

First Amendment to the Draft EIR

# Winchester Ranch Residential Project

File Nos. GP18-014, GPT19-004, PT19-023, PDC18-037, and PD19-019

Prepared by the

CITY OF  
**SAN JOSE**

CAPITAL OF SILICON VALLEY

In Consultation with



November 2019

## TABLE OF CONTENTS

---

Section 1.0	Introduction .....	1
Section 2.0	Draft EIR Public Review Summary .....	2
Section 3.0	Draft EIR Recipients .....	3
Section 4.0	Responses to Draft EIR Comments .....	5
Section 5.0	Draft EIR Text Revisions .....	57
Appendix A:	Draft EIR Comment Letters	
Appendix B:	Supplemental Review – Historic Resources Project Assessment Winchester Ranch Mobile Home Park, November 6, 2019	
Appendix C:	Phase II Environmental Site Assessment, April 22, 2014	

## **SECTION 1.0 INTRODUCTION**

---

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final EIR for the Winchester Ranch Residential project.

### **1.1 PURPOSE OF THE FINAL EIR**

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City of San José in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the lead agency shall certify that:

- (1) The final EIR has been completed in compliance with CEQA;
- (2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- (3) The final EIR reflects the lead agency's independent judgment and analysis.

### **1.2 CONTENTS OF THE FINAL EIR**

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

- a) The Draft EIR or a revision of the Draft;
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
- e) Any other information added by the Lead Agency.

### **1.3 PUBLIC REVIEW**

In accordance with CEQA and the CEQA Guidelines (Public Resources Code Section 21092.5[a] and CEQA Guidelines Section 15088[b]), the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at the office of the Department of Planning, Building and Code Enforcement, 200 East Santa Clara Street, Third Floor, San José, California on weekdays during normal business hours. The Final EIR is also available for review on the City's website: <https://www.sanjoseca.gov/index.aspx?nid=6324>.

## **SECTION 2.0     DRAFT EIR PUBLIC REVIEW SUMMARY**

---

The Draft EIR for the Winchester Ranch Residential project, dated August 2019, was circulated to affected public agencies and interested parties for a 45-day review period from August 30, 2019 through October 15, 2019. The City undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City’s website (<https://www.sanjoseca.gov/index.aspx?nid=6324>) and in the San José Mercury News;
- Notification of the availability of the Draft EIR was mailed to project-area residents and other members of the public who had indicated interest in the project;
- The Draft EIR was delivered to the State Clearinghouse on September 3, 2019, as well as sent to various governmental agencies, organizations, businesses, and individuals (see Section 3.0 for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- Copies of the Draft EIR were made available on the City’s website (<https://www.sanjoseca.gov/index.aspx?nid=6324>), the Bascom Branch Library (1000 South Bascom Avenue, San José, CA 95128), and the Dr. Martin Luther King Jr. Library (150 East San Fernando Street, San José CA 95112).

## **SECTION 3.0     DRAFT EIR RECIPIENTS**

---

CEQA Guidelines Section 15086 requires that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The NOA for the Draft EIR was sent to owners and occupants adjacent to the project site and to adjacent jurisdictions. The following agencies received a copy of the Draft EIR from the City or via the State Clearinghouse:

- Air Resources Board, Transportation
- California Department of Fish and Wildlife, Bay Delta Region 3
- California Department of Parks and Recreation
- California Department of Transportation, District 4
- California Highway Patrol
- California Native American Heritage Commission
- California Public Utilities Commission
- California Regional Water Quality Control Board, San Francisco Bay Region 2
- Department of Housing and Community Development
- Department of Toxic Substances Control
- Office of Historic Preservation
- Resources Agency
- State Water Resources Control Board

Copies of the Notice of Availability for the Draft EIR were sent by mail and/or email to the following organizations, businesses, and individuals by the City of San José:

- Santa Clara County Planning Department
- Santa Clara County Transportation Planning
- Santa Clara County Department of Roads and Airports
- Santa Clara County Airport Land Use Commission
- Santa Clara Valley Water District
- Bay Area Air Quality Management District
- City of Campbell
- City of Cupertino
- City of Fremont
- City of Milpitas
- City of Santa Clara
- City of Saratoga

- City of Sunnyvale
- Town of Los Gatos
- Santa Clara Valley Transportation Authority
- San Jose Water Company
- The Ohlone Tribe
- Bay Area Metro (Metropolitan Transportation Commission)
- Guadalupe-Coyote Resource Conservation District
- Greenbelt Alliance
- Association of Bay Area Governments
- Sierra Club-Loma Prieta Chapter
- Campbell Union High School District
- Campbell Union School District
- Santa Clara Valley Audubon Society
- Kevin Johnston
- Adams, Broadwell, Joseph & Cardozo
- Lozeau Drury LLP
- Winchester Neighborhood Action Coalition
- Catalyze SV
- Federal Reality and Investment Trust
- The Winchester Mystery House
- Ken & Kathy Caveney
- Mari Jo Pokriots
- Brent Pearse
- Kirk Vartan
- Steve Landau
- Mark Tiernan
- Bob Levy

## **SECTION 4.0      RESPONSES TO DRAFT EIR COMMENTS**

---

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City of San José on the Draft EIR.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City of San José are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

<b><u>Comment Letter and Commenter</u></b>	<b><u>Page of Response</u></b>
Federal and State Agencies .....	6
A. Department of Toxic Substances Control (October 2, 2019) .....	6
B. California Department of Transportation (October 7, 2019).....	9
Regional and Local Agencies.....	12
C. Santa Clara Valley Transportation Authority (October 11, 2019) .....	12
D. City of Santa Clara (October 15, 2019).....	14
Organizations, Businesses, and Individuals .....	19
E. Val Lopez (September 2, 2019).....	19
F. Paul Boehm (September 13, 2019).....	20
G. Larry Ames (September 30, 2019) .....	23
H. Daphna Woolfe (October 10, 2019) .....	26
I. Charlotte Monte (October 11, 2019) .....	30
J. Karen Carpenter (October 14, 2019) .....	32
K. Ron Canario (October 14, 2019) .....	33
L. Stephanie Kareht (October 14, 2019).....	34
M. Al Woodward (October 14, 2019).....	36
N. Hadas and Jeff Zitomer (October 14, 2019).....	38
O. Chris Giangreco (October 15, 2019) .....	40
P. Edward Saum (October 15, 2019) .....	46
Q. Ken Pyle (October 15, 2019).....	48
R. Maureen Selvage-Stanelle (October 15, 2019) .....	55
S. Maureen Selvage-Stanelle (October 17, 2019) .....	56

## FEDERAL AND STATE AGENCIES

### A. Department of Toxic Substances Control (October 2, 2019)

**Comment A.1:** I represent a responsible agency reviewing the Draft Environmental Impact Report (DEIR) for the Winchester Ranch Residential Project.

The DEIR summarizes sampling activities that occurred as part of the Phase 2 Environmental Site Assessment (ESA). This summary is misleading by stating that 28 samples were taken. It would be more accurate to say that 7 composite samples were taken, each composite sample composed of 4 locations (28 locations total). The text also states that of the 28 samples, 7 samples were analyzed for arsenic and 7 samples were analyzed for organochlorine pesticides (OCPs) (page 124). This implies that the samples were not composite samples, but that there were 28 independent samples submitted to the lab and underwent different analyses (with 7 samples unaccounted for). It would be more clear to state that the 7 composite samples (made up of 4 locations each) were analyzed for OCPs and arsenic.

**Response A.1:** The 2013 soil sampling included collection of 28 soil samples that were composited into seven samples (four each) that were analyzed for pesticides. The results showed non-detectable levels or low levels of pesticides. Seven samples were discretely analyzed for arsenic that were all below levels of concern. The sampling number and protocol was determined by the City to follow the DTSC guidance document. See <https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>. This comment does not raise concerns with the analysis in the Draft EIR and supporting documentation.

**Comment A.2:** Additionally, the environmental samples taken as part of the Phase 2 ESA are likely inadequate in completely characterizing the site. For a site of this size with its multiple recognized environmental conditions (RECs) more samples (not just composite samples) should have been collected at varying depths, and with a more comprehensive list of analyses. Due to the nature of the proposed development (residential use with a below grade pool, and below grade parking garage) soil gas samples may also be warranted. It would likely be easier to delineate contamination prior to development rather than having to “chase” the contamination by taking confirmation samples after construction and potentially having to do additional remediation. It is reassuring that a Site Management Plan and Health and Safety Plan are proposed in order to protect workers during construction. However, the site should be fully characterized in order to know what to protect the workers from, and how and in which locations etc. The site also needs to be fully characterized in order to protect future residents. This concern could be addressed by clarifying in Mitigation Measure HAZ-2.1 how the soil will be tested for off-haul and/or reuse, and whether adequate confirmation samples will be collected, ideally with regulatory oversight, before development and inhabitation by residents.

**Response A.2:** The soil samples in the Environmental Site Assessments prepared for the project do not indicate potential soil gas issues. As discussed in Section 3.9 of the Draft EIR and supporting ESAs, two areas may have soil gas contamination: the site of the underground tank (UST) at the southwest portion of the project site and the former incinerator site located at the northeast portion of the project site. Mitigation

MM HAZ-2.1 requires additional investigations around the UST site performed under the regulatory oversight from the Santa Clara County Department of Environmental Health as part of the required Site Management Plan (SMP).

The incinerator site is more difficult to investigate as it is unknown whether burn ash from the incinerator was disposed of off-site or buried on the property. Typically, incinerator burn ash has volatilized so soil gas is typically not a concern. Without specific knowledge of the use of the incinerator and disposal method, it is difficult to determine an effective testing program prior to demolition and site grading. The area of the incinerator location would include an underground parking garage. As a result, soil would be excavated in this area for off-site disposal. Buried burn ash will be discovered, if present. Having an SMP in place to address the potential for incinerator burn ash will provide mitigation in the event contamination is discovered.

As discussed in the Draft EIR, implementation of MM HAZ-2.1 through MM HAZ-2.3 will reduce potential impacts to workers, adjacent residents/workers, and future on-site residents from soil gas to a less than significant level.

**Comment A.3:** Appendix F is included in the data package. However this doesn't appear to include the full Phase 2 ESA, but only a summary page and lab reports found on pages 364-411. The full Phase 2 ESA should include a discussion of the results, a recommendation from the ENGeo, and tables summarizing the results from the lab reports so that the reader doesn't have to go through all the lab reports to find the results. These lab reports also appear to only include samples taken around the underground storage tank (UST) and incinerator areas shown in the Figure on page 366. These samples are barely discussed within the DEIR itself, and without the full Phase 2 ESA it's difficult or impossible to decipher more information about these samples. In order to find the "28" samples discussed in the DEIR, you then, have to go to pages 345-358 with the corresponding figure on page 30. Please provide a table of contents to easily locate the different Phase 1 ESAs and Phase 2 ESAs in a 1000+ page document.

**Response A.3:** The full Phase II ESA is included as an attachment to this First Amendment (Appendix C). It includes the same information and format as the Phase II ESA and summary included in Appendix F of the DEIR.

**Comment A.4:** The DEIR also lists a Phase 1 ESA (August 2013), Phase 2 ESA (March 2014) and an updated Phase 1 ESA (August 2018). Not only can I not find the full Phase 2 (as discussed above), the Phase 1 ESAs included in Appendix F are a Modified Phase 1 ESA (August 2013) and a Phase 1 ESA (August 2018). Which of these is the updated Phase 1? The "Modified" Phase 1 ESA appears to be more updated than the Phase 1 dated August 2018 since the "Modified" Phase 1 includes data found during the Phase 2 ESA Investigation. In addition to providing clarification on this issue, please also provide the original unaltered Phase 1 that included the initial findings before the Phase 2 results were included. My reasoning for this is as stated above, not enough samples were collected (in my opinion) and the site is not adequately characterized. Therefore, I would like to see what RECs were initially included in the Phase 1 before these were "erased" due to the results of the Phase 2 ESA.

Please feel free to contact me if you have any questions or concerns.

**Response A.4:** ENGEO prepared a Modified Phase I ESA dated August 16, 2013. There was no Phase I ESA issued before this Modified Phase I ESA. The terminology of “Modified” indicates that limited soil sampling was performed concurrently to preparation of the Phase I ESA, it does not indicate that an original Phase I ESA was revised. In this case, it was understood prior to starting the Phase I ESA that historical land use included agriculture, so 28 near-surface soil samples were collected for pesticide analysis, and the results were included in the report. The report concluded that concentrations of DDE and DDT were reported in two of seven composite samples at concentrations well below applicable screening levels, and arsenic concentrations within the background range. The August 2013 Modified Phase I ESA did not identify any Recognized Environmental Conditions (RECs) but did identify former septic tanks, an incinerator and a former UST (abandoned in place) as features of potential environmental concern.

The Phase II ESA documents an investigation into the potential environmental concerns listed in the August 2013 Modified Phase I ESA, including the former incinerator and UST abandoned in place. Sampling was not performed around the inferred location of the septic tanks. Soil sampling was conducted around the abandoned UST, outside the incinerator and within the incinerator. ENGEO noted limited soil impacts around the former UST which could be remediated via excavation during redevelopment activities. Soils around the incinerator were concluded to be not impacted, but arsenic and lead concentrations were found within the incinerator. ENGEO concluded that the incinerator and impacted material within, could be removed during redevelopment.

Each of these reports were referenced in the 2018 Phase I ESA report.

## **B. California Department of Transportation (October 7, 2019)**

**Comment B.1:** Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals our continuing approach to evaluate and mitigate impacts to the State's multimodal transportation network. Our comments are based on the August 2019 Draft Environmental Impact Report (DEIR).

***Project Understanding*** The proposed project includes a General Plan Amendment, a Planned Development Zoning, and a Planned Development Permit to demolish the existing mobile home park structures and construct up to 688 residential units on a 15.7-acre site.

**Response B.1:** The commenter has correctly summarized the proposed project. This comment does not raise any issues with the adequacy of the Draft EIR.

### **Comment B.2: *Highway Operations***

Please provide on-ramp analysis for both on-ramps for our review and comments:

- I-280 NB Diagonal on-ramp from Winchester Boulevard
- I-880 Southbound on-ramp from Stevens Creek Boulevard.

Note that the ramp meters have been activated at the locations listed above.

For the I-880 Northbound off-ramp to Stevens Creek Boulevard, the 95-percentile queue analysis report on page 47 shows that for the background plus project condition, there are approximately 30 vehicles in queue for the AM peak hour. 30 vehicles will occupy approximately 750 feet of storage, which is more than the 550 feet storage capacity of the existing ramp. Moreover, the addition of project trips for the cumulative plus project scenario was not considered in the 95-percentile queue analysis. The impact of the Cumulative plus project condition on the off-ramp will be even greater. These substantial impacts can potentially create backups on both the NB SR 17 and NB I-280 mainlines. As a result, the project shall provide mitigation measures to reduce this impact.

**Response B.2:** As discussed on page 49 of the Local Transportation Analysis (LTA) included in the Transportation Analysis (Appendix H of the Draft EIR), the addition of project traffic would lengthen the projected northbound left-turn vehicle queue by no more than one vehicle during the peak hours. The projected queue would extend beyond the merging point of the SR 17 northbound off-ramp and I-280 westbound off-ramp but not back to the SR 17 and I-280 freeway main lines. Therefore, improvements are not required by the project.

In addition, the I-280/Winchester Boulevard Interchange Area Transportation Development Policy (TDP) provides partial funding via a traffic impact fee imposed on the proposed development for the implementation of a new westbound off-ramp from I-280 to Winchester Boulevard to reduce traffic congestion at the I-280/Stevens Creek and Stevens Creek Boulevard corridors. The traffic fee is based on the estimated trips to be added to the new westbound off-ramp from I-280 to Winchester Boulevard by each individual development. It is estimated that the proposed project will result in the addition of 35 peak hour trips to the planned I-280

to Winchester Boulevard ramp and is conditioned to pay the traffic impact fee per trip prior to Public Works Clearance for Building Permits.

Finally, under City Council Policy 5-1, intersection queuing is not a metric for determining an impact under CEQA. The City uses Vehicle-Miles Traveled as a metric for determining project transportation impacts under CEQA. The discussion of intersection queuing is provided for information purposes and any recommended improvements are not considered mitigation measures under CEQA.

***Comment B.3: Construction-Related Impacts***

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified in the DEIR. Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>.

Prior to construction, coordination is required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

**Response B.3:** The project does not propose any construction work within the State ROW. The project applicant will coordinate with Caltrans on development of a Transportation Management Plan to reduce construction traffic effects on the State Transportation Network. This comment does not raise any issues with the adequacy of the Draft EIR.

***Comment B.4: Utilities***

Any utilities that are proposed, moved or modified within Caltrans' Right-of-Way (ROW) shall be discussed. If utilities are impacted by the project, provide site plans that show the location of existing and/or proposed utilities. These modifications require a Caltrans-issued encroachment permit.

**Response B.4:** As discussed in Response B.3 above, the project does not propose any work within Caltrans' ROW. This comment does not raise any issues with the adequacy of the Draft EIR.

***Comment B.5: Lead Agency***

As the Lead Agency, the City of San Jose is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN.) The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

**Response B.5:** All required information regarding the project mitigation is provided in the Mitigation Monitoring or Reporting Program prepared for this project, consistent with CEQA requirements. The comment does not raise any specific environmental issues under CEQA; therefore, no further response is required.

**Comment B.6: *Encroachment Permit***

Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating the State ROW, and six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

**Response B.6:** As shown in the approved project plans, the project does not require encroachment onto the State's ROW. This comment does not raise any issues with the adequacy of the Draft EIR.

## REGIONAL AND LOCAL AGENCIES

### C. Santa Clara Valley Transportation Authority (October 11, 2019)

**Comment C.1:** Thank you for the opportunity to provide comments on the Draft Environmental Impact Report for the Winchester Ranch Residential Plaza project in the City of San José. VTA has reviewed the report and has the following comments:

#### Potential Transit Impacts

- Page 47 and 48 of the document states that there are improvements planned along Stevens Creek Boulevard between Winchester Boulevard and Monroe Street as part of the Valley Fair expansion. The planned roadway improvements include widening the north side of Stevens Creek Boulevard to accommodate right-turning traffic (into Valley Fair driveways) and lengthening of turn pockets along Stevens Creek Boulevard from Winchester Boulevard to Monroe Street by shifting travel lanes and adjusting medians. VTA recommends a meeting to discuss this reconfiguration and the safe and efficient operations of transit. VTA has two bus routes along that roadway and a bus stop in that segment of the roadway that could be impacted.

**Response C.1:** These improvements are part of the Valley Fair Expansion project, not the Winchester Ranch project. This comment does not raise any issues with the adequacy of the Draft EIR.

#### **Comment C.2:** Pedestrian and Bicycle Accommodations

- VTA supports the plans to reconfigure and enhance the intersection of Stevens Creek Boulevard at Santana Row. VTA recommends to also reconfigure and upgrade the intersections of Winchester Boulevard at Olin Avenue, Winchester Boulevard at Olsen Drive, and Winchester Boulevard at Stevens Creek Boulevard as noted in the Santana Row alley Fair Urban Village Plan. VTA recommends including high-visibility crosswalks, lead pedestrian intervals, and shortening the pedestrian crossing distances as part of all intersection redesigns.
- VTA applauds the decision to open the fencing for bicycle and pedestrian access on the western edge of the site to connect to existing roadways. VTA recommends widening the pathway just north of the apartment complex to provide further access between the site and Winchester Drive.
- VTA recommends sidewalks be installed throughout the site for internal pedestrian circulation. If sidewalks cannot be installed, VTA agrees with the installation of speed-reducing measures noted in the Transportation Analysis and strongly suggests slotted speed humps be installed to disincentivize speeding especially as pedestrians will be using the roadway.

**Response C.2:** A multi-modal transportation improvement plan (MMTIP) will be developed by the City which will add detail to several Urban Village Plans including the Santana Row/Valley Fair Urban Village Plan..

**Comment C.3: I-280/Winchester Boulevard Interchange Improvements**

- VTA, in cooperation with the City of San José and Department of Transportation (Caltrans), proposes to construct improvements in the vicinity of the Interstate 280/Winchester Boulevard interchange. Because of the proximity between the proposed project and I-280/Winchester Boulevard Interchange Improvement, VTA recommends ongoing coordination of the projects development activities with City staff in order to ensure the successful delivery of both projects.

Thank you again for the opportunity to review this project. Please let us know when you would like to schedule a meeting to discuss the widening the north side of Stevens Creek Boulevard between Winchester Boulevard and Monroe Street.

**Response C.3:** The City will coordinate with VTA and Caltrans on the I-280/Winchester Interchange project. This comment does not raise any issues with the adequacy of the Draft EIR.

## **D. City of Santa Clara (October 15, 2019)**

**Comment D.1:** Thank you for including the City of Santa Clara in the environmental review process for the Winchester Ranch Residential Project (Project). City staff have reviewed the Draft Environmental Impact Report (DEIR) for the General Plan Amendments, Planned Development Zoning, Planned Development Permit, and Tentative Map for the Project. The Project will allow a mobile home park conversion and construction of up to 688 residential units and an approximately 2.0-acre public park on 15.7 acres, is located at 555 S. Winchester Boulevard at the northwest corner of the Winchester Boulevard and Interstate 280 intersection and is within the Santana Row/Valley Fair Urban Village.

On April 8, 2019, the City of Santa Clara (Santa Clara) submitted a letter to the City of San Jose (San José) regarding the Notice of Preparation (NOP) for the Project. The letter highlights several areas of concern by Santa Clara, including: (1) San José should share with Santa Clara the Project's proposed traffic study scope of work being prepared for the Project, (2) the Local Transportation Analysis (LTA) included with the Project traffic study should include an analysis of the Project's impacts on residential neighborhoods within Santa Clara, (3) any relevant approved and pending projects within Santa Clara should be included in the background and cumulative scenarios within the traffic study, (4) an explanation of how traffic fees are to be calculated and offsetting improvements identified should be included per the terms of the Santana West Settlement Agreement (Agreement) between the City of Santa Clara and the City of San José, and (5) significant CEQA transportation impacts in Santa Clara should be identified with clear and specific mitigation obligations with identified funding mechanisms.

Upon review of the DEIR, Santa Clara offers the following comments:

1. Coordination of Project Traffic Study Work Scope with Santa Clara: This request was not responded to or completed by San José. Although a meeting was held with San José on August 16, 2019, to discuss potential transportation improvements within the vicinity of the Project, this meeting was after San José had determined that there may be adverse transportation effects at the intersection of Winchester Avenue and Stevens Creek Boulevard.

**Response D.1:** As part of the process of developing a traffic scope for analysis, City staff submits a draft traffic scope of work for projects that may affect neighboring agencies for review and comment. The comments provided by public agencies are reviewed by City staff and are submitted to the environmental traffic consultant to include in the Transportation Analysis, as applicable. The City does not formally respond to comments during the scoping process to gather input for the traffic scope of work to provide to the environmental traffic consultant. This comment does not raise any issues with the adequacy of the Draft EIR.

**Comment D.2:** 2. Local Transportation Analysis (LTA) to include an analysis of the Project's impacts on residential neighborhoods within Santa Clara: The DEIR does not include any mention of the Project's proximity to Santa Clara or the potential for transportation impacts on residential neighborhoods within Santa Clara. For example, except for the intersection of Winchester Avenue and Stevens Creek Boulevard, the DEIR does not analyze any other intersections in Santa Clara. Please provide an explanation as to how the study intersections were chosen by San José and please

respond to Santa Clara's request that the traffic study include an analysis of potential impacts on residential neighborhood within Santa Clara.

Additionally, the DEIR fails to mention that Winchester Boulevard north of Stevens Creek Boulevard is within Santa Clara's jurisdiction and that any improvements or changes proposed to this street require the review and approval of Santa Clara.

**Response D.2:** Based on the project site plan, a direct vehicular connection to the residential neighborhoods of the City of Santa Clara is not proposed. Access to the project is provided by one ingress/egress drive along Olsen Drive and a right-in only driveway along Winchester Boulevard at the existing Charles Cali Drive access point. Based on the trip distribution pattern on page 31 of the Local Transportation Analysis and driveway locations, vehicles will access the site using I-880, I-280, Stevens Creek Boulevard, and Winchester Boulevard; therefore, no potential impacts on residential neighborhood are anticipated.

As explained on page 30 of the Local Transportation Analysis, study intersections are selected by determining if a project is expected to add ten vehicle trips per hour per lane to a signalized intersection and if it meets one of the following criteria:

- Within a ½-mile buffer from the project's property line;
- Outside a ½-mile buffer but within a one-mile buffer from the project AND currently operating at D or worse;
- Designated Congestion Management Program (CMP) facility outside of the City's Infill Opportunity Zones;
- Outside the City limits with the potential to be affected by the project, per the transportation standards of the corresponding external jurisdiction;
- With the potential to be affected by the project, per engineering judgement of Public Works.

Based on the above criteria, eleven study intersections were selected for analysis.

The LTA text will be revised to include Winchester Boulevard as being under City of Santa Clara's jurisdiction north of Stevens Creek Boulevard. This comment does not raise any issues with the adequacy of the analysis in the Draft EIR.

**Comment D.3:** 3. Any relevant approved and pending projects within Santa Clara be included in the traffic study: Thank you for including several approved and pending projects in Santa Clara in the Project's background and cumulative scenarios. Please provide a more detailed description of how the specific projects in Santa Clara were chosen to be included within the EIR.

**Response D.3:** The LTA, included as part of the Transportation Analysis in Appendix F of the Draft EIR, includes approved and pending projects within Santa Clara as requested in the City of Santa Clara letter dated April 8, 2019 and the provided April 4<sup>th</sup> Planning Tracking table. The LTA for the proposed project was revised in April 2019 to include the following projects per the request:

- (1) Approved City of Santa Clara Projects
  - (a) 100 Winchester Blvd. – 92 Senior Units (Hexagon completed trip estimates and assignment)
  - (b) BAREC – 165 Senior Units (Hexagon completed trip estimates and assignment)
  - (c) 3255 Stevens Creek Blvd. (source of data Fehr & Peers Traffic Memo)
  
- (2) Pending City of Santa Clara Projects
  - (a) BAREC - (source of data March 29, 2018 traffic study)

The remainder of approved and pending projects provided in the Planning Tracking table would result in minimal peak hour trips at study intersections included in the LTA because the projects are located further away from the project and would not contribute a significant number of trips to intersections in the vicinity of the project.

**Comment D.4:** 4. Compliance with Santana West Settlement Agreement: The DEIR and LTA do not recognize that San Jose and Santa Clara entered into the Santana West Settlement Agreement in January 2018. In addition to providing specific settlement items related to the Santana West project, the Agreement specifies that "San Jose agrees to collect transportation impact funds pursuant to all applicable programs for development in the Stevens Creek Corridor" (Settlement Agreement, Paragraph 6), and that "San Jose agrees to collect fees pursuant to its Protected Intersection Policy for intersections that will also impact traffic in the City of Santa Clara." (Settlement Agreement, Paragraph 7.) Santa Clara has sent three letters dated, February 14, 2018, March 1, 2018, and November 17, 2018, requesting information as to how San Jose will comply with the terms of the Santana West Settlement Agreement. Santa Clara has received no response on these three letters. Of significant concern to Santa Clara is that in April 2018 San Jose adopted San Jose Council Policy 5-1 which eliminates the Protected Intersection provisions within San Jose's previous Council policy regarding transportation impacts (5-3) and replaces Level of Service with Vehicle Miles Travelled as the mechanism by which California Environmental Quality Act (CEQA) impacts are identified and mitigated. A key provision of the Santana West Settlement Agreement is San Jose's commitment to continue to administer and collect transportation impact funds which includes the inclusion of Protected Intersections. The DEIR and LTA for the Project make no relevant mention of Protected Intersections and it is unclear to Santa Clara how San Jose will comply with the Santana West Settlement Agreement. To that end, Santa Clara requests that any City Council discussion of the Project be postponed until this matter can be resolved.

**Response D.4:** As discussed in Section 3.17 of the Draft EIR, consistent with State law, the San Jose City Council adopted Council Policy 5-1 (Vehicle Miles Travelled) to replace Council Policy 5-3 (Level of Service). were eliminated since the City is no longer measuring traffic impacts under Level of Service for determining an impact under CEQA as required under Senate Bill 743; provided certain projects may be grandfathered under Council Policy 5-3 and the City will continue to collect any payments required under Council Policy 5-3 for grandfathered projects. Also, as part of Council Policy 5-1, under the Local Transportation Analysis requirements (unrelated to CEQA), projects are required to study adverse intersection operation effects for study intersections under similar metrics of Level of Service for

operational and informational purposes only. An adverse effect on a study intersection operation occurs when the analysis demonstrates that a project would cause the operation standards at a study intersection to fall below LOS D with the addition of project vehicle-trips to baseline conditions. For intersections already operating at LOS E or F under the baseline conditions, an adverse effect is defined as the following:

- (i) An increase in average critical delay by 4.0 seconds or more AND an increase in the critical volume-to-capacity (V/C) ratio of 0.010 or more; OR
- (ii) A decrease in average critical delay AND an increase in critical V/C ratio of 0.010 or more.

Approaches to addressing adverse effects at signalized intersections under Local Transportation Analyses are the same as addressing impacts at Protected Intersections under former Council Policy 5-3. Per Council Policy 5-3, Protected Intersection LOS impacts were mitigated addressed with construction of specific improvements to other segments of the citywide transportation system, in order to improve overall operations system capacity and/or enhance non-auto travel modes. The total value of improvements was determined by a fee amount per peak hour trip in the AM or PM, whichever was higher.

Under Local Transportation Analyses, adverse effects at signalized intersections may be addressed by any of the following:

- (i) Reducing project vehicle-trips.
- (ii) Constructing and/or contributing towards improvements to the subject intersection(s) or other roadway segments of the citywide transportation system to improve overall operations.
- (iii) Implementing project trip caps.
- (iv) Providing and/or contributing towards improvements related to alternative modes of transportation, parking measures, and/or Transportation Demand Management measures.

According to the LTA, the Winchester Ranch Project has one adverse effect within the City of Santa Clara at the signalized intersection of Winchester Boulevard and Stevens Creek Boulevard. The City is committed to coordinating with the City of Santa Clara on potential improvements at Winchester Boulevard and Stevens Creek Boulevard. The project is conditioned to provide or contribute towards intersection improvements to improve pedestrian connectivity and support multimodal goals for both cities consistent with the cities General Plans and State law requirements and policies to reduce vehicular driving and greenhouse gas emissions.

**Comment D.5:** 5. Impacts and Mitigations: While the DEIR does include an analysis of VMT impacts and summarizes that there are no CEQA VMT impacts, Santa Clara contends that impacts to any intersections within Santa Clara do not fall under that criteria for VMT. To that end, Santa Clara requests additional information as highlighted in comment 3 (listed above) to properly determine if there are impacts to Santa Clara intersections

The City of Santa Clara looks forward to receiving a response to this letter prior to any San Jose City Council hearing on the Project.

**Response D.5:** As described above, consistent with Senate Bill (SB) 743, San José City Council adopted Council Policy 5-1 and VMT as the CEQA threshold for projects located in San José. The traffic analysis indicated that there will be no CEQA VMT impacts from the Project. Further, the LTA determined there may be one adverse effect (LOS) within the City of Santa Clara at the signalized intersection of Winchester Boulevard and Stevens Creek Boulevard. Although no CEQA mitigation is required for the adverse impact, the City is committed to continue to work with the City of Santa Clara to address the adverse effect.

## **ORGANIZATIONS, BUSINESSES, AND INDIVIDUALS**

### **E. Val Lopez (September 2, 2019)**

**Comment E.1:** This project is outside our traditional tribal territory, we have no comment.

**Response E.1:** This comment does not raise any issues with the adequacy of the Draft EIR.

**F. Paul Boehm (September 13, 2019)**

**Comment F.1:** On p. 33 of the draft Winchester Ranch EIR “Historic Resources Project Assessment,” the following statement appears:

*“While the proposed project may not have a direct physical impact on the original fabric of the Winchester House and its historically designed grounds, the loss of setting will irreversibly change the character of this significant historic resource. Without some form of mitigation, this project will create an adverse change in this historic resource which would be a significant impact under CEQA.”*

On page 36 of this project assessment, a summary of the Integrity Analysis states:

*“The new project would not impact all of the historic integrity of the resource, but, as currently designed, it would impact the setting of the historic resource, it would impact some of the feeling and associations of the historic property, and likely would have an impact on the perceived proportions and significant prominence of the Winchester House design, as well. The construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property. Especially if a similarly large, urban project were to be proposed on the site to the west of the Winchester House (the site of the former Century 23 and currently proposed to be part of the Santana West project), the cumulative impact of similar projects could be severe.”*

On p. 38, there are five specific Recommendations of the Project Assessment that bear repeating:

- Change the size of the apartment building. Develop landscape solutions in the additional open space that maintain the integrity of the historic resources, including a better balance of open space and added concealment of new construction within the historic setting. Note: Filling the narrow setback, as it is currently dimensioned, with some added planting materials would not appear to be an adequate step to create a compatible spatial relationship between a seven-story building and a row of one-story to three-story nineteenth-century residential outbuildings. Relocate the podium building into the western portion of the site and relocate a similar square footage of the lower-density housing, with its more-highly landscaped setting and shared open space, into the panhandle.
- Revise the location of the proposed multi-story building to the south, allowing the realignment of Charles Cali Drive along the shared property line, and providing additional open space between the proposed new building and the historic outbuildings on the property line of the resource. In a previous Historic Resource Assessment, related to the Proposed Fourth Street Parking Structure Project report by Dill Design Group in 2003, a proposed seven-story building was analyzed for proximity to a historic resource. In that report, a seven-story parking garage was recommended to be set back about 40 feet from an historic residential building.
- Revise the architectural design to break down the visual massing and perceived size of the building on the north side of the panhandle, including stepping down the building into smaller masses. Immediately adjacent to the property line, new building forms could possibly be found compatible at two to maybe three stories (shorter than the water tower).

- Revise the architectural design composition, materials, and elements of the podium building to include more compatible materials and dimensions of the visible elements adjacent to the resource.
- Locate some of the proposed project open space (currently in the northwest area of the site) adjacent to the Winchester House property.

With the knowledge that the Project Assessment has concluded that “*the construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property,*” it is with appreciation that the Draft EIR provides some alternatives that would help protect the priceless treasure that is the Winchester House. The following three alternatives on p. 235 and 237 of the Draft EIR, would provide a basis to maintain the historic quality of the Winchester House:

### **1. Relocation of the Podium Building – West**

Under this alternative, the project would relocate the podium building west of its proposed location to avoid adjacency to the Winchester House. Relocation of the podium building would result in four of the four-story flat buildings being moved between the podium building and Winchester Boulevard as shown in Figure 7.4-1. Under this alternative, the four-story units would have a sufficient setback to provide a landscape buffer between the buildings and the northern property line to lessen impacts to the historic setting, design, feeling, and association. Under this alternative, the four-story units would continue to shade the greenhouse, the outbuildings, and some of the gardens on the adjacent property but would not shade a majority of the Winchester House site. Construction of this alternative would expose sensitive receptors to continuous construction for a period of over 12 months and would result in a significant unavoidable construction noise impact. All other impacts would remain the same.

Based on an assessment of the proposed alternative by the City’s Historic Preservation Officer, offsetting the podium building from the Winchester House would make views of the podium building less prominent and would preserve views. In addition, it would lessen impacts related to proximity, massing, and dimensions of the podium building, lack of open space, and lack of landscaping that were found to diminish the sense of space that currently exists. The relocated podium building would no longer significantly impact the sense of historic place, which is part of the views. The associations of Sarah Winchester with the larger surrounding agricultural past would remain mostly intact because there would be less reduction open space and landscaping. Therefore, this alternative would reduce the impact to the Winchester House to less than significant and would be consistent with almost of the project objectives. This alternative does not appear consistent with objective 8.

### **2. Relocation of the Podium Building – South**

Under this alternative, the podium building could be relocated along the southern property line, on the eastern side of the site. This would allow Charles Cali Drive to be realigned along the shared property line, providing additional open space (approximately 25 feet) between the proposed new building and the outbuildings. Under this alternative, shading impacts from the podium building to the Winchester House and the outbuildings would be reduced. By relocating the podium building, sensitive receptors on-site would be closer to I-280 than with the proposed project and would

continue to result in a cancer risk and annual PM2.5 concentrations exceeding BAAQMD thresholds. Construction would expose sensitive receptors to continuous construction for a period of over 12 months and all other impacts would remain the same. This alternative would be consistent with all project objectives.

### **3. Reduced Height of Podium Building**

As designed, the podium building has six “fingers” along the northern half of the building, where the upper floors are broken up by courtyards beginning on the third level. The southern half of the building has no courtyards and a solid massing. Under the reduced height alternative, the three easternmost fingers of the podium building would be reduced in height to four stories. The remaining fingers, adjacent to the Century 23 Theater site and the southern half of the building would continue to be seven stories. Based on the current building design for the proposed project, this reduction would result in the loss of 54 units. Based on an assessment of the proposed alternative by the City’s Historic Preservation Officer, this alternative would reduce the impact to the Winchester House similar to the Relocation of Podium Building – West Alternative. Therefore, this alternative would reduce the significant impact to the Winchester House to less than significant and would be consistent with almost of the project objectives. All other impacts would be the same as the proposed project.

#### **Recommendation:**

I strongly advocate for the protection of the Winchester House’s historic significance. To that point and as noted on p. 38 of the “Historic Resources Project Assessment,” the buildings should be offset from the Winchester Blvd. (east) side of the property, so that the Winchester House would maintain its prominence as viewed from Winchester Blvd. The three preservation alternatives listed in the draft EIR and that I include in this letter would be acceptable if the buildings on the east side of the property were limited to two or at most three stories (so that the project buildings on the east side would be lower than the Winchester House water tower).

**Response F.1:** The applicant formally submitted a revised site plan dated October 21, 2019 similar to the Reduced Height of Podium Building preservation alternative. The project Architectural Historian, in a memorandum dated November 6, 2019, found that the proposed redesign would reduce impacts to the Winchester House setting to a less than significant level. Section 5.0, Draft EIR Text Revisions, includes a Modified Reduced Height of Podium Building alternative reflecting the revised site plans. Since circulation of the Draft EIR, the Modified Reduced Height of Podium Building alternative has become the preferred alternative for the project.

**G. Larry Ames (September 30, 2019)**

**Comment G.1:** I am writing to give comment on the on the Winchester Ranch proposal Draft EIR (<http://www.sanjoseca.gov/index.aspx?nid=6324>).

Disclaimers:

- These are my personal comments and not on behalf of any group or organization;
- I don't live in the immediate area; and
- While I have been following the proposal over the years as part of the Urban Village plan and I've attended a couple informational sessions on the topic, I haven't read the entire 244-page report: please accept my apologies if I ask questions or raise concerns that are already addressed within the report.

Referring to the site plan on p. 26:

- I'm glad to see a 2-acre park at the northwest corner of the project. It's good that it has compact configuration: a rectangle, rather than comprised of arms or narrow strips. Good that it is accessible to the surrounding community: the area bounded by San Tomas, Stevens Creek, Winchester, and I-280 had previously been devoid of parkland. The 2-acres is appropriate for 700 new residents as per the 3 acre/1000 residents ratio, but seems small, given that many of the 700 units may house more than one resident. The park is definitely not large enough to make up for the past total lack of nearby parkland: it there any way the city can help enlarge the park to rectify past errors and provide a park that properly serves the entire community?
- This is to be a public park, so it is good that there is public street access (via Olsen on the western side): it might help to have signage showing access to the park and signage indicating that this is indeed a public park.

**Response G.1:** This comment does not raise concerns about the analysis in the Draft EIR. Per the Quimby Act, the City's Parkland Dedication Ordinance, and the City's Park Impact Ordinance, residential developers would be required to dedicate public parkland, pay in-lieu fees, or both to offset the demand for parkland. Please refer to Sections 3.15 Public Services and 3.16 Recreation of the DEIR for more information.

**Comment G.2:**

- I'm glad to see that there is pedestrian/bicycle access to and through the site from the surrounding community. Up to now, this site has been an enclosed enclave, and nearby residents were unable to conveniently walk or bike to Santana Row and other nearby attractions.
- I wish that this project were more closely integrated with the surrounding projects. For example, there appears to be no coordination between the housing on the eastern side of the project and the adjacent "future Santana West development", and no connection between the residential units here and the adjacent historic resources, both the Winchester Mystery House and the Century 21 Dome. This project appears to be self-contained and one that could be located anywhere, whereas it could have, for example, a design that radiates from the focal

points and benefits from the proximity to these interesting historic structures.

**Response G.2:** The comment does not raise any specific environmental issues under CEQA; therefore, no further response is required.

**Comment G.3:**

- What will be the visual impact of having a wall of apartments directly south of the Winchester Mystery House (WMH)? The main approach to the WMH is from the north, and so these apartments will be directly in the line-of-sight behind them, like an 85-foot-tall wall. Will the apartment complex be appropriately detailed and landscaped to avoid ruining the WMH experience?

**Response G.3:** Please refer to Sections 3.1 and 3.5 of the Draft EIR for a full discussion of the aesthetic impacts of the project, as well as the impacts of the project on the adjacent Winchester House. The project was not found to have a significant visual impact but was found to have a significant and unavoidable impact to the adjacent historic resource.

