

City Place Intersection Mitigation Measures to Background Plus Project Impacts										
ID	San Jose Impacted Intersection	Jurisdiction	City Place Proposed Mitigation	SJ Proposed Mitigation	Cost Estimate	Project Responsibility	Alternative (1): Fair-Share vs. NSJ EIR			
							NSJ EIR Trips	Project Trips	% Project Share	Cost Estimate
#17	Rio Robles / Tasman	San Jose	Widen SB to include LT and Shared TH & RT NB/SB Signal Phasing Mod	Widen SB to include LT, one TH & one RT; Signal mod to separate ped phase from SBL; Upgrade crosswalks; Improve ped access from Guadalupe River Trail to buildings	\$ 1,000,000	NSJ TIF or Fair-share contribution	390	950	71%	\$ 708,955
#18	First / Tasman	San Jose	No feasible mitigation New bus/shuttle stop proposed	Improve access to/from LR platforms for peds and bikes; Upgrade ped environment at the intersection and connection between LRT station and north of Tasman	\$ 500,000	NSJ TIF or Fair-share contribution	1,661	700	30%	\$ 148,242
#24	First / Montague	County (CMP)	No feasible mitigation Future Interchange Planned	Contribute to the future grade separation intersection or LRT (VTA Efficiency Plan); Improve ped and transit access	\$ 95,000,000	% Total Traffic	4,578	820	15%	\$ 14,431,271
#25	Zanker / Montague	County (CMP)	Widen Zanker to 3 lanes Add 2nd NB/SB LT with no separate RT lanes HOV-type signal to support future BRT	Contribute to Zanker Widening project that includes also consider two-way bike lanes or separated bikeway	\$ 67,000,000	% Total Traffic	5,309	650	11%	\$ 7,308,273
#26	Montague / River-Oaks	County	Install EB RT overlap phase and limit NB U-turns	Contribute to Zanker Widening project that includes also consider two-way bike lanes or separated bikeway	-	% Total Traffic	3,296	440	12%	\$ 1,178,653
#27	Trimble / Montague	County (CMP)	County Expressway Plan (Fly-over) Tier 1B priority	Contribute to the Fly-over	\$ 49,000,000	% Total Traffic	3,870	440	10%	\$ 5,002,320
#29	De La Cruz / Trimble	San Jose (CMP)	Add 3rd SB LT lane	No feasible mitigation	\$ 1,000,000	NSJ TIF or Fair-share contribution	1,306	520	28%	\$ 284,775
#30	First / Trimble	San Jose (CMP)	Add 2nd EB LT and exclusive WB RT lane	Add 2nd EB LT and exclusive WB RT lane; Include bike facility upgrade	\$ 1,500,000	NSJ TIF or Fair-share contribution	2,944	230	7%	\$ 108,696
#34	First / Brokaw	San Jose (CMP)	Add 3rd WB LT Lane Bicycle facilities along 1st Street b/t Brokaw and Gish and sidewalk to US 101 NB loop on-ramp	Contribute to Zanker Rd to Skyport Dr Connection; Old Bayshore Hwy improvements; First St curb push-back to accommodate bike lanes and parking bay	\$ 138,000,000	NSJ TIF or Fair-share contribution	1,848	130	7%	\$ 9,069,767
#57	Great America / SR 237 (WB)	Santa Clara (CMP)	Add 3rd WB LT and 2nd WB RT lane	Add 3rd WB LT and 2nd WB RT lane; Improve ped trail	\$ 1,000,000	100%	182	2,590	93%	\$ 1,000,000
#84	Gold / Gold Connector	San Jose	Add 2nd NB LT and 2nd EB RT lane Move pedestrian crossing to the north leg	Add 2nd NB LT and 2nd EB RT lane; Improve ped trail connection (trail must align with crosswalk)	\$ 1,000,000	100%	N/A	1,340	100%	\$ 1,000,000
#125	San Tomas / Stevens Creek	County (CMP)	Add WB RT and 3rd SB LT lane County Expressway Plan (4 Lanes + Exclusive RT + HOV lanes) Tier 2 priority	Contribute to overall County Expressway Plan (4 Lanes + Exclusive RT + HOV lanes); Add exclusive WB RT and 3rd SB LT lane	\$ 49,000,000	% Total Traffic	-9	160	N/A	\$ 1,056,604
#109	Liberty/ Taylor	San Jose	Traffic signal installation	Contribute 100% cost of traffic control device to be used to insulate Alviso neighborhood from Project traffic	\$ 500,000	100%	N/A	540	100%	\$ 500,000
Missing	First / Old Bayshore	San Jose	N/A	Contribute to Zanker Rd to Skyport Dr Connection; Old Bayshore Hwy improvements; First St curb push-back to accommodate bike lanes and parking bay	-	NSJ TIF or Fair-share contribution	2,368	253	10%	\$ 3,466,760
					Subtotal \$ 404,500,000				Subtotal \$ 45,264,317	

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In 2007, San Jose adopted the North San Jose Area Development Policy which conformed to the transportation policy in place at that time. In 2011, San Jose adopted the Envision 2040 General Plan which updated transportation policy and standards to recognize multimodal travel as a vital and viable transportation system. This vision is subsequently promoted statewide, countywide, as well as other city jurisdictions. Therefore, the City Place FEIR should support the updated transportation standards adopted by all jurisdictions rather than relying on what were adopted in relatively more outdated transportation standards, including those in the North San Jose Deficiency Plan 2006.

