



August 28, 2018

Via E-Mail

Mayor Sam Liccardo and
Members of the City Council
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Thai-Chau Le, Planner
City of San José
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, Third Floor
San José, California 95113



Re: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

Dear Mayor Liccardo, City Council Members, and Ms. Le:

Please accept these additional supplemental comments on behalf of the Laborers International Union of North America, Local Union 270 and its members living in and around the City of San Jose ("LIUNA") regarding the Initial Study and Mitigated Negative Declaration ("IS/MND") prepared for the Dove Hill Medical Care Project ("Project") (Project Files Nos. PDC14-051 and PD16-019). These comments supplement previous comments dated April 30, 2018 and July 25, 2018 submitted on behalf of LIUNA. LIUNA has retained the services of expert wildlife biologist Dr. Shawn

Smallwood to review the biological review contained in the Project's IS/MND as well as several responses prepared by the City's staff to prior comments submitted by Dr. Smallwood.

Dr. Smallwood has prepared the attached additional comments for the Council's and staff's review. Based on a recent visit he made to the site, Dr. Smallwood has confirmed that numerous ground squirrel burrows are located immediately adjacent to the Project site. Such burrows are commonly used by burrowing owls and indicate there is a likelihood that burrowing owls may be present at or adjacent to the Project site, especially during their nesting season. Likewise, the burrows observed by Dr. Smallwood are the type of burrows utilized by California tiger salamanders as upland habitat and are accessible to tiger salamanders documented near the site. He also observed several other sensitive bird species including Cooper's hawk, red-tailed hawk, and Common yellowthroat foraging and flying at or adjacent to the Project site.

Despite Dr. Smallwood's evidence of the likely presence of burrowing owls immediately adjacent to the site, no burrowing surveys were conducted during the owl's nesting season in order to determine whether or not the owls are actually present at the site. As a result, the IS/MND fails to address the possible impacts the Project's construction and operation may have on nearby burrowing owls and/or their habitat.

Likewise, the IS/MND makes no mention of the potential impacts the Project may have to foraging and other habitat of the sensitive bird species identified by Dr. Smallwood at or adjacent to the Project site, including Cooper's hawk, red-tailed hawk and Common yellowthroat. The IS/MND for the Project does not address potential impacts Cooper's hawk, red-tailed hawk, or San Francisco common yellowthroat. The Cooper's hawk, red-tailed hawk and San Francisco common yellowthroat are not covered by the Santa Clara Valley Habitat Plan ("VHP"). The Cooper's hawk and red-tailed hawk are not addressed at all in either the VHP EIR or 2040 General Plan EIR. Accordingly, no CEQA review of the Project's impacts to these three species has been done.

Additionally, Dr. Smallwood observed the pathways that remain between a known salamander location and the Project site and noted the likelihood that salamanders would be moving through the site to access the numerous ground squirrel burrows on the adjacent hillside. Again, no surveys were conducted by the Project capable of determining whether salamanders already are present in those burrows at certain times of the year.

As discussed below and in Dr. Smallwood's supplemental comments, staff's reliance on conclusory statements by the Project's consultants and components of a habitat conservation plan applicable to statutes other than the California Environmental Quality Act ("CEQA") do not rebut Dr. Smallwood's substantial evidence of a fair argument that the Project may have significant impacts on a number of special status bird species and California salamanders at or adjacent to the site.

A. Staff's Rebuttal Misstates the Standard Applicable to Determining When an EIR is Required.

Attempting to rebut Dr. Smallwood, staff applies in incorrect standard for determining when a project's impacts may be significant. Staff asserts that CEQA Guidelines section 15065 provides that "a project's effects on biotic resources are deemed significant where the project *would* (1) substantially reduce the habitat of a fish or wildlife species, (2) cause a fish or wildlife population to drop below self-sustaining levels, (3) threaten to eliminate a plant or animal community, or (4) reduce the number or restrict the range of a rare or endangered plant or animal." Appendix E, p. 2 (emphasis added). However, Guidelines section 15065 is clear that when a project *may* have such impacts, the agency must make a mandatory finding of significance and prepare an EIR.