The applicant formally submitted a revised site plan dated October 21, 2019 similar to the Reduced Height of Podium Building preservation alternative. The project Architectural Historian, in a memorandum dated November 6, 2019, found that the proposed redesign would reduce impacts to the Winchester House setting to a less than significant level. Section 5.0, Draft EIR Text Revisions, includes a Modified Reduced Height of Podium Building alternative reflecting the revised site plans. Since circulation of the Draft EIR, this has become the preferred alternative for the project.

**Comment G.4:**

- The current mobile home park has provided affordable housing for elderly residents. I understand that the developer has committed to providing for them: relocating them while part of the site is developed, and then providing them units in the project at an affordable cost: I hope that that is true.
- At a recent meeting, I heard that the proposed project will consist entirely of market-rate units: is that true? Housing is expensive in this valley, and accommodations for affordable housing should be geographically distributed widely rather than segregated in isolated pockets while other areas (like this?) become insular rich enclaves. A main point of Urban Villages was to accommodate growth without increasing vehicular traffic, and to have people be able to live and work nearby. Would the people working at Santana Row or Valley Fair earn enough salary to be able to live here, or will they have to commute to, say, Tracy while everyone here is going to commute off to higher-paying jobs at distant tech campuses?

**Response G.4:** The project applicant does not propose to provide affordable housing on site. The comment does not raise any specific environmental issues under CEQA; therefore, no further response is required.

**Comment G.5:**

- What is the vehicular access to the apartment complex? It looks like one might be able to enter directly from southbound Winchester, but the street appears to be too close to the I-280 ramp to accommodate exiting traffic or left-turn entrance from northbound Winchester. Will apartment residents have to drive around and past the row-houses and flats to access Olsen Drive in order to exit? Will that traffic interfere with the traffic accessing Santana Row from Winchester? And what are the impacts of the planned exit ramp from northbound I-280 at Winchester, a ramp that nearly lines up with the apartments?
- Will the planned exit ramp from I-280 affect nearby Santana Park? Can funds for mitigating for the anticipated loss of parkland there be used to enlarge the park here on this project?

**Response G.5:** As discussed in the project description and *Section 3.17 Transportation*, the site would be accessed by one ingress/egress driveway on Olsen Drive and one-ingress only driveway on Charles Cali Drive. No issues in regards to access and circulation were identified in the Local Transportation Analysis.

The City's Department of Transportation, in coordination with Caltrans, is still developing designs for the proposed northbound off-ramp from I-280. Impacts from the off-ramp project, including potential impacts to parks will be evaluated as part of the environmental review for the off-ramp project.

**Comment G.6:**

- Is there convenient access to public transportation? Are there inviting walkways from the project to the transit stops?

I wish I had more time to go into more detail. This seems like a dense and isolated development, although it is replacing an even more isolated development. I'm glad that there is to be a public park, but I wish it could be larger.

**Response G.6:** The nearest bus stops are located along Winchester Boulevard, near Olsen Drive (approximately 1,000 feet from the project site) and Olin Avenue (approximately 1,400 feet from the project site). Additionally, there are existing sidewalks along both sides of all streets including Olsen Drive and Winchester Boulevard. The existing pedestrian facilities provides pedestrians with safe routes to the project site and transit services. The project will improve pedestrian and bicycle (but not automobile) access by opening up the current dead-end streets at Kirkwood Drive, Olsen Drive, Henry Avenue, Rosewood Avenue, and Maplewood Avenue onto the new public park, which will provide a direct pedestrian and bike connection between neighborhoods to the west of the site and Winchester Boulevard. Please refer to Section 3.17 of the Draft EIR.

## **H. Daphna Woolfe (October 10, 2019)**

**Comment H.1:** This letter is in response to the EIR for Winchester Ranch. As was noted in the document the major areas of concern for the community are as follows:

- Increased traffic
- Insufficient parking
- Height and Massing
- Interface with the Winchester House (a historic resource) and potential impact to the Winchester Mystery House

I am sure that the owners of the Winchester Mystery House will respond to the last concern.

**Response H.1:** Specific comments on these topics are addressed below.

**Comment H.2:** Our major concern for the area is mobility for pedestrians, bikes and cars. Currently, only about 8 cars can stack up between Tisch and Olsen in order to get onto 280 N. This traffic often backs up past Olin, which means about a ten minute wait to get on the freeway in the morning. Adding several hundred cars per hour to the mix will make it next to impossible to use this freeway on-ramp. Currently the cars heading north and turning onto the 280 on-ramp have much longer signals to accommodate their load which stands to increase when the Reserve Apartments open. How can this onramp possibly accommodate all of the new residential traffic leaving for work in the morning and then returning at night?

**Response H.2:** With the adoption of SB 743 legislation, public agencies will soon be required to base the determination of transportation impacts on Vehicle Miles Traveled (VMT) rather than level of service and delay. In adherence to SB 743, the City of San José has adopted a new Transportation Analysis Policy, Council Policy 5-1. The policy replaces its predecessor (Policy 5-3) and establishes the thresholds for transportation impacts under the CEQA based on vehicle miles traveled (VMT) instead of levels of service (LOS). The intent of this change is to shift the focus of transportation analysis under CEQA from vehicle delay and roadway auto capacity to a reduction in vehicle emissions, and the creation of robust multimodal networks that support integrated land uses.

The Local Transportation Analysis (LTA) section of the traffic study does include an evaluation of peak hour intersection LOS and ramp queueing. Observations of traffic conditions completed in September 2018 indicated that the ramp meter on the referenced I-280 on-ramp from Winchester Boulevard. was not active. Thus, the referenced vehicle queue along southbound Winchester Boulevard. was not present. It appears that the meter has since been activated. However, observations indicate that the referenced queue does not extend off the on-ramp and back onto Winchester Boulevard. Regardless, unlike the VMT evaluation, which is adopted by the City Council and required per CEQA guidelines, the LOS and queuing analyses is presented for informational purposes only to better understand other transportation-

related effects associated with the proposed project. However, the determination of project impacts per CEQA requirements are based solely on VMT analysis.

Consistent with Senate Bill 743 and the City's adopted policy, congestion (traditionally addressed as Level of Service) is no longer the metric by which transportation impacts are measured. As discussed in Section 3.17 of the Draft EIR, the proposed project would have a less than significant transportation impact.

**Comment H.3:** Recently, it was shown that this area is not equipped for extra traffic. In the Spring, the Winchester Mystery House sponsored an Easter Egg Hunt. This snarled traffic for three hours, leaving a fire truck with its lights and sirens on, in the backup with nowhere to go. We are concerned for our safety. How will emergency services get in or out of our area during peak commute times and during the holiday season?

**Response H.3:** A discussion of the potential impacts of the project on fire and police protection services is provided in Section 3.15 of the Draft EIR. No significant impact was identified.

**Comment H.4:** Bringing more cars to this area, that already has tens of millions of people a year, simply isn't sustainable for the region. If we had strong mass transit, this might work. Is gridlock the only option? Do we have a traffic management plan for the entire area that takes into account, Santana Row, Santana West, The New Winchester Ranch, Volar, and the three new projects on Winchester across from the Volar and Santana Row? One element of a solution to this complex problem is to use the new adaptive signal technology to keep traffic flowing. Can this be added to the area?

**Response H.4:** Refer to Response H.2.

**Comment H.5:** In addition, Caltrans and VTA want to put a 280 North freeway offramp at Tisch and Winchester, thus further exacerbating the problem. Cars will come off of the freeway with nowhere to go.

The people living and working in the area, would like to know how this off-ramp will ease congestion. We do know that it may help some of the traffic issues on Stevens Creek between Valley Fair and Santana Row, but this will be moving the problem to an equally crowded area that will get considerably worse when all of the projects come online.

**Response H.5:** The proposed off-ramp is not part of the proposed project and has not yet been designed. A full analysis of the off-ramp project will be completed through the State mandated CEQA process once a plan/design is chosen. This comment does not speak to the proposed project or the Draft EIR for the proposed project. No additional response is required. This comment does not raise any issues with the adequacy of the Draft EIR

**Comment H.6:** With all of these new cars, the safety of pedestrians and bicyclists is of concern as well. The neighbors are thrilled with the concept of the new park, which offers walking and biking

routes. How will these be designated and made safe? Will the walking and biking routes be linked to the new Santana West development and to Winchester Blvd.? How will this happen?

**Response H.6:** The Santana Row/Valley Fair Urban Village Plan identifies complete street improvements along Winchester Boulevard which includes protected bike lanes along both sides of Winchester Boulevard that will be physically separated from vehicle travel lanes, at least four vehicular travel lanes and two flex lanes for vehicle travel or parking, and construction of a raised median with limited breaks. These long-term goals will improve the multimodal connectivity within the Santana Row/Valley Fair Urban Village. The project would also improve pedestrian and bicyclist connectivity by opening up the current dead-end streets at Kirkwood Drive, Olsen Drive, Henry Avenue, Rosewood Avenue, and Maplewood Avenue onto the new public park, which would provide a direct pedestrian and bike connection between neighborhoods to the west of the site and future protected bike lanes on Winchester Boulevard.

**Comment H.7:** The other issue that has come to the forefront is parking. We do realize that this project is overparked as per city policy. However, if this does not cover the parking needs of the community, what mitigating measures will be taken to ensure that the residents do not park on Rosewood, Henry, Olsen and Kirkwood? I would suggest that the Winchester Residential Parking permit be extended to these areas, if it is deemed necessary after the project is fully built and is in use. Can this be put forth as an option at a later date?

**Response H.7:** Parking supply is addressed in the LTA starting on page 57 of the Transportation Analysis (Appendix H of the Draft EIR). The comment does not raise any specific environmental issues associated with the project and Draft EIR; therefore, no further response is required. However, the comment will be included in the public record considered by City Council in their review of the project.

**Comment H.8:** With regard to height and massing, we are most concerned with the shadowing of existing residences and even the Winchester Mystery House.

**Response H.8:** There is no City policy protecting private properties from shade and shadow from adjacent developments. However, the Draft EIR includes an analysis of shade and shadow from the project onto adjacent residential neighborhoods and the Winchester House site in Section 3.11 of the Draft EIR. As shown in Figure 3.11-2 of the Draft EIR, the maximum shading from the project would occur in the winter months during morning and afternoon hours. In the winter morning hours, the project would cast shadows to the northwest of the site, extending onto the single-family residences located west and north and the former Century 23 Dome Theater. Shading from the project would not occur year-round on any of the adjacent single-family properties. As discussed in *Section 3.11 Land Use and Planning*, the proposed seven-story podium apartment building would increase shading on the southern grounds of the Winchester House property in the spring, fall, and winter months throughout the day. In the winter months, portions of the main house and the outbuildings along the southern property line (including the greenhouse which has 13 glass cupolas), would be shaded throughout the day. As discussed on pages 145 of the Draft EIR, this

increase in shade and shadow would be a significant and unavoidable impact as it would alter the setting of the Winchester House property by reducing sunlight to the greenhouse, the garden, and some decorative windows and skylights within the main house. Revised project site plans, consistent with a Modified Reduced Height of Podium Building Alternative, would reduce this impact to a less than significant level. The townhouses proposed on the western portion of the site would not shade the Winchester House property.

**Comment H.9:** Everyone looks forward to a new and more vibrant and integrated area, but the mobility issues will make the area unsafe with constant congestion.

**Response H.9:** The comment does not raise any specific environmental issues associated with the project and Draft EIR; therefore, no further response is required. However, the comment will be included in the public record considered by City Council in their review of the project.

Refer to Responses H.1-H.7 with respect to transportation issues and parking supply.

## **I. Charlotte Monte (October 11, 2019)**

**Comment I.1:** This letter is in response to the EIR for Winchester Ranch. As a resident on Spar Ave., I never really gave much thought to the Ranch development, but as traffic has continued to worsen, and as there always seems to be ongoing construction, road & lane blockages associated with that, and traffic lights on for streets that don't exist yet . . . traffic is getting worse and remaining steadily bad. Adding thousands of cars at the Ranch in addition to the Santana West development is only going to add to gridlock.

**Response I.1:** Refer to Response H.2, which discusses the approach to transportation analysis in the Draft EIR.

**Comment I.2:** A large part of this problem, IMO is traffic light regulation. Lack of smart metering or other mitigating lighting factors creates huge backups at each block of Winchester south of Stevens Creek and on both sides of the Hwy 280 N onramp. AND, there is significant blockage east of Cypress through the Winchester/Stevens Crk intersection and up through Valley Fair. The ENTIRE area needs to be seen as a whole if any part of it is slated for this kind of major growth.

**Response I.2:** As stated in Response H.2. above, the City uses VMT, not intersection level of service as a metric for considering transportation impacts under CEQA. However, the Transportation Analysis includes a Local Transportation Analysis which evaluates the project's contribution to congestion at nearby intersections, including Winchester Boulevard and Stevens Creek Boulevard. The comment does not raise any specific environmental issues associated with the project and Draft EIR; therefore, no further response is required. However, the comment will be included in the public record considered by City Council in their review of the project.

**Comment I.3:** Some people have advocated a strong mass transit, but that solution wouldn't be years, possibly decades in coming, and where would a light-rail system (for example) fit on, say Winchester Blvd.? We need to have an immediate solution.

**Response I.3:** The comment does not raise any specific environmental issues associated with the project and Draft EIR; therefore, no further response is required. However, the comment will be included in the public record considered by City Council in their review of the project.

**Comment I.4:** Parking restrictions to neighborhood homes and their guests has helped tremendously over the years.

**Response I.4:** The comment does not raise any specific environmental issues associated with the project and Draft EIR; therefore, no further response is required. However, the comment will be included in the public record considered by City Council in their review of the project.

**Comment I.5:** Lastly, regarding height & massing: This is an old, established, originally agricultural neighborhood area and many homes still bear the "fruits" of this legacy. There are many

of us with beautiful, established small fruit orchards and gardens that will be negatively impacted by shading buildings. Our hard work and years of city and county support should not be “overshadowed” by development.

Thank you for your kind attention and respectfulness of the neighborhood’s concerns.

**Response I.5:** Refer to Response H.8 for a discussion of shade and shadow from the project.

**J. Karen Carpenter (October 14, 2019)**

**Comment J.1:** Traffic in general has not been appropriately addressed. The Splunk traffic blocks the intersection between 5pm and 6pm. And, of course it will only get worse when the Century property is developed with the commercial development that is planned.

**Response J.1:** This comment does not provide reasons why the commenter believes the traffic analysis is not appropriate. As stated in Response H.2. above, for the purposes of determining a significant impact under CEQA, the City uses VMT rather than intersection level-of-service (LOS). However, intersection LOS, including the intersection of Olsen Drive and Winchester Boulevard, is evaluated in the Local Transportation Analysis in the Transportation Analysis (Appendix F to the Draft EIR).

**Comment J.2:** When the project is completed the flow of morning and evening traffic out of the Winchester Ranch neighborhood especially in the event of fire or other emergency is of great concern to me. There has to be another entrance/exit from the property besides Olsen Ave. The WONA residents won't like it, but at least one of their streets needs to be open through the Ranch property. Henry Ave seems the most likely to me because of the signal light at Stevens Creek Blvd.

**Response J.2:** . The project will retain an entrance from Winchester Boulevard and will open up the dead-end streets at Kirkwood Drive, Olsen Drive, Henry Avenue, Rosewood Avenue, and Maplewood Avenue onto the new public park for pedestrian and bicycle access. These openings could be used for emergency vehicle access. This comment does not raise concern with the adequacy of the analysis in the Draft EIR.

**Comment J.3:** The Winchester Ranch residents project has to have electrical hook up for their electrical cars.

**Response J.3:** Per Chapter 4, Residential Mandatory Measures, of the CALGreen requirements, new construction shall comply with Section [4.106.4.1](#), [4.106.4.2](#), or [4.106.4.3](#), to facilitate future installation and use of EV chargers. [Electric vehicle supply equipment](#) (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625. Where 17 or more multifamily dwelling units are constructed on a building site, three percent of the total number of parking space provided shall be electric vehicle charging spaces capable of supporting future EVSE.

**Comment J.4:** Why can't the residents project be given to ADA buyers when the residents move out? All of these units, due to the seniors and disabilities of the residents will require ADA compliancy, will they not? This will fulfill housing for affordable living.

**Response J.4:** This comment does not raise any concerns with the adequacy of the analysis in the Draft EIR. It will be included in the public record and forwarded to the City Council to consider with their review of the project.

**K. Ron Canario (October 14, 2019)**

**Comment K.1:** A letter regarding the Winchester Ranch EIR was recently submitted to you by Daphna Wolfe. I completely agree with the substance of the letter, and would like to add my name in support of the contents. For reference, a copy of the letter follows: (see Comment Letter H and Appendix A of this document).

**Response K.1:** Refer to Responses H.1 through H.9.

**L. Stephanie Kareht (October 14, 2019)**

**Comment L.1:** This letter is in response to the EIR for Winchester Ranch Residential project. As a homeowner whose house directly borders the western edge of the project, our primary concerns are,

1. The levels of dirt and noise that will affect us during construction. What provisions will be made for those of who are directly adjacent to the site during construction?

**Response L.1:** Please see Section 3.3 of the Draft EIR for discussion of air pollution associated with construction of the project. As discussed under Impact AIR-3, the project would implement Standard Permit Conditions during all phases of construction to reduce dust and other particulate matter emissions associated with the project. Construction noise is discussed in Section 3.13 of the Draft EIR (Impact NOI-1). Per this discussion, the project would implement Mitigation Measure NOI-1.1 to reduce construction noise on adjacent receptors (residents). Even with implementation of Mitigation Measure NOI-1.1, the proposed project would expose sensitive receptors to construction noise for up to 3.5 years, resulting in a significant unavoidable construction noise impact.

**Comment L.2:** 2. How this large project will affect our property, especially with respect to light and noise.

**Response L.2:** Lighting is discussed in Section 3.1 (Impact AES-4) of the Draft EIR. No significant impact was identified. As stated in the Draft EIR, the project would go through a design review process, prior to the issuance of building permits, and would be reviewed for consistency with the City's Design Guidelines, and other applicable codes, policies (the City's Outdoor Lighting on Private Development Policy), and regulations to ensure that the project would not create a new source of substantial light or glare for adjacent residents.

Please refer to Response I.1 for construction noise. As discussed in Section 3.13 of the Draft EIR, the project would not have a significant operational noise impact.

**Comment L.3:** 3. What will set backs be, and what kind of landscaping will border the property? What will happen to the trees that are currently at the end of Kirkwood?

**Response L.3:** As mentioned in the project description of the Draft EIR (Section 2.0), the proposed buildings on-site would be set back approximately 33 feet from the adjacent single-family residences and a minimum of 10 feet from the property line of the Winchester House.

As discussed in Section 3.4 of the Draft EIR (Impact BIO-5), any tree removed as a result of the project would be required to be replaced in accordance with all applicable laws, policies, or guidelines including the City's Standard Tree Replacement Ratios (refer to Table 3.4-2 of the Draft EIR). Per the Enlarged Park Plan (Sheet L-3) of the project plan set dated November 18, 2019 existing trees at the

end of Kirkwood Drive would be removed. However, these trees will be replaced with new trees and landscaping in the proposed greenbelt between the proposed residences and neighborhood to the west, including a 24-inch box Coast Live Oak at the end of Kirkwood Drive.

**Comment L.4:** 4. What kind of fencing will be put in adjacent to our property? There is currently a double fence--ours and the mobile home park fence separating our properties along the property line.

**Response L.4:** The project plans do not include fencing details. The comment does not raise any specific environmental issues associated with the project; therefore, no further response is required.

**Comment L.5:** 5. There should be at least some dedicated parking for the green space. We don't to have the street in front of our house filled with cars and the traffic that entails. There should be signs on the streets over here saying that!

6. Likewise, once Santana Row is an easy walk from here, we don't want people parking in front of our house to walk there. Are there any plans to address this issue?

**Response L.5:** These comments will be included as part of the public record forwarded to City Council for consideration in their review of the project. The comments do not raise any specific environmental issues associated with the project; therefore, no further response is required.

**Comment L.6:** 7. Given our proximity to the bike overpass, bike traffic down this road could become quite significant. Is the plan to make the end of the street open to bike traffic?

**Response L.6:** The project proposes to open the existing dead-end streets at Kirkwood Drive, Olsen Drive, Henry Avenue, Rosewood Avenue, and Maplewood Avenue onto the new public park for pedestrian and bicycle access. The comment does not raise any specific environmental issues associated with the project; therefore, no further response is required.

**M. Al Woodward (October 14, 2019)**

**Comment M.1:** In the area of traffic, there are several mitigation items that should have been addressed directly in the Draft EIR, not just saying the City is aware of the problems. There are plausible solutions that have not addressed in this Draft EIR.

1. East Bound Stevens Creek – Monroe through 880 ramps: When the ramps were re-designed a few years ago, two flaws occurred in the traffic flow scheme.
  1. Significant “go time” is lost due to the 880 S/B Exit Ramp signal not having split the right and left timings. Most of the time, few cars are turning left onto E/B Stevens Creek compared turning right to W/B Stevens Creek. The lack of separate turn control means that traffic exiting Valley Fair and Santana Row headed east are delayed unnecessarily. This often results in the Monroe intersection being blocked by vehicles that can’t clear the intersection.
  2. The turn onto the N/B 880 On-ramp was a 25mph ramp under the old design. The new design with an approximate 110 degree turn is a 10 mph ramp. Semi Trucks need to use the entire bike lane to make this sharp turn.

Solutions:

1. Provide separately controlled left and right signal lights from S/B 880 Exit Ramp onto Stevens Creek, allowing for more “go time” for E/B Stevens Creek.
2. Re-align the corner of the N/B 880 On-ramp to be a sweeping curve instead of the greater 90 degree turn it currently is. This will additionally improve safety in the bike lane as Semi’s can’t negotiate that turn without using the entire bike lane as they make that turn.

**Response M.1:** Per City Council Policy 5-1, a project’s VMT, rather than traffic congestion, is the metric for determining a project’s impact under CEQA (see Response H.2, above). Furthermore, the project is only required to mitigate for impacts resulting from the project. Concerns regarding existing traffic conditions in the area will be included with the public record for consideration by the City Council in their review of the project.

The City’s is working with the Santa Clara Valley Transportation Authority (VTA) on developing a Multi-modal Transportation Improvement Plan (MMTIP) for transportation operations in the broader area. The MMTIP will include recommendations to improve signal timing and bicyclist/pedestrian safety improvements.

**Comment M.2:** 2. I280 exit the Moorpark and Winchester: The EIR states there is too little queuing room. **Solution:** Move the exit ramp intersection with Moorpark 200 west feet to allow for more queuing on Moorpark at Winchester. This state owns this land.

**Response M.2:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment M.3:** 3. East Bound Stevens Creek from I880 to Winchester: The best solution would have been a 4th lane, but that thought is now hopeless since Valley Fair was allowed to build out to

the street. Most of today's backup is caused by left turning traffic into Santana Row at the Santana Row Light. The solution is to give more left queuing space, even if it means taking some away from Valley Fair at the S Baywood intersection.

**Response M.3:** Per City Council Policy 5-1, a project's VMT, rather than traffic congestion, is the metric for determining a project's impact under CEQA (see Response H.2, above). Furthermore, the project is only required to mitigate for impacts resulting from the project. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment M.4:** 4. Winchester at I280 N/B On-ramp: This routinely backs up Winchester during the morning commute, often back to Magliocco, because the ramp lanes metering lights do not allow sufficient flow.

I do have to say double cycling of the left turn light during the morning commute that was implemented a few years ago was a good thought, but since the cars cannot enter the already full on-ramp, its usefulness is diminished.

When this backs up, it also impedes W/B traffic on Moorpark, particularly those that want to continue N/B on Winchester past the freeway.

**Solution:** A third on-ramp lane to minimize the Winchester backup. It could be a car-pool lane to encourage car-pooling. All the land need for this is state already owned.

**Response M.4:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**N. Hadas and Jeff Zitomer (October 14, 2019)**

**Comment N.1:** We have lived in the neighborhood for ~6 years and represent its growing number of families with young children. More importantly, we expect (and the EIR agrees) that many more young families will move into the new development, so acting on our feedback would most likely improve the project's appeal to your future home buyers/renters.

While we are very excited to finally get a park within walking distance (nearest park is a ~.7 mile walk, not .3 as the EIR suggests), we do have several concerns and wishes with regards to the current plan. In order of importance:

- Big picture:
  - Build the park in phase 1. By far, our most important request. The park is planned for phase 2, so the people of the neighborhood will endure many more years of noise, dust, traffic, and disruption before seeing any kind of benefits in return
  - Enlarge the park from 2 to 3.5 acres, which the EIR suggests is the regulation for this size project
  - Add parking, without eating into the 2 acre park space. While the park is intended for neighborhood residents who can walk, some families will host toddler/child birthdays/events, inviting out-of-neighborhood guests who will need a place to park. Physically impaired neighborhood residents would likely appreciate parking as well. But in any case, parking shouldn't replace park space

**Response N.1:** The Draft EIR states that the nearest park to the project site is Frank M. Santana Park, located east of the project site. As measured from the eastern property boundary of the project site, the park is approximately 0.3 miles due east.

Per the project description in the Draft EIR, project construction is divided into two phases in order to give existing mobile home park residents the opportunity to live on site during project construction. Development of the park in the first phase would require removal of mobile home units that are intended to be occupied by existing mobile home park residents during the development of replacement housing on the eastern half of the project site. For this reason, the park is proposed to be developed in the second phase of project construction.

Section 3.15 of the Draft EIR acknowledges General Plan Policy PR-1.1 which states "Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents." As discussed in Section 3.15 of the Draft EIR, the City's Parkland Dedication Ordinance and the City's Park Impact Ordinance require residential projects to dedicate public parkland, pay in-lieu fees, or both to offset the demand for parkland. The City has no parking requirements for neighborhood parks.

**Comment N.2:** Playground wish list:

- Serve both young toddlers and older children with two adjacent playgrounds, including slides, ladders, bridges, large sandboxes... (Everett Alvarez Jr. park as an example, but bigger)
- At least 8 swings. 4 for toddlers, and 4 for grown kids, as there's a queue in every park
- Shade/rain structure shielding the playground from the elements
- Child-friendly climbing wall

Park wish list:

- Flat grassy area large enough for kids to play soccer/catch (Thomas Barrett Park for example, but bigger); additional grassy area just for lounging around
- Padded walking/running circuit surrounding the park, ideally of some regulation length (e.g., 400 meters per lap), and as much as possible, shaded
  - Could probably be extended to a half a mile or 1K, using the open strip of land on the west side of the project (marked as "public trail access" in figure 2.2-1)
  - Technology example: <https://www.rubberway.com/rubber-trails>
  - Implementation example: Katy Trail in Dallas (though not a circuit) ([https://en.wikipedia.org/wiki/Katy\\_Trail\\_\(Dallas\)](https://en.wikipedia.org/wiki/Katy_Trail_(Dallas)))
- A few small shaded picnic areas with tables to accommodate children's birthday parties
- Half-court basketball court (good for 3x3) with a couple of "spare" baskets on the sides
- Public bathrooms, obviously...
- Small dog run. Besides serving our 4 legged residents, might also reduce dog poop in the rest of the park and neighborhood...
- Small coffee shop concession in the center of the park, with outdoor seating only
- Police call-boxes and plenty of lighting

**Response N.2:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment N.3:** Traffic (related to the entire project, not just the park):

- The current road between Stevens Creek and the 280 N on-ramp are already packed during rush hour, and cannot handle several hundred more cars per hour. Please ensure your plans increase car throughput in the area
- Please keep our dead-end streets closed to cars, but open them up for pedestrian and bicycle traffic. Maybe the cul-de-sacs could be expanded a bit to become parking lots

Thank you very much for considering this feedback. Please confirm you have received it and feel free to reach out to us for any clarifications.

**Response N.3:** . Please see Response H.2. above for a discussion of the analysis of transportation impacts in the Draft EIR. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**O. Chris Giangreco (October 15, 2019)**

**Comment O.1:** It must be stated at the beginning of this response that it is based on the presumption that none of our neighborhood streets will be opened to vehicular traffic from the development once the development is completed. It also must be stated that there were two main reasons for the formation of our Winchester Orchard Neighborhood Association several years ago:

1. To preserve and protect the historic quiet nature and character of our neighborhood dead-end streets, by not permitting them to become through streets to vehicular traffic from the future Ranch development.
2. To do as a community whatever we could to help our senior neighbors at the Ranch preserve their homes and way of life within our neighborhood.

From the beginning and throughout the community engagement process, we have heard many different times from Pulte, City staff and the D1 office that there is absolutely no intention from any of them to have any of our neighborhood streets opened to vehicular traffic once the project is complete. This response is based upon my presumption that the City and Pulte will hold true to their word and keep our streets closed.

At the top of page 187 is: Policy TR-8.9 Consider adjacent on-street and City-owned off-street parking spaces in assessing need for additional parking required for a given land use or new development. Parking generated by the development on the existing residential streets is of huge concern for the residents of Maplewood, Rosewood, Henry, Olsen, Fenley & Kirkwood. Residents on these streets who live closest to the project should not have to worry about parking from the development impacting their historic ability to park in front of their own residences. Should this end up being a problem for those residences, the City should mitigate by implementing a permit parking program, with the entire cost of which to be paid by the development in perpetuity and not by the impacted residents of the streets listed above.

**Response O.1:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment O.2:** Bottom of page 192 & top of page 193 contain 3.17.2 Transportation/Traffic Impacts & 3.17.3 Impact Discussion. In serious question by our impacted community is the last discussion item, 4) Result in inadequate emergency access? The immense concern of this question by the Winchester Orchard Neighborhood Association and those who reside within its boundaries cannot be understated. The concern is not only for our own public safety, but that of all residences, businesses and customers within the response zone of our Monroe Firehouse. The impact this development will bring to police and ambulance response must also be accounted for. Discussion item 4 raises the following questions:

1. What are the metrics used by the City to determine whether the development will result in an inadequate emergency access condition?
2. Does an inadequate emergency access condition presently exist during normal, heavy, holiday or any other traffic conditions?

3. If additional traffic from the Winchester Ranch project alone is not enough to generate such a condition, will the completion of Valley Fair, Santana West and / or any other any other currently entitled area projects be enough to do so?
4. Once such a condition exists, what can and will the City do to mitigate it?

The two main routes our Monroe firefighters can take to access our neighborhood are Monroe to westbound Stevens Creek, and Tisch to northbound Winchester. Both routes can be heavily laden with traffic and severely impede emergency vehicle travel/ response times. Factor in construction of the proposed NB 280 / Winchester offramp and it is possible Tisch to Winchester north might often be an unviable emergency route.

**Response O.2:** A discussion of the potential impacts of the project on fire and police protection services is provided in Section 3.15 of the Draft EIR. No significant impact was identified. As noted in the Draft EIR, the assessment for fire protection services was based on response data from Station 10 for all of 2018, which would encompass the holiday season.

As discussed on page 195 of the Draft EIR, the assessment of emergency access to the project site is based on the fire code and San José design standards. The San Jose Fire Department reviewed the project plans and found the emergency access adequate to serve the site.

**Comment O.3:** In her EIR response, Daphna Woolfe, President of the Winchester Orchard Neighborhood Association gave the example of the Mystery House Easter egg hunt event which occurred the day before Easter Sunday this year. That event led to horrific and unmanageable traffic conditions on Winchester that had a Monroe fire engine stuck in traffic unable to respond. That and other local scheduled area events like the Santana Row Christmas Tree lighting should be required to submit an event specific traffic management plan, hire off duty police and utilize traffic operations center staff to manage traffic flows on location and remotely.

**Response O.3:** Please see Responses H.3 and M.1, above. The proposed project is only required to mitigate for impacts resulting from the project.

**Comment O.4:** The terrible nature of Holiday traffic is legendary, and it must be a nightmare for emergency responders to get through in front of the mall.

Even with the Emergency Vehicle Preemption System functioning properly at all response zone intersections, it is hard to imagine adequate response times being the norm once all entitled area projects are completed. Once an inadequate emergency access condition exists, how will the City mitigate? The only way I can imagine the City being able to do so would to do as follows:

1. Deploy and fine tune the best adaptive signal technologies available to keep traffic moving as best possible under most conditions.
2. Use the data collected from the system to determine when the threshold for an inadequate emergency access condition has been exceeded.
3. Once exceeded, automatically notify traffic control operations staff when the Monroe firehouse receives a call-out.

4. Require the traffic control operations center staff to manually control and clear intersections progressively along the emergency vehicle route well ahead of the responders.

**Response O.4:** Refer to Response O.2. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment O.5:** One of the concerns the community has with this project it's lack of affordable housing. All dwelling units constructed by Pulte will be sold, including the apartment building. They will be sold for market rate in one of, if not the most expensive housing markets in the country. Lack of affordable housing is one factor in driving up our increasing homeless numbers. It is also a factor in forcing workers to rent or purchase farther away from the job centers in the heart of Silicon Valley, thus driving up Vehicle Miles Traveled and associated greenhouse gas emissions.

**Response O.5:** The Project does not include on-site affordable housing. A condition of the Planned Development Permit will require compliance with the City's Inclusionary Housing Ordinance. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment O.6:** Project-Level VMT Analysis can be found at the top of page 194, which contains only seven sentences. That analysis references use of the City developed VMT Evaluation "Sketch" Tool. Sentence six states, "the project site is in proximity to jobs and services within the Santana Row/Valley Fair Urban Village". In my estimation, the vast majority of jobs within the Santana Row/Valley Fair Urban Village are relatively low paying retail and service worker jobs with little to no career path. In order to bring higher paying, more "tech" oriented jobs to the area, we must rely on construction of more office space and occupancy of the new spaces by companies will offer higher paying jobs. I believe this is the case with Federal Realty leasing it's last completed building to Splunk, who I understand will also be leasing the almost completed building at the "end of the Row". Completion of the first and subsequent phases of the Santana West Project should bring more of these higher paying jobs as well.

With all that said, would the majority of purchasers or renters in the Pulte project who work within the Urban Village be required to maintain a second job, likely outside the urban village, just to be able to afford to live there? Does the City's own VMT Evaluation "Sketch" Tool permit a VMT reduction value for a local area job which does not pay enough for the worker to live in the Pulte project, thus requiring an unaccounted for VMT trip to a second or third job? If so, I would consider this to be a flaw in the evaluation tool. Are there other ways the City's VMT Evaluation "Sketch" Tool might be flawed or otherwise inadequate? If so, would its use result in a flawed EIR? One flaw evident to me can be found on page 192, where four strategy tiers are listed "whose effects on VMT can be calculated". I argue those effects cannot be "calculated", they can only be estimated.

**Response O.6:** The City's VMT Sketch Tool was developed by Fehr & Peers, a Transportation Consulting firm which specializes in VMT analysis. As shown in Figure 3 of the Transportation Analysis (Appendix F to the Draft EIR), the project site is located in an area of San Jose that has low per capita residential VMT. This is because the area is located close to major job centers, retail, services, and public

transit. The VMT model does not assume all future residents will work within the Santana Row/Valley Fair Urban Village. However, the model does account for greater access to transit and shorter distances to drive to employment and services compared to residents on the periphery of Santa Clara Valley. It is speculative to assume that future project residents will require more than one job.

**Comment O.7:** Top of page 192 contains 3.17.1.3 VMT Methodology. Unfortunately, I have not made the opportunity to become fully versed in VMT methodologies. I have yet to fully read and scrutinize the City's Transportation Analysis Handbook and have no knowledge of the VMT Evaluation "Sketch" Tool other than what I've read in the EIR. The questions I do have regarding these items are:

1. Did the City develop this VMT methodology, the Transportation Analysis Handbook and the VMT Evaluation Tool internally with its own staff?
2. Where these three things reviewed for flaws and / or deficiencies by agencies or organizations properly accredited or certified to do so?
3. If flaws can be found to exist in any of these three, would use of any of the three result in a flawed and possibly make invalid any EIR they were used on?

**Response O.7:** The VMT methodology, Transportation Analysis Handbook, VMT Evaluation Tool and Council Policy 5-1 were developed over a two year process (between 2016-2018) with City staff, City Council, the community, various stakeholder groups and transportation consultants based on a response to adopted legislation by the State and guidance from the State Office of Planning and Research. City staff held approximately 30 meetings which included two citywide topic specific community meetings; numerous neighborhood meetings, sessions with developers, consultants and advocates, and a Study Session with the City's Planning Commission. City staff also held multiple sessions with VTA and other cities, including cities that have already adopted VMT-based standards, those who were developing their own policies, and agencies within Santa Clara County who have not yet adopted the policy but will be required to do so by July 2020.

All documents were reviewed by accredited and certified individuals and developed with guidance from State agencies. All documents were publicly posted and reviewed by all members referenced in (1) over the two-year period including legal review.

Reference material and further information on the VMT policy can be found at the following website: <http://www.sanjoseca.gov/vmt>

**Comment O.8:** Page 198 states, "the proposed Winchester Ranch GPA would have less than significant impact on the AM peak hour average vehicle speeds on the transit priority corridors". Our concern is that the project will bring an overbearing traffic burden to an already overburdened HWY 280 onramp at Winchester & Tisch during the AM commute. Signal sequencing and phase timing does not at this time appear to be optimized for maximum thru - put along Winchester at Olsen, Tisch/onramp & Moorpark. The current situation where metering lights hold back and stack up

traffic on what may be an inadequate onramp, causes lengthy queues in the southbound right lane in front of the Ranch and then Mystery House. Once the project is completed and occupied, AM traffic to the onramp likely will be heavily compounded making it even more difficult for busses to access the bus stop at Olsen / Mystery House. Development traffic will certainly impact, and most likely significantly impact traffic and transit.

Will the statement made on page 198, "therefore, the proposed Winchester Ranch GPA would have a less than significant impact on the AM peak hour average vehicle speeds on the transit priority corridors" be an incorrect assumption once project traffic actually hits the Boulevard? Found at the bottom of page 198 under Winchester Ranch Long - Range Transportation Impacts Conclusion, "compared to the 2040 General Plan, the Long - Range Traffic Analysis found that the proposed GPA would 1) not result in an increase in citywide VMT per service population; 2) reduce the percentage of journey to work drive alone trips; or 3) increase average vehicle speeds on the transit priority corridors". If the intention of "3) increase average vehicle speeds on the transit corridor" means just that, that average vehicle speeds will increase, I do not see how that can be anything other than a mis-presumption or false statement. If it means average vehicle speeds will not increase, I would agree. Either way the intent of the statement is not completely clear. The W.O.N.A. community is certain that, at least for the stretch of Winchester between Monroe & Olin, the Winchester Ranch Long - Range Transportation Impacts Conclusion of (Less Than Significant Impact) will prove to be incorrect.

**Response O.8:** As discussed in Table 3.17-2 of the Draft EIR, a General Plan Amendment would result in a significant long-range transportation impact if it results in a "...decrease in average travel speed on a transit corridor below current 2040 General Plan conditions in the AM peak one-hour period when:

1. The average speed drops below 15 mph or decreases by 25 percent or more; or
2. The average speed drops by one MPH or more for a transit corridor with an average speed below 15 mph under current 2040 General Plan conditions.

As discussed in the Draft EIR on page 198 and page 41 – 42 of the supporting Long-Range Transportation Analysis in Appendix I to the Draft EIR, the project would not meet either of these conditions, as the project is estimated to result in a decrease of 0.2 mph (a decrease of 1.5 percent or less), and therefore would be a less than significant impact.

**Comment O.9:** Found on page 200, is "2019 GPAs Cumulative Effect on Average Vehicle Speeds in Transit Priority Corridors" - The proposed GPAs would not result in a decrease in travel speeds of greater than one mile per hour or 25% on any of the 14 transit priority corridors when compared to General Plan conditions. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on the AM peak hour vehicle speeds on the priority transit corridors". The community has no doubt AM peak traffic will be heavily impacted on southbound Winchester between the Tisch/ 280 onramp and Olsen, if not beyond towards Stevens Creek. The south bound right lane will certainly be much more crowded, particularly during AM peak hours once the Pulte project is completed and occupied.

**Response O.9:** This analysis evaluates the cumulative effects of all 2019 General Plan Amendments currently under review with the long-range transportation analysis prepared for the Envision San Jose 2040 General Plan EIR. That analysis evaluated all development assumed in the Envision San Jose 2040 General Plan in 2040. Winchester Boulevard is not a designated Transit Priority Corridor.

**Comment O.10:** As proves itself in the area every holiday shopping season and daily at intersections like Saratoga & Moorpark, with more traffic and slower drive times comes more red light running and intersection gridlocking. With more red light running and gridlocking comes more unsafe roadway conditions for all users, with the greatest risk coming to pedestrians and bicyclists. I am quite confident once the Reserve Apartment complex comes on line the frequency of red light running and intersection gridlocking will increase during the AM commute from those turning left onto the freeway entrance. As always occurs in a gridlocked intersection, the right lane, the bus travel lane is the last to clear, resulting in diminished thru-put capacity for that signal phase and stacking more traffic at the rear. Additionally, occupation of a completed Santana West is sure to bring what might already be over-saturation of the right lane in front of the Mystery House during PM commute hours. The big question is, with the Reserve Apartments considered and all planned developments along Winchester's Stevens Creek to Moorpark corridor completed and fully occupied, how much more time and how many additional signal cycles will a southbound route 60 bus driver have to endure to get through the corridor during peak commute? How will the northbound route 60 be affected as well? As always and most importantly, how will Emergency vehicles be affected?

