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: Ms. Reema Mahamood

via email
February 16th, 2017

Subject: The Volar Project (File PDC15-065, PD15-059, and PT15-069)

Dear Ms. Mahamood,

This letter provides comments from the Winchester Neighborhood Action Coalition (WNAC) to the Draft Environmental Impact Report for the Volar Project, PDC15-065, PD15-059, and PT15-069[1]. As a general statement on the Draft EIR, the environmental impacts should be considered over the entire lifespan of the building, as an impact today may be mitigated in the future. Three things that should be given more consideration in the EIR process are 1) A car-free scenario, 2) Freeway Cap, and 3) Building Height.

Car-Free Scenario

In addition to the three scenarios outlined on page XI, we would like the EIR to look at a "car-free" scenario and its impact on both traffic, as well as potential opportunity for the building to accommodate a wider swath of the community.[2]

1. By car-free, we mean no permanent car parking associated with the residences. Parking would be limited to commercial use, as well as accommodating multiple carshare (e.g. Zipcar, etc.) and ride-share (e.g.,Uber, Lyft, Chariot, etc.) activities. In this scenario, parking for bikes, e-bikes and electric scooters should probably be increased to one or two for every residence, as opposed to the 1:4 ratio used in the Draft EIR. This scenario is based on the idea, promulgated by entities, such as Ark Invest, that suggest that autonomous ride-sharing is going to greatly reduce demand for single occupancy vehicles.[3] This building is going to have a lifespan measured in decades and in that time horizon, the expected demand for parking is expected to drop because of technological advances and the associated transition from ownership to mobility as a service.[4]

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[1] Information about the WNAC can be found at http://www.winchesternac.com/

[2] An example of how San Francisco is incentivizing developers to help provide car alternatives and reduce vehicle trips is provided in this article https://www.wired.com/2017/02/win-war-cars-san-francisco-weaponizes-real-estate/

[3] "ARK expects autonomous taxi services to be commercially available in 2019. By the late 2020s, autonomous taxis should be the dominant form of door-to-door mobility." They are predicting an operating cost to the consumer of $0.35 per mile, which would mean a 5 mile ride would cost $1.75 – the same price as VTA, but the VTA ride actually costs society about 7 or 8x that amount and does not provide door-to-door service.

[4] It is understood that zero parking may seem like an extreme idea in the car-dependent South Bay. However, this locale is ideal to try this, as; 1) it has nearby employment (Splunk and more when Santana West opens), 2) on-street parking isn't practical, as the nearest parking is permitted and a couple blocks away, 3) The density would help induce demand for anticipated private or public shuttles between the Santana Row area and transit centers, such as Diridon or the Santa Clara train station, or major employers, such as Apple. Additionally, the downward trend of young people obtaining drivers licenses points to a need for alternatives to single occupancy vehicles https://www.dmv.com/blog/number-ofdrivers-licenses-in-us-in-decline-study-finds-523114.

2. To further reduce peak-hour demand, this scenario would include different sub-scenarios looking at the possibility of proactively diversifying the tenant mix to include those who would be less likely to be able to afford or operate single occupancy vehicles, such as service workers at Santana Row and Valley Fair and/or senior citizens. It is understood that implementing such scenarios would be up to the developer and the city might have to provide incentives to induce such an approach (e.g. reduced parking requirements, which would mean lower capital outlay for the developer in exchange for set-asides for a percentage of affordable housing).[5]

