 47232-1

"COMMENCING at the intersection of the southerly line of the Alameda with the westerly line of Cahill Street established by that certain deed from The Southern Pacific Company, a corporation, to the City of San Jose, recorded June 16, 1937 in Book 831, page 72, Official Records of Santa Clara County; thence along said westerly line and its southerly extension thereof S.02 degrees 28 minutes 26 seconds W., 985.74 feet to the southerly line of San Fernando Street; thence along last said line N. 87 degrees 34 minutes 00 seconds E., 10.78 feet to the westerly line of that certain parcel of land described as PARCEL ONE in the deed to Pacific Gas and Electric Company recorded November 25, 1936 in Book 797, page 336, Official Records of Santa Clara County; thence along the westerly and the northerly lines of said PARCEL ONE and the westerly prolongation of said northerly line the following two courses: S. 02 degrees 30 minutes 00 seconds E., 155.78 feet and S. 87 degrees 34 minutes 00 seconds W., 204.23 feet; thence N. 06 degrees 35 minutes 30 seconds E., 149.18 feet; thence N. 02 degrees 39 minutes 15 seconds W., 606.41 feet; thence N. 11 degrees 06 minutes 27 seconds W., 392.65 feet to the aforesaid southerly line of the Alameda; thence along last said line N. 87 degrees 39 minutes 34 seconds E., 230.72 feet to the point of commencement.

EXCEPTING THEREFROM all of PARCEL A (47232-1) First as described in the deed to that State of California, recorded December 28, 1990, in Volume L579, Page 1228 and under Recorder's Serial No. 10763955, Official Records of Santa Clara County.

CONTAINING 2.753 acres, more or less.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distance by 1.0000487 to obtain ground level distance.

Grantor excepts from the property hereby conveyed that portion thereof lying below a depth of 500 feet, measured vertically, from the contour of the surface of said property; however, Grantor, or its successors and assigns, shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property or any part thereof lying

between said surface and 500 feet below said surface."

PARCEL A:

"COMMENCING at the intersection of the southerly line of San Fernando Street with the westerly line of that certain parcel of land described as Parcel One in the deed to Pacific Gas and Electric Company recorded November 25, 1936 in Book 797, page 336, Official Records of Santa Clara County; thence along the westerly and the northerly lines of said Parcel One and the westerly prolongation of said northerly line of the following two courses: S. 2 degrees 30 minutes 00 seconds E., 155.78 feet and S. 87 degrees 34 minutes 00 seconds W., 204.23 feet; thence N. 6 degrees 35 minutes 30 seconds E., 149.18 feet; thence N. 2 degrees 39 minutes 15 seconds W., 414.58 feet; thence N. 87 degrees 31 minutes 34 seconds E., 111.18 feet; thence S. 2 degrees 28 minutes 26 seconds E., 149.12 feet; thence N. 87 degrees 31 minutes 34 seconds E., 60.00 feet to the westerly line of Cahill Street established by that certain deed from The Southern Pacific Company, a corporation to the City of San Jose, recorded June 16, 1937 in Book 831, page 72, Official Records of Santa Clara County; thence along said westerly line and its southerly extension thereof S. 2 degrees 28 minutes 26 seconds E., 257.13 feet to the southerly line of San Fernando Street; thence along last said line N. 87 degrees 34 minutes 00 seconds E., 10.78 feet to the point of commencement.

CONTAINING 2.071 acres of land, more or less.

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 1.0000487 to obtain ground distances."

APPENDIX 2

Description of Significant Features

San Jose Cahill Street Caltrain Station

Exterior: All historic exterior features located on the parcels being transferred by Caltrans to the Peninsula Corridor Joint Powers Board including brick masonry and mortar; roof; windows and doors and their frames, sashes, and glass; terra cotta cornice and decorative elements; wrought-iron fencing; subway and ramps from station to platforms; entrance marquis; flag pole; paint color of gate, grille, and fence; historic trees.

Interior: All historic materials including the mural; marble wainscoting; Caen stone plaster wall finish; terrazzo floor paving; oak benches; ticket counters and glass partitions; waiting room ceiling; restored Times Roman and Egyptian-style sans-serif typeface on signage; wall sconces; replicated chandelier; air grilles; floor tiles, baseboards and other historic materials in the restrooms.



Alan C. Lloyd, Ph.D.
Agency Secretary
Cal/EPA



Department of Toxic Substances Control

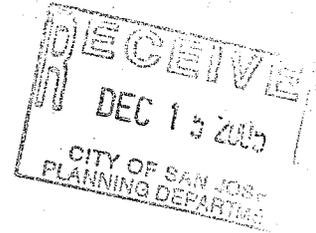
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

December 13, 2005

Mr. Michael Rhoades
City of San Jose
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, California 95113-1905



Dear Mr. Rhoades:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) (SCH# 2005112126), for the Ballpark Study in the Diridon/Arena Area draft Environmental Impact Report (EIR), San Jose, California. As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8.

The Notice of Preparation indicates that there is a proposed change in land use. Please be aware that properties that were once agricultural, commercial, or industrial could potentially be contaminated with hazardous substances from past activities. In addition, the NOP states that the buildings presently on-site may be demolished and a PG&E substation may be moved. A survey of these building should be done for lead and asbestos before demolition. DTSC recommends that you include a more detailed description of the property's past use in the EIR to determine whether hazardous substances may have been released at the site. Based on the historical assessment, we strongly recommend that sampling be conducted to determine whether hazardous substances are present at levels which would need to be addressed as part of any development of the property. If hazardous substances have been released, they will need to be addressed as part of this project. The remediation activities would then need to be addressed in the California Environmental Quality Act (CEQA) compliance document.

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

Mr. Michael Rhoades
December 13, 2005
Page 2

DTSC can assist your agency in overseeing characterization and cleanup activities through our Voluntary Cleanup Program. A fact sheet describing this program is enclosed. We are aware that projects such as this one are typically on a compressed schedule, and in an effort to use the available review time efficiently, we request that DTSC be included in any meetings where issues relevant to our statutory authority are discussed.