Where an agency fails to properly investigate an impact, the scope of a fair argument becomes broader. "[U]nder CEQA, the lead agency bears a burden to investigate potential environmental impacts. 'If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.'" *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 311. *County Sanitation Dist. No. 2 v. County of Kern* (2005) 127 Cal. App. 4th 1544.

Dr. Smallwood has provided his expert opinion based on his observations at the site and his extensive knowledge of the habitat needs and behavior of burrowing owls and other bird species and the California salamander, that the Project may have significant direct and cumulative impacts on those species. The biological assessment relied upon by the IS/MND claims "[t]here is a low probability of occurrence of the burrowing owl, a California species of special concern, on the site due to the paucity of California ground squirrel burrows." Dr. Smallwood's observations directly refute that there is a "paucity" of ground squirrel burrows directly adjacent to the Project site. Smallwood Aug. 26, 2018 Comments. As a matter of law, "substantial evidence includes . . . expert opinion." (Pub. Resources Code, § 21080(e)(1); CEQA Guidelines, § 15064(f)(5).) CEQA Guidelines demand that where experts have presented conflicting evidence on the extent of the environmental effects of a project, the agency must consider the environmental effects to be significant and prepare an EIR. (CEQA Guidelines § 15064(f)(5); Pub. Res. Code § 21080(e)(1).

B. The Santa Clara Valley Habitat Plan Does Not Relieve The City of Performing Biological Surveys Designed to Actually Detect Burrowing Owls and Other Sensitive Species and Ensuring Adequate Mitigation of Impacts Under CEQA.

Staff relies on the VHP as justifying staff's reliance on imprecise, reconnaissance level surveys. Staff essentially argues that the VHP serves as a stand-in for a thorough investigation of the site and surrounding hillside for the presence of burrowing owls and other species and serves to mitigate any potential biological impacts from the Project. This notion is incorrect as a matter of fact and law.

The only regulatory requirements the VHP assists in streamlining is the need for individual project's to obtain incidental take permits under the federal and state endangered species acts. Nothing in the VHP relieves the City from any requirement or duty to investigate a project site under CEQA. As the California Supreme Court has held:

To the extent the agency is arguing that a technique used for planning under another statutory scheme necessarily satisfies CEQA's requirements for analysis of a project's impacts, we disagree. Except where CEQA or the CEQA Guidelines tie CEQA analysis to planning done for a different purpose (see, e.g., § 21081.2, subd. (a) [CEQA findings on traffic impacts not required for certain residential infill projects that are in compliance with other municipal plans and ordinances]), an EIR must be judged on its fulfillment of CEQA's mandates, not those of other statutes.

Neighbors for Smart Rail v. Exposition Metro Line Constr. Auth. (2013) 57 Cal.4th 439, 462. A habitat conservation plan itself does not satisfy CEQA. *Env'tl. Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018, 1027.

The EIR prepared for the VHP acknowledges that the VHP is not a stand-in for project-level CEQA review. As the FEIR for the VHP states, "[a]s part of the standard approval process, most projects would require separate, project-level environmental review under CEQA." VHP FEIR, p. 2-7 (<https://scv-habitatagency.org/DocumentCenter/View/139/Final-Environmental-Impact-Report-Environmental-Impact-Statement-Volume-I>). See also *id.* (Response to Comment 50-66) ("The commenter is correct that project-level CEQA review will still be necessary with the adoption of the Habitat Plan"). The EIR prepared for the VHP only addresses the impacts that implementing the VHP itself would have on the environment. That EIR does not address the direct and cumulative impacts of individual projects. Although the VHP can and should be considered in the context of the Project's environmental review, it cannot be used to alter the City's duty to investigate the Project's potential environmental impacts. By not looking for burrowing owls during the nesting season, the City cannot claim potential impacts to the owl have been evaluated or whether the VHP alone will be sufficient to mitigate potential impacts.

For the foregoing reasons, as well as the reasons articulated in our previous comments and those of Dr. Smallwood, the IS/MND for the Project should be withdrawn, an EIR should be prepared, and the draft EIR should be circulated for public

Dove Hill Medical Care Project
August 28, 2018
Page 5 of 5

review and comment in accordance with CEQA. Thank you for considering these comments.