Freeway Cap/Exit/Entrance

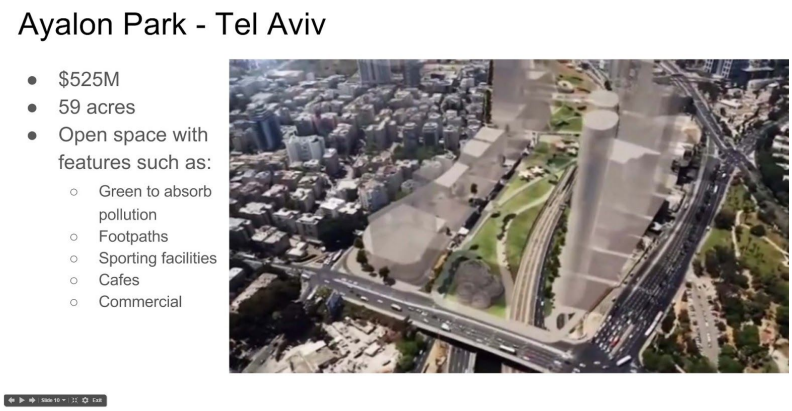
Section 4.24 (page 62) suggests an I-280 westbound off ramp as a mitigation and avoidance measure for the traffic impacts of this project and suggest that fees from this project would help fund such an off-ramp. The WNAC has been investigating and socializing the idea in the community and across political jurisdictions about a much more comprehensive approach to traffic management at the I-280/Winchester intersection than simply a new ramp[6]. 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.[7]

Example of a mixed- use min-cap in Minneapolis

[5] Investment in parking represents a huge capital cost that is ultimately paid for by the tenants, as shown in various research, such as Santa Clara University's CJ Gabbe.

[6] 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.

[7] 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



Proposed Mixed-Use Ayalon Park in Tel Aviv

Given that we don't have specific design scenarios for the cap complete yet, it may be premature to include the potential impact of those designs on the Volar. However, it is important as VTA explores options for a westbound exit from I-280 onto Winchester that a cap be considered and that the traffic mitigation fees flow accordingly.

For example, a large garage over the existing 280-Winchester ramps with the ground level dedicated to managing traffic to and from Winchester via a major intersection at Moorpark and incorporating a 280 W off-ramp and possibly a 280 E onramp as well could be an essential part of any cap scenario.

The second floor Winchester frontage would then be accessible for pedestrians with parking for bikes, personal mobility devices, and CityBikes connected to a park cap over Winchester from Moorpark to Tisch extending as elevated strip park over the east sidewalk of Winchester past Santana row to Valley Fair. Elevator and escalator access to the strip park could be provided at south Stevens Creek and Olin and incorporated in the Volar Development in place making pocket parks.

The high floors of the garage could be high density parking for autonomous vehicles and auto dealer inventory storage with intermediate floors for conventional parking. The west portion of the garage would serve and be paid for by the theaters. Note, large garages can incorporate necessary ventilation into attractive art at very low additional cost (see SJC Terminal 2 Parking).

Building Height

Given the ongoing work of the Winchester and Steven Creek Advisory Groups to create inputs for a 2040 plan, this would be a good time to consider various environmental impacts for this building using different height models, such as the original 267 feet, 200 feet and 120 feet. Not all of the benefits and/or impacts would show up in a traditional EIR process, but it is still an important consideration for policy makers when deciding what is an appropriate height for the area.

For instance, there are many ways additional height can be used, from additional affordable housing to senior housing to more of a blended income mix, that would inure a public benefit, while not

necessarily detracting from the commercial value to the developer. An additional tradeoff to be considered would be the total environmental impact of a change in density, over time, that would result from the Volar being 120, 200 or 267 feet tall.

Lastly, as the proposed height of the building was reduced from 267 to 200 feet, the footprint of the building changed from a distinctive and iconic architecture to the more typical rectangle, block-type design. Looking at how this added density and associated building aesthetics fit into the overall aesthetics of the Urban Village as it evolves towards the 2040 plan is important to understand the sum of its impacts.

Please feel free to contact us, if you have any questions or need us to clarify any of the above points.

On behalf of the WNAC,

Kirk Vartan,
WNAC, President

c.c. Honorable Mayor Liccardo, San Jose City Council, Rep. Eshoo, Rep. Khanna, County Supervisor Yeager, State Senator Beall, State Senator Wieckowski, Assembly Member Chu, Assembly Member Low, Ethan Winston/VTA, Nick Saleh/Caltrans