Please contact Katharine Hilf at (510) 540-3817 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,



Karen M. Toth, P.E., Unit Chief
Northern California - Coastal Cleanup Operations Branch

Enclosure

cc: without enclosure

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

Guenther W. Moskat
CEQA Tracking Center
Department of Toxic Substances Control
1001 "I" Street, 22nd Floor
P.O. Box 806
Sacramento, California 95812-0806

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

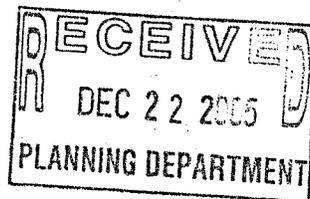
P. O. BOX 942873

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December 13, 2005

Mr. Michael Rhoades
San Jose Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Dear Mr. Rhoades:

Re: City of San Jose's Notice of Preparation of a Draft Environmental Impact Report for the Ballpark Study in the Diridon/Arena Area; SCH# 2005112126

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety, noise and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public and special use airports and heliports. The following comments are offered for your consideration.

The proposal is for the construction of a major league baseball stadium to accommodate 45,000 visitors. The stadium will include scoreboards (not to exceed 200 feet in height) and lighting structures up to 260 feet in height. The proposal also includes a five-story 1,200-space parking structure. The project site is located approximately 8,500 feet southwest of the San Jose International; Norman Y. Mineta Airport. The project site will be subject to aircraft overflights. Airport-related noise, safety and land use concerns should be thoroughly addressed in the Draft Environmental Impact Report.

Public Utilities Code, Section 21659, "Hazards Near Airports Prohibited" prohibits structural hazards near airports. Structures should not be at a height that will result in penetration of the approach imaginary surfaces. To ensure compliance with Federal Aviation Regulation, Part 77, "Objects Affecting Navigable Airspace," submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. Form 7460-1 is available at <http://forms.faa.gov/forms/faa7460-1.pdf>. Please note, the FAA also requires submission of a completed Form 7460-2 Part 1 at least 48 hours prior to starting the actual construction. Form 7460-2 is available at <http://forms.faa.gov/forms/faa7460-2.pdf>. Any changes in coordinates or heights will require submission of a new Form 7460-1 to the FAA.

Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code (<http://www.leginfo.ca.gov/calaw.html>) address buyer notification requirements for lands around airports. Any person who intends to offer land for sale or lease within an *airport influence area* is required to disclose that fact to the person buying the property.

Mr. Michael Rhoades
December 13, 2005
Page 2

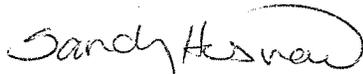
The protection of airports from incompatible land use encroachment is vital to California's economic future. San Jose International Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

The proposal should be submitted to the Santa Clara County Airport Land Use Commission (ALUC) for a consistency determination. The proposal should also be coordinated with airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

These comments reflect the areas of concern to the Division of Aeronautics with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our district office concerning surface transportation issues.

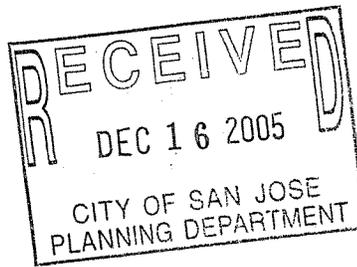
Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,



SANDY HESNARD
Aviation Environmental Specialist

c: State Clearinghouse, Santa Clara County ALUC, San Jose Int Airport



BOARD OF DIRECTORS 2005

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MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

December 12, 2005

Mr. Michael Rhoades, Environmental Project Manager
City of San José Department of Planning,
Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

SUBJECT: Caltrain comments on the Notice of Preparation of a Draft
Environmental Impact Report for the Proposed Ballpark Study in the
Diridon/Arena Area of San José (File # PP05-214)

Dear Mr. Rhoades:

Thank you for sending us a copy of the Notice of Preparation of a Draft
Environmental Impact Report for the Proposed Ballpark Study in the Diridon/Arena
Area of San José.

We have the following comments on the proposed ballpark study:

1. The Ballpark Development, Commercial Development, Parking Structure, and P.G. & E. Substation are being proposed adjacent to an existing rail line that includes existing freight and passenger service, future Dumbarton passenger rail service, future Capitol Corridor passenger rail service and proposed future California High-speed Rail corridor.
2. It appears from the aerial map included with the Notice of Preparation, that part of the Peninsula Corridor Joint Powers Board (JPB) property (in the northwest corner of the proposed project) is being included as part of the proposed project. If JPB property is to be taken as part of the project, the City should know that the San José Caltrain station is on the National Register of Historic Places (NRHP), and the small portion shown on the map is in the footprint of the NRHP resource. The Caltrain station property is under a covenant (see enclosed), that has certain restrictions associated with the property. The loss of Caltrain and contract employee parking at this location will need to be mitigated by the project.
3. The height of the proposed structure at 200 feet, and 260 feet for lighting as discussed in the NOP, the lighting/shading or visual dominance of the proposed project on the Caltrain station could be considered an adverse effect of a NRHP resource.

PENINSULA CORRIDOR JOINT POWERS BOARD
1250 San Carlos Avenue – P.O. Box 3006
San Carlos, CA 94070-1306 (650) 508-6269

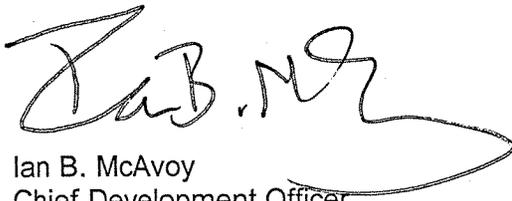
Mr. Michael Rhoades
December 12, 2005
Page 2 of 2

4. The Noise and Vibration Study should take into account the proximity of the proposed project to the existing rail line and identify mitigation measures to be incorporated in the project if needed.
5. The parking ratio and price of parking at the proposed development should be carefully studied and considered in order to further support transit ridership and the regional benefits such as air quality and reduced congestion that accrue from it. The report should outline how the operators of the ballpark will mitigate the ballpark patrons from parking in the Caltrain parking areas.
6. We commend your efforts to support and promote transit-oriented development, which increases transit ridership as many studies have shown.

The Peninsula Corridor Joint Powers Board (JPB) looks forward to working with the City on this study.

Please send us two copies of the Draft Environmental Impact Report when it is made available. If you have any questions, please contact Erik Ólafsson of my staff at (650) 508-6368. Thank you.

Sincerely,



Ian B. McAvoy
Chief Development Officer

enclosure

cc: Ian McAvoy, Darrell Maxey, Stephen Chao, Anthony Quicho, Dick Dahllof, Brian Fitzpatrick, Gary Cardona, Ed Stewart, Erik Ólafsson, Doc-Control

DEPARTMENT OF TRANSPORTATION

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December 1, 2005

SCL-082-R8.21
SCL082374

Mr. Michael Rhoades
City of San José
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

Dear Mr. Rhoades:

PP05-214 – Ball Park Study in the Diridon/Arena Area – Notice of Preparation (NOP)

Thank you for including the California Department of Transportation in the environmental review process for the proposed project. We have reviewed the NOP and have the following comments to offer.