Sincerely,

A solid black rectangular box used to redact the signature of Michael R. Lozeau.

Michael R. Lozeau
Lozeau | Drury LLP

ATTACHMENT

Shawn Smallwood, PhD



Thai-Chau Le, Environmental Project Manager
City of San Jose
200 E. Santa Clara Street, 3rd Floor
San Jose, CA 95113

26 August 2018

RE: Dove Hill Road Assisted Living Project

Dear Ms. Le,

I write to reply to responses on my comments and previous replies on the biological resources assessment (H. T. Harvey & Associates) prepared for the mitigated negative declaration of the Dove Hill Road Assisted Living Project (City of San Jose 2018). My qualifications were summarized in my comment letter.

SITE VISIT

I visited the proposed project site on 25 August 2018, totaling about 2 hours on the site periphery and around the site. I viewed the site from Dove Road and from Hellyer County Park, and I drove along Thornberry Lane and looked over the remaining patches of open space between housing tracts north of Thornberry Lane. Ground squirrels have obviously long resided on site, as burrow complexes were evident (Figure 1). The burrows on the lower reach of the slope, east of the existing homes, are typical of burrows occupied by burrowing owls that I study in eastern Alameda County. Vegetation cover on other portions of the project site provides structure that is ideal for many species of birds (Figure 2).

By no means was I on site long enough to provide evidence of species absences. But I did verify the presence of a few species I anticipated could be there (Table 1). Of these species, Common yellowthroat is listed by California Department of Fish and Wildlife as a species of special concern and Cooper's hawk (Figure 3) is on the Taxa to Watch List. Red-tailed hawk (Figure 4) and turkey vulture (Figure 5) are protected by California Department of Fish and Game Code 3503.5. The presence of California ground squirrels on the site indicates potential for burrowing owls to breed on site or find refuge during the non-breeding season.

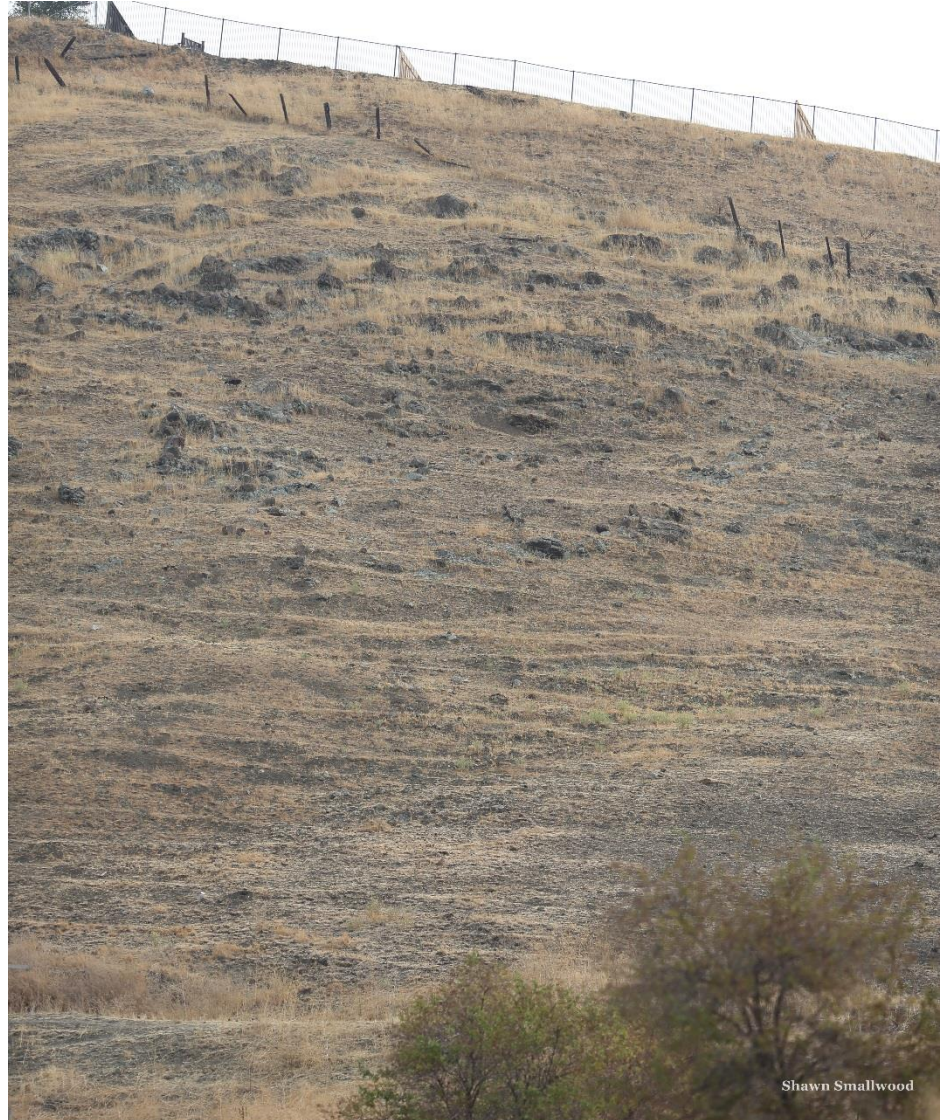
I detected and identified 23 species of bird in little more than two hours (Table 1), which is more than usual in my experience. Had I visited on different dates and different times of day, the species list would grow considerably, and would include more special-status species. Some of the species I detected appear in Figures 6 through 10).