**Response O.10:** Refer to Responses H.2. and O.2.

**Comment O.11:** All our concerns listed above, and many more, are reasons why I call on D1 & D6 Councilmembers Jones & Davis to create an open and continuous dialogue between their offices, DOT and business and community leaders in and around the Valley Fair/ Santana Row Urban Village, regarding improvements to and the future of these most important roadways. Adaptive signal technologies, status of the ABAG grant request to fund them, prioritization of area deployment, installation and optimization are just one small part of what we believe that conversation needs to be.

The City working with the W.O.N.A. Traffic Calming team and Federal Realty on the Santana West neighborhood traffic calming designs is a perfect example of it can work with the community and developers/ business leaders to get it as right as possible for us all. As originally designed and fully intended to be constructed, the overextended left turn lane from westbound Steven Creek to south Henry, with its overdesigned bulbous median island, is a perfect example of how the City can get it wrong for the community it serves.

Please, lets all work together to make these local area roadways the best they possibly can be.

**Response O.11:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**P. Edward Saum (October 15, 2019)**

**Comment P.1:** I am writing to you as the Chair and empowered representative of the City of San Jose’s Historic Landmarks Commission (HLC), with the HLC’s comments regarding the Historic Resources Project Assessment (HRA) for the above-referenced project. The proposed Winchester Ranch development is immediately adjacent to San Jose’s most iconic City Landmark Structure, the Winchester Mystery House (WMH), which is also a State Landmark and a National Register Structure.

Per the City’s Historic Preservation Ordinance, and the Historic Preservation Goals and Policies of the Envision San Jose 2040 General Plan, the HLC is the City’s quasi-judicial body tasked with the preservation of the City’s historic built environment. The HLC provides project design comments and recommendations through Commission meetings and the smaller Design Review Committee (DRC). The Winchester Ranch Mobilehome Community Project was discussed with the DRC on February 20th, 2019 and came before the HLC under the City’s “Early Referral” process on June 5th, 2019. As part of these discussions, substantive concerns regarding the incompatibility of the podium apartment block were enumerated, including, but not limited to, the siting, height, and proximity to the WMH.

At the October 2nd, 2019 HLC meeting, in a 7-0 decision, the Commission voted to authorize the Chair to forward the Commission’s comments to the Director of Planning, Building and Code Enforcement. The consensus of the Commission is that many of the comments and concerns provided previously by the DRC and HLC were not addressed by the subsequent design revisions. This dismissal of the repeated input of the City’s designated historic preservation body should therefore be a part of the HRA.

Our additional comments include, but are not limited to, the following:

1. The HLC opposes the placement of the podium apartment block to the immediate South of the WMH, the City’s most iconic irreplaceable historic resource. The main approach – and primary sight line – to the WMH is from Southbound Winchester Boulevard. The proposed podium apartment block would be the backdrop for this view, and entirely incompatible with the history and siting of the WMH. Proposed building masses should not dwarf immediately adjacent historic resources. The proposal has an unmitigated negative impact upon the historic resource.

**Response P.1:** As discussed in Section 3.5 of the Draft EIR, the proposed project would result in a significant and unavoidable impact to the Winchester House. A new alternative was developed which is the City’s and the applicant’s preferred alternative. Refer to the text amendments in *Section 5.0* of this document for a discussion and analysis of the new alternative.

**Comment P.2:** 2. Per page 33 of the HRA, “While the proposed project may not have a direct physical impact on the original fabric of the Winchester House and its historically designed grounds, the loss of setting will irreversibly change the character of this significant historic resource. Without some form of mitigation, this project will create an adverse change in this historic resource which would be a significant impact under CEQA.”

- a. The podium apartment block, the removal of trees that have long served as the backdrop for the WMH, and the incremental proposed landscape screening represent a clear impact under CEQA. The second Recommendation of the Project Assessment (Recommendations), and the first alternative included in the EIR, advocate for this incremental change to the site plan. Without a substantial decrease in height of the proposed podium apartment block, this revision would be insufficient.
- b. In the incremental setback between the apartment and the WMH, the design proposes trees that grow to be tall and skinny. Landscape screening best practices indicate that tall, narrow trees only work as part of a layered, multi-species screening method. The proposed landscape screening is therefore insufficient to mitigate the negative impact upon the historic resource. This is consistent with the first Recommendation.

**Response P.2:** Refer to Response P.1.

**Comment P.3:** 3. Per page 36 of the HRA, “The new project would not impact all of the historic integrity of the resource, but, as currently designed, it would impact the setting of the historic resource, it would impact some of the feeling and associations of the historic property, and likely would have an impact on the perceived proportions and significant prominence of the Winchester House design, as well. The construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property. Especially if a similarly large, urban project were to be proposed on the site to the west of the Winchester House (the site of the former Century 23 and currently proposed to be part of the Santana West project), the cumulative impact of similar projects could be severe.”

- a. The project site is approximately 15.7 gross acres. The only means by which the podium apartment block’s impact on the WMH can be successfully mitigated is by relocating the structure to elsewhere on the site, and instead placing some of the lower, freestanding four-story condominium buildings. This is consistent with the third Recommendation, and the first alternative included in the EIR.
- b. The demolished Century 23 theater building immediately to the West of the WMH was given more consideration regarding the massing of the proposed buildings on the project site, even though the Santana West proposal calls for this to be a future office building. The podium apartment block was given the more desirable view of the WMH, to the distinct and direct detriment of the historic resource.
- c. The buildings on the site should be reconfigured to provide a more substantial setback from Winchester Boulevard. This is consistent with the fifth Recommendation.

**Response P.3:** Refer to Response P.1.

**Comment P.4:** In the past, the City has required projects constructed near historic resources to comply with both the Secretary of Interior Standards and the City’s Historic Preservation Ordinance. The proposed Winchester Ranch Mobilehome Community Project, as submitted, fails in both regards. A project immediately adjacent to the Winchester Mystery House, the City’s highest profile historic landmark structure, should be held to a correspondingly high standard.

**Response P.4:** Refer to Response P.1.

**Q. Ken Pyle (October 15, 2019)**

**Comment Q.1:** The attached letter represents comments from members of the Winchester Neighborhood Action Coalition (WNAC) and the Stevens Creek Advisory Group (SCAG) to the Draft Environmental Impact Report for the Winchester Ranch Project, PDC15-065, PD15-059, and PT15-069.

An underlying assumption in our comments is the legal contract between Pulte Homes (the applicant) and the current residents of the Winchester Ranch Mobile Home Park is completely independent of any general plan and zoning changes requested by Pulte Homes. That is, a delay or change to a General Plan amendment should not change the living or financial situation for any of the current residents.

**Recommendations**

1. Start the formal process, as championed by Vice Mayor Jones, of considering those portions of the Urban Village that were left out of the Urban Village planning processes, including the parcel referenced herein, the portion of I-280 over Winchester and the interplay between the Stevens Creek, Santana Row/Valley Fair, and Winchester Urban Villages.
2. Re-examine the Urban Village assumptions, based on actual data, particularly about reduction in Vehicles Miles Traveled, Urban Village density goals, and what policies need to be adjusted to ensure those goals are met.
3. Until steps 1 and 2 are completed, deny the proposed change to the General Plan Amendment to change the Envision San Jose 2040 General Plan Land Use/Transportation Diagram Designation from Residential Neighborhood to Urban Residential, as this important parcel was not considered in the Urban Village planning process.

**Response Q.1:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

Attached letter from WNAC and SCAG

**Comment Q.2:** This letter provides comments from members of the Winchester Neighborhood Action Coalition (WNAC) and the Stevens Creek Advisory Group (SCAG) to the Draft Environmental Impact Report for the Winchester Ranch Project, PDC15-065, PD15-059, and PT15-069.<sup>1</sup> An underlying assumption in our comments is the legal contract between Pulte Homes (the applicant) and the current residents of Winchester Ranch Mobile Home Park is completely independent of any general plan and zoning changes requested by Pulte Homes. This was confirmed specifically by Scott Hilk at the March 21, 2019 community meeting at the Cypress Senior Center, and further by the Law Foundation of Silicon Valley on June 27, 2019 in their press release.<sup>2</sup> That is,

---

<sup>1</sup> Information about the WNAC can be found at <http://www.winchesternac.com/>

<sup>2</sup> Landmark Agreement Reached Between Winchester Mobile Home Residents and Pulte Homes,” June 27, 2019, <http://www.lawfoundation.org/news/2019/6/26/landmark-agreementnbspreached-between-winchester-mobile-home-residents-and-pultenbshomes>

a delay or change to a General Plan amendment should not change the living or financial situation for any of the current residents.<sup>3</sup>

#### Recommendations

1. Start the formal process, as championed by Vice Mayor Jones, of considering those portions of the Urban Village that were left out of the Urban Village planning processes, including the parcel referenced herein, the portion of I-280 over Winchester and the interplay between the Stevens Creek, Santana Row/Valley Fair, and Winchester Urban Villages.
2. Re-examine the Urban Village assumptions, based on actual data, particularly about reduction in Vehicles Miles Traveled, Urban Village density goals, and what policies need to be adjusted to ensure those goals are met.
3. Until steps 1 and 2 are completed, deny the proposed change to the General Plan Amendment to change the Envision San Jose 2040 General Plan Land Use/Transportation Diagram Designation from Residential Neighborhood to Urban Residential, as this important parcel was not considered in the Urban Village planning process.

**Response Q.2:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

#### **Comment Q.3: Comments and Assumptions:**

The following represent comments and assumptions that are the basis for our recommendations. First, because of the uncertainty surrounding the sale of this property and the potential displacement of this senior residents, this parcel--the biggest opportunity site in the Santana Row/Winchester Urban Village area--was deliberately ignored by the City Staff and the Winchester Advisory Group (WAG) during the two year Urban Village discussion process, even though the Winchester Advisory Group and members of the public asked to discuss this critical piece of property.

The number of new residences in the proposed plan would amount to almost 25% of the 2,400 residents that were part of the Winchester Urban Village plan.

- I. Are the number of residents in the proposed plan additive to the Urban Village plan or does it take away from the approved amount?*
- II. Where is this change accounted for in the EIR?*

The memo approved by the Council requires that the Winchester Advisory Group weigh-in on these matters,

---

<sup>3</sup> Granted, delays to amending the General Plan may mean that residents continue living in their current mobile homes for a longer period of time.

“Require that the Winchester Advisory Group, in conjunction with the Stevens Creek Advisory Group, reconvene on an as needed basis in order to provide feedback on the Implementation Chapters.”<sup>4</sup>

**Response Q.3:** The housing capacity for the Project will use the residential capacity for the Santana Row/Valley Fair Urban Village. Therefore, no shifting of development capacities or additional analysis beyond the Transportation Analysis and Long-Range General Plan Transportation Analysis is required.

**Comment Q.4:** One of the premises of the Urban Village is that by providing a mix of activities, it will be possible for more people to work, live, play, without having to get in a car, reducing Vehicle Miles Traveled and the impact on the environment. According to OnTheMap census data, in 2017 approximately 14,927 people who worked in the WNAC area came from outside its boundaries, while 17,750 left every day and only about 607 actually lived and worked in the WNAC area (about 4%). If the number of people working and living here does not increase, congestion will get worse.<sup>5</sup>

- III. *What policies need to be implemented to increase the number of people that live and work in the WNAC area and specifically within this project?*
- IV. *What percentage of the population should be living and working in the area for an Urban Village to be deemed a success?*

**Response Q.4:** These questions pertain to larger planning issues beyond the scope of the Project and the analysis in the Draft EIR. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment Q.5:** Another area that was called out in the August 2017 council meeting and approved by the council was the exploration of better pedestrian access and potential use of the air-rights above the freeway to improve the connection between the south and north sides of I-280 at Winchester and potentially create new land that could be used to reduce parking requirements in the Urban Village core and provide new locations for affordable housing.<sup>6</sup> Specifically it says,

“As the I-280/Winchester overpass is an essential connection between the Winchester and Santana Row/Valley Fair Urban Villages, this Plan ensures that improvements to the pedestrian and bike overcrossing at this overpass are given a high-priority and every consideration is given to a cap or other treatment to this overpass.”

---

<sup>4</sup> See <http://www.sanjoseca.gov/DocumentCenter/View/75695>, page 30, 10.4 bullet 7, This was reaffirmed in an October 18th, 2018 meeting with Vice Mayor Jones by several WNAC members [https://docs.google.com/document/d/1d33hInLIJPCWo0\\_cFe0o3SK8OMTMASNBXcWE9m8D0/edit?usp=sharing](https://docs.google.com/document/d/1d33hInLIJPCWo0_cFe0o3SK8OMTMASNBXcWE9m8D0/edit?usp=sharing)

<sup>5</sup> See <https://onthemap.ces.census.gov/>. The number working in the area jumped from 14,700 in 2016 to 15,535 (gain of 835 jobs) in 2017 (latest year information available). At the same time, the number of people working and living in this area dropped from 620 to 607, respectively, reducing the percentage of people working/living in the area from 4.2% to 3.9%.

<sup>6</sup> See Appendix A for an example of a freeway cap in Columbus, Ohio, along with ideas of how a cap might be integrated with this project.

The District 1 council office is coordinating a meeting with Caltrans for the WNAC to explain its vision regarding possible ways to regain the fallow airspace above I-280. A Caltrans representative has suggested that they would be amenable to the idea of giving the City of San Jose air-rights above and next to the freeway for a compatible project.<sup>7</sup>

**Response Q.5:** . This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment Q.6:** This is consistent with Caltrans' Best Practices Guide for Freeway Caps and is also consistent with proposed legislation in the form of AB1226, which proposes using freeway air-rights to provide "affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of these purposes."<sup>8</sup>

- V. *How does the project EIR address the possibility of improving the I-280/Winchester overpass to enhance the connection between the Winchester and Santana Row/Valley Fair Urban Villages?*
- VI. *How does the project EIR address the possibility of housing and/or some other development on the State-owned land on the southside of Tisch (e.g. a crosswalk might be necessary, as an example)?*

**Response Q.6:** The project does not propose to improve the I-280/Winchester overpass nor does it propose residential development on the southside of Tisch, which is outside of the project site boundaries. As such, there is no discussion in the Draft EIR.

**Comment Q.7:** Regarding affordable housing, this project does not provide any affordable housing.<sup>9</sup> In approving the Winchester/Santana Row Urban Village plans, the City Council felt it a priority that affordability be considered (even prioritized) in new projects.

"Onsite Affordable Housing: Add the following action item to each of the UV Plans: a."  
"Action Item; *The City should aggressively pursue incentives for developers to include onsite affordable housing for new projects.*"<sup>10</sup>

By considering affordable housing at this location, it will help support the workforce needs of retailers at nearby Santana Row and Westfield Valley Fair shopping malls, allowing people to live

---

<sup>7</sup> The WNAC has produced sample letters that the City of San Jose could use to request airrights from Caltrans and the hoped for response letter from Caltrans at

<https://docs.google.com/document/d/1AhNNcilutZfEEv4Cvj2mxSIg3z1tVZEGpQhQl-jz8Sk/edit?usp=sharing>

<sup>8</sup> AB1226 [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB1226](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1226)

<sup>9</sup> From what is known of the agreement between the developer and the existing Winchester Ranch residents, their existing space rent will transfer when they move into the proposed apartment buildings. These below market rents are guaranteed to them as long as they live there. Once they move, then the rents revert to market rate, meaning, over the long-term, this is a 100% market-rate project.

<sup>10</sup> Page 30, 10.4, bullet 9, <http://www.sanjoseca.gov/DocumentCenter/View/75695>

and work in the same Urban Village furthering the goals of VMT and pollution reduction. Additionally, how can the City work with the developer and possibly Federal Realty to create a pedestrian overpass over Winchester in order to better connect the two sides?

- VII. *What efforts have the City of San Jose made to provide for affordable housing at this location?*
- VIII. *What efforts have the City of San Jose made to promote housing for groups who are less likely to require transiting the streets during peak times (e.g. local workers, retired individuals, work-from-home individuals)?*
- IX. *How could this project be coupled with other projects to help the City of San Jose attain its goals around housing affordability, while providing a win-win for everyone?<sup>11</sup>*

**Response Q.7:** The project is a private development proposal which must conform to the City's Inclusionary Housing Ordinance. The project will also be developed in two phases to allow the opportunity for existing mobile-home park residents to remain living on site during and after project development. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment Q.8:** In looking at the parking ratios, it seems this site is \*over parked\* as was identified by the City of San Jose in the August 26, 2019 public community meeting.<sup>12</sup> In addition to this added expense to the project and strategy that is not consistent with the Urban Village strategy that allows for reduced parking, none of the parking is underground. This eliminated the ability to have any ground floor activation. Placemaking strategies require a ground floor that can be activated and used by the public. When a three-story parking garage is installed, the result is a lack of vibrancy and use for the public. There are also no community rooms available to the public, not any ground floor neighborhood retail that could support needed services for the residents and surrounding community (e.g., wellness center, maker spaces, gardener support, bike shop, etc.). With the aging population, including the current Mobile Home Park residents, the need for local services is an important element that will carry this site into the future.

- X. *How has the City of San Jose looked at the ground floor activities for this site?*
- XI. *How has the City of San Jose looked at the mixed-use needs of Urban Village sites so they may fully integrate into the area?*

**Response Q.8:** Please see the Planning Commission staff report for the December 4, 2019 Planning Commission hearing for an analysis of the project's conformance with the Santa Row/Valley Fair Urban Village. This comment does not address the

---

<sup>11</sup> For instance, a win-win might be in the form of shared parking between developments, such as Santana West, which is a commercial development and this project, which is proposed as residential. Or it might mean reduced parking requirements in exchanged for deed-restricted affordable housing, coupled with Transportation Demand Management programs.

<sup>12</sup> Video transcript: <https://www.facebook.com/kirk.vartan/videos/10219247577521455/>

adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment Q.9:** In the Keyser-Marston/ULI presentation for the San Jose Study Session on the Cost of Development on April 26, 2018. One of the main conclusions was the areas in West San Jose, specifically the Santana Row/Valley Fair Urban Village, could support the development of all construction types, including Type-I high-rise construction.

XII. *Why hasn't the City of San Jose required a higher density for the apartment building since it is not impacting any existing residential neighbors?*

**Response Q.9:** The City does not set minimum density standards in this location, and therefore cannot require the applicant to develop at a higher density. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**Comment Q.10: Summary**

Again, the underlying assumption is that the current residents will not be displaced regardless of the outcome of the proposed General Plan Amendment. As the City of San Jose Council stated in its approval of the Winchester/Santana Row Urban Villages, changes to those plans should account for the overall impact to those Urban Villages, increased density for the area known as the second downtown, increased connectivity over I-280 at Winchester, and affordability for future residents.

The current proposed plan is lacking in those areas and should be denied.

**Response Q.10:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

Appendix A – Examples of Freeway Caps & How They Might Work at Winchester/I-280

**Comment Q.11:** The WNAC has been investigating and socializing the idea in the community and across political jurisdictions about a much more comprehensive approach to traffic management at the I-280/Winchester intersection than simply a new ramp<sup>13</sup>. The solution we are investigating would involve building a cap over I-280 that could serve multiple purposes, including an area for open space, public and private bus transit center, parking decoupled from the commercial areas of Santana Row/Valley Fair/the south side of I-280, along with additional residential and commercial buildings.<sup>14</sup>

---

<sup>13</sup> It is important to note that the previous effort in the 2000s to add a westbound ramp was met with neighborhood resistance and eventually dropped.

<sup>14</sup> For additional information on the cap concept, as well as the concept of a “freeway within a freeway”, please see, <http://winchesternac.com/2016/05/06/put-a-lid-on-it-lets-reunite-the-neighborhoods-on-both-sides-of-i-280/>, <http://winchesternac.com/wp-content/uploads/2016/11/Capping-280-Flyer.pdf> <http://winchesternac.com/wp-content/uploads/2016/11/Freeway-within-a-Freeway-Flyer-left-column-10-26-16.pdf>

An example of a freeway cap success story is in Columbus, Ohio, which is summarized in the following infographic. This rather modest effort replaced an ugly freeway chasm with an activated and profitable mainstreet.<sup>15</sup>

As shown in the following diagram, there is a potential for recovery of approximately 60-acres of land over the I-280 corridor, near Winchester Boulevard. When coupled with the 16 and 13-acres, respectively of the Winchester Ranch and Santana West projects, there is a huge opportunity to transform the Tri-Village Urban Villages.

The following image depicts a freeway cap with multiple green and open space segments interspersed between mixed-use buildings (rendering courtesy of Sal Caruso) that would take advantage of the 60-acres above and next to I-280.

Here is another example of how I-280 might be covered in a more modest way and, perhaps, as a phase one of a multiple phase build, with a combination of parking garage/residential units and pedestrian/bike pathway. In this scenario, parking at Winchester Ranch could be potentially placed over the freeway. It also assumes ramps directly into/out of parking. This parking could serve as a hub for shuttles to/from the Winchester/Santana Row shopping centers.

And another view of the 2.7 acres with parking, greenspace, and buildings that provide a mainstreet experience on Winchester over I-280.

Similar to the way the Columbus cap wraps around the freeway frontage, additional buildings could be built on the frontage between the freeway and Tisch, as there is approximately 70 to 80 feet between Tisch and the start of the freeway. This could give Tisch a mainstreet feel without even having to construct a platform over the freeway.

And on the other side of the buildings, for example, an extension of the bridge could create a walkable/bikeable park.

This is better illustrated with a real-world example from Scottsdale, where the cap gradually rises to match the slope of the underlying street.

**Response Q.11:** The comment does not raise any specific environmental issues under CEQA or the draft EIR.

---

<sup>15</sup> See this Urban Land Institute study for a case-study on this successful freeway cap <https://casestudies.uli.org/wp-content/uploads/2015/12/C035010.pdf>

**R. Maureen Selvage-Stanelle (October 15, 2019)**

**Comment R.1:** This letter is in response to the EIR for Winchester Ranch. As was noted in the document the major areas of concern for the community are as follows: • Increased traffic • Insufficient parking • Height and Massing • Interface with the Winchester House (a historic resource) and potential impact to the Winchester Mystery House I am sure that the owners of the Winchester Mystery House will respond to the last concern. Our major concern for the area is mobility for pedestrians, bikes and cars. Currently, only about 8 cars can stack up between Tisch and Olsen in order to get onto 280 N. This traffic often backs up past Olin, which means about a ten minute wait to get on the freeway in the morning. Adding several hundred cars per hour to the mix will make it next to impossible to use this freeway on- ramp. Currently the cars heading north and turning onto the 280 on ramp have much longer signals to accommodate their load which stands to increase when the Reserve Apartments open. How can this on ramp possibly accommodate all of the new residential traffic leaving for work in the morning and then returning at night?

**Response R.1:** This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

**S. Maureen Selvage-Stanelle (October 17, 2019)**

**Comment S.1:** My husband and I have lived in the neighborhood for 25 years and raised our kids here. While our children are now grown, we still enjoy going to the park, as well as many of our neighbors who also enjoy the outdoors, and are very excited to finally get a park within walking distance.

However, we do have several concerns and wishes with regards to the current plan. In order of importance:

Big picture: o Build the park in phase 1. By far, our most important request. The park is planned for phase 2, so the people of the neighborhood will endure many more years of noise, dust, traffic, and disruption before seeing any kind of benefits in return o Enlarge the park from 2 to 3.5 acres, which the EIR suggests is the regulation for this size project o Add parking, without eating into the 2 acre park space. While the park is intended for neighborhood residents who can walk, some families will host toddler/child birthdays/events, inviting out-of-neighborhood guests who will need a place to park. Physically impaired neighborhood residents would likely appreciate parking as well

Playground wish list: o Serve both young toddlers and older children with two adjacent playgrounds (Everett Alvarez Jr. park as an example) o At least 8 swings. 4 for toddlers, and 4 for grown kids, as there's a queue in every park o Shade/rain structure shielding the playground from the elements • Park wish list o Flat grassy area large enough for kids to play soccer/catch (Thomas Barrett Park for example, but bigger) o Padded walking/running circuit surrounding the park, ideally of some regulation length (e.g., 400 meters per lap), and as much as possible, shaded

Technology example: <https://www.rubberway.com/rubber-trails> □ Implementation example: Katy Trail in Dallas (though not a circuit) ([https://en.wikipedia.org/wiki/Katy\\_Trail\\_\(Dallas\)](https://en.wikipedia.org/wiki/Katy_Trail_(Dallas))) o A few small shaded picnic areas with tables and trash receptacles o Half-court basketball court (good for 3x3) with a couple of "spare" baskets on the sides o Public bathrooms o Small dog run. Besides serving our 4 legged residents, might also reduce dog poop in the rest of the park and neighborhood... o Police call-boxes • Traffic (related to the entire project, not just the park). The current road between Steven's Creek and the 280 N on-ramp are already packed during rush hour, and cannot handle several hundred more cars per hour. Please ensure your plans increase car throughput in the area

**Response S.1:** Refer to Response N.1. This comment does not address the adequacy of analysis in the Draft EIR. The comment will be included with the public record for consideration by the City Council in their review of the project.

## SECTION 5.0 DRAFT EIR TEXT REVISIONS

---

This section contains revisions to the text of the Winchester Ranch Residential Project Draft EIR dated August 2019. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page 6 Summary, the cultural resources impact statement will be **REVISED** as follows:

**Impact CUL-1:** The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. ~~Less than Significant Impact with Mitigation Incorporated~~ **Significant Unavoidable Impact**

Page 83 Section 3.5.2.1, the impact statement for Impact CUL-1 will be **REVISED** as follows:

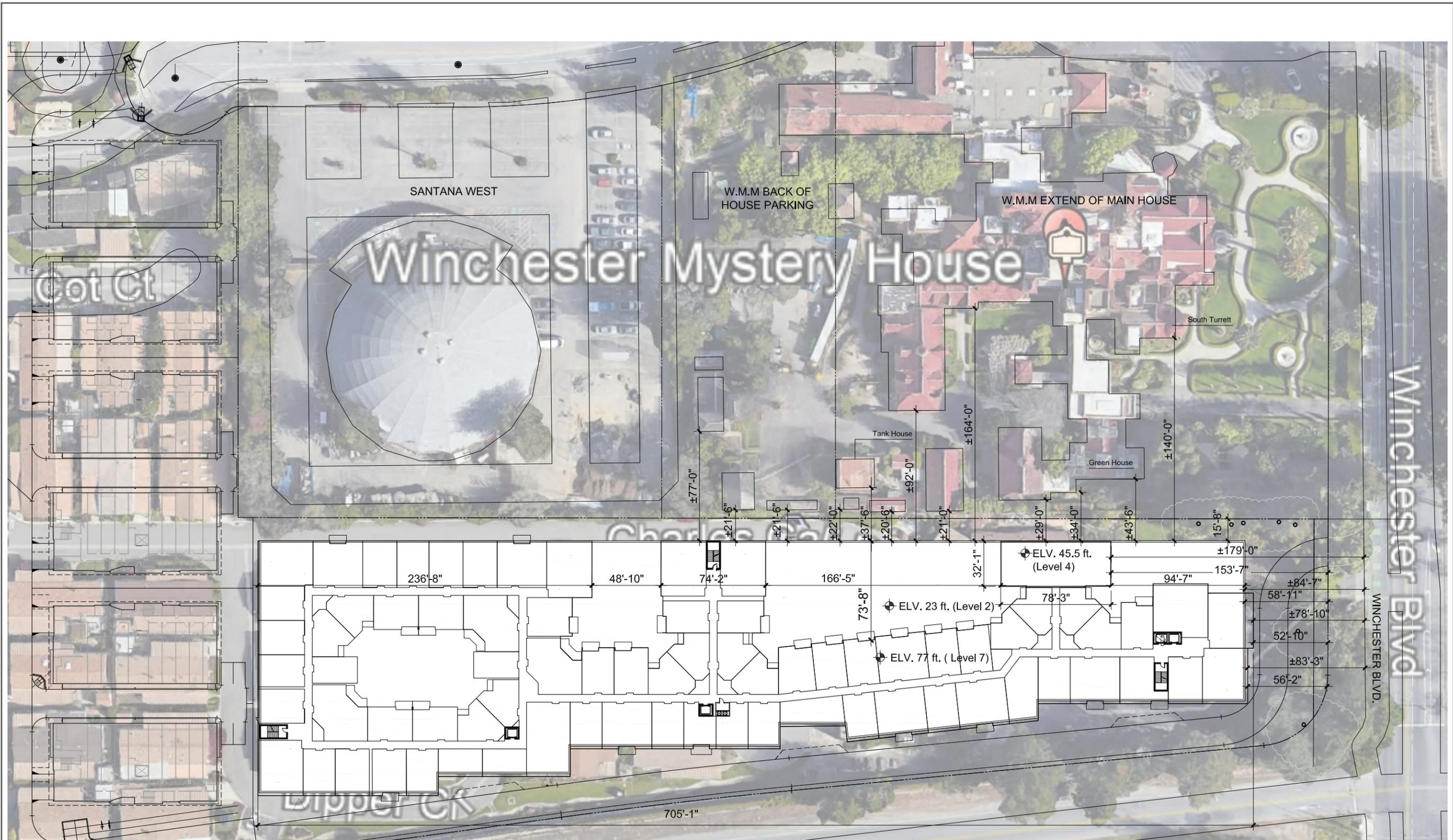
The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. ~~Less than Significant Impact with Mitigation Incorporated~~ **Significant Unavoidable Impact**

Page 233 Section 7.4.2.4, Preservation Alternatives; a new alternative will be **ADDED** as follows:

### **Modified Reduced Height of Podium Building Alternative**

As designed, the podium building has six “fingers” along the northern half of the building, where the upper floors are broken up by courtyards beginning on the third level. The southern half of the building has no courtyards and a solid massing. Under redesign alternative, the building would have only two fingers and the westernmost portion of the building (adjacent to the Century 23 Theater site) would be solid massing along the façade with an interior courtyard. The eastern finger would be reduced in height to four-stories and the westernmost fingers would remain at seven stories (refer to Figures 7.4-2 and 7.4-3). The removal of some of the fingers along the northern half of the building provides for large open courtyards on the third floor.

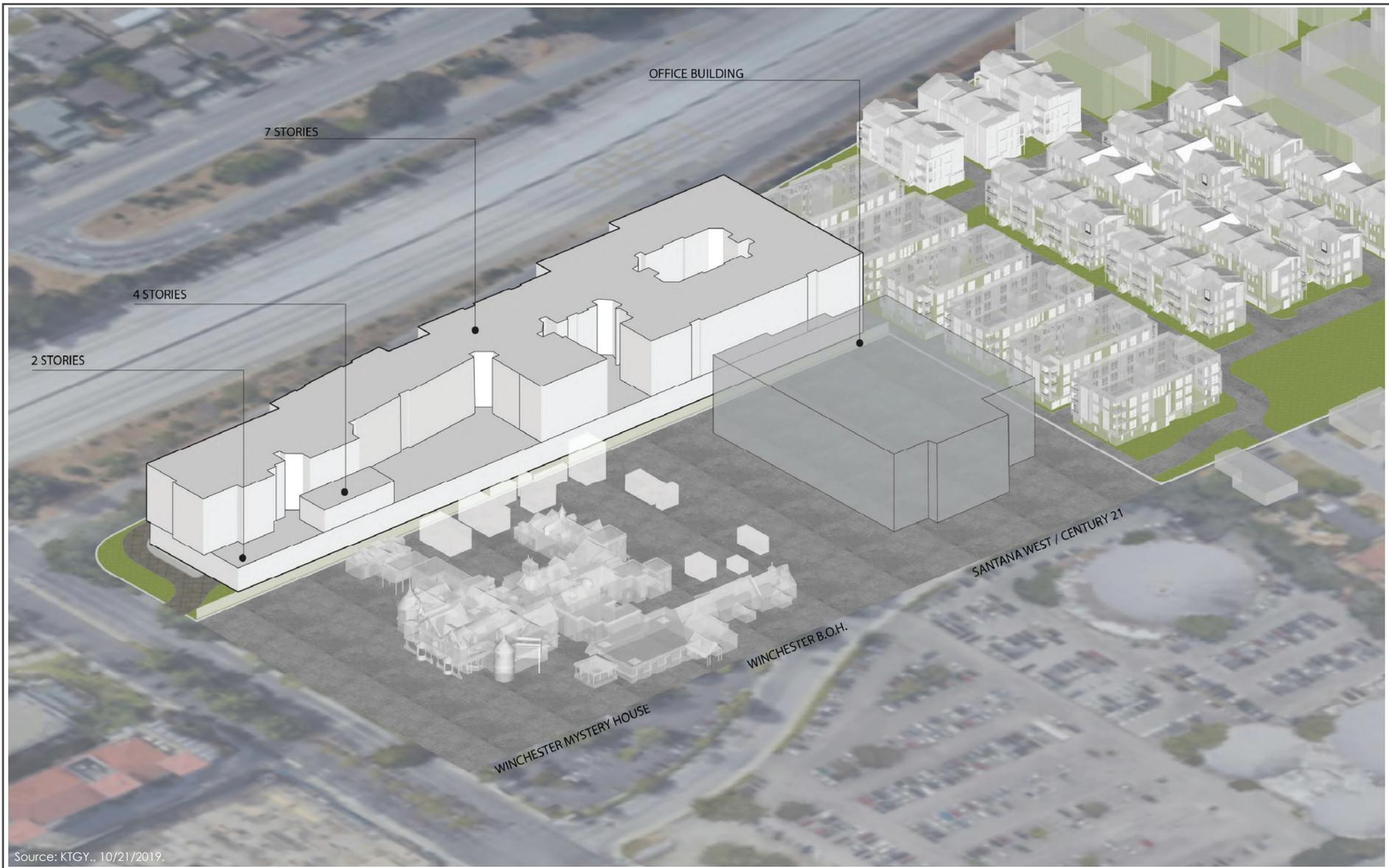
The podium building would have two levels of above-grade parking (approximately 23 feet) and be approximately 77 feet tall. The portion of the building that would be four stories (approximately 45 feet tall) would be 78 feet wide. This alternative would result in the loss of one dwelling unit compared to the proposed project. The setback between the podium building and the shared property line with the Winchester House would be the same as the proposed project.



Source: KTGy., 10/21/2019.

MODIFIED REDUCED HEIGHT OF PODIUM BUILDING ALTERNATIVE - CONCEPTUAL SITE PLAN

FIGURE 7.4-2



Source: KTG., 10/21/2019.

MODIFIED REDUCED HEIGHT OF PODIUM BUILDING ALTERNATIVE - CONCEPTUAL MASSING DIAGRAM

FIGURE 7.4-3

Archives & Architecture prepared a Supplemental Memo in November 2019 to assess the redesign of the podium building and its compatibility with the Winchester House. The Supplemental Memo concluded that the redesign alternative would not impact the historic integrity of the Century 21

Theater, same as the proposed project. The redesign alternatives impact on the Winchester House's setting, design, feeling, and association are discussed below. A copy of this report is attached in Appendix B of this document.

### Setting

The distance between the proposed massing of the podium building and the nearby historic features on the Winchester House property would be greater than the proposed project. The massing would be lower and altered in location, and the open space would increase. The front landscaping would also be intensified. The proposed color palette of the building would not dominate the adjacent resources. The redesign of the podium building would not substantially impact the setting of the Winchester House.

### Design

The redesign alternative would be more in scale with the massing, footprint, color palette, and detailing of the Winchester property. The prominence and uniqueness of the Winchester House design would be better preserved under this alternative compared to the proposed project.

### Feeling

Under the design alternative, the setbacks and alteration of the massing and landscaping would preserve the feeling of surrounding open space (provided by its setting).

### Association

The only agricultural associations would be within the immediate historic property and would no longer extend to the south within the project site.

The supplemental historic analysis found that the redesign alternative is substantially sensitive to the design of the historic Winchester House and estate. While a large building would still be constructed to the south of the Winchester property, the northern façade has been limited to two stories along much of the property line, presenting more of an appearance of a landscaping wall and increasing the setback from the massing on the upper floors. Based on the supplemental analysis, the design alternative was found to be compatible with San José's policies and regulations, as it can be found to preserve most of the historic integrity of the adjacent historic resources, the Winchester House and Estate. In addition, the mitigation measures identified for the proposed project would be required as part of the design alternative

as a condition of project approval. For all these reasons, the redesign alternative would have a less than significant impact on the integrity of the Winchester House.

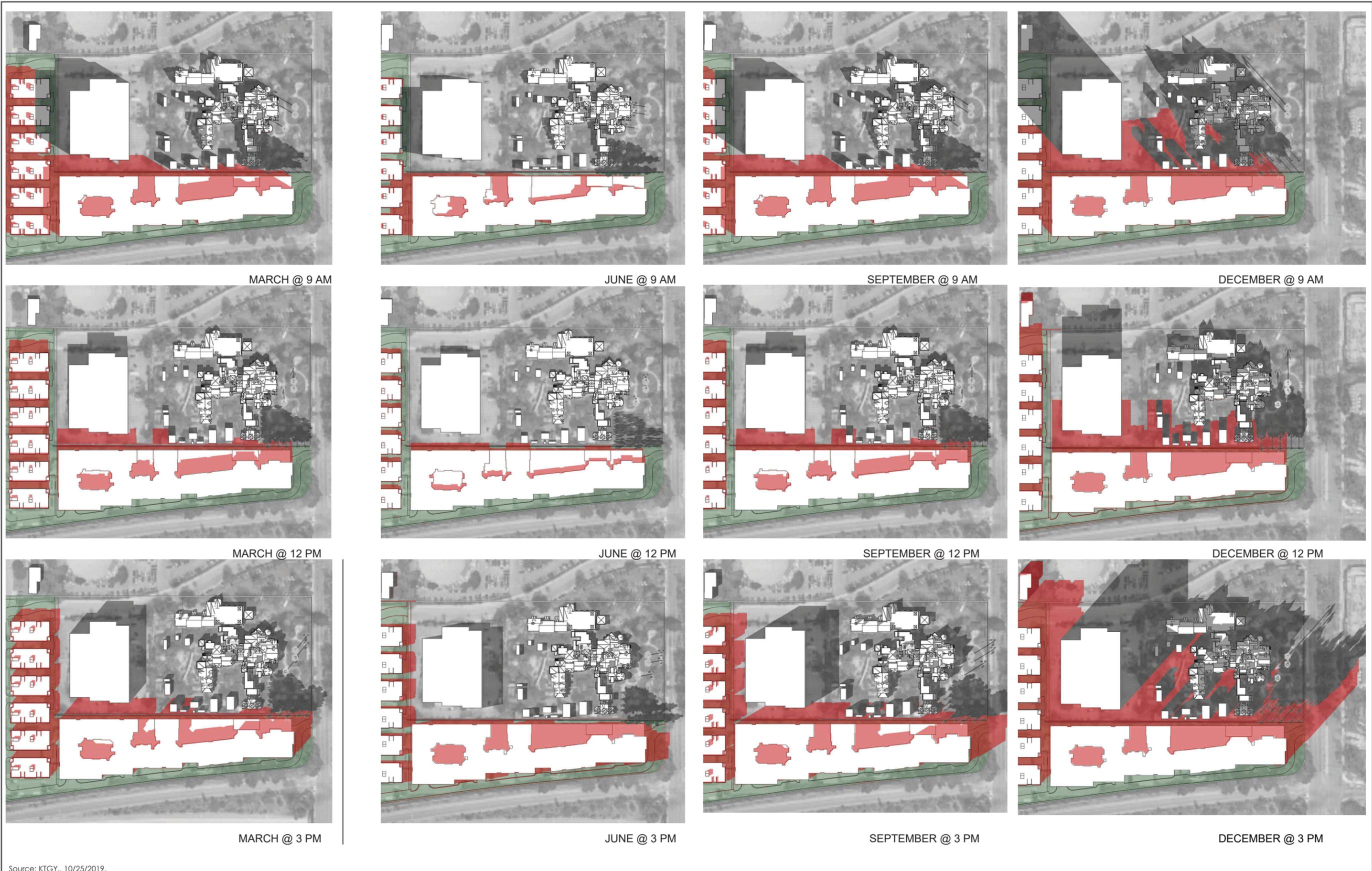
#### Shade and Shadow Impacts

Policy LU-13.8 of the General Plan requires that new development, alterations, and rehabilitation/remodels adjacent to a designated or candidate landmark or Historic District be designed to be sensitive to its character. This alternative would be substantially sensitive to the design of the historic property. Although there continues to be an almost 77-foot vertical wall adjacent to the property line (where the historic buildings are located), the wall has been reduced to two stories along most of the historic property line and the setback has been increased.

While there are mature trees along the shared property line that would be retained, the design alternative would increase shading on the southern grounds of the Winchester House property in the spring, fall, and winter months throughout the day as shown in Figure 7.4-4. Shadows in the spring and fall would be minimal and would not alter the current setting of the property by reducing sunlight to the greenhouse or the garden and would not shade the decorative windows and/or skylights in the main house.

In the winter months, portions of the main house and the outbuildings along the southern property line (including the greenhouse which has 13 glass cupolas), would be somewhat shaded throughout the day. Given the existing tree canopy and surrounding buildings, the greenhouse is already somewhat shaded in the winter months when the sun is lower in the sky. While the redesign alternative would contribute to the winter shadows on the outbuildings, the shading would be substantially less than the proposed project. Because the redesign alternative was found to be substantially sensitive to the design of the historic property and would not physically impact the integrity or substantially alter the character of the Winchester House property, the redesign alternative would be consistent with General Plan Policy LU-13.8 and would result in a less than significant impact.

All other impacts would be the same as the proposed project. This alternative would reduce the significant impacts to the Winchester House to less than significant and would be consistent with all of the project objectives.



Source: KTGy., 10/25/2019.