Our primary concern with the project is the potentially significant impact it may have to traffic volume and congestion. In order to address our concerns regarding the proposed development, we recommend a traffic impact analysis be prepared. We encourage the City to coordinate preparation of the traffic study with our office and would appreciate the opportunity to review the scope of work. Of particular interest to the Department are the project's potential impacts to the mainline sections and ramp systems of State Route (SR) 87 between SR-17 and Tully Road; of I-280 between SR-17 and US-101; and all significantly affected sections of SR-82. The traffic impact analysis should include, but not be limited to the following:

1. Information on the project's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed.
2. Current Average Daily Traffic (ADT), AM, and PM peak hour volumes on all significantly affected streets, highway segments, intersections and ramps.
3. Schematic illustration of the traffic conditions for: 1) existing, 2) existing plus master plan, and 3) cumulative for the intersections in the master plan area.

4. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the State Highway facilities being evaluated.
5. Mitigation measures should consider highway and non-highway improvements and services. Special attention should be given to the development of alternate solutions to circulation problems that do not rely on increased highway construction.
6. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

We recommend you utilize Caltrans' *"Guide for the Preparation of Traffic Impact Studies"* which can be accessed from the following webpage:
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

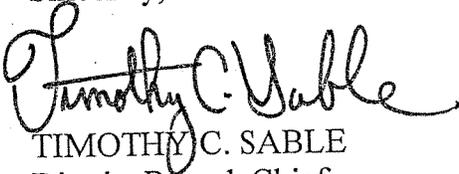
Please be advised that any work or traffic control within the State right-of-way (ROW) will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans (in metric units) which clearly indicate State ROW to the following address:

Mr. Sean Nozzari, District Office Chief
Office of Permits
California Department of Transportation, District 04
P. O. Box 23660
Oakland, Ca 94623-0660

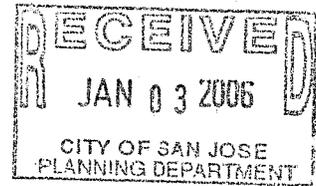
An encroachment permit application and instructions can be located at the following web address: <http://www.dot.ca.gov/hq/traffops/developserv/permits/applications/index.html>

Should you require further information or have any questions regarding this letter, please call José L. Olveda of my staff at (510) 286-5535.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA



Shasta/Hanchett Park Neighborhood Association

P.O. Box 28251 • San José, CA 95159 • info@shpna.org • www.shpna.org

January 2, 2006

City of San José
Department of Planning, Building and Code Enforcement
Attention: Michael Rhoades
200 East Santa Clara Street, 3rd Floor
San José, CA 95113

Dear Mr. Rhoades,

I am writing in regards to scope and content of the Environmental Impact Report for the Ballpark Study in the Diridon/Arena Area. The City of San José failed to notify the Shasta/Hanchett Park Neighborhood Association (S/HPNA) of the public EIR scope review meeting on December 15. Members of our community would like the opportunity to ask questions in a community meeting setting about this proposed development and study, given the significant impact a ballpark would have on our community and neighborhoods.

City of San José, City Council Policy 6-30: PUBLIC OUTREACH POLICY FOR PENDING LAND USE AND DEVELOPMENT PROPOSALS states:

At a minimum, for Large and/or Significant Community Interest Proposals, there should be at least one community meeting no less than 45 days following the filing of the application...

The community meeting was held only 18 days after the first public notice of the City of San José's intent on building a ballpark at the Diridon location.

Furthermore, the policy states:

The intent of Early Notification is to ensure that property owners, tenants, neighborhood groups, community organizations, and other interested parties have as much advanced notification of proposed projects as possible.

We request that you extend the deadline for written comments, as well as hold additional public meetings with proper notifications, so all members of the community have time to review and comment on the proposed scope and content of the EIR.

As an organization with a mission of protecting and advancing the interests of San José's Shasta/Hanchett Park, St. Leo's, Garden Alameda, and Cahill Park neighborhoods, we formally request the following content be included or is addressed

the in Environmental Impact Report for the Ballpark Study in the Diridon/Arena Area:

1. Would the Environmental Impact Report be considered invalid, if a soccer stadium is concurrently proposed at Fire Training Center site?
2. How would the proposed project affect crime in the adjacent neighborhoods?
3. The proposed project would use land earmarked for housing and parks as specified in the Diridon / Arena Strategic Development Plan, Midtown Specific Plan and General Plan. If the land is not used for housing, how will the City of San José meet their housing goals?
4. If the land is not used for park space, how does the City of San José propose to make up for the shortfall of park space that already exists today in our neighborhoods?
5. The Notice of Preparation of a Draft EIR states the proposed project would contribute to increased job growth. Please clarify the job growth. Would the new jobs include full-time living wage jobs that could employ residents that currently live in the neighborhood? What type of jobs would those be?
6. Could an alternative project provide more jobs than the currently proposed project?
7. Given that a ballpark may not be compatible with all types residential living, would the currently proposed project decrease housing development in the vicinity?
8. Is there a parking plan for the proposed project and what is the number of new spaces what will be made available for events? Where will parking be provided?
9. The Arena holds 17,000 seats and events currently utilize parking lots in a ½ mile radius. What would be the radius used for parking with a ballpark with 45,000 seats?
10. The St. Leo's and Cahill Park parking permit program currently protect the residents within a ½ mile radius of the Arena/HP Pavilion. Is there a proposed parking permit program and if so, what is the radius of protection?
11. How will the increase in traffic be mitigated on Park Avenue? On West San Carlos Street?
12. How does the City of San José plan to address the interference of ballpark traffic with school traffic on Park Avenue?
13. How would residential streets such as Shasta Avenue be protected from cut-through traffic for ballgames or events?