Table 1. Species of wildlife I observed during my visit 08:20 to 10:30 hours on 25 August 2018 at the site and surrounds (“nearby”) of the proposed Dove Hill Road Assisted Living Project.

Species	Scientific name	Status ¹	Location	Note
California ground squirrel	<i>Spermophilus beecheyi</i>		Site	Many burrows
Northern shoveler	<i>Anas clypeata</i>		Site	2 flew over
Turkey vulture	<i>Cathartes aura</i>	CDFW 3503.5	Site	Foraging
Red-tailed hawk	<i>Buteo jamaicensis</i>	CDFW 3503.5	Site	2 foraging together
Cooper’s hawk	<i>Accipiter cooperi</i>	CDFW 3503.5, TWL	Site	Flyover
Mourning dove	<i>Zenaida macroura</i>		Site	Multiple
Rock pigeon	<i>Columba livea</i>		Nearby	Non-native
Eurasian collared-dove	<i>Streptopelia decaocto</i>		Site	Non-native
Anna’s hummingbird	<i>Calypte anna</i>		Nearby	Multiple
Black-chinned hummingbird	<i>Archilochus alexandri</i>		Nearby	Multiple
Acorn woodpecker	<i>Melanerpes formicivorus</i>		Nearby	
Downy woodpecker	<i>Picoides pubescens</i>		Nearby	
Nuttall’s woodpecker	<i>Picoides nuttallii</i>		Nearby	Multiple
Black phoebe	<i>Sayornis nigricans</i>		Nearby	3 birds or more
American crow	<i>Corvus brachyrhynchos</i>		Nearby	Many
California scrub-jay	<i>Aphelocoma californica</i>		Site	Multiple
Northern rough-winged swallow	<i>Stelgidopteryx serripennis</i>		Nearby	Foraging
Bushtit	<i>Psaltirparus minimus</i>		Nearby	Flock
White-breasted nuthatch	<i>Sitta carolinensis</i>		Nearby	Many
Western bluebird	<i>Sialia mexicana</i>		Nearby	Fledglings
European starling	<i>Sturnus vulgaris</i>		Nearby	Non-native
Common yellowthroat	<i>Geothlypis trichas sinuosa</i>	SSC3	Nearby	
California towhee	<i>Pipilo crissalis</i>		Site	Multiple
House finch	<i>Carpodacus mexicanus</i>		Nearby	Multiple

¹ Listed as SSC3 = Species of Special Concern priority 3, CDFW 3503.5 = California Department of Fish and Game Code 3503.5 (Birds of prey), TWL = Taxa to Watch List (Shuford and Gardali 2008).

