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laurel.prevetti@sanjoseca.gov
Cc: D8CRT_Steering@yahoogroups.com
Sent: Tue, 7 Oct 2008 9:18 am
Subject: D8CRT comments on the EDP SEIR

Attn: Dipa Chundur
Planning, Building and Code Enforcement
Planning Services Division
Re: Supplemental Environmental Impact Report for the Evergreen-East Hills
Development Policy
Dipa,

On behalf of the District 8 Community Round Table Steering Committee, here are our formal public comments. The D8CRTSC recommends that the Supplemental Environmental Impact Report for the Evergreen-East Hills Development Policy should make the following revisions:

1. The SEIR needs to include weekend traffic analysis, which was absent from the original calculations. According to page 16 of the Draft SEIR, the traffic analysis only included AM (7-9:00) and PM (4-6:00) peak traffic on an average weekday. In order to gather a full assessment of potential traffic impacts at intersections in the project area, it would be useful to include weekends as well as weekdays.
2. The SEIR needs to include traffic analysis concerning the streets located at the entrance and exit to all elementary, middle and high schools in the project area during peak morning and afternoon hours. Streets adjacent to several schools are already adversely impacted by traffic during weekday morning and afternoon peak hours.
3. The mitigation measures detailed in the SEIR are insufficient to deal with the traffic problems in the project area, especially since six busy intersections are exempt from any proposed mitigation due to "background conditions" or other reasons: Capitol and Story, White and Stevens, Evergreen Commons and Tully, Capitol and Nieman, San Felipe and Yerba Buena, and San Felipe and Delta. Two of these intersections (Capitol Expressway and Story, White and Stevens) are exempted due to "significant unavoidable impacts", and they will require a "statement of overriding considerations". Four of these intersections are exempt due to special circumstances.
4. The D8CRTSC strongly opposes exemptions based on "background conditions", since it assumes that "project impact at these intersections would be less than significant" (page 44, Draft SEIR). This creates a situation in which a "statement of overriding considerations" is not required, and this leads to the false assumption that there is no significant impact. In fact, there would be a "significant impact" at these four intersections, and the D8CRTSC recommends that the "significant unavoidable impact" label should be used in these situations rather than creating a new label that is misleading.

5. The land use distribution model in the SEIR is based on a presumed distribution of units in various sub-areas. The D8CRTSC is concerned about the following issues in regards to these analytical assumptions:

- Is the City going to grant traffic allocations to meet this distribution?
- If not, why not?
- What is the algorithm for distributing the allocations?
- Will the City distribute the allocations in order to spread out the impact?
- Are the analytical assumptions based on particular projects? If so, this is not acceptable since this is supposed to be a policy document and not a project document.
- The basic problem with these analytical assumptions is that having specific numbers of unit allocations can appear to developers as if these are the recommended allocations for the future. Hence, the EEHDP should clearly state that these are only "assumptions" and are not meant to be potential entitlements of any sort.

If you have any questions about these recommendations, please contact Bonnie Mace.

Thanks for your time.

Sincerely,

Bonnie Mace (Chair, Land Use Subcommittee, District 8 Community Round Table)

Angela McCarren (Vice President, District 8 Community Round Table)

Contact info: Bonnie Mace (bgoldmace@aol.com)