SHADE AND SHADOW STUDY OF MODIFIED REDUCED HEIGHT OF PODIUM BUILDING ALTERNATIVE

FIGURE 7.4-4

Section 7.4.3, Environmentally Superior Alternative; the following paragraph will be **ADDED** at the end of the section.

While both the No Project alternatives were found to be environmentally superior to the proposed project, neither alternative meets any of the project objects. Of the remaining alternatives, both the reduced height alternative and the Modified Reduced Height of Podium Building alternative are environmentally superior because they reduce the impacts to the Winchester House.

Appendix H Page 14, the description of Winchester Boulevard will be **REVISED** as follows:

**Winchester Boulevard** is a divided six-lane north-south roadways that runs from Los Gatos to Lincoln Street in Santa Clara. In the project vicinity, Winchester Boulevard has a posted speed limit of 35 mph with sidewalks on both sides of the street and on-street bike lanes between I-280 and Stevens Creek Boulevard. Winchester Boulevard provides access to the project site via its intersection with Olsen Drive and Charles Cali Drive. North of Stevens Creek Boulevard, Winchester Boulevard is under the jurisdiction of the City of Santa Clara. South of Stevens Creek Boulevard, Winchester Boulevard is under the jurisdiction of the City of San José.

## **Appendix A: Draft EIR Comment Letters**

---

## Keyon, David

---

**From:** Val Lopez [REDACTED]  
**Sent:** Monday, September 2, 2019 9:15 AM  
**To:** Keyon, David  
**Subject:** Re: Winchester Ranch Residential Project - Draft EIR Available for Public Review (File Nos. GP18-014, PDC18-037, and PD19-019)

This project is outside our traditional tribal territory, we have no comment.

Valentin Lopez, Chair  
Amah Mutsun Tribal Band  
[REDACTED]

On Fri, Aug 30, 2019 at 9:19 AM Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)> wrote:

**NOTICE OF AVAILABILITY OF  
A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)  
AND PUBLIC COMMENT PERIOD**

A Draft Environmental Impact Report (DEIR) for the Winchester Ranch Residential Project is available for public review and comment from **August 30, 2019 to October 15, 2019**.

**Project Description:** The project consists of: 1) a General Plan Amendment to change the Envision San José 2040 General Plan Land Use/Transportation Diagram Designation from Residential Neighborhood to Urban Residential; 2) a General Plan Text Amendment to make minor modifications to the Santana Row/Valley Fair Urban Village Plan to remove references to Winchester Mobile Home Park, update the Building Height Diagram, and update transition areas; 3) rezone the site from the A(PD) – Planned Development Zoning District (for a mobile home park) to the R-M(PD) Planned Development Zoning District to allow the development of up to 688 residential units; 4) a Planned Development Permit to allow a mobile home park conversion and the construction of up to 688 residential units and an approximately 2.0-acre public park; and 5) a Tentative Map to subdivide the site from one parcel to 64 parcels; all on an approximately 15.7 acre site.

**Location:** Winchester Ranch Mobilehome Community, 555 S. Winchester Boulevard. **File Nos.:** GP18-014, GPT19-004, PDC18-037, PD19-019, PT19-023. **Council District:** 1.

The proposed project will have potentially significant environmental effects with regard to air quality, biological resources, cultural resources (historic), hazards and hazardous materials, land use, and noise/vibration. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project location is not contained in the Cortese List of toxic sites.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's "Active EIRs" website at <http://www.sanjoseca.gov/index.aspx?nid=6324> and are also available at the following locations:

Department of Planning, Building, and Code Enforcement

200 East Santa Clara St., 3rd Floor

San José, CA 95113

(408) 535-3555

Bascom Branch Library

1000 S. Bascom Ave.

San José, CA 95128

(408) 808-3077

Dr. MLK Jr. Main Library

150 E. San Fernando St.

San José, CA 95112

(408) 277-4822

The public review period for this Draft EIR begins on **August 30, 2019 and ends on October 15, 2019**. Written comments must be received at the Planning Department by **5:00 p.m. on October 15, 2019**, in order to be addressed as part of the formal EIR review process.

Comments and questions should be referred to David Keyon in the Department of Planning, Building and Code Enforcement at (408) 535-7898, via e-mail: [David.Keyon@sanjoseca.gov](mailto:David.Keyon@sanjoseca.gov), or by regular mail at the mailing address listed above. Please reference the above file number in your written comment letters and correspondence.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. At least

ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be sent to those who have commented in writing on the EIR during the public review period.

Thank you,

**David Keyon**

City of San Jose PBCE

Principal Planner Environmental Review

(408) 535-7898

September 13, 2019

Mr. David Keyon  
CEQA Manager / **Acting Principal Planner**  
200 E. Santa Clara, 3<sup>rd</sup> floor  
San Jose, CA 95113  
david.keyon@sanjoseca.gov  
(sent by email)

RE: **PDC18-037 & GP18-014**  
CC: Juliet Arroyo, Historic Preservation Officer

Dear Mr. Keyon,

On p. 33 of the draft Winchester Ranch EIR “Historic Resources Project Assessment,” the following statement appears:

*“While the proposed project may not have a direct physical impact on the original fabric of the Winchester House and its historically designed grounds, the loss of setting will irreversibly change the character of this significant historic resource. Without some form of mitigation, this project will create an adverse change in this historic resource which would be a significant impact under CEQA.”*

On page 36 of this project assessment, a summary of the Integrity Analysis states:

*“The new project would not impact all of the historic integrity of the resource, but, as currently designed, it would impact the setting of the historic resource, it would impact some of the feeling and associations of the historic property, and likely would have an impact on the perceived proportions and significant prominence of the Winchester House design, as well. The construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property. Especially if a similarly large, urban project were to be proposed on the site to the west of the Winchester House (the site of the former Century 23 and currently proposed to be part of the Santana West project), the cumulative impact of similar projects could be severe.”*

On p. 38, there are five specific Recommendations of the Project Assessment that bear repeating:

- Change the size of the apartment building. Develop landscape solutions in the additional open space that maintain the integrity of the historic resources, including a better balance of open space and added concealment of new construction within the historic setting. Note: Filling the narrow setback, as it is currently dimensioned, with some added planting

materials would not appear to be an adequate step to create a compatible spatial relationship between a seven- story building and a row of one-story to three-story nineteenth-century residential outbuildings. Relocate the podium building into the western portion of the site and relocate a similar square footage of the lower-density housing, with its more-highly landscaped setting and shared open space, into the panhandle.

- Revise the location of the proposed multi-story building to the south, allowing the realignment of Charles Cali Drive along the shared property line, and providing additional open space between the proposed new building and the historic outbuildings on the property line of the resource. In a previous Historic Resource Assessment, related to the *Proposed Fourth Street Parking Structure Project* report by Dill Design Group in 2003, a proposed seven-story building was analyzed for proximity to a historic resource. In that report, a seven-story parking garage was recommended to be set back about 40 feet from an historic residential building.
- Revise the architectural design to break down the visual massing and perceived size of the building on the north side of the panhandle, including stepping down the building into smaller masses. Immediately adjacent to the property line, new building forms could possibly be found compatible at two to maybe three stories (shorter than the water tower).
- Revise the architectural design composition, materials, and elements of the podium building to include more compatible materials and dimensions of the visible elements adjacent to the resource.
- Locate some of the proposed project open space (currently in the northwest area of the site) adjacent to the Winchester House property.

With the knowledge that the Project Assessment has concluded that “*the construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property,*” it is with appreciation that the Draft EIR provides some alternatives that would help protect the priceless treasure that is the Winchester House. The following three alternatives on p. 235 and 237 of the Draft EIR, would provide a basis to maintain the historic quality of the Winchester House:

### **1. Relocation of Podium Building – West**

Under this alternative, the project would relocate the podium building west of its proposed

location to avoid adjacency to the Winchester House. Relocation of the podium building would result in four of the four-story flat buildings being moved between the podium building and Winchester Boulevard as shown in Figure 7.4-1. Under this alternative, the four-story units would have a sufficient setback to provide a landscape buffer between the buildings and the northern property line to lessen impacts to the historic setting, design, feeling, and association. Under this alternative, the four-story units would continue to shade the greenhouse, the outbuildings, and some of the gardens on the adjacent property but would not shade a majority of the Winchester House site. Construction of this alternative would expose sensitive receptors to continuous construction for a period of over 12 months and would result in a significant unavoidable construction noise impact. All other impacts would remain the same.

Based on an assessment of the proposed alternative by the City's Historic Preservation Officer, offsetting the podium building from the Winchester House would make views of the podium building less prominent and would preserve views. In addition, it would lessen impacts related to proximity, massing, and dimensions of the podium building, lack of open space, and lack of landscaping that were found to diminish the sense of space that currently exists. The relocated podium building would no longer significantly impact the sense of historic place, which is part of the views. The associations of Sarah Winchester with the larger surrounding agricultural past would remain mostly intact because there would be less reduction open space and landscaping. Therefore, this alternative would reduce the impact to the Winchester House to less than significant and would be consistent with almost of the project objectives. This alternative does not appear consistent with objective 8.

## **2. Relocation of the Podium Building - South**

Under this alternative, the podium building could be relocated along the southern property line, on the eastern side of the site. This would allow Charles Cali Drive to be realigned along the shared property line, providing additional open space (approximately 25 feet) between the proposed new building and the outbuildings. Under this alternative, shading impacts from the podium building to the Winchester House and the outbuildings would be reduced. By relocating the podium building, sensitive receptors on-site would be closer to I-280 than with the proposed project and would continue to result in a cancer risk and annual PM2.5 concentrations exceeding BAAQMD thresholds. Construction would expose sensitive receptors to continuous construction for a period of over 12 months and all other impacts would remain the same. This alternative would be consistent with all project objectives.

### **3. Reduced Height of Podium Building**

As designed, the podium building has six “fingers” along the northern half of the building, where the upper floors are broken up by courtyards beginning on the third level. The southern half of the building has no courtyards and a solid massing. Under the reduced height alternative, the three easternmost fingers of the podium building would be reduced in height to four stories. The remaining fingers, adjacent to the Century 23 Theater site and the southern half of the building would continue to be seven stories. Based on the current building design for the proposed project, this reduction would result in the loss of 54 units. Based on an assessment of the proposed alternative by the City’s Historic Preservation Officer, this alternative would reduce the impact to the Winchester House similar to the Relocation of Podium Building – West Alternative. Therefore, this alternative would reduce the significant impact to the Winchester House to less than significant and would be consistent with almost of the project objectives. All other impacts would be the same as the proposed project.

#### **Recommendation:**

I strongly advocate for the protection of the Winchester House’s historic significance. To that point and as noted on p. 38 of the “Historic Resources Project Assessment,” the buildings should be offset from the Winchester Blvd. (east) side of the property, so that the Winchester House would maintain its prominence as viewed from Winchester Blvd. The three preservation alternatives listed in the draft EIR and that I include in this letter would be acceptable if the buildings on the east side of the property were limited to two or at most three stories (so that the project buildings on the east side would be lower than the Winchester House water tower).

Respectfully submitted,

Paul Boehm  
HLC Vice Chair

David Keyon

City of San José Department of Planning, Building and Code Enforcement

via e-mail: [David.Keyon@sanjoseca.gov](mailto:David.Keyon@sanjoseca.gov), sent Sept. 30, 2019

re: Winchester Ranch Mobilehome Community, 555 S. Winchester Boulevard.

File Nos.: GP18-014, GPT19-004, PDC18-037, PD19-019, PT19-023.

Dear Sir,

I am writing to give comment on the Winchester Ranch proposal Draft EIR

(<http://www.sanjoseca.gov/index.aspx?nid=6324>)

Disclaimers:

- These are my personal comments and not on behalf of any group or organization;
- I don't live in the immediate area; and
- While I have been following the proposal over the years as part of the Urban Village plan and I've attended a couple informational sessions on the topic, I haven't read the entire 244-page report: please accept my apologies if I ask questions or raise concerns that are already addressed within the report.

Referring to the site plan on p. 26:

- I'm glad to see a 2-acre park at the northwest corner of the project. It's good that it has a compact configuration: a rectangle, rather than comprised of arms or narrow strips. Good that it is accessible to the surrounding community: the area bounded by San Tomas, Stevens Creek, Winchester, and I-280 had previously been devoid of parkland. The 2-acres is appropriate for 700 new residents as per the 3 acre/1000 residents ratio, but seems small, given that many of the 700 units may house more than one resident. The park is definitely not large enough to make up for the past total lack of nearby parkland: is there any way the city can help enlarge the park to rectify past errors and provide a park that properly serves the entire community?
- This is to be a public park, so it is good that there is public street access (via Olsen on the western side): it might help to have signage showing access to the park and signage indicating that this is indeed a public park.
- I'm glad to see that there is pedestrian/bicycle access to and through the site from the surrounding community. Up to now, this site has been an enclosed enclave, and nearby residents were unable to conveniently walk or bike to Santana Row and other nearby attractions.
- I wish that this project were more closely integrated with the surrounding projects. For example, there appears to be no coordination between the housing on the eastern side of the project and the adjacent "future Santana West development", and no connection between the residential units here and the adjacent historic resources, both the Winchester Mystery House and the Century 21 Dome. This project appears to be self-contained and one that could be located anywhere, whereas it could have, for example, a design that radiates from the focal points and benefits from the proximity to these interesting historic structures.
- What will be the visual impact of having a wall of apartments directly south of the Winchester Mystery House (WMH)? The main approach to the WMH is from the north, and so these

apartments will be directly in the line-of-sight behind them, like an 85-foot-tall wall. Will the apartment complex be appropriately detailed and landscaped to avoid ruining the WMH experience?

- The current mobile home park has provided affordable housing for elderly residents. I understand that the developer has committed to providing for them: relocating them while part of the site is developed, and then providing them units in the project at an affordable cost: I hope that that is true.
- At a recent meeting, I heard that the proposed project will consist entirely of market-rate units: is that true? Housing is expensive in this valley, and accommodations for affordable housing should be geographically distributed widely rather than segregated in isolated pockets while other areas (like this?) become insular rich enclaves. A main point of Urban Villages was to accommodate growth without increasing vehicular traffic, and to have people be able to live and work nearby. Would the people working at Santana Row or Valley Fair earn enough salary to be able to live here, or will they have to commute to, say, Tracy while everyone here is going to commute off to higher-paying jobs at distant tech campuses?
- What is the vehicular access to the apartment complex? It looks like one might be able to enter directly from southbound Winchester, but the street appears to be too close to the I-280 ramp to accommodate exiting traffic or left-turn entrance from northbound Winchester. Will apartment residents have to drive around and past the row-houses and flats to access Olsen Drive in order to exit? Will that traffic interfere with the traffic accessing Santana Row from Winchester? And what are the impacts of the planned exit ramp from northbound I-280 at Winchester, a ramp that nearly lines up with the apartments?
- Will the planned exit ramp from I-280 affect nearby Santana Park? Can funds for mitigating for the anticipated loss of parkland there be used to enlarge the park here on this project?
- Is there convenient access to public transportation? Are there inviting walkways from the project to the transit stops?

I wish I had more time to go into more detail. This seems like a dense and isolated development, although it is replacing an even more isolated development. I'm glad that there is to be a public park, but I wish it could be larger.

~Larry Ames,  
longtime park and community advocate.

cc: PRNS Deputy Dir. Burnham; SJ Parks Advocates; Alex Shoor; Kirk Vartan; Ed Saum, SJ HLC

## Keyon, David

---

**From:** Roman, Isabella@DTSC <Isabella.Roman@dtsc.ca.gov>  
**Sent:** Wednesday, October 2, 2019 12:09 PM  
**To:** Keyon, David  
**Subject:** Winchester Ranch Residential Project DEIR Comment

Hello,

I represent a responsible agency reviewing the Draft Environmental Impact Report (DEIR) for the Winchester Ranch Residential Project.

The DEIR summarizes sampling activities that occurred as part of the Phase 2 Environmental Site Assessment (ESA). This summary is misleading by stating that 28 samples were taken. It would be more accurate to say that 7 composite samples were taken, each composite sample composed of 4 locations (28 locations total). The text also states that of the 28 samples, 7 samples were analyzed for arsenic and 7 samples were analyzed for organochlorine pesticides (OCPs) (page 124). This implies that the samples were not composite samples, but that there were 28 independent samples submitted to the lab and underwent different analyses (with 7 samples unaccounted for). It would be more clear to state that the 7 composite samples (made up of 4 locations each) were analyzed for OCPs and arsenic.

Additionally, the environmental samples taken as part of the Phase 2 ESA are likely inadequate in completely characterizing the site. For a site of this size with its multiple recognized environmental conditions (RECs) more samples (not just composite samples) should have been collected at varying depths, and with a more comprehensive list of analyses. Due to the nature of the proposed development (residential use with a below grade pool, and below grade parking garage) soil gas samples may also be warranted. It would likely be easier to delineate contamination prior to development rather than having to “chase” the contamination by taking confirmation samples after construction and potentially having to do additional remediation. It is reassuring that a Site Management Plan and Health and Safety Plan are proposed in order to protect workers during construction. However, the site should be fully characterized in order to know what to protect the workers from, and how and in which locations etc. The site also needs to be fully characterized in order to protect future residents. This concern could be addressed by clarifying in Mitigation Measure HAZ-2.1 how the soil will be tested for off-haul and/or reuse, and whether adequate confirmation samples will be collected, ideally with regulatory oversight, before development and inhabitation by residents.

Appendix F is included in the data package. However this doesn't appear to include the full Phase 2 ESA, but only a summary page and lab reports found on pages 364-411. The full Phase 2 ESA should include a discussion of the results, a recommendation from the ENGEO, and tables summarizing the results from the lab reports so that the reader doesn't have to go through all the lab reports to find the results. These lab reports also appear to only include samples taken around the underground storage tank (UST) and incinerator areas shown in the Figure on page 366. These samples are barely discussed within the DEIR itself, and without the full Phase 2 ESA it's difficult or impossible to decipher more information about these samples. In order to find the “28” samples discussed in the DEIR, you then, have to go to pages 345-358 with the corresponding figure on page 30. Please provide a table of contents to easily locate the different Phase 1 ESAs and Phase 2 ESAs in a 1000+ page document.

The DEIR also lists a Phase 1 ESA (August 2013), Phase 2 ESA (March 2014) and an updated Phase 1 ESA (August 2018). Not only can I not find the full Phase 2 (as discussed above), the Phase 1 ESAs included in Appendix F are a Modified Phase 1 ESA (August 2013) and a Phase 1 ESA (August 2018). Which of these is the updated Phase 1? The “Modified” Phase 1 ESA appears to be more updated than the Phase 1 dated August 2018 since the “Modified” Phase 1 includes data found during the Phase 2 ESA Investigation. In addition to providing clarification on this issue, please also provide the original unaltered Phase 1 that included the initial findings before the Phase 2 results were included. My reasoning for this is as stated above, not enough samples were collected (in my opinion) and the site is not adequately

characterized. Therefore, I would like to see what RECs were initially included in the Phase 1 before these were “erased” due to the results of the Phase 2 ESA.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

Isabella Roman  
Environmental Scientist  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control  
700 Heinz Avenue Suite 200  
Berkeley, CA 94710  
(510)-540-3879

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4  
OFFICE OF TRANSIT AND COMMUNITY PLANNING  
P.O. BOX 23660, MS-10D  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5528  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

October 7, 2019

SCH #**2019039074**  
GTS #04-SCL-2019-00656  
GTS ID:14658  
SCL/280/Pm:4.80  
SCL/880/Pm:0.039

David Keyon, Environmental Project Manager  
City of San Jose  
801 North First Street  
San Jose, CA 95110-1795

**Project – Winchester Ranch Residential Development Draft Environmental Impact Report (DEIR)**

Dear David Keyon:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals our continuing approach to evaluate and mitigate impacts to the State's multimodal transportation network. Our comments are based on the August 2019 Draft Environmental Impact Report (DEIR).

***Project Understanding***

The proposed project includes a General Plan Amendment, a Planned Development Zoning, and a Planned Development Permit to demolish the existing mobile home park structures and construct up to 688 residential units on a 15.7-acre site.

***Highway Operations***

Please provide on-ramp analysis for both on-ramps for our review and comments:

- I-280 NB Diagonal on-ramp from Winchester Boulevard
- I-880 Southbound on-ramp from Stevens Creek Boulevard.

Note that the ramp meters have been activated at the locations listed above.

For the I-880 Northbound off-ramp to Stevens Creek Boulevard, the 95-percentile queue analysis report on page 47 shows that for the background plus project condition, there are approximately 30 vehicles in queue for the AM peak hour. 30 vehicles will occupy approximately 750 feet of storage, which is more than the 550 feet storage capacity of the existing ramp. Moreover, the addition of project trips for the cumulative plus project scenario was not considered in the 95-percentile queue analysis. The impact of the Cumulative plus project condition on the off-ramp will be even greater. These substantial impacts can potentially create backups on both the NB SR 17 and NB I-280 mainlines. As a result, the project shall provide mitigation measures to reduce this impact.

### **Construction-Related Impacts**

Potential impacts to the State Right-of-Way (ROW) from project-related temporary access points should be analyzed. Mitigation for significant impacts due to construction and noise should be identified in the DEIR. Project work that requires movement of oversized or excessive load vehicles on state roadways requires a transportation permit that is issued by Caltrans. To apply, visit: <https://dot.ca.gov/programs/traffic-operations/transportation-permits>.

Prior to construction, coordination is required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

### **Utilities**

Any utilities that are proposed, moved or modified within Caltrans' Right-of-Way (ROW) shall be discussed. If utilities are impacted by the project, provide site plans that show the location of existing and/or proposed utilities. These modifications require a Caltrans-issued encroachment permit.

### **Lead Agency**

As the Lead Agency, the City of San Jose is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN.) The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

### **Encroachment Permit**

Please be advised that any work or traffic control that encroaches onto the State right-of-way (ROW) requires a Caltrans-issued encroachment permit. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, six (6) sets of plans clearly indicating

David Keyon, Environmental Project Manager  
October 7, 2019  
Page 3

the State ROW, and six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Zachary Chop at 510-622-1643 or zachary.chop@dot.ca.gov.

Sincerely,



Mark Leong  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse

David Keyon  
Environmental Project Manager  
City of San Jose  
801 North First Street  
San Jose, CA 95110-1795

## Keyon, David

---

**From:** Daphna Woolfe [REDACTED]  
**Sent:** Thursday, October 10, 2019 2:53 PM  
**To:** Keyon, David  
**Subject:** Winchester Ranch EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr. Keyon,

This letter is in response to the EIR for Winchester Ranch. As was noted in the document the major areas of concern for the community are as follows:

- Increased traffic
- Insufficient parking
- Height and Massing
- Interface with the Winchester House (a historic resource) and potential impact to the Winchester Mystery House

I am sure that the owners of the Winchester Mystery House will respond to the last concern.

Our major concern for the area is mobility for pedestrians, bikes and cars. Currently, only about 8 cars can stack up between Tisch and Olsen in order to get onto 280 N. This traffic often backs up past Olin, which means about a ten minute wait to get on the freeway in the morning. Adding several hundred cars per hour to the mix will make it next to impossible to use this freeway on-ramp. Currently the cars heading north and turning onto the 280 onramp have much longer signals to accommodate their load which stands to increase when the Reserve Apartments open. How can this onramp possibly accommodate all of the new residential traffic leaving for work in the morning and then returning at night?

Recently, it was shown that this area is not equipped for extra traffic. In the Spring, the Winchester Mystery House sponsored an Easter Egg Hunt. This snarled traffic for three hours, leaving a fire truck with its lights and sirens on, in the backup with nowhere to go. We are concerned for our safety. How will emergency services get in or out of our area during peak commute times and during the holiday season?

Bringing more cars to this area, that already has tens of millions of people a year, simply isn't sustainable for the region. If we had strong mass transit, this might work. Is gridlock the only option? Do we have a traffic management plan for the entire area that takes into account, Santana Row, Santana West, The New Winchester Ranch, Volar, and the three new projects on Winchester across from the Volar and Santana Row? One element of a solution to this complex problem is to use the new adaptive signal technology to keep traffic flowing. Can this be added to the area?

In addition, Caltrans and VTA want to put a 280 North freeway offramp at Tisch and Winchester, thus further exacerbating the problem. Cars will come off of the freeway with nowhere to go. The people living and working in the area, would like to know how this off-ramp will ease congestion. We do know that it may help some of the traffic issues on Stevens Creek between Valley Fair and Santana Row, but this will be moving the problem to an equally crowded area that will get considerably worse when all of the projects come online.

With all of these new cars, the safety of pedestrians and bicyclists is of concern as well. The neighbors are thrilled with the concept of the new park, which offers walking and biking routes. How will these be designated

and made safe? Will the walking and biking routes be linked to the new Santana West development and to Winchester Blvd.? How will this happen?

The other issue that has come to the forefront is parking. We do realize that this project is overparked as per city policy. However, if this does not cover the parking needs of the community, what mitigating measures will be taken to ensure that the residents do not park on Rosewood, Henry, Olsen and Kirkwood? I would suggest that the Winchester Residential Parking permit be extended to these areas, if it is deemed necessary after the project is fully built and is in use. Can this be put forth as an option at a later date?

With regard to height and massing, we are most concerned with the shadowing of existing residences and even the Winchester Mystery House.

Everyone looks forward to a new and more vibrant and integrated area, but the mobility issues will make the area unsafe with constant congestion.

Regards,

Daphna Woolfe  
WONA President

--

Daphna Woolfe  
Third Grade Teacher  
Ormondale



October 11, 2019

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

Attn: David Keyon  
By Email: [David.Keyon@sanjoseca.gov](mailto:David.Keyon@sanjoseca.gov)

Subject: City File Nos. GP18-014, PDC18-037, and PD19-019, Draft Environmental Impact Report (EIR) for Winchester Ranch Residential Project

Dear David,

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report for the Winchester Ranch Residential Plaza project in the City of San José. VTA has reviewed the report and has the following comments:

#### Potential Transit Impacts

- Pages 47 and 48 of the document states that there are improvements planned along Stevens Creek Boulevard between Winchester Boulevard and Monroe Street as part of the Valley Fair expansion. The planned roadway improvements include widening the north side of Stevens Creek Boulevard to accommodate right-turning traffic (into Valley Fair driveways) and lengthening of turn pockets along Stevens Creek Boulevard from Winchester Boulevard to Monroe Street by shifting travel lanes and adjusting medians. VTA recommends a meeting to discuss this reconfiguration and the safe and efficient operations of transit. VTA has two bus routes along that roadway and a bus stop in that segment of the roadway that could be impacted.

#### Pedestrian and Bicyclist Accommodations

- VTA supports the plans to reconfigure and enhance the intersection of Stevens Creek Boulevard at Santana Row. VTA recommends to also reconfigure and upgrade the intersections of Winchester Boulevard at Olin Avenue, Winchester Boulevard at Olsen Drive, and Winchester Boulevard at Stevens Creek Boulevard as noted in the Santana Row Valley Fair Urban Village Plan. VTA recommends including high-visibility crosswalks, lead pedestrian intervals, and shortening the pedestrian crossing distances as part of all intersection redesigns.
- VTA applauds the decision to open the fencing for bicycle and pedestrian access on the western edge of the site to connect to existing roadways. VTA recommends widening the pathway just north of the apartment complex to provide further access between the site and Winchester Drive.
- VTA recommends sidewalks be installed throughout the site for internal pedestrian circulation. If

sidewalks cannot be installed, VTA agrees with the installation of speed-reducing measures noted in the Transportation Analysis and strongly suggests slotted speed humps be installed to disincentivize speeding especially as pedestrians will be using the roadway.

I-280/Winchester Boulevard Interchange Improvements

- VTA, in cooperation with the City of San Jose and Department of Transportation (Caltrans), proposes to construct improvements in the vicinity of the Interstate 280/Winchester Boulevard interchange. Because of the proximity between the proposed project and I-280/Winchester Boulevard Interchange Improvement, VTA recommends ongoing coordination of the project's development activities with City staff in order to ensure the successful delivery of both projects.

Thank you again for the opportunity to review this project. Please let us know when you would like to schedule a meeting to discuss the widening the north side of Stevens Creek Boulevard between Winchester Boulevard and Monroe Street. If you have any questions, please do not hesitate to contact me at 408-321-5830.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lola Torney', written over a light blue horizontal line.

Lola Torney  
Transportation Planner III

SJ1904

## Keyon, David

---

**From:** Charlotte Monte [REDACTED]  
**Sent:** Friday, October 11, 2019 12:20 PM  
**To:** Keyon, David  
**Subject:** EIR Winchester Ranch

Dear Mr. Keyon,

This letter is in response to the EIR for Winchester Ranch. As a resident on Spar Ave., I never really gave much thought to the Ranch development, but as traffic has continued to worsen, and as there always seems to be ongoing construction, road & lane blockages associated with that, and traffic lights on for streets that don't exist yet . . . traffic is getting worse and remaining steadily bad. Adding thousands of cars at the Ranch in addition to the Santana West development is only going to add to gridlock.

A large part of this problem, IMO is traffic light regulation. Lack of smart metering or other mitigating lighting factors creates huge backups at each block of Winchester south of Stevens Creek and on both sides of the Hwy 280 N onramp. AND, there is significant blockage east of Cypress through the Winchester/Stevens Crk intersection and up through Valley Fair. The ENTIRE area needs to be seen as a whole if any part of it is slated for this kind of major growth.

Some people have advocated a strong mass transit, but that solution wouldn't be years, possibly decades in coming, and where would a light-rail system (for example) fit on, say Winchester Blvd.? We need to have an immediate solution.

Parking restrictions to neighborhood homes and their guests has helped tremendously over the years.

Lastly, regarding height & massing: This is an old, established, originally agricultural neighborhood area and many homes still bear the "fruits" of this legacy. There are many of us with beautiful, established small fruit orchards and gardens that will be negatively impacted by shading buildings. Our hard work and years of city and county support should not be "overshadowed" by development.

Thank you for your kind attention and respectfulness of the neighborhood's concerns.

Kind regards,

**Charlotte Monte, WONA Board Member**  
**Cell & Texting:** [REDACTED]  
[REDACTED]

## Keyon, David

---

**From:** Ron Canario [REDACTED]  
**Sent:** Monday, October 14, 2019 5:26 PM  
**To:** Keyon, David  
**Cc:** Farmer, Stefanie  
**Subject:** Winchester Ranch EIR

October 10, 2019

Dear Mr. Keyon:

A letter regarding the Winchester Ranch EIR was recently submitted to you by Daphna Wolfe. I completely agree with the substance of the letter, and would like to add my name in support of the contents. For your reference, a copy of the letter follows:

Regards,  
Ron Canario  
S. Clover Ave, San Jose

Dear Mr. Keyon,

This letter is in response to the EIR for Winchester Ranch. As was noted in the document the major areas of concern for the community are as follows:

- Increased traffic
- Insufficient parking
- Height and Massing
- Interface with the Winchester House (a historic resource) and potential impact to the Winchester Mystery House

I am sure that the owners of the Winchester Mystery House will respond to the last concern.

Our major concern for the area is mobility for pedestrians, bikes and cars. Currently, only about 8 cars can stack up between Tisch and Olsen in order to get onto 280 N. This traffic often backs up past Olin, which means about a ten minute wait to get on the freeway in the morning. Adding several hundred cars per hour to the mix will make it next to impossible to use this freeway on-ramp. Currently the cars heading north and turning onto the 280 onramp have much longer signals to accommodate their load which stands to increase when the Reserve Apartments open. How can this onramp possibly accommodate all of the new residential traffic leaving for work in the morning and then returning at night?

Recently, it was shown that this area is not equipped for extra traffic. In the Spring, the Winchester Mystery House sponsored an Easter Egg Hunt. This snarled traffic for three hours, leaving a fire truck with its lights and sirens on, in the backup with nowhere to go. We are concerned for our safety. How will emergency services get in or out of our area during peak commute times and during the holiday season?

Bringing more cars to this area, that already has tens of millions of people a year, simply isn't sustainable for the region. If we had strong mass transit, this might work. Is gridlock the only option? Do we have a traffic management plan for the entire area that takes into account, Santana Row, Santana West, The New Winchester Ranch, Volar, and the three new projects on Winchester across from the Volar and Santana Row? One element of a solution to this complex problem is to use the new adaptive signal technology to keep traffic flowing. Can this be added to the area?

In addition, Caltrans and VTA want to put a 280 North freeway offramp at Tisch and Winchester, thus further exacerbating the problem. Cars will come off of the freeway with nowhere to go.

The people living and working in the area, would like to know how this off-ramp will ease congestion. We do know that it may help some of the traffic issues on Stevens Creek between Valley Fair and Santana Row, but this will be moving the problem to an equally crowded area that will get considerably worse when all of the projects come online.

With all of these new cars, the safety of pedestrians and bicyclists is of concern as well. The neighbors are thrilled with the concept of the new park, which offers walking and biking routes. How will these be designated and made safe? Will the walking and biking routes be linked to the new Santana West development and to Winchester Blvd.? How will this happen?

The other issue that has come to the forefront is parking. We do realize that this project is overparked as per city policy. However, if this does not cover the parking needs of the community, what mitigating measures will be taken to ensure that the residents do not park on Rosewood, Henry, Olsen and Kirkwood? I would suggest that the Winchester Residential Parking permit be extended to these areas, if it is deemed necessary after the project is fully built and is in use. Can this be put forth as an option at a later date?

With regard to height and massing, we are most concerned with the shadowing of existing residences and even the Winchester Mystery House.

Everyone looks forward to a new and more vibrant and integrated area, but the mobility issues will make the area unsafe with constant congestion.

Regards,

Daphna Woolfe  
WONA President

## Keyon, David

---

**From:** Stephanie Kareht [REDACTED]  
**Sent:** Monday, October 14, 2019 7:17 PM  
**To:** Keyon, David  
**Cc:** Michele Wheeler  
**Subject:** Environmental Impact Report for the Pulte Project (Winchester Ranch )

Dear Mr. Keyon,

This letter is in response to the EIR for Winchester Ranch Residential project.

As a homeowner whose house directly borders the western edge of the project, our primary concerns are,

1. The levels of dirt and noise that will affect us during construction. What provisions will be made for those of who are directly adjacent to the site during construction?
2. How this large project will affect our property, especially with respect to light and noise.
3. What will set backs be, and what kind of landscaping will border the property? What will happen to the trees that are currently at the end of Kirkwood?
4. What kind of fencing will be put in adjacent to our property? There is currently a double fence--ours and the mobile home park fence separating our properties along the property line.
5. There should be at least some dedicated parking for the green space. We don't to have the street in front of our house filled with cars and the traffic that entails. There should be signs on the streets over here saying that!
6. Likewise, once Santana Row is an easy walk from here, we don't want people parking in front of our house to walk there. Are there any plans to address this issue?
7. Given our proximity to the bike overpass, bike traffic down this road could become quite significant. Is the plan to make the end of the street open to bike traffic?

Thank you for your consideration,

David Keyon  
Department of Planning, Building and Code Enforcement  
(408)535-7898,  
[David.Keyon@sanjoseca.gov](mailto:David.Keyon@sanjoseca.gov)

## Winchester Ranch Mobilehome Community

555 S. Winchester Boulevard

File Nos.: GP18-014, GPT19-004, PDC18-037, PD19-019, PT19-023.

In the area of traffic, there are several mitigation items that should have been addressed directly in the Draft EIR, not just saying the City is aware of the problems. There are plausible solutions that have not addressed in this Draft EIR.

1. **East Bound Stevens Creek – Monroe through 880 ramps:** When the ramps were re-designed a few years ago, two flaws occurred in the traffic flow scheme.
  1. Significant “go time” is lost due to the 880 S/B Exit Ramp signal not having split the right and left timings. Most of the time, few cars are turning left onto E/B Stevens Creek compared turning right to W/B Stevens Creek. The lack of separate turn control means that traffic exiting Valley Fair and Santana Row headed east are delayed unnecessarily. This often results in the Monroe intersection being blocked by vehicles that can’t clear the intersection.
  2. The turn onto the N/B 880 On-ramp was a 25mph ramp under the old design. The new design with an approximate 110 degree turn is a 10 mph ramp. Semi Trucks need to use the entire bike lane to make this sharp turn.

### **Solutions:**

1. Provide separately controlled left and right signal lights from S/B 880 Exit Ramp onto Stevens Creek, allowing for more “go time” for E/B Stevens Creek.
2. Re-align the corner of the N/B 880

On-ramp to be a sweeping curve instead of the greater 90 degree turn it currently is. This will additionally improve safety in the bike lane as Semi's can't negotiate that turn without using the entire bike lane as they make that turn.

2. **I280 exit the Moorpark and Winchester:** The EIR states there is too little queuing room. **Solution:** Move the exit ramp intersection with Moorpark 200 west feet to allow for more queuing on Moorpark at Winchester. This state owns this land.
3. **East Bound Stevens Creek from I880 to Winchester:** The best solution would have been a 4<sup>th</sup> lane, but that thought is now hopeless since Valley Fair was allowed to build out to the street. Most of today's backup is caused by left turning traffic into Santana Row at the Santana Row Light. The solution is to give more left queuing space, even if it means taking some away from Valley Fair at the S Baywood intersection.
4. **Winchester at I280 N/B On-ramp:** This routinely backs up Winchester during the morning commute, often back to Magliocco, because the ramp lanes metering lights do not allow sufficient flow.

I do have to say double cycling of the left turn light during the morning commute that was implemented a few years ago was a good thought, but since the cars cannot enter the already full on-ramp, its usefulness is diminished.

When this backs up, it also impedes W/B traffic on Moorpark, particularly those that want to continue N/B on Winchester past the freeway.

**Solution:** A third on-ramp lane to minimize the Winchester backup. It could be a car-pool lane to encourage car-pooling. All the land need for this is state already owned.

Al Woodward



## Keyon, David

---

**From:** Jeff Zitomer [REDACTED]  
**Sent:** Monday, October 14, 2019 8:09 PM  
**To:** Farmer, Stefanie; Keyon, David  
**Cc:** Jeff Zitomer; Hadas Sasson  
**Subject:** Feedback on draft EIR for Winchester Ranch Residential Project

Hadas & Jeffrey Zitomer

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Stefanie Farmer, David Keyon

(408)535-3861

[stefanie.farmer@sanjoseca.gov](mailto:stefanie.farmer@sanjoseca.gov)

[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)

**Subject: Feedback on draft EIR for Winchester Ranch Residential Project**

Dear Stephanie and David,

We have lived in the neighborhood for ~6 years and represent its growing number of families with young children. More importantly, we expect (and the EIR agrees) that many more young families will move into the new development, so acting on our feedback would most likely improve the project's appeal to your future home buyers/renters.

While we are very excited to finally get a park within walking distance (nearest park is a ~.7 mile walk, not .3 as the EIR suggests), we do have several concerns and wishes with regards to the current plan. In order of importance:

- **Big picture:**
  - **Build the park in phase 1. By far, our most important request.** The park is planned for phase 2, so the people of the neighborhood will endure many more years of noise, dust, traffic, and disruption before seeing any kind of benefits in return
  - **Enlarge the park from 2 to 3.5 acres**, which the EIR suggests is the regulation for this size project
  - **Add parking, without eating into the 2 acre park space.** While the park is intended for neighborhood residents who can walk, some families will host toddler/child birthdays/events, inviting out-of-neighborhood guests who will need a place to park. Physically impaired neighborhood residents would likely appreciate parking as well. But in any case, parking shouldn't replace park space
- **Playground wish list:**

- **Serve both young toddlers and older children with two adjacent playgrounds**, including slides, ladders, bridges, large sandboxes... (Everett Alvarez Jr. park as an example, but bigger)
- **At least 8 swings**. 4 for toddlers, and 4 for grown kids, as there's a queue in every park
- **Shade/rain structure shielding the playground** from the elements
- **Child-friendly climbing wall**
- **Park wish list**
  - **Flat grassy area** large enough for kids to play soccer/catch (Thomas Barrett Park for example, but bigger); additional grassy area just for lounging around
  - **Padded walking/running circuit surrounding the park**, ideally of some regulation length (e.g., 400 meters per lap), and as much as possible, shaded
    - Could probably be extended to a half a mile or 1K, using the open strip of land on the west side of the project (marked as "public trail access" in figure 2.2-1)
    - Technology example: <https://www.rubberway.com/rubber-trails>
    - Implementation example: Katy Trail in Dallas (though not a circuit) ([https://en.wikipedia.org/wiki/Katy\\_Trail\\_\(Dallas\)](https://en.wikipedia.org/wiki/Katy_Trail_(Dallas)))
  - **A few small shaded picnic areas** with tables to accommodate children's birthday parties
  - **Half-court basketball court** (good for 3x3) with a couple of "spare" baskets on the sides
  - **Public bathrooms**, obviously...
  - **Small dog run**. Besides serving our 4 legged residents, might also reduce dog poop in the rest of the park and neighborhood...
  - **Small coffee shop concession** in the center of the park, with outdoor seating only
  - **Police call-boxes and plenty of lighting**
- **Traffic** (related to the entire project, not just the park):
  - The current road between Stevens Creek and the 280 N on-ramp are already packed during rush hour, and cannot handle several hundred more cars per hour. **Please ensure your plans increase car throughput in the area**
  - Please keep our dead-end streets closed to cars, but open them up for pedestrian and bicycle traffic. Maybe the cul-de-sacs could be expanded a bit to become parking lots

Thank you very much for considering this feedback. **Please confirm you have received it** and feel free to reach out to us for any clarifications.