14. Does the City of San José plan to modify street signs and promote the use of major traffic corridors as opposed to using residential streets? How does the City propose to do this?
15. Would the flight path need to change to accommodate the proposed ball park? Will the lights from the stadium interfere with airline pilots' ability to navigate?
16. Would the proposed project have a negative impact on the ability to bring BART to the Diridon station?
17. How would the proposed project affect the air quality in our local parks, including Cahill Park and Guadalupe River Park and Gardens, given the increase in idle traffic caused by events?
18. How would the proposed project increase the motor vehicle noise and celebratory noise, including fireworks on residential streets in our neighborhood?
19. Would outdoor concerts be allowed at the ballpark? If so, how does the City of San José plan to mitigate the noise?
20. Will the new baseball stadium host games or events where the Arena/HP Pavilion is also in operation? If so, how will the city manage the increased vehicle and pedestrian traffic, parking and public safety issues?
21. If the Fire Training Center site is used for a Soccer Stadium, where would the new parking facilities be located?
22. Does the proposed project call for the replacement of any trees that may be removed?
23. What is the expected impact to the Guadalupe River Park, including the burrowing owl population?
24. How will drainage from the proposed project impact the water in Los Gatos Creek and Guadalupe River?
25. Will water collected from the proposed project be recycled?
26. Would the proposed project affect the wells in the vicinity?
27. How will the study test for buried hazardous materials, given that the proposed site is on an old PG&E substation and the Arena/ HP Pavilion EIR study found hazardous materials?
28. Will the design for the proposed project be compatible with the varied architectural styles in the neighborhood?

29. How will the proposed project affect the view from the surrounding neighborhoods? Will the downtown skyline still be visible from the Cahill Park neighborhood? Will the hills to the east still be visible from the Cahill Park neighborhood?
30. Given that the proposed project is more than 200 feet high and considerable scale, how would it affect the wind patterns in the neighborhood?
31. How will the removal of the PG&E substation affect the neighborhood? How long will electricity be out during construction?
32. How would the proposed project have an effect on ambulance service and area hospitals?
33. Given that the project will increase the need for police services, how does the City plan to pay for the increases in the police budget?
34. Will the baseball stadium be considered a location to be used as an evacuation area in the event of a major emergency?
35. What is the emergency preparedness plan for the baseball stadium? If a major disaster should occur during an event at the ballpark, how will attendees exit?
36. Given the neighborhood currently has 1 acre of park space per 1000 people, and the proposed project will use park space as well as increase use of parks in the vicinity, how does the City propose meeting the 3.5 acres per 1000 people standard set by the City's General Plan?
37. Given the energy need for the proposed project, is the use of solar technology being considered?
38. How would the proposed project meet the LEED (Leadership in Energy and Environmental Design) Green Building Certification requirements?
39. Given the proposed project would not be able to adhere to riparian setback guidelines of 100 feet for Los Gatos Creek as specified in the City policy, how would the proposed project take precautions to protect the creek?
40. The Midtown Specific Plan calls for the Fire Training Center to be designated as park space and connection a to Los Gatos Creek trail. How would the proposed project mitigate adjustments to this plan?
41. How would the proposed project affect the City's job growth goals, specifically as it relates to distributing new jobs evenly across the city?
42. Is the proposed project consistent with current downtown goals given that most likely jobs created are seasonal and not permanent?

43. During the construction of the proposed project, where will materials be staged?
44. What is the economic impact of the ballpark on local businesses and services, given that a ballpark has inconsistent hours of operation? Would the neighborhood lose valuable business resources, such as Orchard Supply Hardware, because of its proximity to the ballpark and its large parking lot?
45. Would the proposed project encourage the development of more businesses that are incompatible with the neighborhood, such as bars and hotels?
46. Since the proposed project would require rerouting Highway 82 on Montgomery Street, would rerouting be extended to include The Alameda, allowing the City to control traffic flow through the neighborhood?
47. The proposed project will increase the demand for billboards in the neighborhood. Will the study take note on the number of billboards in the neighborhood and the negative effect billboards have on the neighborhood, including adding to blighted conditions? And will it include possible solutions for removing billboards?

And lastly, the proposed ballpark site is in the vicinity San José's most historically significant neighborhoods. The Environmental Impact Report should offer other potential locations for a ballpark that will be less of impact on the city's historic neighborhoods. Locations such as the Mercury News site off Highway 101 or the San José Municipal Stadium on East Alma Avenue could be more suitable, have less of an impact on the surrounding neighborhoods, and yet still meet the goals of bringing a major league baseball team to San José.

We look forward to your response regarding the extension as well as the opportunity to have these and other community concerns addressed as we participate in the evaluation of this proposed project.

Sincerely,

THE SHASTA/HANCHETT PARK NEIGHBORHOOD ASSOCIATION



Joe Bentley
Board of Directors
Chair, Planning and Land Use Committee
pluc@shpna.org

cc: Joe Horwedel, City of San José
Dennis Korabiak, Redevelopment Agency
Akoni Danielsén, City of San José

December 13, 2005

City of San Jose
Department of Planning, Building and Code Enforcement
Attn: Michael Rhoades
200 E. Santa Clara St., 3rd Floor
San Jose, CA 95113

Dear Michael,

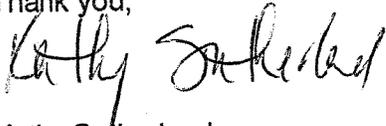
The Delmas Park NAC would like to request that the following issues be included in the EIR for the Ballpark Study:

- Completion of the expansion of Autumn Street through to Coleman
- Results of closure of Park Avenue from McEvoy to Bird Avenue – creating more land mass for parking, park space, PG&E Substation. Affects on neighborhood traffic patterns and connection between the 2 different neighborhoods on opposite sides of the RR tracks. Maintaining pedestrian and bike paths over or under the RR tracks
- Continued development of park space at the Fire Department Training Center to include sports fields as recommended by the Parks and Rec commission
- Completion of the Los Gatos Creek Trail from San Carlos to Santa Clara
- Traffic study that includes:

Full residential development of Delmas Park as approved by City Council on August 19, 2003 which specifies density per lot
Bird Avenue/280 interchange and how it will affect "Safe Route to Schools"

Please let me know if you have any questions or need more information

Thank you,



Kathy Sutherland
President
Delmas Park NAC
408-998-2168
kathysutherland@pacbell.net

Rhoades, Michael

From: Rhonda Berry [rberry@ourcityforest.org]
Sent: Wednesday, January 04, 2006 11:23 AM
To: michael.rhoades@sanjoseca.gov
Subject: Ball Park EIR response

TO: Michael Rhoades
San José Planning Department

RE: EIR Response to the San José Ball Park near Diridon Train Station

I am a huge fan of baseball. I would love for the San José area to have a professional ball park.