Figure 1. Eastern slope of Dove Hill site, including ground squirrel burrow systems on lower half of the slope. In eastern Alameda County I have many times seen burrowing owls occupy burrows on slopes like this one.



Shawn Smallwood

Figure 2. *Vegetation cover on one portion of the proposed project site on 25 August 2018.*

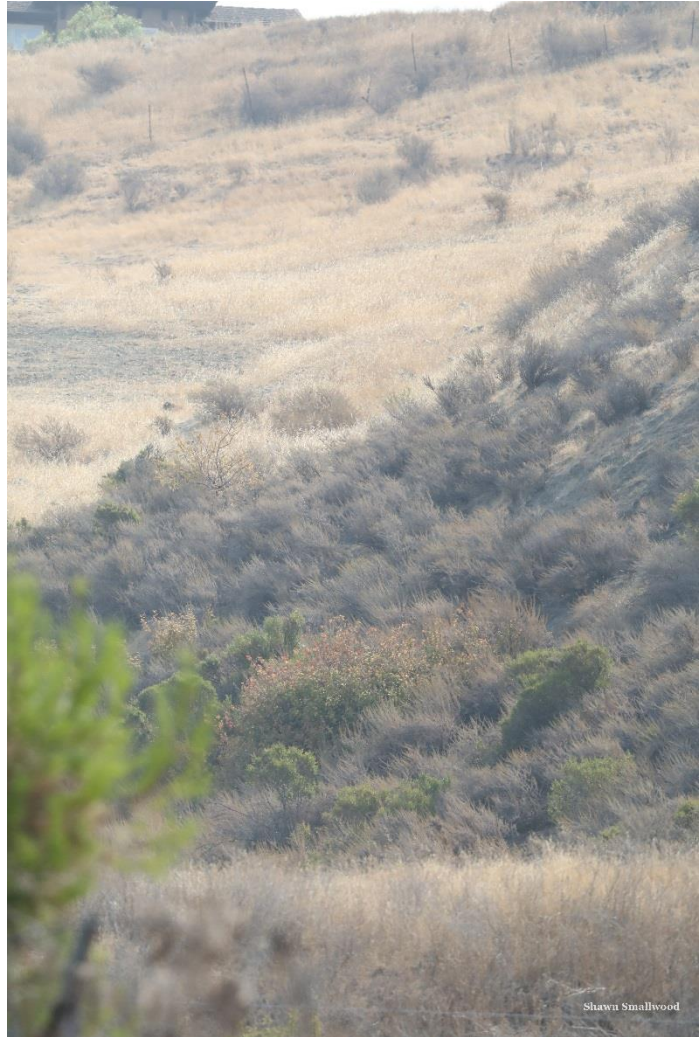


Figure 3. *Cooper's hawk having just left the proposed project site, 25 August 2018. I also saw this or another Cooper's hawk at the intersection of Hassler Parkway and Trestlewood Drive and just north of the north end of Thornberry Lane.*



Figure 4. *A red-tailed hawk seen against a residential background (left photo) and after having begun soaring (right photo) just northeast of the proposed project site on 25 August 2018. I also saw two red-tailed hawks forage together over the proposed project site, both soaring and kiting.*

Figure 5. *One of multiple turkey vultures foraging over and around the proposed project site on 25 August 2018.*



Figure 6. White-breasted nuthatches were more abundant around the proposed project site than I can recall seeing them anywhere. The nuthatches appeared to thrive on old trees providing many holes and crevices, and lots of peeling bark.



Figure 7. I saw numerous California scrub-jays around the proposed project site, including at least one fledgling. California scrub-jays cache acorns and other large seeds food stores in concealed locations numbering up to a couple thousand, and then remember these locations for later retrieval. The species is symbiotic with California's oaks, spreading their seeds over large areas.