Best regards,  
Hadas and Jeffrey Zitomer



October 15, 2019

City of San Jose, Department of Planning, Building, and Code Enforcement  
Attn: David Keyon, Environmental Project Manager  
200 East Santa Clara Street, 3<sup>rd</sup> Floor Tower  
San Jose CA 95113-1905

Re: Winchester Ranch Residential Project Notice of Availability of a Draft  
Environmental Impact Report (DEIR) and Public Comment Period

Dear Mr. Keyon:

Thank you for including the City of Santa Clara in the environmental review process for the Winchester Ranch Residential Project (Project). City staff have reviewed the Draft Environmental Impact Report (DEIR) for the General Plan Amendments, Planned Development Zoning, Planned Development Permit, and Tentative Map for the Project. The Project will allow a mobile home park conversion and construction of up to 688 residential units and an approximately 2.0-acre public park on 15.7 acres, is located at 555 S. Winchester Boulevard at the northwest corner of the Winchester Boulevard and Interstate 280 intersection and is within the Santana Row/Valley Fair Urban Village.

On April 8, 2019, the City of Santa Clara (Santa Clara) submitted a letter to the City of San Jose (San Jose) regarding the Notice of Preparation (NOP) for the Project. The letter highlights several areas of concern by Santa Clara, including: (1) San Jose should share with Santa Clara the Project's proposed traffic study scope of work being prepared for the Project, (2) the Local Transportation Analysis (LTA) included with the Project traffic study should include an analysis of the Project's impacts on residential neighborhoods within Santa Clara, (3) any relevant approved and pending projects within Santa Clara should be included in the background and cumulative scenarios within the traffic study, (4) an explanation of how traffic fees are to be calculated and offsetting improvements identified should be included per the terms of the Santana West Settlement Agreement (Agreement) between the City of Santa Clara and the City of San Jose, and (5) significant CEQA transportation impacts in Santa Clara should be identified with clear and specific mitigation obligations with identified funding mechanisms.

Upon review of the DEIR, Santa Clara offers the following comments:

1. **Coordination of Project Traffic Study Work Scope with Santa Clara:** This request was not responded to or completed by San Jose. Although a meeting was held with San Jose on August 16, 2019, to discuss potential transportation improvements within the vicinity of the Project, this meeting was after San Jose had determined that there may be adverse transportation effects at the intersection of Winchester Avenue and Stevens Creek Boulevard.
2. **Local Transportation Analysis (LTA) to include an analysis of the Project's impacts on residential neighborhoods within Santa Clara:** The DEIR does not include any mention of the Project's proximity to Santa Clara or the potential for transportation impacts on residential neighborhoods within Santa Clara. For example, except for the intersection of Winchester Avenue and Stevens Creek Boulevard, the DEIR does not analyze any other intersections in Santa Clara. Please provide an explanation as to how the study intersections were chosen by San Jose and please respond to Santa Clara's request that the traffic study include an analysis of potential impacts on residential neighborhood within Santa Clara.

Additionally, the DEIR fails to mention that Winchester Boulevard north of Stevens Creek Boulevard is within Santa Clara's jurisdiction and that any improvements or changes proposed to this street require the review and approval of Santa Clara.

3. **Any relevant approved and pending projects within Santa Clara be included in the traffic study:** Thank you for including several approved and pending projects in Santa Clara in the Project's background and cumulative scenarios. Please provide a more detailed description of how the specific projects in Santa Clara were chosen to be included within the EIR.
4. **Compliance with Santana West Settlement Agreement:** The DEIR and LTA do not recognize that San Jose and Santa Clara entered into the Santana West Settlement Agreement in January 2018. In addition to providing specific settlement items related to the Santana West project, the Agreement specifies that "San Jose agrees to collect transportation impact funds pursuant to all applicable programs for development in the Stevens Creek Corridor" (Settlement Agreement, ¶ 6), and that "San Jose agrees to collect fees pursuant to its Protected Intersection Policy for intersections that will also impact traffic in the City of Santa Clara." (Settlement Agreement, ¶ 7.) Santa Clara has sent three letters dated, February 14, 2018, March 1, 2018, and November 17, 2018, requesting information as to how San Jose will comply with the terms of the Santana West Settlement Agreement. Santa Clara has received no response on these three letters. Of significant concern to Santa Clara is that in April 2018 San Jose

adopted San Jose Council Policy 5-1 which eliminates the Protected Intersection provisions within San Jose's previous Council policy regarding transportation impacts (5-3) and replaces Level of Service with Vehicle Miles Travelled as the mechanism by which California Environmental Quality Act (CEQA) impacts are identified and mitigated. A key provision of the Santana West Settlement Agreement is San Jose's commitment to continue to administer and collect transportation impact funds which includes the inclusion of Protected Intersections. The DEIR and LTA for the Project make no relevant mention of Protected Intersections and it is unclear to Santa Clara how San Jose will comply with the Santana West Settlement Agreement. To that end, Santa Clara requests that any City Council discussion of the Project be postponed until this matter can be resolved.

5. **Impacts and Mitigations:** While the DEIR does include an analysis of VMT impacts and summarizes that there are no CEQA VMT impacts, Santa Clara contends that impacts to any intersections within Santa Clara do not fall under that criteria for VMT. To that end, Santa Clara requests additional information as highlighted in comment 3 (listed above) to properly determine if there are impacts to Santa Clara intersections

The City of Santa Clara looks forward to receiving a response to this letter prior to any San Jose City Council hearing on the Project. Should you have any questions regarding this letter, please contact Reena Brilliot, Planning Manager via email at [rbrilliot@santaclaraca.gov](mailto:rbrilliot@santaclaraca.gov) or phone 408-615-2452.

Best Regards,



Andrew Crabtree

Director of Community Development

cc: Rosalynn Hughey, Director of Planning, Building and Code Enforcement, City of San Jose  
John Ristow, Director of Transportation, City of San Jose  
Manuel Pineda, Assistant City Manager, City of Santa Clara  
Brian Doyle, City Attorney, City of Santa Clara  
Craig Mobeck, Director of Public Works, City of Santa Clara

Attachments: Thomas Law Group's letters to Rosalynn Hughey, Planning Director of the City of San Jose dated February 14, 2018, March 1, 2018, and November 7, 2018

# T|L|G Thomas Law Group

TINA A. THOMAS  
AMY R. HIGUERA  
CHRISTOPHER J. BUTCHER

455 CAPITOL MALL, SUITE 801 | ONE KAISER PLAZA, SUITE 875  
SACRAMENTO, CA 95814 | OAKLAND, CA 94612

NICHOLAS S. AVDIS  
LESLIE Z. WALKER  
Of Counsel

Telephone: (916) 287-9292 Facsimile: (916) 737-5858  
www.thomaslaw.com

February 14, 2018

City of San José  
Rosalynn Hughey  
Planning Director  
200 East Santa Clara Street, 3rd Floor Tower  
San José, CA 95113

**Re: General Plan Amendment to Reflect New City Council Transportation  
Analysis Policy 5-1 (Project Nos. GPT17-009/PP17-082)**

Dear Ms. Hughey:

On behalf of our client, the City of Santa Clara, we write to request information regarding the proposed update to the City of San Jose's transportation analysis policies and related approvals considered by the Planning Commission on February 7, 2018. Under Senate Bill 743, the metric for analyzing transportation impacts under the California Environmental Quality Act (CEQA) will shift from a standard based on level of services (LOS) to one based on vehicle miles traveled (VMT). We understand that San Jose is considering amendments to the text of the General Plan to reflect these changes under SB 743 by incorporating new City Council Transportation Analysis Policy 5-1, as well as amendments to existing Policy 5-3 related to "Protected Intersections," and designation of Infill Opportunity Zones (IOZ) that will be exempt from consideration of LOS to align San Jose's participation in the regional Congestion Management Program (CMP) with San Jose's new Policy 5-1.

As you are aware, on January 12, 2018, the City of Santa Clara, City of San Jose, and Federal Realty Investment Trust (Federal) entered into a settlement agreement and release concerning Santa Clara County Superior Court Case Number 16CV302300, entitled *City of Santa Clara v. City of San Jose, et al.* (which was later transferred to San Mateo County Superior Court). Pursuant to the settlement agreement and release, the City of Santa Clara

dismissed the action on January 16, 2018, and released the City of San Jose and Federal from all known and unknown claims arising under CEQA concerning the Santana West Project.

Among other requirements of the settlement agreement and release, the City of San Jose is obligated to collect transportation impact funds pursuant to all applicable fee programs for development in the Stevens Creek Corridor. Furthermore, the City of San Jose expressly committed "to collect fees pursuant to its Protected Intersection Policy for intersections that will also impact traffic in the City of Santa Clara." (Settlement Agreement & Release, ¶ 7.) The City of Santa Clara is concerned that by adopting Policy 5-1, the City of San Jose would stop collecting fees pursuant to its Protected Intersection Policy for intersections that will impact traffic in the City of Santa Clara. Furthermore, while the City of Santa Clara recognizes that Policy 5-1 implements an alternative fee, Santa Clara is concerned that this alternative fee will be substantially less than the fees that would otherwise be required pursuant to the City of San Jose's Protected Intersection Policy.

Santa Clara submits this letter to request written clarification regarding the intent of Policy 5-1 as it relates to intersections that will impact traffic in the City of Santa Clara. Per recent staff level discussions, it is our understanding that San Jose initially did not intend to continue implementing its Protected Intersection Policy. However, we understand that San Jose has reconsidered this position, and San Jose staff has stated it will maintain the Protected Intersection Policy and continue to collect fees, as required by the settlement agreement. We would like written confirmation of this position.

In addition, Santa Clara requests that San Jose provide detailed responses to the following questions:

- (1) Will the Santana West project still be required to pay a transportation system improvement fee pursuant to Policy 5-3 in order to address traffic congestion at the Stevens Creek Boulevard and Winchester Boulevard?
  - a. Or, is it San Jose's position that, as an IOZ intersection not subject to LOS, the payment of the Policy 5-3 fee is no longer necessary to support the finding that the Santana West project is consistent with the City of San Jose's General Plan?

(2) For projects that have been approved based on certified EIRs, such as the Santana West project, are the projects required to pay the full amount of the Policy 5-3 transportation system improvement fee, notwithstanding approval of Policy 5-1, unless events occur that trigger the requirement for a subsequent MND or EIR pursuant to Public Resources Code section 21166?

- a. Or, does San Jose have the discretion to allow a previously approved project to pay fees based on Policy 5-1 instead of Policy 5-3 even if events requiring a subsequent MND or EIR pursuant to Public Resources Code section 21166 have not occurred?

(3) For projects that are subject to Policy 5-1, what is the basis for the fee amount set forth in Appendix B to Policy 5-1 (i.e. \$3,200 [commercial] and \$2,300 [residential]) and how will the fee be calculated? It is critical for the City of Santa Clara to understand how the fee will be calculated to better understand the potential implication of this policy on the settlement agreement and release as well as the availability of City of San Jose funding to address transportation issues within (and outside) its boundaries.

- a. Is the City of San Jose's intent to require average VMT per resident/employee/user to be estimated for a project and, if the project's estimated average VMT exceeds the Policy 5-1 significance threshold, then the VMT fee will be calculated by multiplying the number of miles over the threshold per resident/employee/user by the anticipated number of residents/employees/users of the project by the applicable fee (i.e. \$3,200 [commercial] and \$2,300 [residential])?

(4) What areas of the City of San Jose are excluded from the VMT analysis required under Policy 5-1?

- a. Attachment D to the Planning Commission materials suggests that "25 percent of the City" may be covered by the City of San Jose's proposed "screening criteria" to determine whether a VMT analysis is required.

- b. The City of Santa Clara requests that the City of San Jose provide a map showing the areas of the City of San Jose that are generally screened from preparing a VMT analysis pursuant to Policy 5-1.

- (5) Cumulatively, a substantial amount of future development within the City of San Jose appears to be screened from the need to undertake future VMT analysis. How does the City of San Jose intend to fund transportation improvements and transportation maintenance projects that are necessary in order to address transportation impacts resulting from such cumulative development?

In addition to addressing the above questions, given these proposed changes to San Jose transportation impact policies, Santa Clara requests confirmation that fees for the transportation impacts identified in the environmental impact report for the Santana West project will still be paid in full for the project. As the City of San Jose is aware, under the Protected Intersection Policy, “[t]he total value of improvements proposed to be constructed by a particular project having significant LOS impacts on a Protected Intersection will be determined initially by multiplying \$2,000 by the total number of peak hour project trips generated by the project, after all vehicular traffic credits have been assigned.” (Protected Intersection Policy, App. A.)<sup>1</sup> The \$2,000 per peak hour trip fee referenced above concerns projects impacting only one protected intersection and does not include the annual fee increase. For projects impacting two or more protected intersections, such as Santana West, the per peak hour trip fee is \$4,533 through June 30, 2018. A cost escalation of 3.5 percent will automatically apply as of July 1, 2018.

Pursuant to the Traffic Impact Analysis prepared by the City of San Jose for the Santana West Project, “[b]ased on the ITE trip generation rates and applicable reductions, it is estimated that the proposed project would generate ... 1,390 trips (1,240 inbound and 150 outbound) occurring during the AM peak hour...” (Santana West Development Project Transportation Impact Analysis, p. 49; see also *id.* at p. 50 [Table 7].) As a result, pursuant

---

<sup>1</sup>While the Protected Intersection Policy allows a project with more than 400 trips to calculate a different fee per trip, that fee must be determined during the CEQA process for the project. Because no per trip fee was established as part of the CEQA process for Santana West, it is subject to the fee that would otherwise apply to projects with less than 400 peak-hour trips.

to the City of San Jose's Protected Intersection Policy, the Santana West Development Project must fund transportation improvements equal to \$6,300,870 (\$4,533 x 1,390).

If the City of San Jose does not intend to require the Santana West Development Project developer to fund transportation improvements pursuant to the Protected Intersection Policy equal to the Project's full \$6,300,870 obligation, then the City of Santa Clara requests the City of San Jose identify an alternative source of funds.

We understand that the City Council will consider adopting the new Policy 5-1 on February 27, 2018, and would appreciate a prompt response to allow the City of Santa Clara time to consider its options prior to the City Council hearing on this new policy.

Very truly yours,



Tina A. Thomas

cc: Brian Doyle, City Attorney, City of Santa Clara  
Deanna Santana, City Manager, City of Santa Clara

# T|L|G Thomas Law Group

TINA A. THOMAS  
MEGHAN M. DUNNAGAN  
AMY R. HIGUERA  
CHRISTOPHER J. BUTCHER

455 CAPITOL MALL, SUITE 801 | ONE KAISER PLAZA, SUITE 875  
SACRAMENTO, CA 95814 | OAKLAND, CA 94612

NICHOLAS S. AVDIS  
LESLIE Z. WALKER  
Of Counsel

Telephone: (916) 287-9292 Facsimile: (916) 737-5858  
www.thomaslaw.com

March 1, 2018

Rosalynn Hughey  
San José Planning Director  
City of San José  
200 E. Santa Clara St.  
San José, CA 95113

Re: Appeals from the Environmental Determinations made by the City Council for the Santana Row and Winchester Boulevard Urban Village Plans (GP17-0008; Item 10.4 on the August 8, 2017 San José City Council Agenda) and the Stevens Creek Urban Village Plan (GP17-0009; Item 10.5 on the August 8, 2017 San José City Council Agenda)

Dear Ms. Hughey:

This letter is to confirm our understanding that the San José City Council's August 8, 2017 actions to approve the Stevens Creek, Winchester, and Santana Row/Valley Fair Urban Village Plans (collectively the "Tri-Village Plans"), based on "Determinations of Consistency" with prior environmental review done for the Envision San José 2040 General Plan, are not final until the City of San José hears the administrative appeals of these actions, which were filed by the City of Santa Clara on August 11, 2017. (San José Municipal Code section 21.04.140, subdivision E.10 ["If the city council finds that the environmental clearance determination comports with CEQA and this title, it shall uphold the environmental clearance determination and may then immediately take action upon the related project. If the city council finds that the environmental clearance determination does not comport with CEQA and this title, it may require the director to re-examine and process such environmental clearance determination and shall not take any approval actions on the related project".])

To date, we have not received notice that a hearing date on Santa Clara's appeals has been set before the City Council. If we do not receive notice either denying the appeals or setting a hearing date within ten (10) days from the date of this letter, we will assume that the appeals have been denied, and proceed based on our understanding that the approvals will then be deemed final.

The California Environmental Quality Act ("CEQA") provides that a 30-day statute of limitations for CEQA-based challenges begins upon filing of the Notice of Determination ("NOD"). If an NOD is not properly posted, the limitations period is 180 days from the disputed approval. (Pub.

Resources Code, § 21167.) Further, an NOD must be posted within five business days of an approval becoming final. (Pub. Resources Code, § 21152.) Based on the above, if the appeals are deemed denied based on San José's failure to set a hearing date and a new NOD is not posted within five days of the deemed final approval, Santa Clara will proceed with the understanding that the 180-day statute of limitations period will begin on the date of the deemed final approval.

Santa Clara looks forward to receiving a notice for the appeal hearing before the San José City Council.

Sincerely,



Tina A. Thomas

cc: Richard Doyle, San José City Attorney  
Dave Sykes, San José City Manager  
Toni Tabor, San José City Clerk  
Brian Doyle, Santa Clara City Attorney  
Deanna Santana, Santa Clara City Manager  
Manuel Pineda, Santa Clara Assistant City Manager

# T|L|G Thomas Law Group

TINA A. THOMAS  
AMY R. HIGUERA  
CHRISTOPHER J. BUTCHER

455 CAPITOL MALL, SUITE 801 | ONE KAISER PLAZA, SUITE 875  
SACRAMENTO, CA 95814 | OAKLAND, CA 94612

NICHOLAS S. AVDIS  
LESLIE Z. WALKER  
Of Counsel

Telephone: (916) 287-9292 Facsimile: (916) 737-5858  
www.thomaslaw.com

Sent by electronic and regular mail

November 7, 2018

City of San José  
Rosalynn Hughey  
Planning Director  
200 East Santa Clara Street, 3rd Floor Tower  
San José, CA 95113

**Re: Third Request for Information re City Council Transportation Analysis Policies 5-1 and 5-3 and Consistency with Terms of the Santana West Settlement Agreement**

Dear Ms. Hughey:

This letter is our third request for information regarding amendments to existing Policy 5-3 related to "Protected Intersections," approved by the San Jose City Council on February 27, 2018. On February 14, 2018 and April 27, 2018, our office wrote to you on behalf of our client, the City of Santa Clara, to request written clarification regarding the intent of Policy 5-1 as it relates to intersections that will impact traffic in the City of Santa Clara. We included several specific information requests regarding implementation of the new policy, in addition to a request for confirmation that fees for the transportation impacts identified in the environmental impact report prepared for the Santana West project will still be paid in full by the developer.

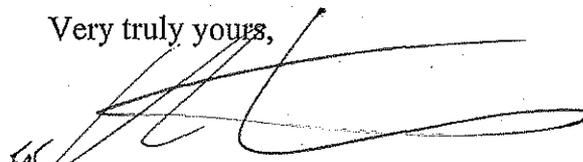
The City of San Jose is obligated to collect transportation impact funds pursuant to all applicable fee programs for development in the Stevens Creek Corridor under the terms of the settlement agreement entered into by the City of Santa Clara, City of San Jose, and Federal Realty Investment Trust (Federal) on January 12, 2018, concerning the litigation in *City of Santa Clara v. City of San Jose, et al.* (San Mateo County Superior Court Case No. 17-CIV-00547) (Settlement Agreement). Importantly, in the Settlement Agreement,

the City of San Jose expressly committed “to collect fees pursuant to its Protected Intersection Policy for intersections that will also impact traffic in the City of Santa Clara.” (Settlement Agreement, ¶ 7.)

As stated in our prior letters, the City of Santa Clara is concerned that by adopting Policy 5-1, the City of San Jose intends to stop collecting fees pursuant to its Protected Intersection Policy for intersections that will impact traffic in the City of Santa Clara. Furthermore, while Policy 5-1 implements an alternative fee, Santa Clara is concerned that this alternative fee will be substantially less than the fees that would otherwise be required pursuant to the Protected Intersection Policy.

We understand that the City of San Jose is now beginning to analyze traffic impacts of proposed projects using Policy 5-1 and the Transportation Analysis Handbook adopted by the City in April 2018 to apply the vehicle miles traveled (VMT) metric as the threshold to determine significance of those impacts. Despite our letters and numerous inquiries from Santa Clara City staff members about the timing of a response to those letters, San Jose has provided no response to any of these inquiries to date. It therefore remains unclear whether San Jose intends to continue to collect fees under its Protected Intersection Policy pursuant to the terms of the Settlement Agreement as it implements Policy 5-1. If the City of San Jose does not intend to collect fees in the full amount for the Santana West Development Project or any other project that will have traffic impacts affecting Santa Clara, then the City of Santa Clara requests the City of San Jose disclose that intent and identify an alternative source of funds. Again, we would appreciate a prompt written response to allow the City of Santa Clara to consider its options for enforcing the terms of the Settlement Agreement.

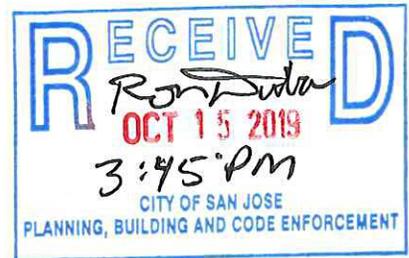
Very truly yours,

  
for Tina A. Thomas

cc: Brian Doyle, City Attorney, City of Santa Clara  
Deanna Santana, City Manager, City of Santa Clara  
Richard Doyle, City Attorney, City of San Jose  
Dave Sykes, City Manager, City of San Jose

15 OCT 2019

Mr. Kenyon, here is my response to the Pulte / Wincher Ranch DEIR



It must be stated at the beginning of this response that it is based on the presumption that none of our neighborhood streets will be opened to vehicular traffic from the development once the development is completed. It also must be stated that there were two main reasons for the formation of our Winchester Orchard Neighborhood Association several years ago:

1. To preserve and protect the historic quiet nature and character of our neighborhood dead-end streets, by not permitting them to become through streets to vehicular traffic from the future Ranch development.
2. To do as a community what ever we could to help our senior neighbors at the Ranch preserve their homes and way of life within our neighborhood.

From the beginning and throughout the community engagement process, we have heard many different times from Pulte, City staff and the D1 office that there is absolutely no intention from any of them to have any of our neighborhood streets opened to vehicular traffic once the project is complete. This response is based upon my presumption that the City and Pulte will hold true to their word and keep our streets closed.

At the top of page 187 is: **Policy TR-8.9 Consider adjacent on-street and City-owned off-street parking spaces in assessing need for additional parking required for a given land use or new development.** Parking generated by the development on the existing residential streets is of huge concern for the residents of Maplewood, Rosewood, Henry, Olsen, Fenley & Kirkwood. Residents on these streets who live closest to the project should not have to worry about parking from the development impacting their historic ability to park in front of their own residences. Should this end up being a problem for those residences, the City should mitigate by implementing a permit parking program, with the entire cost of which to be paid by the development in perpetuity and not by the impacted residents of the streets listed above.

Bottom of page 192 & top of page 193 contain **3.17.2 Transportation/Traffic Impacts & 3.17.3 Impact Discussion.** In serious question by our impacted community is the last discussion item, **4) Result in inadequate emergency access?** The immense concern of this question by the Winchester Orchard Neighborhood Association and those who reside within its boundaries can not be understated. The concern is not only for our own public safety, but that of all residences, businesses and customers within the response zone of our Monroe Firehouse. The impact this development will bring to police and ambulance response must also be accounted for. Discussion item 4 raises the following questions:

1. **What are the metrics used by the City to determine whether the development will result in an inadequate emergency access condition?**
2. **Does an inadequate emergency access condition presently exist during normal, heavy, holiday or any other traffic conditions?**

3. **If additional traffic from the Winchester Ranch project alone is not enough to generate such a condition, will the completion of Valley Fair, Santana West and / or any other any other currently entitled area projects be enough to do so?**
4. **Once such a condition exists, what can and will the City do to mitigate it?**

The two main routes our Monroe firefighters can take to access our neighborhood are Monroe to westbound Stevens Creek, and Tisch to northbound Winchester. Both routes can be heavily laden with traffic and severely impede emergency vehicle travel / response times. Factor in construction of the proposed NB 280 / Winchester offramp and it is possible Tisch to Winchester north might often be an unviable emergency route.

In her EIR response, Daphna Woolfe, President of the Winchester Orchard Neighborhood Association gave the example of the Mystery House Easter egg hunt event which occurred the day before Easter Sunday this year. That event led to horrific and unmanageable traffic conditions on Winchester that had a Monroe fire engine stuck in traffic unable to respond. That and other local scheduled area events like the Santana Row Christmas Tree lighting should be required to submit an event specific traffic management plan, hire off duty police and utilize traffic operations center staff to manage traffic flows on location and remotely.

The terrible nature of Holiday traffic is legendary, and it must be a nightmare for emergency responders to get through in front of the mall.

Even with the Emergency Vehicle Preemption System functioning properly at all response zone intersections, it is hard to imagine adequate response times being the norm once all entitled area projects are completed. Once an inadequate emergency access condition exists, how will the City mitigate? The only way I can imagine the City being able to do so would to do as follows:

1. Deploy and fine tune the best adaptive signal technologies available to keep traffic moving as best possible under most conditions.
2. Use the data collected from the system to determine when the threshold for an inadequate emergency access condition has been exceeded.
3. Once exceeded, automatically notify traffic control operations staff when the Monroe firehouse receives a call-out.
4. Require the traffic control operations center staff to manually control and clear intersections progressively along the emergency vehicle route well ahead of the responders.

One of the concerns the community has with this project it's lack of affordable housing. All dwelling units constructed by Pulte will be sold, including the apartment building. They will be sold for market rate in one of, if not the most expensive housing markets in the country. Lack of affordable housing is one factor in driving up our increasing homeless numbers. It is also a factor in forcing workers to rent or purchase farther away from the job centers in the heart of Silicon Valley, thus driving up Vehicle Miles Traveled and associated greenhouse gas emissions.

**Project-Level VMT Analysis** can be found at the top of page 194, which contains only seven sentences. That analysis references use of the City developed **VMT Evaluation “Sketch” Tool**. Sentence six states, “the project site is in proximity to jobs and services within the Santana Row/Valley Fair Urban Village”. In my estimation, the vast majority of jobs within the Santana Row/Valley Fair Urban Village are relatively low paying retail and service worker jobs with little to no career path. In order to bring higher paying, more “tech” oriented jobs to the area, we must rely on construction of more office space and occupancy of the new spaces by companies will offer higher paying jobs. I believe this is the case with Federal Realty leasing it’s last completed building to Splunk, who I understand will also be leasing the almost completed building at the “end of the Row”. Completion of the first and subsequent phases of the Santana West Project should bring more of these higher paying jobs as well.

With all that said, would the majority of purchasers or renters in the Pulte project who work within the Urban Village be required to maintain a second job, likely outside the urban village, just to be able to afford to live there? Does the City’s own VMT Evaluation “Sketch” Tool permit a VMT reduction value for a local area job which does not pay enough for the worker to live in the Pulte project, thus requiring an unaccounted for VMT trip to a second or third job? If so, I would consider this to be a flaw in the evaluation tool. Are there other ways the City’s VMT Evaluation “Sketch” Tool might be flawed or otherwise inadequate? If so, would its use result in a flawed EIR? One flaw evident to me can be found on page 192, where four strategy tiers are listed “**whose effects on VMT can be calculated**”. I argue those effects can not be “calculated”, they can only be estimated.

Top of page 192 contains **3.17.1.3 VMT Methodology**. Unfortunately, I have not made the opportunity to become fully versed in VMT methodologies. I have yet to fully read and scrutinize the City’s Transportation Analysis Handbook and have no knowledge of the VMT Evaluation “Sketch” Tool other than what I’ve read in the EIR. The questions I do have regarding these items are:

1. **Did the City develop this VMT methodology, the Transportation Analysis Handbook and the VMT Evaluation Tool internally with its own staff?**
2. **Where these three things reviewed for flaws and / or deficiencies by agencies or organizations properly accredited or certified to do so?**
3. **If flaws can be found to exist in any of these three, would use of any of the three result in a flawed and possibly make invalid any EIR they were used on?**

Page 198 states, “**the proposed Winchester Ranch GPA would have less than significant impact on the AM peak hour average vehicle speeds on the transit priority corridors**”. Our concern is that the project will bring an overbearing traffic burden to an already overburdened HWY 280 onramp at Winchester & Tisch during the AM commute. Signal sequencing and phase timing does not at this time appear to be optimized for maximum thru - put along Winchester at Olsen, Tisch/onramp & Moorpark. The current situation where metering lights hold back and stack up traffic on what may be an inadequate onramp, causes lengthy queues in the southbound right lane in front of the Ranch and then Mystery House. Once the project is completed and occupied, AM traffic to the onramp likely will be heavily compounded making it even more difficult for busses to access the bus stop at Olsen / Mystery House. Development traffic will certainly impact, and most likely significantly impact traffic and transit.

Will the statement made on page 198, “therefore, the proposed Winchester Ranch GPA would have a less than significant impact on the AM peak hour average vehicle speeds on the transit priority corridors” be an incorrect assumption once project traffic actually hits the Boulevard? Found at the bottom of page 198 under Winchester Ranch Long – Range Transportation Impacts Conclusion, “compared to the 2040 General Plan, the Long – Range Traffic Analysis found that the proposed GPA would 1) not result in an increase in citywide VMT per service population; 2) reduce the percentage of journey to work drive alone trips; or 3) increase average vehicle speeds on the transit priority corridors”. If the intention of “3) increase average vehicle speeds on the transit corridor” means just that, that average vehicle speeds will increase, I do not see how that can be anything other than a mis-presumption or false statement. If it means average vehicle speeds will not increase, I would agree. Either way the intent of the statement is not completely clear. The W.O.N.A. community is certain that, at least for the stretch of Winchester between Monroe & Olin, the Winchester Ranch Long – Range Transportation Impacts Conclusion of (Less Than Significant Impact) will prove to be incorrect.

Found on page 200, is “2019 GPAs Cumulative Effect on Average Vehicle Speeds in Transit Priority Corridors – The proposed GPAs would not result in a decrease in travel speeds of greater than one mile per hour or 25% on any of the 14 transit priority corridors when compared to General Plan conditions. Therefore, cumulatively, the 2019 GPAs would result in a less than significant impact on the AM peak hour vehicle speeds on the priority transit corridors”. The community has no doubt AM peak traffic will be heavily impacted on southbound Winchester between the Tisch / 280 onramp and Olsen, if not beyond towards Stevens Creek. The south bound right lane will certainly be much more crowded, particularly during AM peak hours once the Pulte project is completed and occupied.

As proves itself in the area every holiday shopping season and daily at intersections like Saratoga & Moorpark, with more traffic and slower drive times comes more red light running and intersection gridlocking. With more red light running and gridlocking comes more unsafe roadway conditions for all users, with the greatest risk coming to pedestrians and bicyclists. I am quite confident once the Reserve Apartment complex comes online the frequency of red light running and intersection gridlocking will increase during the AM commute from those turning left onto the freeway entrance. As always occurs in a gridlocked intersection, the right lane, the bus travel lane is the last to clear, resulting in diminished thru-put capacity for that signal phase and stacking more traffic at the rear. Additionally, occupation of a completed Santana West is sure to bring what might already be over-saturation of the right lane in front of the Mystery House during PM commute hours. The big question is, with the Reserve Apartments considered and all planned developments along Winchester’s Stevens Creek to Moorpark corridor completed and fully occupied, how much more time and how many additional signal cycles will a southbound route 60 bus driver have to endure to get through the corridor during peak commute? How will the northbound route 60 be affected as well? As always and most importantly, how will Emergency vehicles be affected?

All our concerns listed above, and many more, are reasons why I call on D1 & D6 Councilmembers Jones & Davis to create an open and continuous dialogue between their offices, DOT and business and community leaders in and around the Valley Fair / Santana Row Urban Village, regarding improvements to and the future of these most important roadways. Adaptive signal technologies, status of the ABAG grant request to fund them, prioritization of area deployment, installation and optimization are just one small part of what we believe that conversation needs to be.

The City working with the W.O.N.A. Traffic Calming team and Federal Realty on the Santana West neighborhood traffic calming designs is a perfect example of it can work with the community and developers / business leaders to get it as right as possible for us all. As originally designed and fully intended to be constructed, the overextended left turn lane from westbound Steven Creek to south Henry, with its oversized bulbous median island, is a perfect example of how the City can get it wrong for the community it serves.

Please, lets all work together to make these local area roadways the best they possibly can be.

Chris Giangreco

Traffic & Transportation Liaison

Winchester Orchard Neighborhood Association – W.O.N.A.

---

*Department of Planning, Building and Code Enforcement*

**ROSALYNN HUGHEY, DIRECTOR**

October 15, 2019

David Keyon  
Environmental Project Manager  
City of San Jose  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San Jose, CA 95113  
VIA EMAIL ([David.Keyon@sanjoseca.gov](mailto:David.Keyon@sanjoseca.gov))

Re: Draft Supplemental Environmental Impact Report (EIR)  
Winchester Ranch Mobilehome Community Project (File No. PDC18-037 and GP18-04)

Dear Mr. Keyon:

I am writing to you as the Chair and empowered representative of the City of San Jose's Historic Landmarks Commission (HLC), with the HLC's comments regarding the Historic Resources Project Assessment (HRA) for the above-referenced project. The proposed Winchester Ranch development is immediately adjacent to San Jose's most iconic City Landmark Structure, the Winchester Mystery House (WMH), which is also a State Landmark and a National Register Structure.

Per the City's Historic Preservation Ordinance, and the Historic Preservation Goals and Policies of the Envision San Jose 2040 General Plan, the HLC is the City's quasi-judicial body tasked with the preservation of the City's historic built environment. The HLC provides project design comments and recommendations through Commission meetings and the smaller Design Review Committee (DRC). The Winchester Ranch Mobilehome Community Project was discussed with the DRC on February 20<sup>th</sup>, 2019, and came before the HLC under the City's "Early Referral" process on June 5<sup>th</sup>, 2019. As part of these discussions, substantive concerns regarding the incompatibility of the podium apartment block were enumerated, including, but not limited to, the siting, height, and proximity to the WMH.

At the October 2<sup>nd</sup>, 2019 HLC meeting, in a 7-0 decision, the Commission voted to authorize the Chair to forward the Commission's comments to the Director of Planning, Building and Code Enforcement. The consensus of the Commission is that many of the comments and concerns provided previously by the DRC and HLC were not addressed by the subsequent design revisions. This dismissal of the repeated input of the City's designated historic preservation body should therefore be a part of the HRA.

Our additional comments include, but are not limited to, the following:

1. The HLC opposes the placement of the podium apartment block to the immediate South of the WMH, the City's most iconic irreplaceable historic resource. The main approach – and primary sight line – to the WMH is from Southbound Winchester Boulevard. The proposed podium apartment block would be the backdrop for this view, and entirely incompatible with the history and siting of the WMH. Proposed building masses should not dwarf immediately adjacent historic resources. The proposal has an unmitigated negative impact upon the historic resource.
2. Per page 33 of the HRA, *"While the proposed project may not have a direct physical impact on the original fabric of the Winchester House and its historically designed grounds, the loss of setting will irreversibly change the character of this significant historic resource. Without some*

*form of mitigation, this project will create an adverse change in this historic resource which would be a significant impact under CEQA.”*

- a. The podium apartment block, the removal of trees that have long served as the backdrop for the WMH, and the incremental proposed landscape screening represent a clear impact under CEQA. The second Recommendation of the Project Assessment (Recommendations), and the first alternative included in the EIR, advocate for this incremental change to the site plan. Without a substantial decrease in height of the proposed podium apartment block, this revision would be insufficient.
  - b. In the incremental setback between the apartment and the WMH, the design proposes trees that grow to be tall and skinny. Landscape screening best practices indicate that tall, narrow trees only work as part of a layered, multi-species screening method. The proposed landscape screening is therefore insufficient to mitigate the negative impact upon the historic resource. This is consistent with the first Recommendation.
3. Per page 36 of the HRA, *“The new project would not impact all of the historic integrity of the resource, but, as currently designed, it would impact the setting of the historic resource, it would impact some of the feeling and associations of the historic property, and likely would have an impact on the perceived proportions and significant prominence of the Winchester House design, as well. The construction of this project, as currently designed, could overshadow and crowd out the historical understanding of the adjacent property. Especially if a similarly large, urban project were to be proposed on the site to the west of the Winchester House (the site of the former Century 23 and currently proposed to be part of the Santana West project), the cumulative impact of similar projects could be severe.”*
- a. The project site is approximately 15.7 gross acres. The only means by which the podium apartment block’s impact on the WMH can be successfully mitigated is by relocating the structure to elsewhere on the site, and instead placing some of the lower, freestanding four-story condominium buildings. This is consistent with the third Recommendation, and the first alternative included in the EIR.
  - b. The demolished Century 23 theater building immediately to the West of the WMH was given more consideration regarding the massing of the proposed buildings on the project site, even though the Santana West proposal calls for this to be a future office building. The podium apartment block was given the more desirable view of the WMH, to the distinct and direct detriment of the historic resource.
  - c. The buildings on the site should be reconfigured to provide a more substantial setback from Winchester Boulevard. This is consistent with the fifth Recommendation.

In the past, the City has required projects constructed near historic resources to comply with both the Secretary of Interior Standards and the City’s Historic Preservation Ordinance. The proposed Winchester Ranch Mobilehome Community Project, as submitted, fails in both regards. A project immediately adjacent to the Winchester Mystery House, the City’s highest profile historic landmark structure, should be held to a correspondingly high standard.

Sincerely,



Edward Saum  
Chair, City of San Jose Historic Landmarks Commission

cc: Vice Mayor Chappie Jones  
Rosalynn Hughey, Director, Department of Planning, Building and Code Enforcement  
Juliet Arroyo, Historic Preservation Officer

## Keyon, David

---

**From:** Ken Pyle [REDACTED]  
**Sent:** Tuesday, October 15, 2019 4:34 PM  
**To:** Keyon, David  
**Cc:** nick.saleh@dot.ca.gov; The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; anna@annaeshoo4congress.com; rsvpeshoo@gmail.com; Representative Anna G. Eshoo; anna.eshoo@mail.house.gov; ro@rokhanna.com; CA17RKima@mail.house.gov; ro.khanna@mail.house.gov; supervisor.ellenberg@bos.sccgov.org; senator.beall@senate.ca.gov; senator.beall@sen.ca.gov; jimbealljr@yahoo.com; senator.wieckowski@senate.ca.gov; assemblymember.chu@assembly.ca.gov; kansen@kansenchu.com; assemblymember.low@assembly.ca.gov; Ethan Winston; Teresa O'Neill; J'Carlin; Kirk Vartan; Hoi poon; Barbara Morrey; Gary Cunningham; Steve Kelly  
**Subject:** Comments on Draft Environmental Impact Report for the Winchester Ranch Project, PDC15-065, PD15-059, and PT15-069  
**Attachments:** SCAG -WNAC Members - Winchester Ranch EIR Comments.pdf

Dear Mr. Keyon, et. al.,

The attached letter represents comments from members of the Winchester Neighborhood Action Coalition (WNAC) and the Stevens Creek Advisory Group (SCAG) to the Draft Environmental Impact Report for the Winchester Ranch Project, PDC15-065, PD15-059, and PT15-069.

An underlying assumption in our comments is the legal contract between Pulte Homes (the applicant) and the current residents of the Winchester Ranch Mobile Home Park is completely independent of any general plan and zoning changes requested by Pulte Homes. That is, a delay or change to a General Plan amendment should not change the living or financial situation for any of the current residents.

### Recommendations

1. Start the formal process, as championed by Vice Mayor Jones, of considering those portions of the Urban Village that were left out of the Urban Village planning processes, including the parcel referenced herein, the portion of I-280 over Winchester and the interplay between the Stevens Creek, Santana Row/Valley Fair, and Winchester Urban Villages.
2. Re-examine the Urban Village assumptions, based on actual data, particularly about reduction in Vehicles Miles Traveled, Urban Village density goals, and what policies need to be adjusted to ensure those goals are met.
3. Until steps 1 and 2 are completed, deny the proposed change to the General Plan Amendment to change the Envision San Jose 2040 General Plan Land Use/Transportation Diagram Designation from Residential Neighborhood to Urban Residential, as this important parcel was not considered in the Urban Village planning process.