However, as an urban planner and a 12-year homeowner in the Shasta-Hanchett neighborhood, I cannot endorse the proposed siting of such a park near the Diridon Train Station. It makes no sense to place this type of limited venue in this important core section of San José which is within and adjacent to several historic neighborhood and business villages.

It is important to recognize that the SBC Park is sited on the EDGE of San Francisco, not in its CENTER. The proposed Diridon site, on the other hand, is in the CENTER of San José. The traffic impact for neighborhoods well beyond the ballpark itself will be a nightmare. Not only the Rose Garden and Shasta Hanchett communities, but Willow Glen as well as downtown neighborhoods, will also be negatively impacted in this regard. The impact on these nearby liveable communities which are experiencing a renewed renaissance would be to isolate them from the downtown and

When I attend SBC Ball Park, it is fun and vibrant - for those few hours. But in all the days and hours and weeks and months in between those games, the entire area and the huge parking lots are empty and lifeless. The area around is truly grey, dusty and unattractive. Luckily, the negative social impacts of so much dead space are not as bad as they would be if it was in the center of S.F. instead of its edge.

The ballpark needs to be sited somewhere else. **What San José needs most in its inner core is INFILL HOUSING for round-the-clock use by round-the-clock residents.**

Rhonda Berry
San José
(408) 799-9502

Rhoades, Michael

From: Patrick Coleman [pdcoleman732@yahoo.com]
Sent: Saturday, December 17, 2005 10:02 AM
To: michael.rhoades@sanjoseca.gov
Cc: Tony Filice
Subject: Ballpark Meeting

Thank you for the community meeting last Thursday explaining the new park. One park that was not mentioned was Safeco Park in Seattle. I wanted to verify that it had a sliding roof before I mentioned anything. I think this would be a great 'benchmark' park.

My only comment from the meeting is that it seems weird that the noise, light and other mitigation analysis happens after the design. I would think this would work in parallel.

I really like the idea of closing off Park Avenue. This extends the usable land to San Carlos! In that case what would it look like if Home Plate was off San Carlos instead of Park; much less neighborhood impact and much closer to the freeway.

Just a thought.

Sincerely,
Patrick Coleman
Georgetown property owner. (I'm on the mailing list already and receive notification).

Rhoades, Michael

From: Doyle, Paul [Paul.Doyle@kla-tencor.com]
Sent: Tuesday, January 03, 2006 11:22 AM
To: michael.rhoades@sanjoseca.gov
Subject: Ballpark in our backyard

Dear Michael,

I've just read with alarming dismay the proposal to build a ball park in the Park and Bird ave. neighborhood near Diridon Station. I wonder how much thought was actually put into this proposal as it seems the idea is entirely inappropriate. There is not nearly enough capacity on the city streets to handle the extra traffic. The current streets cannot even handle the traffic load of the existing arena, to add another venue with three times the capacity is completely irresponsible.

The proposed venue is also located in close proximity to many private homes and new housing developments. Think of how this would impact your neighborhood if someone planted a ballpark next to your home. I'm sure the conclusion you would come to is the same as mine, it just makes no sense. Those of us who have invested a large amount of personal effort and time into rehabilitating historic downtown neighborhoods consider this an affront to our efforts. The increase in traffic, noise, and crime will be totally unacceptable. Just look to the Oakland Coliseum to witness the violent crimes that occur as a result of that facility to predict what this will bring to our neighborhood. Our homes are well within earshot of this proposed facility, and there is nothing which can be done to bring the noise to an acceptable level, so this makes your plan entirely inappropriate.

This ballpark is not a good thing for the area you have proposed. San Jose has many locations that would benefit from such a facility, just look towards the fairgrounds, or the industrial areas near 10th st. and the old ice arena for space which could house this facility with much less negative impact on our historic neighborhoods and homeowners. San Francisco may have successfully implanted a ballpark in the downtown area, but they chose to do it in an area with no homes to avoid the negative impacts these facilities bring with them. If San Jose is going to follow this trend it is important that the residents nearby this facility are the primary concern, and their needs are addressed first and foremost.

Please take the time to find an appropriate location for this facility, the chosen site is not acceptable.

Sincerely,

Paul Doyle
Cleaves Ave. Resident

Rhoades, Michael

From: Patrick Goddi [goddip@mac.com]
Sent: Tuesday, January 03, 2006 4:34 PM
To: michael.rhoades@sanjoseca.gov
Cc: joe.bentley@shpna.org; Yeager, Ken
Subject: Re: SHPNA_Talk

Dear Planning Department and Michael Rhoades,

I too am concerned with the impact of an outdoor facility of this size at the edge of our residential neighborhood. Clearly SBC park is in an industrial area surrounded by business and high rise housing. We are a neighborhood of single family homes with yards we like to use without significant noise issues. We had a taste for the noise created by outdoor events last summer with the X-Games type event held in the parking lot of the arena (its proposed use was for hosting indoor events as I recall). The noise was heard throughout our neighborhoods late into the night, and that was a much smaller event than this stadium will host on a regular basis.

I would like to see this report include information on the environmental impact of similar stadiums that have been built near neighborhoods of single family homes, and the impact those facilities had on such neighborhoods over a reasonable time horizon. In addition, I would like to see the EIR analysis consider the impact of all potential events such a facility might host based on stadiums and other facilities of similar size in the country, even if such events are not proposed here. We should be aware of what may happen if the team has a prolonged strike or leaves, and the stadium and city are forced to improvise to pay loans.

Finally this is probably a naive question and may not belong at this stage but I didn't notice any consideration for Homeland Security related issues in the proposed scoping of the report. I assume a 45,000 seat stadium that could host a World Series will need to be designed with the proper security in mind, but shouldn't the EIR address the relevant impacts of such issues as well. What are the possible risks, and thus what will the stadium design and emergency services, etc need to do to mitigate the risks and what potential impact will that have on the environment (and neighborhoods) around the stadium. Like I said may be a naive question but I thought I would ask.

Patrick Goddi
Mariposa Ave
San Jose

Rhoades, Michael

From: Cathy Jones [mzjoneshome@yahoo.com]
Sent: Tuesday, January 03, 2006 11:00 AM
To: michael.rhoades@sanjoseca.gov
Subject: San Jose Ballpark Plans

Micheal,

You're email address was provided through the Shasta-Hanchett Neighborhood Association for any remarks on the proposed San Jose Ballpark.