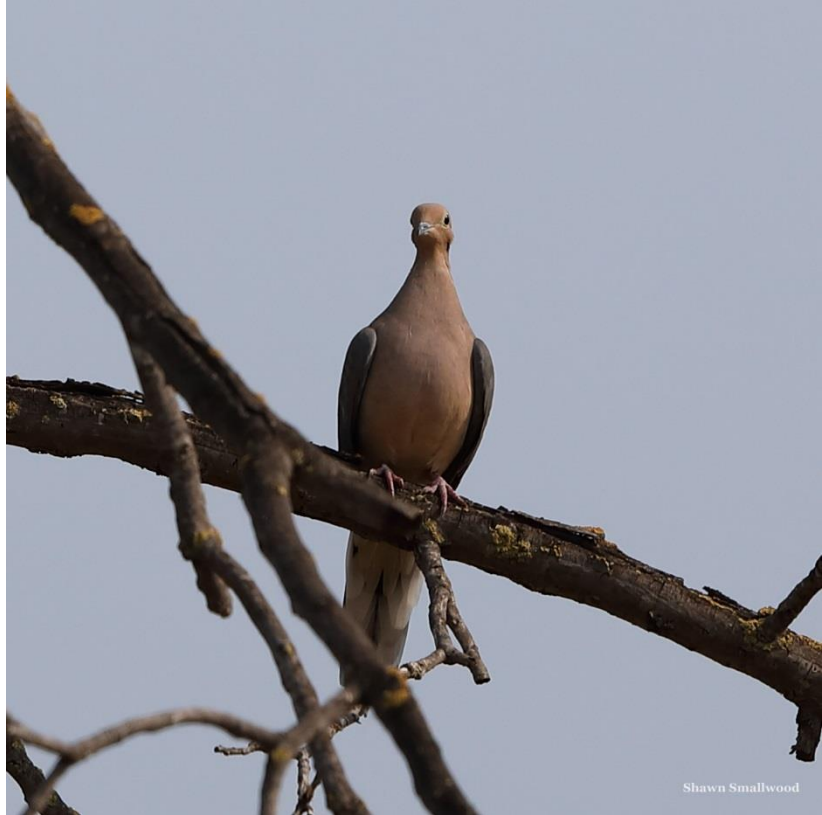


Figure 8. *Fledgling western bluebird (left) watched by adult female (right) near the proposed project site on 25 August 2018.*



Figure 9. *Black phoebe (left) and black-chinned hummingbird (right) near the proposed project site on 25 August 2018.*

Figure 10. One of many mourning doves on and nearby the proposed project site on 25 August 2018.



Replies to Second Set of Responses to Comments

Response E.1: Landscaped habitat

Respondents argue that “...*landscaped areas around the new facility would provide foraging habitat similar in value to the landscaped habitats currently on the site.*”

“Landscaped habitat” is not a term used in wildlife ecology or conservation biology; there is no scientific foundation for the term. Habitat is defined by a species’ use of the environment (Hall et al. 1997, Morrison et al. 1998), which means that “landscaped habitat” makes no sense. Most special-status species typically cannot use environments that are “landscaped” for the human aesthetic.

Response E.2: Significance of impacts and mitigation

My brief site visit revealed that several special-status species do, indeed, occur in the project area. The project would reduce habitat of Cooper’s hawk, red-tailed hawk, both species of which I saw foraging on the project site. It would likely also reduce habitat of common yellowthroat, which I saw right next to the project site. Detection surveys would likely reveal additional special-status species, but preconstruction surveys would likely not. I stand by my earlier comments.

Responses E.2 to E.4 and E.6, E.10, E.13, E.14

I have nothing further to add to my earlier comments on the issues addressed in these responses.

Response E.5: Burrowing owl habitat

Respondents claim there is a paucity of ground squirrel burrows at the proposed project site, and thus no potential for burrowing owl presence. That is not what I saw. Ground squirrel burrows are visible in Figure 1. Figure 11 shows a cropped portion of Figure 1, in which I count at least 15 ground squirrel burrows. Other ground squirrel burrows I observed up close at the project's boundary (Figure 12). The burrows in both Figures 11 and 12 are located just outside the project's footprint, but would be fully exposed to lights, noise and frequent human activity. Whatever likelihood might exist for burrowing owls to use these burrows presently would evaporate with the construction of a building and landscaping right in front of, and facing directly into, this slope.