As stated in Section II.C of the City's FEIR comment letter, the FEIR's reliance on North San Jose traffic impact fees as mitigation for the Project's North San Jose impacts is misplaced. The North Jose Traffic Impact Fee Plan did not include Project traffic because the Project was not included in the Santa Clara General Plan. The North San Jose traffic impact fee rate is not intended to provide mitigation measures for the Project, and thus should not be used as basis for mitigation.

Based on the FEIR, San Jose estimated that the Project's fair share contribution towards San Jose's acceptable mitigation measures for 14 project-level, significant impacts is approximately \$45.3 million. This estimate includes additional fair share mitigation for the significant impact at North First Street and Old Bayshore Parkway that was omitted from the FEIR. Moreover, this estimate does not account for administrative costs or construction index changes. In addition, this estimate does not account for fair-share contribution towards all considerable Cumulative impacts since the information provided in both FEIR and the Response to Comment Letter A17b.4 is not adequate for such determination. San Jose estimated that fair-share contribution towards all considerable Cumulative impacts could increase the total Project responsibility by approximately an additional \$10 million.

(#15) Renaissance Drive/Tasman Drive (Table 3.3-50)

Impacts: Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose asserts that the Project contribute fair-share towards a mitigation acceptable to San Jose for the Cumulative impact; however, the information provided in FEIR and the Response to Comment Letter A17b.4 is not adequate to determine if the Cumulative impact is considerable and the appropriate fair-share calculations.

(#17) Rio Robles/Tasman Drive (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

As stated in Comment Letter A17b.4, San Jose has identified acceptable mitigation to include, among other improvements, one left-turn lane, one through lane, and one right-turn lane at the southbound approach, as opposed to the DEIR-proposed one left-turn lane and one shared through/right-turn lane. Table 3.3-20, Table 3.3-26, and Table 3.3-50 have not been revised correctly to reflect this modified and acceptable mitigation. San Jose recommends that the Project contribute fair-share to the modified and acceptable mitigation.

(#18) North First Street/Tasman Drive (Table 3.3-20, Table 3.3-50)

Impacts: Background with Project, Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose disagrees that the new shuttle bus stop is used as the basis to determine fair share contribution. The proposed mitigation is established based on outdated transportation standards. The transportation standards provided in the adopted Envision 2040 General Plan should be used to determine the appropriate mitigation measure. The Project should contribute fair share to a mitigation that is developed from such standards and acceptable to San Jose..

(#19) Zanker Road/Tasman Drive (Table 3.3-50)

Impacts: Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose asserts that the Project contribute fair-share towards a mitigation acceptable to San Jose for the Cumulative impact; however, the information provided in FEIR and the Response to Comment Letter A17b.4 is not adequate to determine if the Cumulative impact is considerable and the appropriate fair-share calculations.

(#24) North 1st Street/Montague Expressway (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

FEIR stated that the Project would contribute fair share to the off-setting mitigation based on the percentage of project trips to total traffic at the intersection. As mentioned in this letter, however, San Jose asserts that fair share contribution is calculated based on the percentage of project trips to the total of future added trips at the intersection, since the cost of the mitigation should be borne by only future new roadway users.

(#25) Zanker Road/Montague Expressway (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

The Response to Comment Letter A17b.4 does not address San Jose's modified mitigation measure to include not only the widening of Zanker Road and the second northbound and southbound left-turn lanes, but also separated bike lanes on both sides of the street, crosswalk treatments, and other improvements consistent with San Jose's updated transportation standards and multimodal mobility goals.

(#26) Montague Expressway/Plumeria Drive-River Oaks (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

After evaluating the intersection based on information provided in the Response to Comment Letter A17b.4 and FEIR, San Jose is concerned that the proposed partial mitigation would not be sufficient to facilitate the eastbound right-turn traffic of 660 PM peak hour volumes under the Background with Project Conditions. TRAFFIX calculations indicated that the PM 95th percentile queue is approximately 135 vehicles per lane, the average delay for the movement is approximately 424 seconds (or 7 minutes) per vehicle, and the total cycle length is 211 seconds (or 3.5 minutes). San Jose recommends fair share contribution towards the Zanker Road Widening as a secondary mitigation which would be a more viable transportation improvement.

(#27) Trimble Road/Montague Expressway (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

The North San Jose EIR 2005 that attempted to address future trips associated with North San Jose developments and land use programs of other jurisdictions identified at that time. Inconsistent with the City of Santa Clara's land use program, City Place would add trips to the intersection beyond all previously identified future trips associated with City of Santa Clara's General Plan. Therefore, San Jose asserts that it is equitable that the Project contributes fair-share to the mitigation based on the percentage of project trips to the total of future added trips at the intersection.