I have some very strong concerns about the placement of this ballpark. I'm a new home owner in St Leo's neighborhood, not more than 4 blocks north of the train. From what I can see, I'll have a ballpark in my backyard. My main concern is noise: this summer there was an outdoor activity at the HP Pavillion (x-games and a concert) and there were MANY complaints on noise issues. The ballpark will in essence be even closer to my neighborhood than the Pavillion. Will this noise now occur approximately 200 times during the playing season?

If San Jose wants a ballpark, why can't it be placed outside of the residential areas, somewhere were it won't impact people in their homes? If this ballpark comes to fruition in it's current location, I will have to move. I won't put up with MORE noise, in addition to the train and the airport.

Thanks for "listening",

Cathy Jones on Cleaves

Yahoo! DSL Something to write home about. Just \$16.99/mo. or less

Rhoades, Michael

From: Justewicz, Dominic [justewiczd@medimmune.com]
Sent: Saturday, December 03, 2005 4:02 PM
To: michael.rhoades@sanjoseca.gov
Subject: FW: Thanks for the District 6 Newsletter, and comments on 777 Park Ave. & baseball stadium proposal

Michael. My note to Ken regarding the draft baseball stadium could not be delivered to you, given my misspelling of your name. Here are my comments now.

Thankyou,
Dominic
(804 Georgetown Place)

Dominic M. Justewicz
Scientist 3, Group Leader
Molecular Virology;
Nucleic Acid Testing
MedImmune Vaccines
319 North Bernardo Ave.
Mountain View, CA 94043
tel. (650) 603-2343
justewiczd@medimmune.com

-----Original Message-----

From: Justewicz, Dominic
Sent: Saturday, December 03, 2005 3:55 PM
To: 'Yeager, Ken'
Cc: 'Megan.Doyle@sanjoseca.gov'; 'michael.rhodes@sanjoseca.gov'; 'Carol.Hamilton@sanjoseca.gov'; 'joan_larson@pacbell.net'; 'jonathan.martinez@comcast.net'; 'ma_saunders@hotmail.com'
Subject: Thanks for the District 6 Newsletter, and comments on 777 Park Ave. & baseball stadium proposal

Ken. Thank you for the district newsletter. I do very much enjoy seeing it every month.

A few questions:

- Will there be a follow-up meeting for the 777 Park Avenue condominium project?
 The initial community meeting was on August 31st. I've not heard anything since.
 The primary concerns we have are:
 - Potential for traffic congestion (and accidents) w/ main garage entry/exit on Laurel Grove.
 If Sunol is an example, as it's the only access point to our development (Georgetown), the street is much too narrow, and is already dangerous (especially unchecked large traffic by Hertz and United Rental equipment, and BFI and WMI). Laurel Grove will carry the bulk of the traffic from Cahill Park (cars from 164 units), and likely most of the traffic from Georgetown (cars from 94 units). Why add another 122 cars from the new project?
 Can the new development limit access to their garage on Laurel Grove to guests only?
 The bulk of the entry/exit should be onto Park Ave. at the far end of the building.
 - Potential for continued unheeded traffic (truck & otherwise) w/ location of retail outlet at corner of Laurel Grove & Park. There are, already, many vacant stores on Park Ave. Can the store be relocated to face the VTA / Caltrain station?
 - Potential for continued unchecked construction noise if access to Laurel Grove is not limited.
 I would hope that Laurel Grove (and Park Ave. next to Georgetown) be off-limits to all construction activity (including all trailers and equipment deliveries). I would hope this can be done w/ the upcoming permit-parking policy. I would also hope that all access to the site be through Park Ave. I would not object if Park Ave. is partially closed (westbound traffic) to accomodate the construction at 777.

We have had a very bad experience w/ the Cahill Park development over the past two years (not to mention the even worse experience due to Pacific Harvest Seafoods' overnight truck traffic). I would not



want this to be repeated for any of us at Georgetown, nor for anyone homeowners at Cahill Park. I believe there is now enough 'inertial mass' from this residential community to firmly limit any unauthorized construction or commercial activity outside of mutually agreed upon business hours.

- 
- At first look, the proposal for the baseball stadium (received this past week) is attractive. I do much favor the stadium, if it's well done. I hope we can do the same in San Jose as what was done at SBC Park in San Francisco. However, the location of the stadium is much too close to the Cahill Park residential area. The site also seems to be too small. In comparison, the HP Pavilion is much better situated (and it's an indoor facility for less than 20K people). So, if you permit, some suggestions:
 - Would it not be possible to create a park and/or plaza on the western edge (on both sides of the train tracks - VTA already installed a 'historic' water tank), facing the residential area, and to shift the stadium eastward, over Autumn St. (if the road can't be moved)?
 - I would also favor limiting all stadium traffic to east of the rail lines; I don't favor having any parking structure south of Park Ave. unless it's located at the very southern tip of the site (together w/ the PG&E substation), and access limited to only San Carlos St. Both Park Ave. south of the stadium and Autumn St. should be limited to pedestrian traffic only before, during, and after the ball games.

One clearly disappointment, and surprise, was the quality of the maps -they're quite dated, and do not indicate any part of the residential area present now. One of the maps seems to indicate a rail line right through my townhouse!? I hope the public meeting will provide a better idea of what's planned given what's already here. A fair and appropriate evaluation of the proposal cannot be accomplished if many of the participants believe that there is no 'value' to the current site, and no impact from the proposed stadium. I also hope that some updated material will be provided.

See you soon, if not on the 15th for the first meeting on the ball park.

Best regards,
Dominic

-----Original Message-----

From: Yeager, Ken [mailto:kyeager@sanjoseca.gov]

Sent: Friday, December 02, 2005 3:40 PM

Subject: District 6 Newsletter

Rhoades, Michael

From: Kathryn Mathewson [kmathewson@secretgardens.com]
Sent: Tuesday, January 03, 2006 5:17 PM
To: michael.rhoades@sanjoseca.gov
Cc: Shasta_Hanchett_Talk@yahoogroups.com
Subject: Ball Park EIR response

TO: Michael Rhoades
San Jose Planning Department

RE: EIR Response to San Jose Ball Park near Diridon Train Station

December 3, 2005

My family has lived in the same Hanchett home since 1950. We love our historical neighborhood and its relationship to downtown but do not love what you are doing to create a dead space adjacent to downtown and isolating our neighborhood from San Jose. I am a landscape architect having studied urban design issues at UC Berkeley's College of Environmental Design and began the Urban Landscape Architecture Department at City College in New York City.