Respectfully,

Ken Pyle on behalf of  
J' Carlin Black, SCAG member  
Gary Cunningham, President of Strawberry Square HOA  
Steve Kelly, SCAG member, Santa Clara Planning Commissioner  
Barbara Morrey, Treasurer, WNAC  
Hoi Poon, SCAG Member

Ken Pyle, Vice President, WNAC  
Kirk Vartan, President, WNAC; Co-Chair, SCAG

--

- 
- 
-

City of San Jose  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street, 3rd Floor Tower  
San Jose, CA 95113-1905  
Attention: Mr. David Keyon

via email  
October 15th, 2019

Subject: The Winchester Ranch Project (File GP18-014, GPT19-004, PDC18-037, PD19-019, PT19-023)

Dear Mr. Keyon,

This letter provides comments from members of the Winchester Neighborhood Action Coalition (WNAC) and the Stevens Creek Advisory Group (SCAG) to the Draft Environmental Impact Report for the Winchester Ranch Project, PDC15-065, PD15-059, and PT15-069.<sup>1</sup> An underlying assumption in our comments is the legal contract between Pulte Homes (the applicant) and the current residents of the Winchester Ranch Mobile Home Park is completely independent of any general plan and zoning changes requested by Pulte Homes. This was confirmed specifically by Scott Hilk at the March 21, 2019 community meeting at the Cypress Senior Center, and further by the Law Foundation of Silicon Valley on June 27, 2019 in their press release.<sup>2</sup> That is, a delay or change to a General Plan amendment should not change the living or financial situation for any of the current residents.<sup>3</sup>

## Recommendations

1. **Start the formal process**, as championed by Vice Mayor Jones, of considering those portions of the Urban Village that were left out of the Urban Village planning processes, including the parcel referenced herein, the portion of I-280 over Winchester and the interplay between the Stevens Creek, Santana Row/Valley Fair, and Winchester Urban Villages.
2. **Re-examine the Urban Village assumptions**, based on actual data, particularly about reduction in Vehicles Miles Traveled, Urban Village density goals, and what policies need to be adjusted to ensure those goals are met.
3. **Until steps 1 and 2 are completed, deny the proposed change** to the General Plan Amendment to change the Envision San Jose 2040 General Plan Land Use/Transportation Diagram Designation from Residential Neighborhood to Urban Residential, as this important parcel was not considered in the Urban Village planning process.

## Comments and Assumptions:

The following represent comments and assumptions that are the basis for our recommendations. First, because of the uncertainty surrounding the sale of this property and the potential displacement of this senior residents, this parcel--the biggest opportunity site in the Santana Row/Winchester Urban Village area--was deliberately ignored by the City Staff and the Winchester Advisory Group (WAG) during the two year Urban Village discussion process, even though the Winchester Advisory Group and members of the public asked to discuss this critical piece of property.

---

<sup>1</sup> Information about the WNAC can be found at <http://www.winchesternac.com/>

<sup>2</sup> "Landmark Agreement Reached Between Winchester Mobile Home Residents and Pulte Homes," June 27, 2019, <http://www.lawfoundation.org/news/2019/6/26/landmark-agreementnbspreached-between-winchester-mobile-home-residents-and-pultenbsphomes>

<sup>3</sup> Granted, delays to amending the General Plan may mean that residents continue living in their current mobile homes for a longer period of time.

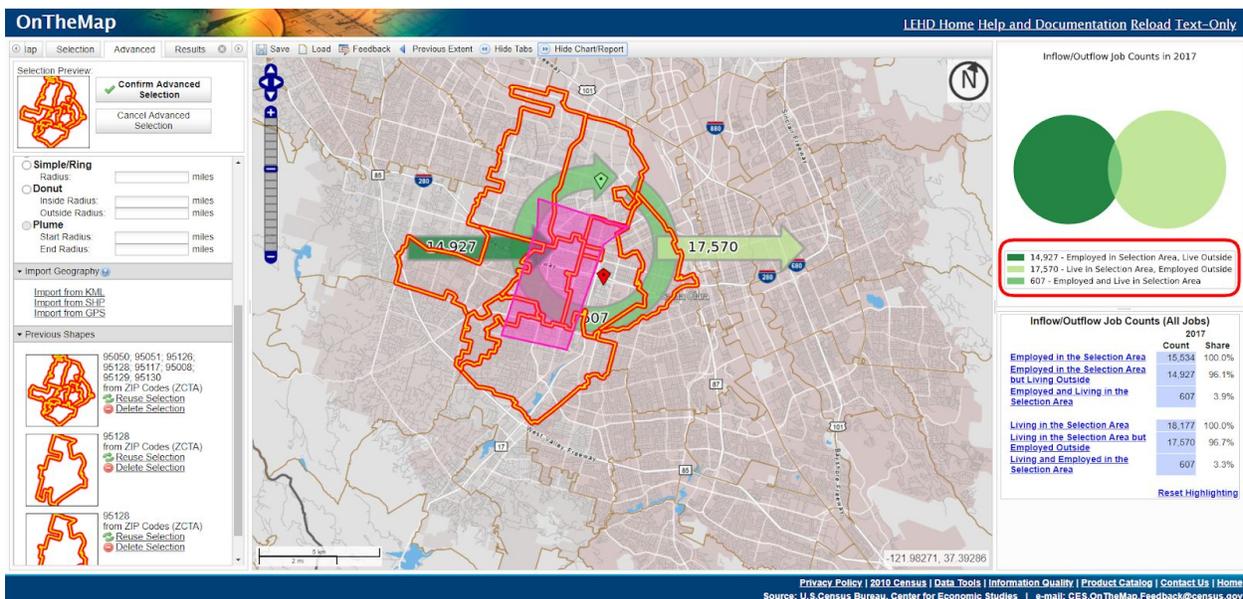
The number of new residences in the proposed plan would amount to almost 25% of the 2,400 residents that were part of the Winchester Urban Village plan.

- I. Are the number of residents in the proposed plan additive to the Urban Village plan or does it take away from the approved amount?
- II. Where is this change accounted for in the EIR?

The memo approved by the Council requires that the Winchester Advisory Group weigh-in on these matters,

“Require that the Winchester Advisory Group, in conjunction with the Stevens Creek Advisory Group, reconvene on an as needed basis in order to provide feedback on the Implementation Chapters.”<sup>4</sup>

One of the premises of the Urban Village is that by providing a mix of activities, it will be possible for more people to work, live, play, without having to get in a car, reducing Vehicle Miles Traveled and the impact on the environment. According to OnTheMap census data, in 2017 approximately 14,927 people who worked in the WNAC area came from outside its boundaries, while 17,750 left every day and only about 607 actually lived and worked in the WNAC area (about 4%). If the number of people working and living here does not increase, congestion will get worse.<sup>5</sup>



<sup>4</sup> See <http://www.sanjoseca.gov/DocumentCenter/View/75695>, page 30, 10.4 bullet 7, This was reaffirmed in an October 18th, 2018 meeting with Vice Mayor Jones by several WNAC members [https://docs.google.com/document/d/1d33hInLIJPCWo0\\_cFe0o3SK8OMTMASNBSXcWE9m8D0/edit?usp=sharing](https://docs.google.com/document/d/1d33hInLIJPCWo0_cFe0o3SK8OMTMASNBSXcWE9m8D0/edit?usp=sharing)

<sup>5</sup> See <https://onthemap.ces.census.gov/>. The number working in the area jumped from 14,700 in 2016 to 15,535 (gain of 835 jobs) in 2017 (latest year information available). At the same time, the number of people working and living in this area dropped from 620 to 607, respectively, reducing the percentage of people working/living in the area from 4.2% to 3.9%.

- III. *What policies need to be implemented to increase the number of people that live and work in the WNAC area and specifically within this project?*
- IV. *What percentage of the population should be living and working in the area for an Urban Village to be deemed a success?*

Another area that was called out in the August 2017 council meeting and approved by the council was the exploration of better pedestrian access and potential use of the air-rights above the freeway to improve the connection between the south and north sides of I-280 at Winchester and potentially create new land that could be used to reduce parking requirements in the Urban Village core and provide new locations for affordable housing.<sup>6</sup> Specifically it says,

“As the I-280/Winchester overpass is an essential connection between the Winchester and Santana Row/Valley Fair Urban Villages, this Plan ensures that improvements to the pedestrian and bike overcrossing at this overpass are given a high-priority and every consideration is given to a cap or other treatment to this overpass.”

The District 1 council office is coordinating a meeting with Caltrans for the WNAC to explain its vision regarding possible ways to regain the fallow airspace above I-280. A Caltrans representative has suggested that they would be amenable to the idea of giving the City of San Jose air-rights above and next to the freeway for a compatible project.<sup>7</sup>

This is consistent with Caltrans' Best Practices Guide for Freeway Caps and is also consistent with proposed legislation in the form of AB1226, which proposes using freeway air-rights to provide “affordable housing, transitional housing, emergency shelter, feeding program, or wraparound services purposes, or any combination of these purposes.”<sup>8</sup>

- V. *How does the project EIR address the possibility of improving the I-280/Winchester overpass to enhance the connection between the Winchester and Santana Row/Valley Fair Urban Villages?*
- VI. *How does the project EIR address the possibility of housing and/or some other development on the State-owned land on the southside of Tisch (e.g. a crosswalk might be necessary, as an example)?*

Regarding affordable housing, this project does not provide any affordable housing.<sup>9</sup> In approving the Winchester/Santana Row Urban Village plans, the City Council felt it a priority that affordability be considered (even prioritized) in new projects.

---

<sup>6</sup> See Appendix A for an example of a freeway cap in Columbus, Ohio, along with ideas of how a cap might be integrated with this project.

<sup>7</sup> The WNAC has produced sample letters that the City of San Jose could use to request airrights from Caltrans and the hoped for response letter from Caltrans at <https://docs.google.com/document/d/1AhNNcilutZfEEv4Cvj2mxSlg3z1tVZEGpQhQI-jz8Sk/edit?usp=sharing>

<sup>8</sup> AB1226 [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB1226](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1226)

<sup>9</sup> From what is known of the agreement between the developer and the existing Winchester Ranch residents, their existing space rent will transfer when they move into the proposed apartment buildings. These below market rents are guaranteed to them as long as they live there. Once they move, then the rents revert to market rate, meaning, over the long-term, this is a 100% market-rate project.

**“Onsite Affordable Housing:** Add the following action item to each of the UV Plans: a.”“Action Item; *The City should aggressively pursue incentives for developers to include onsite affordable housing for new projects.*”<sup>10</sup>

By considering affordable housing at this location, it will help support the workforce needs of retailers at nearby Santana Row and Westfield Valley Fair shopping malls, allowing people to live and work in the same Urban Village furthering the goals of VMT and pollution reduction. Additionally, how can the City work with the developer and possibly Federal Realty to create a pedestrian overpass over Winchester in order to better connect the two sides?

- VII. *What efforts have the City of San Jose made to provide for affordable housing at this location?*
- VIII. *What efforts have the City of San Jose made to promote housing for groups who are less likely to require transiting the streets during peak times (e.g. local workers, retired individuals, work-from-home individuals)?*
- IX. *How could this project be coupled with other projects to help the City of San Jose attain its goals around housing affordability, while providing a win-win for everyone?*<sup>11</sup>

In looking at the parking ratios, it seems this sites is \*over parked\* as was identified by the City of San Jose in the August 26, 2019 public community meeting.<sup>12</sup> In addition to this added expense to the project and strategy that is not consistent with the Urban Village strategy that allows for reduced parking, none of the parking is underground. This eliminated the ability to have any ground floor activation. Placemaking strategies require a ground floor that can be activated and used by the public. When a three-story parking garage is installed, the result is a lack of vibrancy and use for the public. There are also no community rooms available to the public, not any ground floor neighborhood retail that could support needed services for the residents and surrounding community (e.g., wellness center, maker spaces, gardener support, bike shop, etc.). With the aging population, including the current Mobile Home Park residents, the need for local services is an important element that will carry this site into the future.

- X. *How has the City of San Jose looked at the ground floor activities for this site?*
- XI. *How has the City of San Jose looked at the mixed-use needs of Urban Village sites so they may fully integrate into the area?*

In the Keyser-Marston/ULI presentation for the San Jose Study Session on the Cost of Development on April 26, 2018. One of the main conclusions was the areas in West San Jose, specifically the Santana Row/Valley Fair Urban Village, could support the development of all construction types, including Type-I high-rise construction.

- XII. *Why hasn't the City of San Jose required a higher density for the apartment building since it is not impacting any existing residential neighbors?*

---

<sup>10</sup> Page 30, 10.4, bullet 9, <http://www.sanjoseca.gov/DocumentCenter/View/75695>

<sup>11</sup> For instance, a win-win might be in the form of *shared parking between developments*, such as Santana West, which is a commercial development and this project, which is proposed as residential. Or it might mean reduced parking requirements in exchanged for deed-restricted affordable housing, coupled with Transportation Demand Management programs.

<sup>12</sup> Video transcript: <https://www.facebook.com/kirk.vartan/videos/10219247577521455/>

## **Summary**

Again, the underlying assumption is that the current residents will not be displaced regardless of the outcome of the proposed General Plan Amendment. As the City of San Jose Council stated in its approval of the Winchester/Santana Row Urban Villages, changes to those plans should account for the overall impact to those Urban Villages, increased density for the area known as the second downtown, increased connectivity over I-280 at Winchester, and affordability for future residents.

**The current proposed plan is lacking in those areas and should be denied.**

Respectfully,

J' Carlin Black, SCAG member  
Gary Cunningham, President of Strawberry Square HOA  
Steve Kelly, SCAG member, Santa Clara Planning Commissioner  
Barbara Morrey, Treasurer, WNAC  
Hoi Poon, SCAG Member  
Ken Pyle, Vice President, WNAC  
Kirk Vartan, President, WNAC; Co-Chair, SCAG

cc: Honorable Mayor Liccardo, San Jose City Council, Rep. Eshoo, Rep. Khanna, County Supervisor Ellenberg, State Senator Beall, State Senator Wieckowski, Assemblymember Chu, Assemblymember Low, Ethan Winston/VTA, Chair Teresa O'Neill/VTA Board, Nick Saleh/Caltrans

## Appendix A - Examples of Freeway Caps & How They Might Work at Winchester/I-280

The WNAC has been investigating and socializing the idea in the community and across political jurisdictions about a much more comprehensive approach to traffic management at the I-280/Winchester intersection than simply a new ramp<sup>13</sup>. The solution we are investigating would involve building a cap over I-280 that could serve multiple purposes, including an area for open space, public and private bus transit center, parking decoupled from the commercial areas of Santana Row/Valley Fair/the south side of I-280, along with additional residential and commercial buildings.<sup>14</sup>

An example of a freeway cap success story is in Columbus, Ohio, which is summarized in the following infographic. This rather modest effort replaced an ugly freeway chasm with an activated and profitable mainstreet.<sup>15</sup>

---

<sup>13</sup> It is important to note that the previous effort in the 2000s to add a westbound ramp was met with neighborhood resistance and eventually dropped.

<sup>14</sup> For additional information on the cap concept, as well as the concept of a “freeway within a freeway”, please see,

<http://winchesternac.com/2016/05/06/put-a-lid-on-it-lets-reunite-the-neighborhoods-on-both-sides-of-i-280/>  
<http://winchesternac.com/wp-content/uploads/2016/11/Capping-280-Flyer.pdf>  
<http://winchesternac.com/wp-content/uploads/2016/11/Freeway-within-a-Freeway-Flyer-left-column-10-26-16.pdf>

<sup>15</sup> See this Urban Land Institute study for a case-study on this successful freeway cap  
<https://casestudies.uli.org/wp-content/uploads/2015/12/C035010.pdf>

Before



## Columbus Cap

\$1.9 M Bridges  
\$7.5 M Buildings

Profitable after 7 years

Source: Chicago Tribune - <https://goo.gl/mz6bV1>

After



As shown in the following diagram, there is a potential for recovery of approximately 60-acres of land over the I-280 corridor, near Winchester Boulevard. When coupled with the 16 and 13-acres, respectively of the Winchester Ranch and Santana West projects, there is a huge opportunity to transform the Tri-Village Urban Villages.

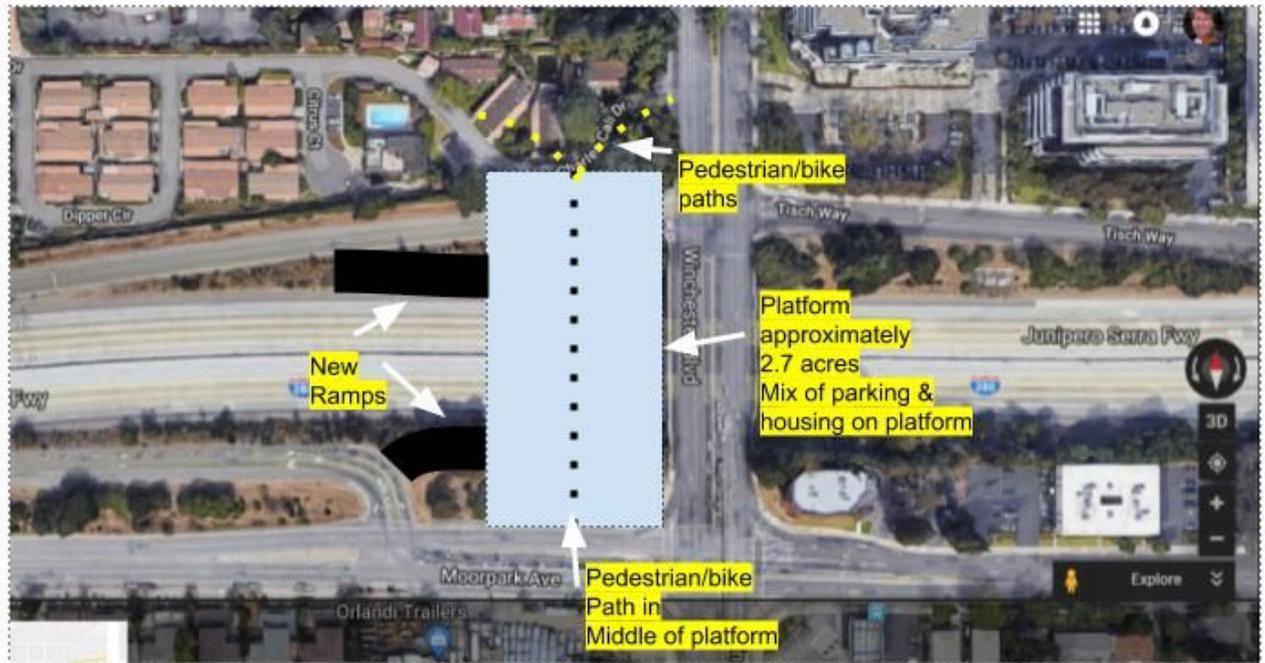
**What opportunities exist in the Santana Row/Valley Fair Urban Village (freeway cap, exit ramp inclusion, integration with Winchester Ranch, and Santana West)**



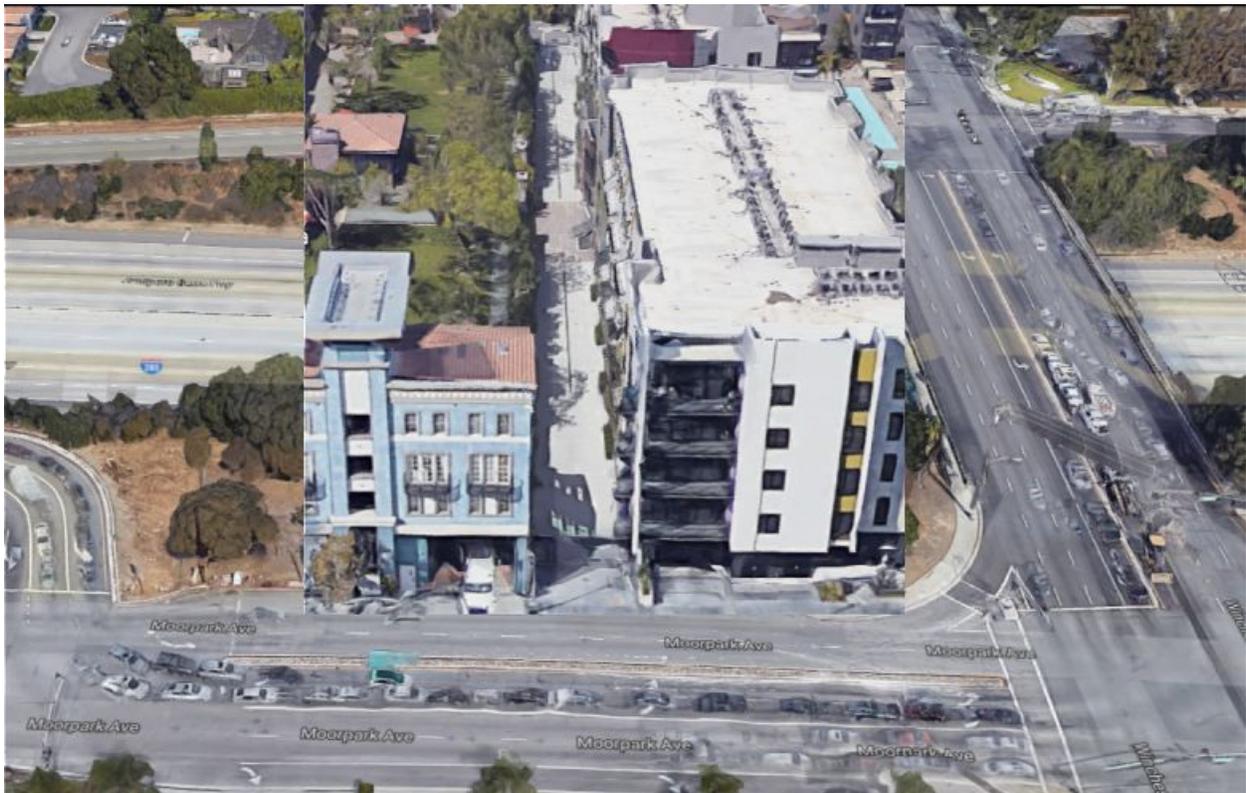
The following image depicts a freeway cap with multiple green and open space segments interspersed between mixed-use buildings (rendering courtesy of Sal Caruso) that would take advantage of the 60-acres above and next to I-280.



Here is another example of how I-280 might be covered in a more modest way and, perhaps, as a phase one of a multiple phase build, with a combination of parking garage/residential units and pedestrian/bike pathway. In this scenario, parking at Winchester Ranch could be potentially placed over the freeway. It also assumes ramps directly into/out of parking. This parking could serve as a hub for shuttles to/from the Winchester/Santana Row shopping centers.



And another view of the 2.7 acres with parking, greenspace, and buildings that provide a mainstreet experience on Winchester over I-280.



Similar to the way the Columbus cap wraps around the freeway frontage, additional buildings could be built on the frontage between the freeway and Tisch, as there is approximately 70 to 80 feet between Tisch and the start of the freeway. This could give Tisch a mainstreet feel without even having to construct a platform over the freeway.



And on the other side of the buildings, for example, an extension of the bridge could create a walkable/bikeable park.



This is better illustrated with a real-world example from Scottsdale, where the cap gradually rises to match the slope of the underlying street.



View from the park looking towards the street (not the terrace that matches the slope of the road).



And, the view from the street of the Scottsdale's park cap.

## Keyon, David

---

**From:** Maureen Selvage-Stanelle <[REDACTED]>  
**Sent:** Tuesday, October 15, 2019 11:42 PM  
**To:** Keyon, David  
**Subject:** Winchester Ranch (Pulte Project) EIR

Dear Mr. Keyon, This letter is in response to the EIR for Winchester Ranch. As was noted in the document the major areas of concern for the community are as follows: • Increased traffic • Insufficient parking • Height and Massing • Interface with the Winchester House (a historic resource) and potential impact to the Winchester Mystery House I am sure that the owners of the Winchester Mystery House will respond to the last concern. Our major concern for the area is mobility for pedestrians, bikes and cars. Currently, only about 8 cars can stack up between Tisch and Olsen in order to get onto 280 N. This traffic often backs up past Olin, which means about a ten minute wait to get on the freeway in the morning. Adding several hundred cars per hour to the mix will make it next to impossible to use this freeway on- ramp. Currently the cars heading north and turning onto the 280 on ramp have much longer signals to accommodate their load which stands to increase when the Reserve Apartments open. How can this on ramp possibly accommodate all of the new residential traffic leaving for work in the morning and then returning at night?

Sincerely,

Maureen Selvage-Stanelle

## Keyon, David

---

**From:** Farmer, Stefanie  
**Sent:** Wednesday, October 16, 2019 9:55 AM  
**To:** Keyon, David  
**Subject:** FW: Winchester Ranch (Pulte Project) EIR

See below for EIR comment

Stefanie Farmer, AICP  
Planner – Development Review  
CITY OF SAN JOSE | Planning, Building & Code Enforcement  
200 East Santa Clara Street, 3rd Floor | San Jose, CA 95113  
(408) 535-3861 | [www.sanjoseca.gov/planning](http://www.sanjoseca.gov/planning)

**From:** Maureen Selvage-Stanelle [REDACTED]  
**Sent:** Tuesday, October 15, 2019 11:24 PM  
**To:** Farmer, Stefanie <[stefanie.farmer@sanjoseca.gov](mailto:stefanie.farmer@sanjoseca.gov)>  
**Subject:** Winchester Ranch (Pulte Project) EIR

Dear Stefanie,

My husband and I have lived in the neighborhood for 25 years and raised our kids here. While our children are now grown, we still enjoy going to the park, as well as many of our neighbors who also enjoy the outdoors, and are very excited to finally get a park within walking distance.

However, we do have several concerns and wishes with regards to the current plan. In order of importance:

- Big picture:
  - o Build the park in phase 1. By far, our most important request. The park is planned for phase 2, so the people of the neighborhood will endure many more years of noise, dust, traffic, and disruption before seeing any kind of benefits in return
  - o Enlarge the park from 2 to 3.5 acres, which the EIR suggests is the regulation for this size project
  - o Add parking, without eating into the 2 acre park space. While the park is intended for neighborhood residents who can walk, some families will host toddler/child birthdays/events, inviting out-of-neighborhood guests who will need a place to park. Physically impaired neighborhood residents would likely appreciate parking as well

Playground wish list:

- o Serve both young toddlers and older children with two adjacent playgrounds (Everett Alvarez Jr. park as an example)
- o At least 8 swings. 4 for toddlers, and 4 for grown kids, as there's a queue in every park
- o Shade/rain structure shielding the playground from the elements

• Park wish list

- o Flat grassy area large enough for kids to play soccer/catch (Thomas Barrett Park for example, but bigger)
- o Padded walking/running circuit surrounding the park, ideally of some regulation length (e.g., 400 meters per lap), and as much as possible, shaded

♣ Technology example: <https://www.rubberway.com/rubber-trails> ♣ Implementation example: Katy Trail in Dallas (though not a circuit) ([https://en.wikipedia.org/wiki/Katy\\_Trail\\_\(Dallas\)](https://en.wikipedia.org/wiki/Katy_Trail_(Dallas)))

- o A few small shaded picnic areas with tables and trash receptacles
- o Half-court basketball court (good for 3x3) with a couple of "spare" baskets on the sides
- o Public bathrooms
- o Small dog run. Besides serving our 4 legged residents, might also reduce dog poop in the rest of the park and neighborhood...
- o Police call-boxes

• Traffic (related to the entire project, not just the park). The current road between Steven's Creek and the 280 N on-ramp are already packed during rush hour, and cannot handle several hundred more cars per hour. Please ensure your plans increase car throughput in the area

Sincerely,

Maureen Selvage-Stanelle

1 day ago  
[Thank](#)

## Keyon, David

---

**From:** Scott Hilk <Scott.Hilk@PulteGroup.com>  
**Sent:** Wednesday, October 16, 2019 4:10 PM  
**To:** Keyon, David; Shannon George; Fiona Phung  
**Cc:** Farmer, Stefanie; Jennifer Vo  
**Subject:** FW: EIR for Winchester Ranch Project

David

Did this email comment below get into the DEIR comments?



Scott Hilk  
VP Land Planning & Entitlements  
Office (925) 398-4832 / Cell (925) 997-2881

---

**From:** Karen Carpenter <[REDACTED]>  
**Sent:** Monday, October 14, 2019 5:05 PM  
**To:** David.Kevon@sanioseca.gov; Scott Hilk <Scott.Hilk@PulteGroup.com>  
**Cc:** Karen Carpenter <[REDACTED]>  
**Subject:** EIR for Winchester Ranch Project

H {w#uq d#h#g#h

Traffic in general has not been appropriately addressed. The Splunk traffic blocks the intersection between 5pm and 6pm.

And, of course it will only get worse when the Century property is developed with the commercial development that is planned.

When the project is completed the flow of morning and evening traffic out of the Winchester Ranch neighborhood especially in the event of fire or other emergency is of great concern to me. There has to be another entrance/exit from the property besides Olsen Ave. The WONA residents won't like it, but at least one of their streets needs to be open through the Ranch property. Henry Ave seems the most likely to me because of the signal light at Stevens Creek Blvd.

The Winchester Ranch residents project has to have electrical hook up for their electrical cars.

Why can't the residents project be given to ADA buyers when the residents move out? All of these units, due to the seniors and disabilities of the residents will require ADA compliancy, will they not? This will fulfill housing for affordable living.

I thank you for your time,

*~Karen Carpenter*

---

---

CONFIDENTIALITY NOTICE: This email may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you have received this communication in error, please notify the sender immediately by email and delete the message and any file attachments from your computer. Thank you.

## **Appendix B: Supplemental Review – Historic Resources Project Assessment Winchester Ranch Mobile Home Park**

---



ARCHIVES  
ARCHITECTURE



## MEMORANDUM

DATE: November 6, 2019

TO: Attn: Fiona Phung, Associate Project Manager  
David J. Powers & Associates, Inc.  
1871 The Alameda Suite 200  
San José, CA 95126  
(via email)

RE: Supplemental Review  
Historic Resources Project Assessment  
Winchester Ranch Mobile Home Park  
555 South Winchester Boulevard  
San José, Santa Clara County, California

FROM: Leslie A.G. Dill, Historic Architect

### INTRODUCTION

This memorandum is intended to provide supplemental design review for the Winchester Ranch/Winchester Boulevard Planned Development in San José. The memorandum serves as an addendum and supplement to the previously prepared *Historic Resource Project Assessment* report, dated October 31, 2018 and revised July 18, 2019. The earlier report was based on previous design packages, and an updated subset of drawings has been forwarded to Archives & Architecture. The following analysis provides analysis about the revised design's compatibility with the historic resources immediately adjacent to the project site, the Winchester House and Century 21 Theater. The analysis in this memorandum represents an updated and revised version of the previous report's analysis. The previous report and this memorandum utilize the applicable aspects of historic integrity as the framework for review.

The Winchester House is listed on the National Register of Historic Places; it is California State Landmark #868, and it is listed as a San José City Landmark (HL95-101). It was designated by the City of San José in 1996 under City Council Resolution #66464 under the theme of *Architecture and Shelter* within the *Period of Horticulture*. The Century 21 Theater building is also adjacent to the project site; it is listed on the California Register of Historical Resources and listed as a City of San José Historic Landmark (HL14-212) under Resolution #77034 with a theme of *Social, Arts, and Recreation* within the *Period of Industrialization and Suburbanization*.

The revised and updated design plan set includes thirteen sheets that are titled *WINCHESTER BLVD, Planned Development Permit and* dated October 21, 2019. These pages were forwarded electronically from the applicant by David J. Powers & Associates, Inc. to Archives & Architecture for review. The revised design set represents clarifying revisions of previously reviewed designs (dated 09/20/2018 and 04/18/19). Subsequently, proposed sketches and massing diagrams were forwarded for interim review and received emailed comments. The current subset of drawings includes a square-footage data sheet [not used in this review], a site plan including site information about and dimensions for the Winchester Mystery House property, site sections, a massing diagram, shade studies, floor and roof plans, exterior elevations, and a color-and-materials sheet.

The drawing set was prepared by KTG Architecture + Planning for PulteGroup. The reviews in this supplemental memorandum are informed as appropriate by the previous plan sets, along with the Winchester Ranch Existing Tree Exhibit [Site Plan], by Civil Engineering Associates for Pulte Homes, dated 09/14/2018. An email was received that confirmed the proposed tree preservation for the site; that information is included in this review.<sup>1</sup>

The revised design represents a reduction in size and massing of the proposed podium apartment building at the front (east) “panhandle” of the subject property, a small increase in the north side setback, and a clarification of the dimensions and the inclusion of north-side exterior elevations. There are no known revisions to the collection of buildings at the rear (west) area of the site. There are no known revisions to the landscaping plans.

### Executive Summary:

There are buildings and structures within the site that have been identified as eligible for the City of San José inventory as Structures of Merit. The project continues to propose the demolition of all buildings and structures within the proposed project site. There is no change in the analysis or conclusions regarding the loss of the older repurposed buildings on the property. Mitigation Measure 2 from the previous report continues to be recommended.

The currently proposed Winchester Boulevard multi-family building project has been revised to be substantially compatible with the surrounding historic properties, and its design no longer appears to adversely or cumulatively impact the historic integrity of the Winchester House or the Century 21 Theater, either directly or indirectly. Mitigation Measure 1 from the July report has been met by the design revisions, and this item can be removed from the report conclusions.

There are no revisions proposed to the front landscaping design. Some additional analysis is provided in this report, based on the new information received by email. Mitigation Measure 2, included in the previous report, continues to address the unchanged conclusions.

---

<sup>1</sup> Email correspondence from Fiona Phung, Associate Project Manager at David J. Powers & Associates, Inc., to Leslie Dill and Franklin Maggi of Archives & Architecture LLC. September 3, 2019.

## SUPPLEMENTAL REVIEW

The following reviews only show the revised analysis. Refer to the July revised assessment report for the full analysis that is modified by this memo.

### Potential Impacts Within the Project Site

#### *Demolition of Existing Historic Buildings*

There is no revision to the part of the project that proposes to demolish all the buildings on the project site. As identified potential Structures of Merit, the Mobile Home Park Community Center (reused historic barn) and Spa Structure (repurposed pump house), as well as other identified historic features, fall under San José Policy LU-14. Historic Structures of Lesser Significance. As noted in the previous report versions, per San José General Plan policies:

*all the pre-1976 structures should be considered for preservation and re-use on the site; if not feasible to be preserved, they should be fully documented and/or considered for relocation prior to site clearance activities. The historic landscape materials and features should also be identified and considered for preservation as feasible.*

There are no changes to the conclusions from the July report. The recommendations regarding the project site, which were included in proposed Mitigation Measure 2, have not changed.

#### *Landscaping*

The landscaping design has been clarified via email to indicate that the Winchester Boulevard (east) frontage will no longer include a dense vegetation area in the vicinity of the public right-of-way. There will be a loss of 80 percent of the existing trees that contribute to the historic setting. The following is the text of that message, for the record:

*Please note that the applicant is proposing to retain 11 trees on-site (Tree Nos. 214, 217, 236, 239, 381, 387, 400, 402, 404, 405, and 406). Of the 11 trees, four are located within the proposed park, two are located at the southeast corner of the site, and the remaining five are located along the shared property line with the Winchester House, near the eastern boundary of the site.*

This clarification indicates that of the twenty-five existing trees, of sixteen species, within the proposed front setback of the project, only five are proposed to be preserved of four species. Two additional redwood trees are located near the front of the north side setback and are proposed for preservation.

The previous report analyzed this impact, and the clarification confirms that there will be a heavy loss of older trees in an area that was historically filled with a wide variety of trees and shrubs. This landscaping helped veil the non-historic neighbor from the street views of the adjacent historic property, and continued, from the street, the appearance of an expanded Winchester estate to the south. The conclusions and the recommendations previous included in Mitigation Measure 2 have not changed.

### Potential Impacts on Adjacent Historic Resources

This review is focused solely on potential impacts to the Winchester House. The conclusions from the previous versions of the review indicated that the proposed new project would not impact the historic integrity of the Century 21 Theater. The revised building design would

continue to preserve the historic integrity of the theater building and there is no supplemental review.

Refer to the July revised assessment report for all historic documentation and evaluation information, policy and regulatory context, supporting illustrations, and the earlier background and analysis that is revised and updated in this memorandum. Mitigation Measure 1 can be found to be met, and can be deleted from the previous recommendations, leaving Mitigation Measures 2 and 3 only.

### Revised Design Description and General Analysis

The design has been revised so that the primary massing of the proposed podium apartment building is no longer as close to the property line near the contributing outbuildings of the Winchester property as it once had been. There will be a two-story parking-garage wall (23 feet in height, with a clear-glazed guardrail above it) about fifteen feet from the property line; it will appear as a background wall, as it will have limited openings, a consistent appearance, and materials appropriate to both a building façade and a landscape feature. The closest building to the building footprint on the Winchester property is illustrated as 21 feet. This dimension is to the rear of the Pump House, a one-and-one-half-story gabled outbuilding.

The north wall of the proposed apartment building is divided into vertical bays of about 25-30 feet in width, separated by narrow openings. The face this wall is proposed to be “manganese brown” thin brick. One section of the proposed new building will be four stories at the north wall. It is proposed to be just over 45 feet tall and 78’-3” wide. This element will be approximately 30 feet from the rear wall of the Garage/Car Wash building on the Winchester House property (a one-and-one-half-story gabled barn-like structure) and over 43 feet from the back of the Greenhouse (a rambling one-story building with glazed cupulas). The proposed four-story wing would appear to be in the open area illustrated by the late-1970s HABS photograph included in the original assessment report (p.23).

In an analysis from a 2003 historic resource assessment of a proposed parking garage adjacent to historic resources <sup>2</sup>, some rules of thumb were provided to analyze setbacks:

*Portable Architect’s Handbook by Pat Guthrie provides some quantifiable parameters for open space proportions: “An external enclosure is most comfortable when its walls are 1/2 to 1/3 as high as the width of the space enclosed. If the ratio falls below 1/4, the space ceases to seem enclosed.”*

*Additional urban design open space principles can be deduced from common practice: alleys of approximately 15 feet minimum allow for commonly accepted separation between urban buildings, but creates an enclosed spatial sense. Street rights-of-way that create a more open feeling are at least 40 feet. Typical rear yard setbacks are 20 feet, so separation between residences would commonly also be about 40 feet.*

The revised dimensions and setbacks will not create a space that “ceases to seem enclosed” for some of the most southerly Winchester estate outbuildings; however, the revised footprint and massing will meet the analysis for a “comfortable” enclosure. The two-story building height

---

<sup>2</sup> Dill Design Group. *Historic Resource Assessment... For the Historic Structures in the Vicinity of the Proposed Fourth Street Parking Structure Project...* Revised April 24, 2003.

will provide an unenclosed setting for the primary residential building complex on the historic property; whereas, the previously proposed seven-story wall would have created a perceptible enclosure wall for the entire historic property. The seven-story portion of the building, although set back, will still have a visual prominence from locations near and on the historic property, but the overall impact of the proposed new building mass has been reduced.

A materials sheet and additional dimensions were included with the revised drawings, and the palette and dimensions of the proposed apartment building will include smaller elements, in keeping with traditional human scale in size, texture, and repetitive units. The colors are proposed to be in the earth-tones, including off-white, dark browns, greenish-gray tones, bronze colors, and taupes. This palette creates a more restrained effect, in keeping with its historically significant neighbor.

## Historic Integrity Analysis Revised Review

### *Setting*

Per the assessment report:

*The significance of the Winchester House setting is based on its ability to act as a backdrop for the house and grounds. The setting should convey a larger landscaped purpose, and the existing spatial relationship of the house within the area has been altered but not lost...*

The revised project provides a barely compatible setting. The distance between the proposed new building mass and the historic features has been enlarged, the massing has been lowered and altered in location, the open space has been increased, and the front landscaping has been intensified. The proposed color palette will not dominate the neighboring resource. The project has been revised so that it no longer would substantially impact the setting of the historic Winchester House.

### *Design*

From the assessment report:

*The project would not have a direct physical impact on the historic integrity of the design of the historic resources. Because the historic resource buildings and grounds are adjacent to the proposed project, rather than sharing the site, the design of the Winchester House, its grounds, and its historic contributing outbuildings would remain physically untouched. If adjacent new construction were overwhelming in design, size, location, and scale, the relative local prominence of the historic residence design — its visual presence and celebrated grandeur — might be diminished by the new construction...*

Previous versions of the proposed building had the potentially to visually dominate the design of the historic resource. The currently proposed building has a design more in scale with the massing, footprint, color palette, and detailing of the Winchester property. The prominence and uniqueness of the Winchester House design will be better preserved with this revised proposal.

### *Feeling*

From the assessment report:

*The Winchester Mystery house would continue to embody its feeling of unique (“sui generis”) architectural design, and the property would continue to include buildings that embody the role of the*

*Winchester House in an agricultural context... The integrity of feeling of the uniqueness of the historic resource would be mostly preserved...*

Because of the increased setbacks and alteration of the massing and landscaping, the feeling of surrounding open space (provided by its setting) would be adequately preserved.

#### *Association*

From the assessment report:

*The associations of the historic house with its unique design, and the associations with the contributions of the woman who designed it, would continue to be highly recognizable and understandable, even if adjacent to the proposed new construction. The associations of Sarah Winchester with the larger surrounding agricultural past would be lost.*

The only agricultural associations would be within the immediate historic property and would no longer extend to the south within the subject property.

#### *SUMMARY OF REVISED INTEGRITY ANALYSIS*

Because the setting, feelings, design, and site-specific associations are preserved within the Winchester House property, the loss of surrounding agricultural context does not produce a significant loss of historic integrity. The authenticity and historic understanding of the Winchester House should be substantially preserved.

#### **Sensitive Adjacent Design Analysis Revised**

This policy requires that “new development, alterations, and rehabilitation/remodels adjacent to a designated or candidate landmark or Historic District be designed to be sensitive to its character.”

The revised design of the proposed Winchester Ranch apartment project is substantially sensitive to the design of the historic Winchester Mystery House and estate. Although there continues to be an almost-700-foot vertical wall parallel to the property line (where some of the historic buildings are placed), the wall has been limited to two stories along much of the historic property line, presenting more of an appearance of a landscaping wall, and the setback has been increased. Only a small wing is a total of four stories (two stories atop the garage). The revised project documents clarified the design of the proposed podium building, and the north elevation will include dark brown (visually backgrounding) walls with a small-scale repetitive (thin brick) finish. The revised setback is also more compatible with the closeness of the historic property.