(#28) McCarthy Boulevard-O'Toole Avenue/Montague Expressway (Table 3.3-50)

Impacts: Cumulative with Project

The North San Jose EIR 2005 that attempted to address future trips associated with North San Jose developments and land use programs of other jurisdictions identified at that time. Inconsistent with the City of Santa Clara's land use program, City Place would add trips to the intersection beyond all previously identified future trips associated with City of Santa Clara's General Plan. Therefore, San Jose asserts that it is equitable that the Project contributes fair-share to the mitigation for the cumulative impact based on the percentage of project trips to the total of future added trips at the intersection.

(#29) De La Cruz Boulevard/Trimble Road (Table 3.3-20, Table 3.3-50)

Impacts: Background with Project, Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose does not deem adding a third southbound left-turn lane a viable and acceptable mitigation. San Jose asserts that the Project works with San Jose to determine a viable and acceptable mitigation, based on which the Project contribute fair share..

(#30) North First Street/Trimble Road (Table 3.3-20, Table 3.3-50)

Impacts: Background with Project, Cumulative with Project

The Response to Comment Letter A17b.4 the off-setting mitigation identified in the FEIR needs to address regional, VTA's and San Jose's updated transportation standards and include adequate treatments at the intersection to facilitate safe and comfortable bicycle left-turns, pedestrian crossing, and other improvements consistent with regional multimodal mobility goals.

(#31) Zanker Road/Trimble Road (Table 3.3-50)

Impacts: Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose asserts that the Project contribute fair-share towards a mitigation acceptable to San Jose for the Cumulative impact; however, the information provided in FEIR and the Response to Comment Letter A17b.4 is not adequate to determine if the Cumulative impact is considerable and the appropriate fair-share calculations.

(#34) North First Street/Brokaw Road (Table 3.3-20, Table 3.3-26, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Phases 1-3, Background with Project, Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose asserts that the Zanker Road connection from Old Bayshore Highway over US 101 to Skyport Drive along a partial US 101

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interchange is a viable and appropriate mitigation acceptable to San Jose. Fair share calculations should be based on this mitigation, regardless of the timeline of the mitigation.

(#36) Zanker Road/Brokaw Road (Table 3.3-50)

Impacts: Cumulative with Project

Based on the Response to Comment Letter A17b.4, San Jose asserts that the Project contribute fair-share towards a mitigation acceptable to San Jose for the Cumulative impact; however, the information provided in FEIR and the Response to Comment Letter A17b.4 is not adequate to determine if the Cumulative impact is considerable and the appropriate fair-share calculations.

(#57) Great America Parkway/SR 237 WB Off-Ramp (Table 3.3-20, Table 3.3-26, Table 3.3-35, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Variant Access Scheme, Existing with Project Phases 1-3, Existing with Project Phases 1-3 Variant Access Scheme, Background with Project, Background with Project Variant Access Scheme, Cumulative with Project

San Jose does not accept the Response to Comment Letter A17b.4 that the Project would pay fees to San Jose for only construction of the third westbound left-turn lane and associated receiving lane under the SR 237 underpass and an additional second westbound right-turn lane. The proposed mitigation would lead to a secondary impact of bikeway connection that needs to be addressed. San Jose asserts that the Project is fully responsible for funding and implementing the acceptable mitigation that includes (1) right-of-way acquisition, (2) relocation and realignment of bicycle facility affected by the improvements, and (3) construction of the third westbound left-turn lane and associated receiving lane under the SR 237 underpass and an additional second westbound right-turn lane.

(#84) Gold Street/Gold Street Connector (Table 3.3-20, Table 3.3-35, Table 3.3-50)

Impacts: Existing with Project, Existing with Project Variant Access Scheme, Background with Project, Background with Project Variant Access Scheme, Cumulative with Project

As stated in the Comment Letter A17b.4, San Jose supports a mitigation measure that would not affect the alignment of the Highway 237 Bikeway connection, or would include relocation and realignment of bicycle facility if affected by such improvements. San Jose asserts that the Project is fully responsible for funding and implementing an acceptable mitigation that includes (1) right-of-way acquisition, (2) relocation and realignment of bicycle facility affected by the improvements, and (3) construction of the Gold Street widening and geometric and signal modifications at the intersection.

(#109) Liberty Street/North Taylor Street

Based on the Response to Comment Letter A17b.4, San Jose asserts that implementation of traffic control devices, equivalent to the cost of a new traffic signal, is the full responsibility of the Project to protect the Alviso neighborhood from the Project traffic.

(#125) San Tomas Expressway/Stevens Creek Boulevard (Table 3.3-20, Table 3.3-50)

Impacts: Background with Project, Cumulative with Project

San Jose does not have any comments to the Response to Comment Letter A17b.4.