I have personnel experience with the SBC Ball Park because I had a business about three blocks from it for over 20 years. The SBC ballpark created a negative influence in the businesses and community around it and I believe it will do the same to us. For 20 years I loved being on a historical park in South of Market just five blocks from where SBC was built. It was a joy to be surrounded by business diversity, energy, and creativity. The kinds of businesses and people that came to the neighborhood after the ballpark was built were so negative to my business that I moved shortly after it was built. Now every time I go back I feel badly that such a wonderful neighborhood has been destroyed for short term games. The area had great restaurants which left when the ball park was built. They have been replaced with fast food places. The park was full of people at lunch and now has few visitors. Interesting stores have left for marginal short term bargain stores. Huge amounts of traffic come into the area for the games but most of the time the streets are dead. The feeling spread all over South of Market and was not just in a short radius of the SBC Ball Park Stadium.

I have seen this happen at the Sharks stadium and think what a crime to make this kind of space even larger. It will create a soulless dead space between us and downtown with traffic nightmares much worse than the Sharks stadium. I have also been to the Camden Yards Ball Park in Baltimore and Wrigley Field in Chicago and get the same feeling in both of these urban baseball stadiums. San Jose has other places to put this stadium. Why do we have to place both stadiums in relatively the same location? If this stadium is built it will create a barrier between our Shasta-Hanchett and Rose Garden neighborhood and downtown. My neighbors and I will then turn to Santa Clara as our city of choice and rarely visit the San Jose Diridon train station again. If you care about keeping our community as part of San Jose you must consider the negative impact a Ball Park

in the Diridon Train Station area will do to our neighborhood. If you do not, it is possible that we may choose to change our address.

Train stations in great cities are active vital parts of the city and, therefore, visitors want to visit the city at all times of the day and night. Good city planners think about multi use around train stations to bring life to them. If you build two sport stadiums around our Diridon Train Station then you will be deadening our downtown permanently.

Given the huge impact your proposed Ball Park will make on our community, it is unfortunate that you did not communicate about its EIR with our neighborhood organizations. It is a surprise that the issue has come up so quickly and it appears that the process is not proceeding democratically.

Why are you not considering detailed and careful research on other places for a Ballpark? Examples could be:

1. The City of Santa Clara already has land set aside for a Ball Park.
2. The San Jose Mercury News 18 acres off #880 will be coming up for sale in the near future.
3. The area around the old Fairgrounds is still owned by the public and it would be much less expensive to get this land than the area around the Diridon Train Station.

Kathryn Mathewson
1698 Hancehth Avenue
San Jose, CA 95128
408-292-9595
kmathewson@secretgardens.com
www.secretgardens.com

Rhoades, Michael

From: Brian Pirkl [bpirkl@sbcglobal.net]
Sent: Tuesday, January 03, 2006 10:02 AM
To: michael.rhoades@sanjoseca.gov
Subject: Ball Park Study

Michael Rhodes,

the initial plans are of course light on specifics but I'd like to see a plan to minimize impact on the historic ST. Leo's Neighborhood. Influences would be to position the stadium so that light and noise will be deflected into downtown as opposed to into the neighborhood.

Brian Pirkl
24 Cleaves

Rhodes, Michael

From: Noel St. John [noel_public@thestjohns.net]
Sent: Tuesday, January 03, 2006 4:39 PM
To: michael.rhodes@sanjoseca.gov
Cc: Ken.Yeager@sanjoseca.gov
Subject: Ballpark EIR Comments

Michael,

I am a resident on Cleaves Avenue, in St. Leo's, which is very near the Arena and the proposed Diridon ballpark. I shudder at the probable impacts of the ballpark on the neighborhood and the city. I am strongly against the proposal and will work with the neighborhood to oppose it.

Specially regarding the EIR, I submit the following for consideration:

- **Noise:** The ballpark will generate considerable noise in the neighborhood for ball games, rock concerts, additional sports and recreational activities. This summer the Arena had an outdoor event whose noise impacted many neighbors. It sounded like a three day party next door to me. I would expect the same on a more frequent basis with the ballpark. The increase in noise would probably drive our family out of the neighborhood. If people move out of the neighborhood housing prices could decrease which would significantly effect home owners and investors of property in the area.
- **Light/glare:** I will probably see the lights/glare from my front porch. This will lessen the enjoyment of sitting outside on a warm summer evening. If more people stay inside we will see our neighbors less.
- **Parking:** The ballpark will make parking more difficult for residents near Diridon. We have permit parking in St. Leo's but Cahill/Georgetown/Avalon residents are squeezed for parking (easy to imagine because the Cahill/Georgetown/Avalon developments have less parking spaces than normal, since it is near light rail, but most residents still have cars). This could lead to more illegal parking, more needed enforcement, and the possible push by Cahill/Georgetown/Avalon to revamp the parking permit allocation to reduce their burden.
- **Air Quality:** Smoke from ballpark grills and barbecues.
- **Trash:** More trash will blow around in the area due to the inevitable winds and some careless patrons.
- **Vermin:** The increase of left over foods, trash, etc. will surely harbor more vermin than the existing structures.
- **Public facilities:** If the PG&E substation is moved to the fire training facility, the neighborhood will lose a promised community center.
- **Consistency with plans and policy:** Building a large concrete structure that will not be neighborhood friendly immediately adjacent to existing and new housing is inconsistent with current plans and policies.

All of the above could discourage current and future businesses resulting in loss of employment or underemployment and reduction of future developments in the area.

Please consider the above environmental impacts due the proposed Diridon ballpark.

Regards,

Noel St. John
87 Cleaves Avenue

Rhoades, Michael

From: Karen Tanner [ktanner@adobe.com]
Sent: Tuesday, January 03, 2006 12:44 PM
To: michael.rhoades@sanjoseca.gov
Subject: Ballpark near St Leo's

Dear Michael,

I've just read the city's proposal to build a ball park in the Park and Bird neighborhood near Diridon Station. I am quite disturbed about the impact this will have on my neighborhood, both in terms of noise and increases in foot and vehicle traffic. I already struggle to get around my neighborhood on days and nights when the HP Pavilion is having events and I really can't imagine what it will be like with a venue that has 3 times this capacity. I recently had the ill luck to navigate the city streets on a night when the CPA, the Pavilion, and the McEnery Convention Center were all having events and the traffic and difficulty in finding parking were incredible. I am also very concerned about the noise levels that a structure of this type will bring. I have spent a lot of time and effort in the last four years improving my historic home on Cleaves Avenue and I dread the effect that this ballpark would have on the quality of life for myself and my neighbors.