Response E.7: Lack of habitat for California tiger salamander

As I commented in my original letter, California tiger salamander was detected this year only 1,200 m from the proposed project site. I looked over the area where the tiger salamander was detected, and I examined the space between that site and the proposed project site for barriers to movement. No doubt the salamander's upland habitat has been severely fragmented by residential development, but pathways remain for tiger salamanders to travel between their breeding pond and the ground squirrel burrows on the proposed project site. Another concern is that with the detection of California tiger salamanders 1,200 m from the project site, there might be additional nearby sites where the species continues to breed.

Response E.9: Site is already developed

I looked over the current conditions at the site, and noted the nursery and homes. However, the structures at the site are small, the traffic volume is low, and there is little in the way of noise, lighting, and human activity. The proposed project would impose a larger structure with more traffic, noise and lighting.

Response E.11: The project would not impede wildlife movement

In my experience, volant wildlife fly over portions of landscapes that are less disturbed by human structures and activities. For example, the golden eagles that my colleagues and I have tracked using GPS transmitters fly in patterns that mostly thread the needle between areas intensively used by people, meandering their paths to avoid lands covered by residential, commercial and industrial uses. While at the proposed project site, I noticed multiple species flying over the project site, likely for the same reason I just gave – because it remains one of the last remaining patches of relatively low human use in the region. Over the site I observed turkey vultures, red-tailed hawks, a Cooper's hawk, a pair of northern shovelers, and mourning doves.



Figure 11. *At least 15 ground squirrel burrows are visible in this photo frame on the proposed project site on 25 August 2018, indicating the presence of a key component of burrowing owl habitat.*

Response E.12: The speed limit of 15 MPH will prevent traffic-caused wildlife mortality

Nobody that I saw on Hassler Parkway drove as slow as 15 MPH. In fact, I saw cars being driven quite fast.

References Cited

Hall, L. S., P. R. Krausman, and M. L. Morrison. 1997. "The Habitat Concept and a Plea for Standard Terminology." *Wildlife Society Bulletin* 25:173-82.

Morrison, M. L., B. G. Marcot, and R. W. Mannan. 1998. *Wildlife-Habitat Relationships: Concepts and Applications*. 2nd edition. University of Wisconsin Press Madison, WI.

Figure 12. *A ground squirrel burrow on the proposed project's border, observed on 25 August 2018. Such burrows are used as breeding and refuge habitat by burrowing owls.*



Thank you for the opportunity to reply,

[Redacted signature]

Shawn Smallwood, Ph.D.

From: ericchristen

Sent: Tuesday, August 28, 2018 3:02 PM

To: The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10

Cc: City Clerk; Webmaster Manager;

Subject: This week's union extortion San Jose is voting on: Item 10.2 - PDC14-051/PD16-019 - Planned Development Rezoning and Planned Development Permit for Real Property Located at 4200 Dove Hill Road.

SUBJECT: Item 10.2 - PDC14-051/PD16-019 - Planned Development Rezoning and Planned Development Permit for Real Property Located at 4200 Dove Hill Road.

Dear San Jose City Council:

At your meeting today (August 28, 2018) you will consider a Planned Development Rezoning and Planned Development Permit for the proposed Dove Hill Medical Facility Project at 4200 Dove Hill Road.

Notice the zealous concern of the Laborers International Union of North America (LIUNA), Local Union 270 for white-tailed kites, loggerhead shrikes, Bay Checkerspot butterflies, California tiger salamanders, California red-legged frogs, and other species that may be located at this site. (See the letter, extracted from the meeting packet, here: <http://phonyuniontreehuggers.com/wp-content/uploads/2018/08/2018-04-30-Lozeau-Drury-Laborers-LIUNA-Union-Local-270-Dove-Hill-Medical-Care-Project-City-of-San-Jose-Letter.pdf>.)

The Coalition for Fair Employment in Construction encourages you to ask representatives of the Laborers Union, including attorneys for the law firm of Lozeau Drury LLP, if these species would be protected to their satisfaction if the developer of the Dove Hill Medical Facility Project agreed that construction companies building the proposed facility shall be required to sign a Project Labor Agreement with one or more trade unions.

We are guessing that those species will never be adequately protected **UNLESS** there is a Project Labor Agreement. And we assert that Project Labor Agreements are not a legitimate method of mitigation under the California Environmental Quality Act (CEQA).