## **CONCLUSIONS:**

The currently proposed Winchester Ranch/Winchester Boulevard Planned Development podium building design can be found to be compatible with San José’s policies and regulations, as it can be found to preserve most of the historic integrity of the adjacent historic resources, the Winchester House and Estate, and the Century 21 Theater. Mitigation Measure 1 can be found to be met with the revised design, and it can be removed from the original report conclusions.

The demolition of the historic buildings on the site, and the alteration of tree density and variety in the front setback continue to represent impacts. Mitigation Measure 2 includes some steps to mitigate these losses and is recommended to remain.

Mitigation Measure 3 represents a series of steps recommended for the physical protection of nearby historic buildings and structures during construction on adjacent sites. This measure continues to be recommended.

## **Appendix C: Phase II Environmental Site Assessment**

---

April 22, 2014

Project No.  
**10439.000.000**

Mr. Dan Carroll  
Pulte Group  
6210 Stoneridge Mall Road, 5<sup>th</sup> Floor  
Pleasanton, CA 94588

Subject: 555 South Winchester Boulevard  
San Jose, California

## **PHASE II ENVIRONMENTAL SITE ASSESSMENT**

Reference: ENGEO, Modified Phase I Environmental Site Assessment, 555 South Winchester Boulevard, San Jose, California; August 16, 2013.

Dear Mr. Carroll:

We are pleased to submit our phase II environmental assessment conducted at the subject site (Property) in San Jose, California. The purpose of the assessment is to assess the extent of Recognized Environmental Conditions (RECs) associated with past onsite activities identified in the referenced report that could affect the proposed redevelopment of the Property.

### **BACKGROUND**

The Property measures approximately 15.7 acres in area and is currently used as the Winchester Ranch Mobile Home Community, consisting of approximately 110 mobile home units, a clubhouse, pool, storage, landscape areas, and interior streets. The Property was historically part of the neighboring Winchester Family estate. Several remnant items of potential concern associated with the estate remain at the Property. The present-day clubhouse was converted from the Winchester Family's entertainment building/carriage storage. Septic tanks are believed to be present underneath the clubhouse/pool area, and a former incinerator is located toward the northeast portion of the Property. In addition, the facilities manager mentioned that a former underground storage tank (UST) located by the storage shed near the southwest corner of the Property (Figure 2) was filled in-place with soil.

### **SCOPE OF SERVICES**

Our services included a magnetometer survey at the suspected UST location and soil sampling near both the UST and incinerator areas. Soil sampling was not performed in the inferred location of septic tanks at the existing clubhouse/pool area.

#### **Magnetometer Survey**

Precision Locating of Brentwood, California completed a magnetometer survey on March 6, 2014 at the former UST area, south of storage shed in the southwest corner of the Property. The magnetometer survey identified what appears to be dispenser lines and two former re-fueling

ports filled with slurry. The UST area is covered with concrete and steel reinforcement that may have interfered with the survey equipment. As a result, the presence of a UST could not be confirmed; however, the available data suggests that an underground tank remains beneath the ground surface.

### **Soil Sampling – UST Area**

Subsurface samples were collected from five boring locations on March 17, 2014 shown on Figure 2. Soil samples were retrieved within continuous Geoprobe® acetate core liners measuring 4 feet in length. Soil samples were collected from 1 foot to 15 feet below the existing ground surface. Specific soil samples were collected for laboratory analysis by cutting a 6-inch portion of the soil core liners corresponding to the desired sampling depths at each location. During sampling, retrieved soils were screened for visual and olfactory evidence of impact, as well as with a photoionization detector. During field activities, noticeable impact was not observed within the borings, with the exception of location S2.

The sample sleeves were sealed using Teflon® sheets secured by tight fitting plastic end caps. Upon collection of samples, each sample was labeled and included a unique sample number, sample location, time/date collected, laboratory analysis, and the sampler's identification. The soil samples were placed in an ice-cooled chest and submitted under documented chain-of-custody to CLS Laboratories, a State-certified laboratory in Rancho Cordova, California. The submitted soil samples were analyzed for the following target analytes:

- Total petroleum hydrocarbons as diesel (TPH-D) and motor oil (TPH-MO) with silica gel cleanup (EPA Method 8015B).
- Volatile organic compounds (VOCs) and TPH as gasoline (TPH-G) (EPA Method 8260B).

The laboratory analysis identified TPH-MO concentrations ranging from non-detectable to 2,100 milligrams per kilogram (mg/kg), which exceeds the Regional Water Quality Control Board environmental screening level (ESL) of 100 mg/kg assuming a residential land use scenario. Groundwater was not encountered during the drilling operations.

The zone of impacted soil appears to be small and can likely be remediated during site redevelopment via excavation, confirmation sampling, and offsite disposal. If a UST is encountered, Santa Clara County Environmental Health may need to be contacted to facilitate removal.

### **Soil Sampling – Incinerator Area**

On March 11, 2014, soil samples were collected from three boring locations as shown on Figure 2. Soil samples were collected with typical hand-sampling equipment and retrieved from 0.5 feet to 2 feet below the ground surface. The soil sample liners were sealed using Teflon sheets secured by tight fitting plastic end caps. Upon collection of samples, each sample was labeled and included a unique sample number, sample location, time/date collected, laboratory analysis, and the sampler's identification. The soil samples were placed in an ice-cooled chest

and submitted under documented chain-of-custody to CLS Laboratories, a State-certified laboratory in Rancho Cordova, California. The submitted soil samples were analyzed for the following target analytes:

- TPH-D and TPH-MO with silica gel cleanup (EPA Method 8015B).
- VOCs and TPH-G (EPA Method 8260B)
- Semi-volatile organic compounds (SVOCs) (EPA Method 8270C).
- CAM-17 Metals (EPA Method 6010B).
- Polychlorinated biphenyls (PCBs) (EPA Method 8082A).

Review of laboratory analysis for the soil samples collected around the incinerator did not report impacts exceeding applicable residential screening levels. However, one soil sample was collected from the inside of the incinerator at the base (soot/ash), which reported constituents above residential screening levels, particularly arsenic and lead. Since this sample was collected within the contained incinerator, we believe the incinerator has not significantly impacted the nearby soil. The incinerator can be removed by certified contractors during site demolition activities.

## **CLOSING**

We recommend preparing a soil management plan (SMP). The purpose of the SMP will be to provide appropriate procedures for mitigating environmental impacts if encountered during redevelopment activities.

We are pleased to be of service to you on this project. If you have any questions concerning the contents of our letter, please contact us.

Sincerely,

ENGEO Incorporated

Scott Johns, PE

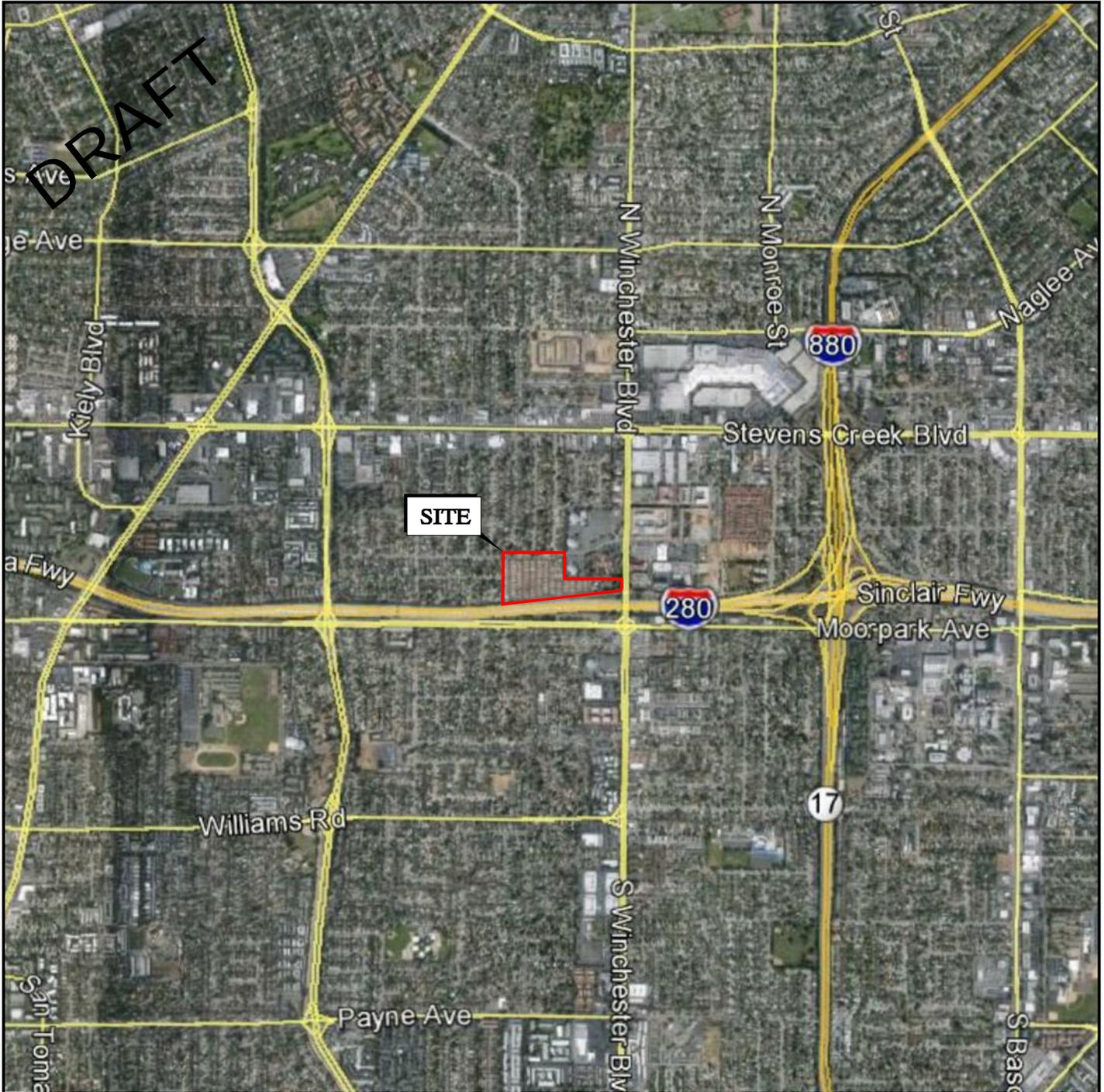
Shawn Munger, CHG

Attachment: Figures  
                  CLS Laboratory Reports

**FIGURES**

**Figure 1 – Vicinity Map**  
**Figure 2 – Site Plan**

COPYRIGHT © 2014 BY ENGEO INCORPORATED. THIS DOCUMENT MAY NOT BE REPRODUCED IN WHOLE OR IN PART BY ANY MEANS WHATSOEVER, NOR MAY IT BE QUOTED OR EXCERPTED WITHOUT THE EXPRESS WRITTEN CONSENT OF ENGEO INCORPORATED.



**DRAFT**

BASE MAP SOURCE: GOOGLE EARTH PRO, 2012



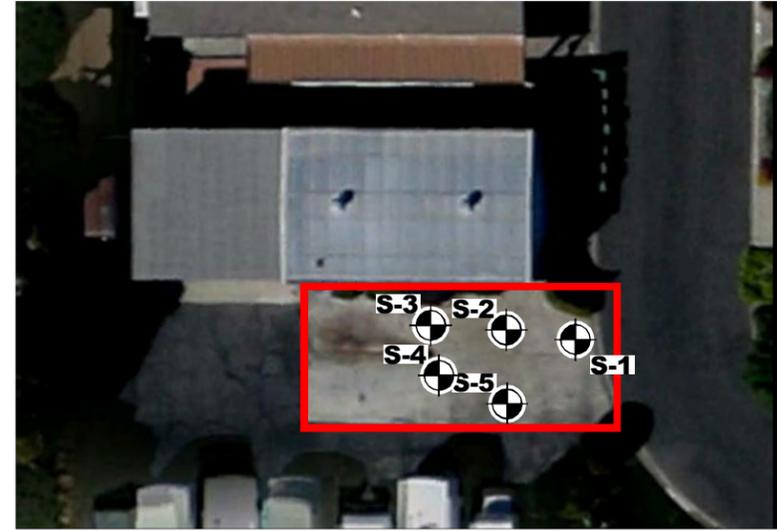
VICINITY MAP  
 555 SOUTH WINCHESTER BOULEVARD  
 SAN JOSE, CALIFORNIA

PROJECT NO.: 10439.000.000  
 SCALE: AS SHOWN  
 DRAWN BY: SRP    CHECKED BY: SM

FIGURE NO.  
**1**

COPYRIGHT © 2014 BY ENGEO INCORPORATED. THIS DOCUMENT MAY NOT BE REPRODUCED IN WHOLE OR IN PART BY ANY MEANS WHATSOEVER, NOR MAY IT BE QUOTED OR EXCERPTED WITHOUT THE EXPRESS WRITTEN CONSENT OF ENGEO INCORPORATED.

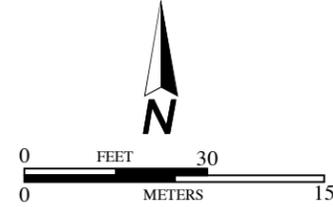
DRAFT



INSET 1  
SCALE: 1" = 30'



INSET 2  
SCALE: 1" = 30'



FILLED IN  
UST AREA  
(SEE INSET 1)

WINCHESTER INCINERATOR  
(SEE INSET 2)

S. WINCHESTER BOULEVARD



DRAFT



EXPLANATION

S-5 APPROXIMATE LOCATION OF SOIL SAMPLE

BASE MAP SOURCE: GOOGLE EARTH PRO



SITE PLAN  
555 SOUTH WINCHESTER BOULEVARD  
SAN JOSE, CALIFORNIA

PROJECT NO.: 10439.000.000

SCALE: AS SHOWN

DRAWN BY: LL

CHECKED BY: SM

FIGURE NO.

2

**CLS LABORATORY REPORTS**

10439.000.000  
April 22, 2014

# CALIFORNIA LABORATORY SERVICES

3249 Fitzgerald Road Rancho Cordova, CA 95742

March 24, 2014

**CLS Work Order #: CXC0795**  
**COC #:**

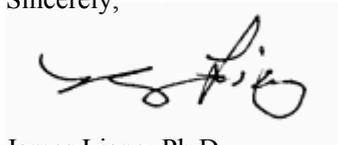
Scott Johns  
Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

**Project Name: 555 South Winchester Boulevard,  
San Jose**

Enclosed are the results of analyses for samples received by the laboratory on 03/19/14 17:45. Samples were analyzed pursuant to client request utilizing EPA or other ELAP approved methodologies. I certify that the results are in compliance both technically and for completeness.

Analytical results are attached to this letter. Please call if we can provide additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Liang', is placed over a light gray rectangular background.

James Liang, Ph.D.  
Laboratory Director

CA DOHS ELAP Accreditation/Registration number 1233

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

CXC0795

## CHAIN OF CUSTODY RECORD

PROJECT NUMBER 10439.000.000 Ph 003		PROJECT NAME 555 S. Winchester Boulevard		SAMPLER INFORMATION 17H (prior to and detail analysis get clean-up)		VOC's + TPH gals		REMARKS REQUIRED DETECTION LIMITS	
SAMPLED BY (SIGNATURE/PRINT) Cierra Atkinson		PROJECT MANAGER Scott Johns		ROUTING: E-MAIL syjhs@engco.com		Hard Copy Scott Johns			
SAMPLE NUMBER	DATE	TIME	MATRIX	NUMBER OF CONTAINERS	CONTAINER SIZE	PRESERVATIVE			
S1 @ 1'	17-Mar-14	9:02	soil	1	liner	ice			hold
S1 @ 5'	17-Mar-14	9:07	soil	1	liner	ice			hold
S1 @ 10'	17-Mar-14	9:16	soil	1	liner	ice			hold
S1 @ 15'	17-Mar-14	9:28	soil	1	liner	ice			hold
S2 @ 1'	17-Mar-14	9:38	soil	1	liner	ice			hold
S2 @ 4.5'	17-Mar-14	9:40	soil	1	liner	ice	x	x	
S2 @ 5'	17-Mar-14	9:42	soil	1	liner	ice			hold
S2 @ 10'	17-Mar-14	9:48	soil	1	liner	ice	x	x	
S2 @ 15'	17-Mar-14	9:56	soil	1	liner	ice			hold
S3 @ 1'	17-Mar-14	10:00	soil	1	liner	ice			hold
S3 @ 5'	17-Mar-14	10:01	soil	1	liner	ice			hold
S3 @ 9'	17-Mar-14	10:10	soil	1	liner	ice	x	x	
S3 @ 10'	17-Mar-14	10:08	soil	1	liner	ice			hold
S3 @ 15'	17-Mar-14	10:14	soil	1	liner	ice			hold
S4 @ 1'	17-Mar-14	11:47	soil	1	liner	ice			hold
S4 @ 5'	17-Mar-14	11:40	soil	1	liner	ice			hold
S4 @ 10'	17-Mar-14	11:53	soil	1	liner	ice			hold
S4 @ 15'	17-Mar-14	11:58	soil	1	liner	ice			hold
S5 @ 1'	17-Mar-14	12:05	soil	1	liner	ice			hold
S5 @ 5'	17-Mar-14	12:06	soil	1	liner	ice			hold
S5 @ 10'	17-Mar-14	12:11	soil	1	liner	ice			hold
S5 @ 15'	17-Mar-14	12:15	soil	1	liner	ice			hold
RELINQUISHED BY (SIGNATURE) <i>Cierra Atkinson</i>	DATE/TIME 3/18/14 9:38	RECEIVED BY (SIGNATURE) <i>[Signature]</i>	DATE/TIME 3/18/14	RELINQUISHED BY (SIGNATURE) <i>[Signature]</i>	DATE/TIME 3/18/14	RECEIVED BY (SIGNATURE) <i>[Signature]</i>	DATE/TIME 3/24/14	RECEIVED BY (SIGNATURE) <i>[Signature]</i>	
RELINQUISHED BY (SIGNATURE)	DATE/TIME	RECEIVED BY (SIGNATURE)	DATE/TIME	RELINQUISHED BY (SIGNATURE)	DATE/TIME	RECEIVED BY (SIGNATURE)	DATE/TIME	RECEIVED BY (SIGNATURE)	
RELINQUISHED BY (SIGNATURE)	DATE/TIME	RECEIVED FOR LABORATORY (BY SIGNATURE)	DATE/TIME	REMARKS					
				Standard TAT					
		6399 SAN IGNACIO AVENUE, SUITE 150 SAN JOSE, CALIFORNIA 95119 (408) 574-4900 FAX (888) 279-2698 WWW.ENGEO.COM			DISTRIBUTION: ORIGINAL ACCOMPANIES SHIPMENT COPY TO PROJECT FIELD FILES				

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Extractable Petroleum Hydrocarbons by EPA Method 8015M

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 4.5' (CXC0795-06) Soil Sampled: 03/17/14 09:40 Received: 03/19/14 17:45</b>									
Diesel	ND	50	mg/kg	50	CX01906	03/20/14	03/21/14	EPA 8015M	
<b>Motor Oil</b>	<b>2100</b>	50	"	"	"	"	"	"	
<i>Surrogate: o-Terphenyl</i>		%	65-135		"	"	"	"	<i>QS-1</i>
<b>S2 @ 10' (CXC0795-08) Soil Sampled: 03/17/14 09:48 Received: 03/19/14 17:45</b>									
Diesel	ND	2.0	mg/kg	2	CX01906	03/20/14	03/21/14	EPA 8015M	
<b>Motor Oil</b>	<b>70</b>	2.0	"	"	"	"	"	"	
<i>Surrogate: o-Terphenyl</i>		118 %	65-135		"	"	"	"	
<b>S3 @ 9' (CXC0795-12) Soil Sampled: 03/17/14 10:10 Received: 03/19/14 17:45</b>									
Diesel	ND	1.0	mg/kg	1	CX01906	03/20/14	03/21/14	EPA 8015M	
Motor Oil	ND	1.0	"	"	"	"	"	"	
<i>Surrogate: o-Terphenyl</i>		101 %	65-135		"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## TPH-Gasoline by GC/MS

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 4.5' (CXC0795-06) Soil Sampled: 03/17/14 09:40 Received: 03/19/14 17:45</b>									
Gasoline	1.9	0.20	mg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260M	TPH-X
Surrogate: Toluene-d8		98 %	65-135		"	"	"	"	
<b>S2 @ 10' (CXC0795-08) Soil Sampled: 03/17/14 09:48 Received: 03/19/14 17:45</b>									
Gasoline	1.5	0.20	mg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260M	TPH-X
Surrogate: Toluene-d8		99 %	65-135		"	"	"	"	
<b>S3 @ 9' (CXC0795-12) Soil Sampled: 03/17/14 10:10 Received: 03/19/14 17:45</b>									
Gasoline	1.0	0.20	mg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260M	TPH-X
Surrogate: Toluene-d8		100 %	65-135		"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 4.5' (CXC0795-06) Soil Sampled: 03/17/14 09:40 Received: 03/19/14 17:45</b>									
Acetone	ND	100	µg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260B	
Benzene	ND	5.0	"	"	"	"	"	"	
Bromobenzene	ND	5.0	"	"	"	"	"	"	
Bromochloromethane	ND	5.0	"	"	"	"	"	"	
Bromodichloromethane	ND	5.0	"	"	"	"	"	"	
Bromoform	ND	5.0	"	"	"	"	"	"	
Bromomethane	ND	10	"	"	"	"	"	"	
2-Butanone	ND	100	"	"	"	"	"	"	
n-Butylbenzene	ND	5.0	"	"	"	"	"	"	
sec-Butylbenzene	ND	5.0	"	"	"	"	"	"	
tert-Butylbenzene	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	10	"	"	"	"	"	"	
o-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
p-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	10	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
Dichlorodifluoromethane (Freon 12)	ND	10	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 4.5' (CXC0795-06) Soil Sampled: 03/17/14 09:40 Received: 03/19/14 17:45</b>									
1,2-Dichloropropane	ND	5.0	µg/kg	1	CX01937	"	03/20/14	EPA 8260B	
1,3-Dichloropropane	ND	5.0	"	"	"	"	"	"	
2,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloropropene	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Ethylbenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"	"	"	"	"	"	
Hexachlorobutadiene	ND	5.0	"	"	"	"	"	"	
2-Hexanone	ND	50	"	"	"	"	"	"	
Isopropylbenzene	ND	5.0	"	"	"	"	"	"	
p-Isopropyltoluene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
4-Methyl-2-pentanone	ND	50	"	"	"	"	"	"	
Methyl tert-butyl ether	ND	5.0	"	"	"	"	"	"	
Naphthalene	ND	5.0	"	"	"	"	"	"	
n-Propylbenzene	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	ND	5.0	"	"	"	"	"	"	
<b>Toluene</b>	<b>630</b>	25	"	5	"	"	"	"	
1,2,3-Trichlorobenzene	ND	5.0	"	1	"	"	"	"	
1,2,4-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	5.0	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 4.5' (CXC0795-06) Soil Sampled: 03/17/14 09:40 Received: 03/19/14 17:45</b>									
1,2,4-Trimethylbenzene	ND	5.0	µg/kg	1	CX01937	"	03/20/14	EPA 8260B	
Vinyl chloride	ND	10	"	"	"	"	"	"	
Xylenes (total)	ND	10	"	"	"	"	"	"	

<i>Surrogate: 1,2-Dichloroethane-d4</i>	115 %	50-125	"	"	"	"	"	"
<i>Surrogate: Toluene-d8</i>	98 %	62-125	"	"	"	"	"	"
<i>Surrogate: 4-Bromofluorobenzene</i>	105 %	50-128	"	"	"	"	"	"

<b>S2 @ 10' (CXC0795-08) Soil Sampled: 03/17/14 09:48 Received: 03/19/14 17:45</b>									
Acetone	ND	100	µg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260B	
Benzene	ND	5.0	"	"	"	"	"	"	
Bromobenzene	ND	5.0	"	"	"	"	"	"	
Bromochloromethane	ND	5.0	"	"	"	"	"	"	
Bromodichloromethane	ND	5.0	"	"	"	"	"	"	
Bromoform	ND	5.0	"	"	"	"	"	"	
Bromomethane	ND	10	"	"	"	"	"	"	
2-Butanone	ND	100	"	"	"	"	"	"	
n-Butylbenzene	ND	5.0	"	"	"	"	"	"	
sec-Butylbenzene	ND	5.0	"	"	"	"	"	"	
tert-Butylbenzene	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	10	"	"	"	"	"	"	
o-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
p-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	10	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 10' (CXC0795-08) Soil Sampled: 03/17/14 09:48 Received: 03/19/14 17:45</b>									
1,2-Dichlorobenzene	ND	5.0	µg/kg	1	CX01937	"	03/20/14	EPA 8260B	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
Dichlorodifluoromethane (Freon 12)	ND	10	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,3-Dichloropropane	ND	5.0	"	"	"	"	"	"	
2,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloropropene	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Ethylbenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"	"	"	"	"	"	
Hexachlorobutadiene	ND	5.0	"	"	"	"	"	"	
2-Hexanone	ND	50	"	"	"	"	"	"	
Isopropylbenzene	ND	5.0	"	"	"	"	"	"	
p-Isopropyltoluene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
4-Methyl-2-pentanone	ND	50	"	"	"	"	"	"	
Methyl tert-butyl ether	ND	5.0	"	"	"	"	"	"	
Naphthalene	ND	5.0	"	"	"	"	"	"	
n-Propylbenzene	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2 @ 10' (CXC0795-08) Soil Sampled: 03/17/14 09:48 Received: 03/19/14 17:45</b>									
<b>Toluene</b>	<b>90</b>	10	µg/kg	2	CX01937	"	03/20/14	EPA 8260B	
1,2,3-Trichlorobenzene	ND	5.0	"	1	"	"	"	"	
1,2,4-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	5.0	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	10	"	"	"	"	"	"	
Xylenes (total)	ND	10	"	"	"	"	"	"	

<i>Surrogate: 1,2-Dichloroethane-d4</i>	116 %	50-125	"	"	"	"
<i>Surrogate: Toluene-d8</i>	99 %	62-125	"	"	"	"
<i>Surrogate: 4-Bromofluorobenzene</i>	99 %	50-128	"	"	"	"

<b>S3 @ 9' (CXC0795-12) Soil Sampled: 03/17/14 10:10 Received: 03/19/14 17:45</b>									
Acetone	ND	100	µg/kg	1	CX01937	03/20/14	03/20/14	EPA 8260B	
Benzene	ND	5.0	"	"	"	"	"	"	
Bromobenzene	ND	5.0	"	"	"	"	"	"	
Bromochloromethane	ND	5.0	"	"	"	"	"	"	
Bromodichloromethane	ND	5.0	"	"	"	"	"	"	
Bromoform	ND	5.0	"	"	"	"	"	"	
Bromomethane	ND	10	"	"	"	"	"	"	
2-Butanone	ND	100	"	"	"	"	"	"	
n-Butylbenzene	ND	5.0	"	"	"	"	"	"	
sec-Butylbenzene	ND	5.0	"	"	"	"	"	"	
tert-Butylbenzene	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S3 @ 9' (CXC0795-12) Soil Sampled: 03/17/14 10:10 Received: 03/19/14 17:45</b>									
Chloroethane	ND	5.0	µg/kg	1	CX01937	"	03/20/14	EPA 8260B	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	10	"	"	"	"	"	"	
o-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
p-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	10	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
Dichlorodifluoromethane (Freon 12)	ND	10	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,3-Dichloropropane	ND	5.0	"	"	"	"	"	"	
2,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloropropene	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Ethylbenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"	"	"	"	"	"	
Hexachlorobutadiene	ND	5.0	"	"	"	"	"	"	
2-Hexanone	ND	50	"	"	"	"	"	"	
Isopropylbenzene	ND	5.0	"	"	"	"	"	"	
p-Isopropyltoluene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S3 @ 9' (CXC0795-12) Soil Sampled: 03/17/14 10:10 Received: 03/19/14 17:45</b>									
Methylene chloride	ND	5.0	µg/kg	1	CX01937	"	03/20/14	EPA 8260B	
4-Methyl-2-pentanone	ND	50	"	"	"	"	"	"	
Methyl tert-butyl ether	ND	5.0	"	"	"	"	"	"	
Naphthalene	ND	5.0	"	"	"	"	"	"	
n-Propylbenzene	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	ND	5.0	"	"	"	"	"	"	
<b>Toluene</b>	<b>53</b>	10	"	2	"	"	"	"	
1,2,3-Trichlorobenzene	ND	5.0	"	1	"	"	"	"	
1,2,4-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	5.0	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	10	"	"	"	"	"	"	
Xylenes (total)	ND	10	"	"	"	"	"	"	

Surrogate: 1,2-Dichloroethane-d4	111 %	50-125	"	"	"	"	"
Surrogate: Toluene-d8	100 %	62-125	"	"	"	"	"
Surrogate: 4-Bromofluorobenzene	97 %	50-128	"	"	"	"	"

# CALIFORNIA LABORATORY SERVICES

Page 11 of 17

03/24/14 14:32

Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

Project: 555 South Winchester Boulevard, San Jose  
Project Number: 10439.000.000 Ph 003  
Project Manager: Scott Johns  
CLS Work Order #: CXC0795  
COC #:

## Extractable Petroleum Hydrocarbons by EPA Method 8015M - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch CX01906 - CA LUFT - orb shaker</b>										
<b>Blank (CX01906-BLK1)</b>										
				Prepared: 03/20/14 Analyzed: 03/21/14						
Diesel	ND	1.0	mg/kg							
Motor Oil	ND	1.0	"							
Surrogate: <i>o</i> -Terphenyl	0.524		"	0.500		105	65-135			
<b>LCS (CX01906-BS1)</b>										
				Prepared: 03/20/14 Analyzed: 03/21/14						
Diesel	60.4	1.0	mg/kg	50.0		121	65-135			
Surrogate: <i>o</i> -Terphenyl	0.521		"	0.500		104	65-135			
<b>LCS Dup (CX01906-BSD1)</b>										
				Prepared: 03/20/14 Analyzed: 03/21/14						
Diesel	56.0	1.0	mg/kg	50.0		112	65-135	8	30	
Surrogate: <i>o</i> -Terphenyl	0.524		"	0.500		105	65-135			
<b>Matrix Spike (CX01906-MS1)</b>										
				Source: CXC0790-11		Prepared: 03/20/14 Analyzed: 03/21/14				
Diesel	59.3	1.0	mg/kg	50.0	ND	119	59-138			
Surrogate: <i>o</i> -Terphenyl	0.637		"	0.500		127	65-135			
<b>Matrix Spike Dup (CX01906-MSD1)</b>										
				Source: CXC0790-11		Prepared: 03/20/14 Analyzed: 03/21/14				
Diesel	60.6	1.0	mg/kg	50.0	ND	121	59-138	2	37	
Surrogate: <i>o</i> -Terphenyl	0.662		"	0.500		132	65-135			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## TPH-Gasoline by GC/MS - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01937 - EPA 5030 Soil MS

<b>Blank (CX01937-BLK1)</b>										
										Prepared & Analyzed: 03/20/14
Gasoline	ND	0.20	mg/kg							
Surrogate: Toluene-d8	0.0301		"	0.0300		100	65-135			
<b>LCS (CX01937-BS1)</b>										
										Prepared & Analyzed: 03/20/14
Gasoline	4.58	0.20	mg/kg	5.00		92	65-135			
Surrogate: Toluene-d8	0.0305		"	0.0300		102	65-135			
<b>LCS Dup (CX01937-BSD1)</b>										
										Prepared & Analyzed: 03/20/14
Gasoline	4.83	0.20	mg/kg	5.00		97	65-135	5	30	
Surrogate: Toluene-d8	0.0306		"	0.0300		102	65-135			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01937 - EPA 5030 Soil MS

#### Blank (CX01937-BLK1)

Prepared & Analyzed: 03/20/14

Acetone	ND	100	µg/kg							
Benzene	ND	5.0	"							
Bromobenzene	ND	5.0	"							
Bromochloromethane	ND	5.0	"							
Bromodichloromethane	ND	5.0	"							
Bromoform	ND	5.0	"							
Bromomethane	ND	10	"							
2-Butanone	ND	100	"							
n-Butylbenzene	ND	5.0	"							
sec-Butylbenzene	ND	5.0	"							
tert-Butylbenzene	ND	5.0	"							
Carbon tetrachloride	ND	5.0	"							
Chlorobenzene	ND	5.0	"							
Chloroethane	ND	5.0	"							
Chloroform	ND	5.0	"							
Chloromethane	ND	10	"							
o-Chlorotoluene	ND	5.0	"							
p-Chlorotoluene	ND	5.0	"							
Dibromochloromethane	ND	5.0	"							
1,2-Dibromo-3-chloropropane	ND	10	"							
1,2-Dibromoethane (EDB)	ND	5.0	"							
Dibromomethane	ND	5.0	"							
1,2-Dichlorobenzene	ND	5.0	"							
1,3-Dichlorobenzene	ND	5.0	"							
1,4-Dichlorobenzene	ND	5.0	"							
Dichlorodifluoromethane (Freon 12)	ND	10	"							
1,1-Dichloroethane	ND	5.0	"							
1,2-Dichloroethane	ND	5.0	"							
1,1-Dichloroethene	ND	5.0	"							
cis-1,2-Dichloroethene	ND	5.0	"							
trans-1,2-Dichloroethene	ND	5.0	"							

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01937 - EPA 5030 Soil MS

#### Blank (CX01937-BLK1)

Prepared & Analyzed: 03/20/14

1,2-Dichloropropane	ND	5.0	µg/kg							
1,3-Dichloropropane	ND	5.0	"							
2,2-Dichloropropane	ND	5.0	"							
1,1-Dichloropropene	ND	5.0	"							
cis-1,3-Dichloropropene	ND	5.0	"							
trans-1,3-Dichloropropene	ND	5.0	"							
Ethylbenzene	ND	5.0	"							
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"							
Hexachlorobutadiene	ND	5.0	"							
2-Hexanone	ND	50	"							
Isopropylbenzene	ND	5.0	"							
p-Isopropyltoluene	ND	5.0	"							
Methylene chloride	ND	5.0	"							
4-Methyl-2-pentanone	ND	50	"							
Methyl tert-butyl ether	ND	5.0	"							
Naphthalene	ND	5.0	"							
n-Propylbenzene	ND	5.0	"							
Styrene	ND	5.0	"							
1,1,2,2-Tetrachloroethane	ND	5.0	"							
1,1,1,2-Tetrachloroethane	ND	5.0	"							
Tetrachloroethene	ND	5.0	"							
Toluene	ND	5.0	"							
1,2,3-Trichlorobenzene	ND	5.0	"							
1,2,4-Trichlorobenzene	ND	5.0	"							
1,1,2-Trichloroethane	ND	5.0	"							
1,1,1-Trichloroethane	ND	5.0	"							
Trichloroethene	ND	5.0	"							
Trichlorofluoromethane	ND	5.0	"							
1,2,3-Trichloropropane	ND	5.0	"							
1,3,5-Trimethylbenzene	ND	5.0	"							

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Ph 003 Project Manager: Scott Johns	CLS Work Order #: CXC0795 COC #:
---	---	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01937 - EPA 5030 Soil MS

#### Blank (CX01937-BLK1)

Prepared & Analyzed: 03/20/14

1,2,4-Trimethylbenzene	ND	5.0	µg/kg							
Vinyl chloride	ND	10	"							
Xylenes (total)	ND	10	"							
<i>Surrogate: 1,2-Dichloroethane-d4</i>	32.0		"	30.0		107	50-125			
<i>Surrogate: Toluene-d8</i>	30.1		"	30.0		100	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	29.2		"	30.0		97	50-128			

#### LCS (CX01937-BS1)

Prepared & Analyzed: 03/20/14

Benzene	21.0	5.0	µg/kg	20.0		105	64-135			
Chlorobenzene	19.9	5.0	"	20.0		100	67-133			
1,1-Dichloroethene	23.2	5.0	"	20.0		116	53-137			
Toluene	20.5	5.0	"	20.0		102	61-138			
Trichloroethene	20.9	5.0	"	20.0		104	64-130			
<i>Surrogate: 1,2-Dichloroethane-d4</i>	32.2		"	30.0		107	50-125			
<i>Surrogate: Toluene-d8</i>	30.5		"	30.0		102	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	29.2		"	30.0		97	50-128			

#### LCS Dup (CX01937-BSD1)

Prepared & Analyzed: 03/20/14

Benzene	21.9	5.0	µg/kg	20.0		109	64-135	4	30	
Chlorobenzene	20.0	5.0	"	20.0		100	67-133	0.5	30	
1,1-Dichloroethene	23.0	5.0	"	20.0		115	53-137	1	30	
Toluene	21.1	5.0	"	20.0		106	61-138	3	30	
Trichloroethene	21.5	5.0	"	20.0		108	64-130	3	30	
<i>Surrogate: 1,2-Dichloroethane-d4</i>	28.1		"	30.0		94	50-125			
<i>Surrogate: Toluene-d8</i>	30.6		"	30.0		102	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	28.9		"	30.0		96	50-128			

#### Matrix Spike (CX01937-MS1)

Source: CXC0795-08

Prepared & Analyzed: 03/20/14

Benzene	17.0	5.0	µg/kg	20.0	ND	85	58-139			
Chlorobenzene	14.0	5.0	"	20.0	ND	70	62-134			
1,1-Dichloroethene	23.6	5.0	"	20.0	ND	118	53-152			
Toluene	91.8	5.0	"	20.0	89.8	10	58-139			QM-5

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

Project: 555 South Winchester Boulevard, San Jose  
Project Number: 10439.000.000 Ph 003  
Project Manager: Scott Johns  
CLS Work Order #: CXC0795  
COC #:

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01937 - EPA 5030 Soil MS

#### Matrix Spike (CX01937-MS1)

Source: CXC0795-08

Prepared & Analyzed: 03/20/14

Trichloroethene	15.7	5.0	µg/kg	20.0	ND	79	55-138			
Surrogate: 1,2-Dichloroethane-d4	36.2		"	30.0		121	50-125			
Surrogate: Toluene-d8	30.4		"	30.0		101	62-125			
Surrogate: 4-Bromofluorobenzene	28.7		"	30.0		96	50-128			

#### Matrix Spike Dup (CX01937-MSD1)

Source: CXC0795-08

Prepared & Analyzed: 03/20/14

Benzene	14.3	5.0	µg/kg	20.0	ND	72	58-139	17	30	
Chlorobenzene	9.93	5.0	"	20.0	ND	50	62-134	34	30	QM-5
1,1-Dichloroethene	21.4	5.0	"	20.0	ND	107	53-152	10	30	
Toluene	114	5.0	"	20.0	89.8	119	58-139	21	30	
Trichloroethene	11.9	5.0	"	20.0	ND	59	55-138	28	30	
Surrogate: 1,2-Dichloroethane-d4	36.5		"	30.0		122	50-125			
Surrogate: Toluene-d8	30.2		"	30.0		101	62-125			
Surrogate: 4-Bromofluorobenzene	29.9		"	30.0		100	50-128			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

Project: 555 South Winchester Boulevard, San Jose  
Project Number: 10439.000.000 Ph 003  
Project Manager: Scott Johns  
CLC Work Order #: CXC0795  
COC #:

## Notes and Definitions

- TPH-X Although the sample contains compounds in the retention time range of target parameter, the chromatogram was not consistent with the expected chromatographic pattern or "fingerprint". However, the reported concentration is based on the target parameter.
- QS-1 The surrogate recovery for this sample is not available due to sample dilution required from high analyte concentration and/or matrix interferences.
- QM-5 The spike recovery was outside acceptance limits for the MS and/or MSD due to matrix interference. The LCS and/or LCSD were within acceptance limits showing that the laboratory is in control and the data is acceptable.
- EXT-3 The sample extract has undergone silica-gel clean-up, EPA Method 3630, which is specific to polar compound contamination.
- DET Analyte DETECTED
- ND Analyte NOT DETECTED at or above the reporting limit (or method detection limit when specified)
- NR Not Reported
- dry Sample results reported on a dry weight basis
- RPD Relative Percent Difference

# CALIFORNIA LABORATORY SERVICES

3249 Fitzgerald Road Rancho Cordova, CA 95742

March 19, 2014

**CLS Work Order #: CXC0545**  
**COC #:**

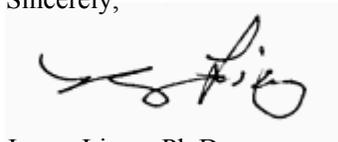
Scott Johns  
Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

**Project Name: 555 South Winchester Boulevard,  
San Jose**

Enclosed are the results of analyses for samples received by the laboratory on 03/12/14 18:15. Samples were analyzed pursuant to client request utilizing EPA or other ELAP approved methodologies. I certify that the results are in compliance both technically and for completeness.

Analytical results are attached to this letter. Please call if we can provide additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Liang', is placed over a light gray rectangular background.