There are so many places in San Jose that could accomodate a ballpark like this without impacting private residents. Please take the time to find an appropriate location for this facility, the chosen site is not acceptable.

Sincerely,

Karen Tanner
Cleaves Avenue Resident

Rhoades, Michael

From: tessa Woodmansee [tessaw@mindspring.com]
Sent: Tuesday, January 03, 2006 12:28 PM
To: michael.rhoades@sanjoseca.gov

Dear Planning Department and Michael Rhoades,

Please be advised that we are against the proposed ball park south of Diridon Station. Having lived in San Jose for over three years as citizens and, for the last year, as homeowners on Stockton Avenue we can report that there is already too much traffic in the area targeted for the ball park development. With the HP Pavillion alone, the streets are crowded and frequently gridlocked during events, with people parking their cars many blocks away on side streets and alleys, and the access to our very homes can be impeded.

The ball park may be good for businesses, but it is not good for families. Already we have very little open space in this area so ironically we can't even find open space to throw a ball with our kids. As well our neighborhood pool at Briebach Park is closed due to reportedly "too high costs" to repair the plumbing. With no money to provide open space and pools for families do we really need to be giving away tax dollars to businesses while we continue to negatively impact our environment and air quality? Certainly not!

The air and environmental impacts of first building a ball park and then bringing potentially thousands more cars to this area is simply too horrendous. In this neighborhood we have huge aircraft taking entering every three mintues, diesel trucks and busses abounding, constant CalTrain diesel locomotives, HP Pavilion traffic, and shortly San Jose Market Center vehicular traffic and the CalTrain Equipment Maintenance Facility operations. We are clearly overly impacted with the negative effects from the air pollution of an industrialized community that in turn breeds cancer, asthma and heart and lung disease.

The traffic and frequent event-generated gridlock of a ball park, along with the noise and air pollution, threaten to destroy our neighborhood integrity. All intended to support just the existing level of business development.

Please do NOT build the ball park here.

Thank you,
Tessa, Cat, Sophie (10yo) and Marshall (5yo) Woodmansee
Homeowners and residents, Stockton Ave, San Jose

Rhoades, Michael

From: Eloy Wouters [erwouters@sbcglobal.net]
Sent: Tuesday, January 03, 2006 1:32 PM
To: michael.rhoades@sanjoseca.gov
Cc: District6@sanjoseca.gov; joe.bentley@shpna.org
Subject: Concerns for the Diridon Ball Park Study Environmental Impact Report

Mr. Micheal Rhoades
Department of Planning, Building and Code Enforcement
City of San Jose

Via Electronic Mail

Dear Mr. Rhoades,

As home owners living close to the proposed project site of the Diridon Ball Park, we would like to voice our concerns for the Diridon Ball Park Study Environmental Impact Report. We live on South Morrison Avenue between West San Fernando Street and Park Avenue, four blocks West of the proposed project site of the Diridon Ball Park. We bought our house a little over a year ago in the quiet St Leo's neighborhood.

Our main concern is the impact of the proposed stadium on the noise level in our neighborhood, especially during evening and weekend games. As an example, the San Francisco Giants Major league baseball team has 81 home games in the 2006 regular season, of which only 12 are on a weekday afternoon. Baseball games are well known to have almost continuous sound from the speaker, jingles, music, games between innings etc. This will be loud and invasive, and will prevent the quiet enjoyment of outside activities such as lunches and dinners with family and friends, backyard barbeques, gardening, reading a book etc. We are also concerned of how loud the sounds will be even /inside/ our house.

Regarding parking issues, for our Saint Leo's neighborhood the City has already had to implement permit parking restrictions to mitigate the impact of the HP Pavillon. We are concerned that the number of proposed new parking spaces (1500 + 150) is severely underestimating the parking needs for a seating capacity of up to 45,000 people. The fact that there are already 18,500 spaces available in the area does not take into account the possibility of a simultaneous event at the HP Pavillon (capacity 17,000), on top of the need for parking for the users of the multimode transportation links at the Diridon Station.

Another issue is that on top of the almost daily events at the HP Pavillon, and the baseball games, there is the request to use the proposed stadium for "other events (large and small)". This increases the noise impact of this outdoor stadium on our neighborhood even more, especially if music concerts are scheduled. Moreover, it increases the likelihood of overlapping events at the adjacent facilities

putting severe strain on the available parking.

We are also concerned that it will become even harder to enter or leave our neighborhood by car than it is already at the moment before and after events at the HP Pavillon.

The proposed project site is adjacent to several recently constructed (or still under construction), high density housing developments constructed close to the Diridon Train Station, see the City's website Smart Growth Transit-Oriented Development page (http://www.sanjoseca.gov/planning/smartgrowth/tod_house.asp).

Examples include the 425 townhouse units Cahill Park, 218 apartment units Avalon at Cahill Park, 94 townhouse units Georgetown, Factory 51 (under construction). However, the casual observer of Figures 3 and 4 in the "Notice of preparation and notice of public scoping meeting for a draft EIR for the ballpark study" (as published on the City's web site http://www.sanjoseca.gov/planning/eir/BallparkStudy/NOP_SHORT.pdf), would not notice that the site of this proposed stadium is adjacent to any housing, as the aerial photograph is at least a year out of date, the Cahill Park townhomes are not visible next to the railroad tracks. Also the map shows railroad tracks along McEvoy and Bush Streets that have since been developed with housing. This could give the erroneous impression that the only neighbors of the new stadium will be warehouses and such. The text in http://www.sanjoseca.gov/planning/eir/BallparkStudy/NOP_112805.pdf only refers to the fact that the area of the stadium /itself/ currently is developed for commercial, light-industrial, and office uses; it also states that it is in a transportation corridor.

As home owners who would be negatively impacted if the proposal for a stadium at this location would be accepted we are very worried that we would be forced out of this area by the negative impacts. If more people are of the same opinion this could very well negatively impact the value of our property, making it impossible to sell without suffering a severe financial loss.

We would appreciate to be informed of any future developments concerning this matter.

Sincerely,

Eloy R Wouters and Maria D. Saner
109 S Morrison Ave
San Jose, CA 95126

CC: Joe Bentley, Chair, Planning and Land Use,
Shasta/Hanchett Park Neighborhood Association
(joe.bentley@shpna.org)
CC: Shasta/Hanchett Park Neighborhood Association
(<http://www.shpna.org>)
CC: Ken Yaeger, Councilmember for District 6, San Jose
City Council (District6@sanjoseca.gov)