James Liang, Ph.D.  
Laboratory Director



# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## CAM 17 Metals

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
---------	--------	-----------------	-------	----------	-------	----------	----------	--------	-------

**S1@ 0.5' (CXC0545-01) Soil**    Sampled: 03/11/14 08:18    Received: 03/12/14 18:15

<b>Arsenic</b>	<b>3.7</b>	1.0	mg/kg	10	CX01845	03/18/14	03/19/14	EPA 6020/7000	
Selenium	ND	2.5	"	"	"	"	"	"	
Thallium	ND	1.0	"	"	"	"	"	"	
Antimony	ND	2.5	"	1	CX01846	03/18/14	03/19/14	EPA 6010B	
<b>Barium</b>	<b>120</b>	1.0	"	"	"	"	"	"	
Beryllium	ND	0.50	"	"	"	"	"	"	
<b>Cadmium</b>	<b>0.59</b>	0.50	"	"	"	"	"	"	
<b>Cobalt</b>	<b>7.7</b>	1.0	"	"	"	"	"	"	
<b>Chromium</b>	<b>38</b>	1.0	"	"	"	"	"	"	
<b>Copper</b>	<b>32</b>	1.0	"	"	"	"	"	"	
<b>Lead</b>	<b>49</b>	2.5	"	"	"	"	"	"	
Molybdenum	ND	1.0	"	"	"	"	"	"	
<b>Nickel</b>	<b>42</b>	1.0	"	"	"	"	"	"	
<b>Silver</b>	<b>0.60</b>	0.50	"	"	"	"	"	"	
<b>Vanadium</b>	<b>28</b>	1.0	"	"	"	"	"	"	
<b>Zinc</b>	<b>84</b>	1.0	"	"	"	"	"	"	
<b>Mercury</b>	<b>0.25</b>	0.10	"	"	CX01851	03/18/14	03/19/14	EPA 7471A	

**S2@ 0' Base (CXC0545-04) Soil**    Sampled: 03/11/14 08:38    Received: 03/12/14 18:15

<b>Arsenic</b>	<b>22</b>	1.0	mg/kg	10	CX01845	03/18/14	03/19/14	EPA 6020/7000	
Selenium	ND	2.5	"	"	"	"	"	"	
Thallium	ND	1.0	"	"	"	"	"	"	
<b>Antimony</b>	<b>28</b>	2.5	"	1	CX01846	03/18/14	03/19/14	EPA 6010B	
<b>Barium</b>	<b>180</b>	1.0	"	"	"	"	"	"	
Beryllium	ND	0.50	"	"	"	"	"	"	
<b>Cadmium</b>	<b>1.2</b>	0.50	"	"	"	"	"	"	
<b>Cobalt</b>	<b>11</b>	1.0	"	"	"	"	"	"	
<b>Chromium</b>	<b>38</b>	1.0	"	"	"	"	"	"	
<b>Copper</b>	<b>57</b>	1.0	"	"	"	"	"	"	
<b>Lead</b>	<b>420</b>	2.5	"	"	"	"	"	"	
<b>Molybdenum</b>	<b>1.8</b>	1.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## CAM 17 Metals

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2@ 0' Base (CXC0545-04) Soil    Sampled: 03/11/14 08:38    Received: 03/12/14 18:15</b>									
<b>Nickel</b>	<b>42</b>	1.0	mg/kg	1	CX01846	"	03/19/14	EPA 6010B	
Silver	ND	0.50	"	"	"	"	"	"	
<b>Vanadium</b>	<b>69</b>	1.0	"	"	"	"	"	"	
<b>Zinc</b>	<b>160</b>	1.0	"	"	"	"	"	"	
<b>Mercury</b>	<b>7.0</b>	2.0	"	20	CX01851	03/18/14	03/19/14	EPA 7471A	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Extractable Petroleum Hydrocarbons by EPA Method 8015M

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil</b> Sampled: 03/11/14 08:18 Received: 03/12/14 18:15									<b>EXT-6</b>
Diesel	ND	1.0	mg/kg	1	CX01827	03/18/14	03/19/14	EPA 8015M	
Motor Oil	ND	1.0	"	"	"	"	"	"	
<i>Surrogate: o-Terphenyl</i>		103 %	65-135		"	"	"	"	
<b>S2@ 0' Base (CXC0545-04) Soil</b> Sampled: 03/11/14 08:38 Received: 03/12/14 18:15									<b>EXT-3</b>
Diesel	ND	1.0	mg/kg	1	CX01827	03/18/14	03/19/14	EPA 8015M	
<b>Motor Oil</b>	<b>11</b>	1.0	"	"	"	"	"	"	
<i>Surrogate: o-Terphenyl</i>		106 %	65-135		"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Polychlorinated Biphenyls by EPA Method 8082A

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
---------	--------	-----------------	-------	----------	-------	----------	----------	--------	-------

**S1@ 0.5' (CXC0545-01) Soil** Sampled: 03/11/14 08:18 Received: 03/12/14 18:15

Aroclor 1016	ND	20	µg/kg	1	CX01787	03/17/14	03/18/14	EPA 8082A	
Aroclor 1221	ND	20	"	"	"	"	"	"	
Aroclor 1232	ND	20	"	"	"	"	"	"	
Aroclor 1242	ND	20	"	"	"	"	"	"	
Aroclor 1248	ND	20	"	"	"	"	"	"	
Aroclor 1254	ND	20	"	"	"	"	"	"	
Aroclor 1260	ND	20	"	"	"	"	"	"	
Aroclor 1268	ND	20	"	"	"	"	"	"	

Surrogate: Decachlorobiphenyl 28 % 50-150 " " " " QS-4

**S2@ 0' Base (CXC0545-04) Soil** Sampled: 03/11/14 08:38 Received: 03/12/14 18:15

Aroclor 1016	ND	20	µg/kg	1	CX01787	03/17/14	03/18/14	EPA 8082A	
Aroclor 1221	ND	20	"	"	"	"	"	"	
Aroclor 1232	ND	20	"	"	"	"	"	"	
Aroclor 1242	ND	20	"	"	"	"	"	"	
Aroclor 1248	ND	20	"	"	"	"	"	"	
Aroclor 1254	ND	20	"	"	"	"	"	"	
Aroclor 1260	ND	20	"	"	"	"	"	"	
Aroclor 1268	ND	20	"	"	"	"	"	"	

Surrogate: Decachlorobiphenyl 33 % 50-150 " " " " QS-4

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Semivolatile Organic Compounds by EPA Method 8270C

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil</b> <b>Sampled: 03/11/14 08:18</b> <b>Received: 03/12/14 18:15</b> <span style="float:right"><b>QRL-8</b></span>									
Acenaphthene	ND	3300	µg/kg	5	CX01724	03/13/14	03/18/14	EPA 8270C	
Acenaphthylene	ND	3300	"	"	"	"	"	"	
Anthracene	ND	3300	"	"	"	"	"	"	
Benzo (a) anthracene	ND	3300	"	"	"	"	"	"	
Benzo (b) fluoranthene	ND	3300	"	"	"	"	"	"	
Benzo (k) fluoranthene	ND	3300	"	"	"	"	"	"	
Benzo (g,h,i) perylene	ND	3300	"	"	"	"	"	"	
Benzo (a) pyrene	ND	3300	"	"	"	"	"	"	
Chrysene	ND	3300	"	"	"	"	"	"	
Dibenz (a,h) anthracene	ND	3300	"	"	"	"	"	"	
Dibenzofuran	ND	3300	"	"	"	"	"	"	
Fluoranthene	ND	3300	"	"	"	"	"	"	
Fluorene	ND	3300	"	"	"	"	"	"	
Indeno (1,2,3-cd) pyrene	ND	3300	"	"	"	"	"	"	
2-Methylnaphthalene	ND	3300	"	"	"	"	"	"	
Naphthalene	ND	3300	"	"	"	"	"	"	
Phenanthrene	ND	3300	"	"	"	"	"	"	
Pyrene	ND	3300	"	"	"	"	"	"	

<i>Surrogate: Nitrobenzene-d5</i>	40 %	23-120	"	"	"	"	"	"
<i>Surrogate: 2-Fluorobiphenyl</i>	46 %	30-115	"	"	"	"	"	"
<i>Surrogate: Terphenyl-dl4</i>	63 %	18-137	"	"	"	"	"	"

<b>S2@ 0' Base (CXC0545-04) Soil</b> <b>Sampled: 03/11/14 08:38</b> <b>Received: 03/12/14 18:15</b> <span style="float:right"><b>QRL-8</b></span>									
Acenaphthene	ND	6600	µg/kg	10	CX01724	03/13/14	03/18/14	EPA 8270C	
Acenaphthylene	ND	6600	"	"	"	"	"	"	
Anthracene	ND	6600	"	"	"	"	"	"	
Benzo (a) anthracene	ND	6600	"	"	"	"	"	"	
Benzo (b) fluoranthene	ND	6600	"	"	"	"	"	"	
Benzo (k) fluoranthene	ND	6600	"	"	"	"	"	"	
Benzo (g,h,i) perylene	ND	6600	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Page 7 of 26

03/19/14 14:16

Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

Project: 555 South Winchester Boulevard, San Jose  
Project Number: 10439.000.000 Phase 3  
Project Manager: Scott Johns  
CLS Work Order #: CXC0545  
COC #:

## Semivolatile Organic Compounds by EPA Method 8270C

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2@ 0' Base (CXC0545-04) Soil</b>									
<b>Sampled: 03/11/14 08:38 Received: 03/12/14 18:15</b>									
<b>QRL-8</b>									
Benzo (a) pyrene	ND	6600	µg/kg	10	CX01724	"	03/18/14	EPA 8270C	
Chrysene	ND	6600	"	"	"	"	"	"	
Dibenz (a,h) anthracene	ND	6600	"	"	"	"	"	"	
Dibenzofuran	ND	6600	"	"	"	"	"	"	
Fluoranthene	ND	6600	"	"	"	"	"	"	
Fluorene	ND	6600	"	"	"	"	"	"	
Indeno (1,2,3-cd) pyrene	ND	6600	"	"	"	"	"	"	
2-Methylnaphthalene	ND	6600	"	"	"	"	"	"	
Naphthalene	ND	6600	"	"	"	"	"	"	
Phenanthrene	ND	6600	"	"	"	"	"	"	
Pyrene	ND	6600	"	"	"	"	"	"	
<hr/>									
Surrogate: Nitrobenzene-d5		40 %		23-120	"	"	"	"	
Surrogate: 2-Fluorobiphenyl		42 %		30-115	"	"	"	"	
Surrogate: Terphenyl-dl4		76 %		18-137	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## TPH-Gasoline by GC/MS

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil Sampled: 03/11/14 08:18 Received: 03/12/14 18:15</b>									
Gasoline	ND	0.20	mg/kg	1	CX01725	03/13/14	03/13/14	EPA 8260M	
<i>Surrogate: Toluene-d8</i>		98 %	65-135		"	"	"	"	
<b>S2@ 0' Base (CXC0545-04) Soil Sampled: 03/11/14 08:38 Received: 03/12/14 18:15</b>									
Gasoline	ND	0.20	mg/kg	1	CX01725	03/13/14	03/13/14	EPA 8260M	
<i>Surrogate: Toluene-d8</i>		97 %	65-135		"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil Sampled: 03/11/14 08:18 Received: 03/12/14 18:15</b>									
Acetone	ND	100	µg/kg	1	CX01725	03/13/14	03/13/14	EPA 8260B	
Benzene	ND	5.0	"	"	"	"	"	"	
Bromobenzene	ND	5.0	"	"	"	"	"	"	
Bromochloromethane	ND	5.0	"	"	"	"	"	"	
Bromodichloromethane	ND	5.0	"	"	"	"	"	"	
Bromoform	ND	5.0	"	"	"	"	"	"	
Bromomethane	ND	10	"	"	"	"	"	"	
2-Butanone	ND	100	"	"	"	"	"	"	
n-Butylbenzene	ND	5.0	"	"	"	"	"	"	
sec-Butylbenzene	ND	5.0	"	"	"	"	"	"	
tert-Butylbenzene	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	10	"	"	"	"	"	"	
o-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
p-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	10	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
Dichlorodifluoromethane (Freon 12)	ND	10	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil Sampled: 03/11/14 08:18 Received: 03/12/14 18:15</b>									
1,2-Dichloropropane	ND	5.0	µg/kg	1	CX01725	"	03/13/14	EPA 8260B	
1,3-Dichloropropane	ND	5.0	"	"	"	"	"	"	
2,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloropropene	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Ethylbenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"	"	"	"	"	"	
Hexachlorobutadiene	ND	5.0	"	"	"	"	"	"	
2-Hexanone	ND	50	"	"	"	"	"	"	
Isopropylbenzene	ND	5.0	"	"	"	"	"	"	
p-Isopropyltoluene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
4-Methyl-2-pentanone	ND	50	"	"	"	"	"	"	
Methyl tert-butyl ether	ND	5.0	"	"	"	"	"	"	
Naphthalene	ND	5.0	"	"	"	"	"	"	
n-Propylbenzene	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	ND	5.0	"	"	"	"	"	"	
Toluene	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	5.0	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S1@ 0.5' (CXC0545-01) Soil Sampled: 03/11/14 08:18 Received: 03/12/14 18:15</b>									
1,2,4-Trimethylbenzene	ND	5.0	µg/kg	1	CX01725	"	03/13/14	EPA 8260B	
Vinyl chloride	ND	10	"	"	"	"	"	"	
Xylenes (total)	ND	10	"	"	"	"	"	"	

<i>Surrogate: 1,2-Dichloroethane-d4</i>	112 %	50-125	"	"	"	"	"	"
<i>Surrogate: Toluene-d8</i>	98 %	62-125	"	"	"	"	"	"
<i>Surrogate: 4-Bromofluorobenzene</i>	117 %	50-128	"	"	"	"	"	"

<b>S2@ 0' Base (CXC0545-04) Soil Sampled: 03/11/14 08:38 Received: 03/12/14 18:15</b>									
Acetone	ND	100	µg/kg	1	CX01725	03/13/14	03/13/14	EPA 8260B	
Benzene	ND	5.0	"	"	"	"	"	"	
Bromobenzene	ND	5.0	"	"	"	"	"	"	
Bromochloromethane	ND	5.0	"	"	"	"	"	"	
Bromodichloromethane	ND	5.0	"	"	"	"	"	"	
Bromoform	ND	5.0	"	"	"	"	"	"	
Bromomethane	ND	10	"	"	"	"	"	"	
2-Butanone	ND	100	"	"	"	"	"	"	
n-Butylbenzene	ND	5.0	"	"	"	"	"	"	
sec-Butylbenzene	ND	5.0	"	"	"	"	"	"	
tert-Butylbenzene	ND	5.0	"	"	"	"	"	"	
Carbon tetrachloride	ND	5.0	"	"	"	"	"	"	
Chlorobenzene	ND	5.0	"	"	"	"	"	"	
Chloroethane	ND	5.0	"	"	"	"	"	"	
Chloroform	ND	5.0	"	"	"	"	"	"	
Chloromethane	ND	10	"	"	"	"	"	"	
o-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
p-Chlorotoluene	ND	5.0	"	"	"	"	"	"	
Dibromochloromethane	ND	5.0	"	"	"	"	"	"	
1,2-Dibromo-3-chloropropane	ND	10	"	"	"	"	"	"	
1,2-Dibromoethane (EDB)	ND	5.0	"	"	"	"	"	"	
Dibromomethane	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2@ 0' Base (CXC0545-04) Soil Sampled: 03/11/14 08:38 Received: 03/12/14 18:15</b>									
1,2-Dichlorobenzene	ND	5.0	µg/kg	1	CX01725	"	03/13/14	EPA 8260B	
1,3-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,4-Dichlorobenzene	ND	5.0	"	"	"	"	"	"	
Dichlorodifluoromethane (Freon 12)	ND	10	"	"	"	"	"	"	
1,1-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,2-Dichloroethane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloroethene	ND	5.0	"	"	"	"	"	"	
cis-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
trans-1,2-Dichloroethene	ND	5.0	"	"	"	"	"	"	
1,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,3-Dichloropropane	ND	5.0	"	"	"	"	"	"	
2,2-Dichloropropane	ND	5.0	"	"	"	"	"	"	
1,1-Dichloropropene	ND	5.0	"	"	"	"	"	"	
cis-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
trans-1,3-Dichloropropene	ND	5.0	"	"	"	"	"	"	
Ethylbenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"	"	"	"	"	"	
Hexachlorobutadiene	ND	5.0	"	"	"	"	"	"	
2-Hexanone	ND	50	"	"	"	"	"	"	
Isopropylbenzene	ND	5.0	"	"	"	"	"	"	
p-Isopropyltoluene	ND	5.0	"	"	"	"	"	"	
Methylene chloride	ND	5.0	"	"	"	"	"	"	
4-Methyl-2-pentanone	ND	50	"	"	"	"	"	"	
Methyl tert-butyl ether	ND	5.0	"	"	"	"	"	"	
Naphthalene	ND	5.0	"	"	"	"	"	"	
n-Propylbenzene	ND	5.0	"	"	"	"	"	"	
Styrene	ND	5.0	"	"	"	"	"	"	
1,1,2,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1,2-Tetrachloroethane	ND	5.0	"	"	"	"	"	"	
Tetrachloroethene	ND	5.0	"	"	"	"	"	"	

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B

Analyte	Result	Reporting Limit	Units	Dilution	Batch	Prepared	Analyzed	Method	Notes
<b>S2@ 0' Base (CXC0545-04) Soil Sampled: 03/11/14 08:38 Received: 03/12/14 18:15</b>									
Toluene	ND	5.0	µg/kg	1	CX01725	"	03/13/14	EPA 8260B	
1,2,3-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trichlorobenzene	ND	5.0	"	"	"	"	"	"	
1,1,2-Trichloroethane	ND	5.0	"	"	"	"	"	"	
1,1,1-Trichloroethane	ND	5.0	"	"	"	"	"	"	
Trichloroethene	ND	5.0	"	"	"	"	"	"	
Trichlorofluoromethane	ND	5.0	"	"	"	"	"	"	
1,2,3-Trichloropropane	ND	5.0	"	"	"	"	"	"	
1,3,5-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
1,2,4-Trimethylbenzene	ND	5.0	"	"	"	"	"	"	
Vinyl chloride	ND	10	"	"	"	"	"	"	
Xylenes (total)	ND	10	"	"	"	"	"	"	

<i>Surrogate: 1,2-Dichloroethane-d4</i>	112 %	50-125	"	"	"	"
<i>Surrogate: Toluene-d8</i>	97 %	62-125	"	"	"	"
<i>Surrogate: 4-Bromofluorobenzene</i>	106 %	50-128	"	"	"	"

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01845 - EPA 3050B

#### Blank (CX01845-BLK1)

Prepared: 03/18/14 Analyzed: 03/19/14

Arsenic	ND	0.10	mg/kg							
Selenium	ND	0.25	"							
Thallium	ND	0.10	"							

#### LCS (CX01845-BS1)

Prepared: 03/18/14 Analyzed: 03/19/14

Arsenic	4.79	0.10	mg/kg	5.00		96	75-125			
Selenium	4.62	0.25	"	5.00		92	75-125			
Thallium	4.82	0.10	"	5.00		96	75-125			

#### Matrix Spike (CX01845-MS1)

Source: CXC0549-01

Prepared: 03/18/14 Analyzed: 03/19/14

Arsenic	14.8	1.0	mg/kg	5.00	15.1	NR	75-125			QM-5
Selenium	2.15	2.5	"	5.00	ND	43	75-125			QM-5
Thallium	2.80	1.0	"	5.00	0.0550	55	75-125			QM-5

#### Matrix Spike Dup (CX01845-MSD1)

Source: CXC0549-01

Prepared: 03/18/14 Analyzed: 03/19/14

Arsenic	17.3	1.0	mg/kg	5.00	15.1	43	75-125	15	30	QM-5
Selenium	2.80	2.5	"	5.00	ND	56	75-125	26	30	QM-5
Thallium	3.42	1.0	"	5.00	0.0550	67	75-125	20	30	QM-5

### Batch CX01846 - EPA 3050B

#### Blank (CX01846-BLK1)

Prepared: 03/18/14 Analyzed: 03/19/14

Antimony	ND	2.5	mg/kg							
Barium	ND	1.0	"							
Beryllium	ND	0.50	"							
Cadmium	ND	0.50	"							
Cobalt	ND	1.0	"							
Chromium	ND	1.0	"							
Copper	ND	1.0	"							
Lead	ND	2.5	"							
Molybdenum	ND	1.0	"							
Nickel	ND	1.0	"							
Silver	ND	0.50	"							

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01846 - EPA 3050B

#### Blank (CX01846-BLK1)

Prepared: 03/18/14 Analyzed: 03/19/14

Vanadium	ND	1.0	mg/kg							
Zinc	ND	1.0	"							

#### LCS (CX01846-BS1)

Prepared: 03/18/14 Analyzed: 03/19/14

Antimony	19.0	2.5	mg/kg	25.0		76	75-125			
Barium	20.7	1.0	"	25.0		83	75-125			
Beryllium	18.9	0.50	"	25.0		76	75-125			
Cadmium	19.8	0.50	"	25.0		79	75-125			
Cobalt	20.9	1.0	"	25.0		83	75-125			
Chromium	22.3	1.0	"	25.0		89	75-125			
Copper	21.6	1.0	"	25.0		87	75-125			
Lead	18.7	2.5	"	25.0		75	75-125			
Molybdenum	19.1	1.0	"	25.0		76	75-125			
Nickel	21.0	1.0	"	25.0		84	75-125			
Silver	19.1	0.50	"	25.0		76	75-125			
Vanadium	9.45	1.0	"	12.5		76	75-125			
Zinc	19.0	1.0	"	25.0		76	75-125			

#### Matrix Spike (CX01846-MS1)

Source: CXC0549-01

Prepared: 03/18/14 Analyzed: 03/19/14

Antimony	ND	13	mg/kg	25.0	ND		75-125			QM-5
Barium	314	5.0	"	25.0	313	4	75-125			QM-4X
Beryllium	17.0	2.5	"	25.0	0.680	65	75-125			QM-5
Cadmium	17.3	2.5	"	25.0	ND	69	75-125			QM-5
Cobalt	40.7	5.0	"	25.0	23.8	68	75-125			QM-5
Chromium	82.0	5.0	"	25.0	61.1	83	75-125			
Copper	1370	5.0	"	25.0	1520	NR	75-125			QM-4X
Lead	230	13	"	25.0	221	34	75-125			QM-4X
Molybdenum	22.7	5.0	"	25.0	7.75	60	75-125			QM-5
Nickel	40.6	5.0	"	25.0	23.1	70	75-125			QM-5
Silver	18.7	2.5	"	25.0	1.45	69	75-125			QM-5
Vanadium	74.4	5.0	"	12.5	66.2	66	75-125			QM-4X
Zinc	120	5.0	"	25.0	112	29	75-125			QM-4X

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## CAM 17 Metals - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01846 - EPA 3050B

Matrix Spike Dup (CX01846-MSD1)	Source: CXC0549-01			Prepared: 03/18/14 Analyzed: 03/19/14						
Antimony	ND	13	mg/kg	25.0	ND		75-125	30		QM-5
Barium	314	5.0	"	25.0	313	3	75-125	0.08	30	QM-4X
Beryllium	17.6	2.5	"	25.0	0.680	68	75-125	3	30	QM-5
Cadmium	17.4	2.5	"	25.0	ND	69	75-125	0.3	30	QM-5
Cobalt	40.6	5.0	"	25.0	23.8	67	75-125	0.1	30	QM-5
Chromium	78.8	5.0	"	25.0	61.1	71	75-125	4	30	QM-5
Copper	1350	5.0	"	25.0	1520	NR	75-125	2	30	QM-4X
Lead	208	13	"	25.0	221	NR	75-125	10	30	QM-4X
Molybdenum	22.5	5.0	"	25.0	7.75	59	75-125	0.6	30	QM-5
Nickel	38.3	5.0	"	25.0	23.1	61	75-125	6	30	QM-5
Silver	18.7	2.5	"	25.0	1.45	69	75-125	0.1	30	QM-5
Vanadium	75.4	5.0	"	12.5	66.2	73	75-125	1	30	QM-4X
Zinc	121	5.0	"	25.0	112	36	75-125	1	30	QM-4X

### Batch CX01851 - EPA 7471A

Blank (CX01851-BLK1)	Prepared: 03/18/14 Analyzed: 03/19/14									
Mercury	ND	0.10	mg/kg							
LCS (CX01851-BS1)	Prepared: 03/18/14 Analyzed: 03/19/14									
Mercury	0.190	0.10	mg/kg	0.250		76	75-125			
Matrix Spike (CX01851-MS1)	Source: CXC0545-01			Prepared: 03/18/14 Analyzed: 03/19/14						
Mercury	0.315	0.10	mg/kg	0.250	0.249	26	75-125			QM-5
Matrix Spike Dup (CX01851-MSD1)	Source: CXC0545-01			Prepared: 03/18/14 Analyzed: 03/19/14						
Mercury	0.330	0.10	mg/kg	0.250	0.249	32	75-125	4	25	QM-5

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Extractable Petroleum Hydrocarbons by EPA Method 8015M - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01827 - CA LUFT - orb shaker

<b>Blank (CX01827-BLK1)</b>										
					Prepared: 03/18/14 Analyzed: 03/19/14					
Diesel	ND	1.0	mg/kg							
Motor Oil	ND	1.0	"							
Hydraulic Oil	ND	1.0	"							
Mineral Oil	ND	1.0	"							
Kerosene	ND	1.0	"							
Surrogate: <i>o</i> -Terphenyl	0.508		"	0.500		102	65-135			
<b>LCS (CX01827-BS1)</b>										
					Prepared: 03/18/14 Analyzed: 03/19/14					
Diesel	54.0	1.0	mg/kg	50.0		108	65-135			
Surrogate: <i>o</i> -Terphenyl	0.527		"	0.500		105	65-135			
<b>LCS Dup (CX01827-BSD1)</b>										
					Prepared: 03/18/14 Analyzed: 03/19/14					
Diesel	55.9	1.0	mg/kg	50.0		112	65-135	4	30	
Surrogate: <i>o</i> -Terphenyl	0.517		"	0.500		103	65-135			
<b>Matrix Spike (CX01827-MS1)</b>										
			<b>Source: CXC0541-01</b>		Prepared: 03/18/14 Analyzed: 03/19/14					
Diesel	34.4	1.0	mg/kg	50.0	ND	69	59-138			
Surrogate: <i>o</i> -Terphenyl	0.436		"	0.500		87	65-135			
<b>Matrix Spike Dup (CX01827-MSD1)</b>										
			<b>Source: CXC0541-01</b>		Prepared: 03/18/14 Analyzed: 03/19/14					
Diesel	58.6	1.0	mg/kg	50.0	ND	117	59-138	52	37	QR-2
Surrogate: <i>o</i> -Terphenyl	0.495		"	0.500		99	65-135			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Polychlorinated Biphenyls by EPA Method 8082A - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01787 - LUFT-DHS GCNV

#### Blank (CX01787-BLK1)

Prepared: 03/17/14 Analyzed: 03/18/14

Aroclor 1016	ND	20	µg/kg							
Aroclor 1221	ND	20	"							
Aroclor 1232	ND	20	"							
Aroclor 1242	ND	20	"							
Aroclor 1248	ND	20	"							
Aroclor 1254	ND	20	"							
Aroclor 1260	ND	20	"							
Aroclor 1268	ND	20	"							

Surrogate: Decachlorobiphenyl 9.95 " 8.33 119 50-150

#### LCS (CX01787-BS1)

Prepared: 03/17/14 Analyzed: 03/18/14

Aroclor 1260	79.0	20	µg/kg	83.3		95	29-131			
Surrogate: Decachlorobiphenyl	9.70		"	8.33		116	50-150			

#### LCS Dup (CX01787-BSD1)

Prepared: 03/17/14 Analyzed: 03/18/14

Aroclor 1260	79.9	20	µg/kg	83.3		96	29-131	1	30	
Surrogate: Decachlorobiphenyl	9.40		"	8.33		113	50-150			

#### Matrix Spike (CX01787-MS1)

Source: CXC0608-09

Prepared: 03/17/14 Analyzed: 03/18/14

Aroclor 1260	50.7	20	µg/kg	83.3	ND	61	29-131			
Surrogate: Decachlorobiphenyl	2.87		"	8.33		34	50-150			QS-4

#### Matrix Spike Dup (CX01787-MSD1)

Source: CXC0608-09

Prepared: 03/17/14 Analyzed: 03/18/14

Aroclor 1260	55.6	20	µg/kg	83.3	ND	67	29-131	9	30	
Surrogate: Decachlorobiphenyl	2.38		"	8.33		29	50-150			QS-4

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Semivolatile Organic Compounds by EPA Method 8270C - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01724 - EPA 3545

#### Blank (CX01724-BLK1)

Prepared: 03/13/14 Analyzed: 03/18/14

Acenaphthene	ND	660	µg/kg							
Acenaphthylene	ND	660	"							
Anthracene	ND	660	"							
Benzo (a) anthracene	ND	660	"							
Benzo (b) fluoranthene	ND	660	"							
Benzo (k) fluoranthene	ND	660	"							
Benzo (g,h,i) perylene	ND	660	"							
Benzo (a) pyrene	ND	660	"							
Chrysene	ND	660	"							
Dibenz (a,h) anthracene	ND	660	"							
Dibenzofuran	ND	660	"							
Fluoranthene	ND	660	"							
Fluorene	ND	660	"							
Indeno (1,2,3-cd) pyrene	ND	660	"							
2-Methylnaphthalene	ND	660	"							
Naphthalene	ND	660	"							
Phenanthrene	ND	660	"							
Pyrene	ND	660	"							
Surrogate: Nitrobenzene-d5	2250		"	3330		67	23-120			
Surrogate: 2-Fluorobiphenyl	2210		"	3330		66	30-115			
Surrogate: Terphenyl-d14	3040		"	3330		91	18-137			

#### LCS (CX01724-BS1)

Prepared: 03/13/14 Analyzed: 03/18/14

Acenaphthene	2130	660	µg/kg	3330		64	31-137			
Pyrene	1690	660	"	3330		51	35-142			
Surrogate: Nitrobenzene-d5	2340		"	3330		70	23-120			
Surrogate: 2-Fluorobiphenyl	2620		"	3330		79	30-115			
Surrogate: Terphenyl-d14	3200		"	3330		96	18-137			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Semivolatile Organic Compounds by EPA Method 8270C - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
<b>Batch CX01724 - EPA 3545</b>										
<b>LCS Dup (CX01724-BSD1)</b>					Prepared: 03/13/14 Analyzed: 03/18/14					
Acenaphthene	2170	660	µg/kg	3330		65	31-137	2	30	
Pyrene	1800	660	"	3330		54	35-142	6	36	
Surrogate: Nitrobenzene-d5	2300		"	3330		69	23-120			
Surrogate: 2-Fluorobiphenyl	2420		"	3330		73	30-115			
Surrogate: Terphenyl-d14	3210		"	3330		96	18-137			
<b>Matrix Spike (CX01724-MS1)</b>					Source: CXC0545-01 Prepared: 03/13/14 Analyzed: 03/18/14					
Acenaphthene	1550	3300	µg/kg	3330	ND	46	31-137			
Pyrene	1570	3300	"	3330	ND	47	35-142			
Surrogate: Nitrobenzene-d5	1650		"	3330		50	23-120			
Surrogate: 2-Fluorobiphenyl	1830		"	3330		55	30-115			
Surrogate: Terphenyl-d14	2150		"	3330		64	18-137			
<b>Matrix Spike Dup (CX01724-MSD1)</b>					Source: CXC0545-01 Prepared: 03/13/14 Analyzed: 03/18/14					
Acenaphthene	1480	3300	µg/kg	3330	ND	44	31-137	4	30	
Pyrene	1590	3300	"	3330	ND	48	35-142	2	36	
Surrogate: Nitrobenzene-d5	1460		"	3330		44	23-120			
Surrogate: 2-Fluorobiphenyl	1640		"	3330		49	30-115			
Surrogate: Terphenyl-d14	2130		"	3330		64	18-137			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## TPH-Gasoline by GC/MS - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01725 - EPA 5030 Soil MS

<b>Blank (CX01725-BLK1)</b>										
										Prepared & Analyzed: 03/13/14
Gasoline	ND	0.20	mg/kg							
Surrogate: Toluene-d8	0.0297		"	0.0300		99	65-135			
<b>LCS (CX01725-BS1)</b>										
										Prepared & Analyzed: 03/13/14
Gasoline	5.09	0.20	mg/kg	5.00		102	65-135			
Surrogate: Toluene-d8	0.0303		"	0.0300		101	65-135			
<b>LCS Dup (CX01725-BSD1)</b>										
										Prepared & Analyzed: 03/13/14
Gasoline	4.99	0.20	mg/kg	5.00		100	65-135	2	30	
Surrogate: Toluene-d8	0.0302		"	0.0300		101	65-135			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01725 - EPA 5030 Soil MS

#### Blank (CX01725-BLK1)

Prepared & Analyzed: 03/13/14

Acetone	ND	100	µg/kg							
Benzene	ND	5.0	"							
Bromobenzene	ND	5.0	"							
Bromochloromethane	ND	5.0	"							
Bromodichloromethane	ND	5.0	"							
Bromoform	ND	5.0	"							
Bromomethane	ND	10	"							
2-Butanone	ND	100	"							
n-Butylbenzene	ND	5.0	"							
sec-Butylbenzene	ND	5.0	"							
tert-Butylbenzene	ND	5.0	"							
Carbon tetrachloride	ND	5.0	"							
Chlorobenzene	ND	5.0	"							
Chloroethane	ND	5.0	"							
Chloroform	ND	5.0	"							
Chloromethane	ND	10	"							
o-Chlorotoluene	ND	5.0	"							
p-Chlorotoluene	ND	5.0	"							
Dibromochloromethane	ND	5.0	"							
1,2-Dibromo-3-chloropropane	ND	10	"							
1,2-Dibromoethane (EDB)	ND	5.0	"							
Dibromomethane	ND	5.0	"							
1,2-Dichlorobenzene	ND	5.0	"							
1,3-Dichlorobenzene	ND	5.0	"							
1,4-Dichlorobenzene	ND	5.0	"							
Dichlorodifluoromethane (Freon 12)	ND	10	"							
1,1-Dichloroethane	ND	5.0	"							
1,2-Dichloroethane	ND	5.0	"							
1,1-Dichloroethene	ND	5.0	"							
cis-1,2-Dichloroethene	ND	5.0	"							
trans-1,2-Dichloroethene	ND	5.0	"							

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01725 - EPA 5030 Soil MS

#### Blank (CX01725-BLK1)

Prepared & Analyzed: 03/13/14

1,2-Dichloropropane	ND	5.0	µg/kg							
1,3-Dichloropropane	ND	5.0	"							
2,2-Dichloropropane	ND	5.0	"							
1,1-Dichloropropene	ND	5.0	"							
cis-1,3-Dichloropropene	ND	5.0	"							
trans-1,3-Dichloropropene	ND	5.0	"							
Ethylbenzene	ND	5.0	"							
1,1,2-Trichloro-1,2,2-trifluoroethane (Freon 113)	ND	5.0	"							
Hexachlorobutadiene	ND	5.0	"							
2-Hexanone	ND	50	"							
Isopropylbenzene	ND	5.0	"							
p-Isopropyltoluene	ND	5.0	"							
Methylene chloride	ND	5.0	"							
4-Methyl-2-pentanone	ND	50	"							
Methyl tert-butyl ether	ND	5.0	"							
Naphthalene	ND	5.0	"							
n-Propylbenzene	ND	5.0	"							
Styrene	ND	5.0	"							
1,1,2,2-Tetrachloroethane	ND	5.0	"							
1,1,1,2-Tetrachloroethane	ND	5.0	"							
Tetrachloroethene	ND	5.0	"							
Toluene	ND	5.0	"							
1,2,3-Trichlorobenzene	ND	5.0	"							
1,2,4-Trichlorobenzene	ND	5.0	"							
1,1,2-Trichloroethane	ND	5.0	"							
1,1,1-Trichloroethane	ND	5.0	"							
Trichloroethene	ND	5.0	"							
Trichlorofluoromethane	ND	5.0	"							
1,2,3-Trichloropropane	ND	5.0	"							
1,3,5-Trimethylbenzene	ND	5.0	"							

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01725 - EPA 5030 Soil MS

#### Blank (CX01725-BLK1)

Prepared & Analyzed: 03/13/14

1,2,4-Trimethylbenzene	ND	5.0	µg/kg							
Vinyl chloride	ND	10	"							
Xylenes (total)	ND	10	"							
<i>Surrogate: 1,2-Dichloroethane-d4</i>	33.6		"	30.0		112	50-125			
<i>Surrogate: Toluene-d8</i>	29.7		"	30.0		99	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	29.0		"	30.0		97	50-128			

#### LCS (CX01725-BS1)

Prepared & Analyzed: 03/13/14

Benzene	20.0	5.0	µg/kg	20.0		100	64-135			
Chlorobenzene	18.4	5.0	"	20.0		92	67-133			
1,1-Dichloroethene	22.6	5.0	"	20.0		113	53-137			
Toluene	19.0	5.0	"	20.0		95	61-138			
Trichloroethene	18.8	5.0	"	20.0		94	64-130			
<i>Surrogate: 1,2-Dichloroethane-d4</i>	29.5		"	30.0		98	50-125			
<i>Surrogate: Toluene-d8</i>	30.3		"	30.0		101	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	28.2		"	30.0		94	50-128			

#### LCS Dup (CX01725-BSD1)

Prepared & Analyzed: 03/13/14

Benzene	20.5	5.0	µg/kg	20.0		102	64-135	2	30	
Chlorobenzene	18.8	5.0	"	20.0		94	67-133	2	30	
1,1-Dichloroethene	23.1	5.0	"	20.0		116	53-137	2	30	
Toluene	19.1	5.0	"	20.0		96	61-138	0.5	30	
Trichloroethene	19.4	5.0	"	20.0		97	64-130	3	30	
<i>Surrogate: 1,2-Dichloroethane-d4</i>	31.2		"	30.0		104	50-125			
<i>Surrogate: Toluene-d8</i>	30.2		"	30.0		101	62-125			
<i>Surrogate: 4-Bromofluorobenzene</i>	28.0		"	30.0		93	50-128			

#### Matrix Spike (CX01725-MS1)

Source: CXC0545-01

Prepared & Analyzed: 03/13/14

Benzene	19.9	5.0	µg/kg	20.0	ND	99	58-139			
Chlorobenzene	16.0	5.0	"	20.0	ND	80	62-134			
1,1-Dichloroethene	26.8	5.0	"	20.0	ND	134	53-152			
Toluene	17.8	5.0	"	20.0	ND	89	58-139			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose 6399 San Ignacio Ave, Suite 150 San Jose, CA 95119	Project: 555 South Winchester Boulevard, San Jose Project Number: 10439.000.000 Phase 3 Project Manager: Scott Johns	CLS Work Order #: CXC0545 COC #:
---	--	-------------------------------------

## Volatile Organic Compounds by EPA Method 8260B - Quality Control

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
---------	--------	-----------------	-------	-------------	---------------	------	-------------	-----	-----------	-------

### Batch CX01725 - EPA 5030 Soil MS

#### Matrix Spike (CX01725-MS1)

Source: CXC0545-01

Prepared & Analyzed: 03/13/14

Trichloroethene	17.5	5.0	µg/kg	20.0	ND	87	55-138			
Surrogate: 1,2-Dichloroethane-d4	33.1		"	30.0		110	50-125			
Surrogate: Toluene-d8	29.6		"	30.0		99	62-125			
Surrogate: 4-Bromofluorobenzene	34.0		"	30.0		113	50-128			

#### Matrix Spike Dup (CX01725-MSD1)

Source: CXC0545-01

Prepared & Analyzed: 03/13/14

Benzene	19.5	5.0	µg/kg	20.0	ND	97	58-139	2	30	
Chlorobenzene	16.3	5.0	"	20.0	ND	82	62-134	2	30	
1,1-Dichloroethene	27.8	5.0	"	20.0	ND	139	53-152	4	30	
Toluene	17.6	5.0	"	20.0	ND	88	58-139	1	30	
Trichloroethene	17.2	5.0	"	20.0	ND	86	55-138	1	30	
Surrogate: 1,2-Dichloroethane-d4	32.7		"	30.0		109	50-125			
Surrogate: Toluene-d8	29.0		"	30.0		97	62-125			
Surrogate: 4-Bromofluorobenzene	35.5		"	30.0		118	50-128			

# CALIFORNIA LABORATORY SERVICES

Engeo-San Jose  
6399 San Ignacio Ave, Suite 150  
San Jose, CA 95119

Project: 555 South Winchester Boulevard, San Jose  
Project Number: 10439.000.000 Phase 3  
Project Manager: Scott Johns

**CLS Work Order #: CXC0545**  
COC #:

## Notes and Definitions

- QS-4 The surrogate recovery for this sample is outside of established control limits due to a sample matrix effect.
- QRL-8 The extract of this sample was dark and/or oily. Therefore, the sample was analyzed with a dilution and the reporting limit was raised for all target compounds.
- QR-2 The RPD result exceeded the QC control limits; however, both percent recoveries were acceptable. Sample results for the QC batch were accepted based on percent recoveries and completeness of QC data.
- QM-5 The spike recovery was outside acceptance limits for the MS and/or MSD due to matrix interference. The LCS and/or LCSD were within acceptance limits showing that the laboratory is in control and the data is acceptable.
- QM-4X The spike recovery was outside of QC acceptance limits for the MS and/or MSD due to analyte concentration at 4 times or greater the spike concentration. The QC batch was accepted based on LCS and/or LCSD recoveries within the acceptance limits.
- EXT-6 Silica gel treatment was not performed because the sample is ND.
- EXT-3 The sample extract has undergone silica-gel clean-up, EPA Method 3630, which is specific to polar compound contamination.
- DET Analyte DETECTED
- ND Analyte NOT DETECTED at or above the reporting limit (or method detection limit when specified)
- NR Not Reported
- dry Sample results reported on a dry weight basis
- RPD Relative Percent Difference