Someday, somewhere, elected officials representing the People will ask questions to confirm that the California Environmental Quality Act (CEQA) is in practice a labor law that belongs in the California Labor Code. Will today be the day in the City of San Jose? One can only hope.

Ditto area media.

Sincerely,

Eric Christen
Executive Director
Coalition for Fair Employment in Construction
www.opencompca.com

Notice of Intent

Sunday, July 1, 2018 11:37 AM

Vani Moodley

Key	Term	Source
NOI	Notice of Intent	CEQA
MND	Mitigated Negative Declaration	CEQA
TIS	Traffic Impact Study	
LA	Lead Agency	
IS	Initial Study	

Issue	Legal Requirement	Comments								
NOI to adopt MND did not provide the required review period	The Department must mail the NOI to the last known name and address of all organizations and individuals who have previously requested such notice in writing and must also provide an NOI through at least one of the following procedures to allow the public a 30 calendar day review period: Publication at least one time in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice must be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas. Posting of notice on and off site in the area where the project is to be located. Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll.	NOI was issued on 4/4/18 and provided for a comment period which began on 4/9/18 and ended on 4/30/18. Thus, the required 30 calendar review period was not provided.								
Content of NOI	<table><tr><th>Requirement</th><th>Met(Y/N)</th></tr><tr><td> • A brief description of the proposed project and its location. From <http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm> </td><td>Y</td></tr><tr><td> • The starting and ending dates for the review period during which the Lead Agency will receive comments on the proposed ND or MND, including starting and ending dates for the review period. From <http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm> </td><td>Y, but comment period is too short</td></tr><tr><td> • The date, time, and place of any scheduled public meetings or hearings to be held by the </td><td>N</td></tr></table>	Requirement	Met(Y/N)	• A brief description of the proposed project and its location. From <http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>	Y	• The starting and ending dates for the review period during which the Lead Agency will receive comments on the proposed ND or MND, including starting and ending dates for the review period. From <http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>	Y, but comment period is too short	• The date, time, and place of any scheduled public meetings or hearings to be held by the	N	
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• The date, time, and place of any scheduled public meetings or hearings to be held by the	N									

Lead Agency on the proposed project, when known at the time of notice.

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

- The address or addresses where copies of the proposed ND or MND and all documents referenced in the proposed ND or MND are available for review. This location or locations must be readily accessible to the public during the lead agency's normal working hours.

Y

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

- A description of how the ND or MND shall be provided in electronic format. (Added by AB 209, Statutes of 2011, which expanded Public Resources Code Section 21092(b)(1) to include this requirement.)

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

- The presence of the site on any list of hazardous waste facilities, land designated as hazardous waste property, and hazardous waste disposal sites, and the information in the Hazardous Waste and Substances Statement required under Government Code, Section 65962.5 (f).

?

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

- Other information specifically required by statute or regulation for a particular project or type of project.

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

OPPORTUNITY
FOR PUBLIC
HEARING OR
PUBLIC HEARING

From

<<http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

Public hearings are encouraged, but not required as an element of the IS/ND process. However, the Project Development Procedures Manual (PDPM) requires a public hearing for any projects that:

1. Require significant right of way
2. Require substantial changes to the layout, or to the function of connecting roadways, or facility being improved,
3. Have a significant adverse impact on abutting real

Argue 3 and 4

[ov/ser/vol1/sec5/ch35nd/chap35.htm](http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm)>

3. Have a significant adverse impact on adjoining real property, or
4. Have a **significant environmental, economic, social, or other effect.**

A "Notice of Opportunity" for a public hearing may be used to satisfy the requirement for a hearing if the project is non-controversial and a hearing request is unlikely. This can be determined by analysis of comments received from the public or local agencies or through prior contacts and information meetings.

From <http://www.dot.ca.gov/ser/vol1/sec5/ch35nd/chap35.htm>>

Transportation/Traffic (Part 1)

Thursday, September 6, 2018 3:09 PM

Traffic Impact Study (TIS) analysis requires consideration of a number of key variables used to project future operations after a proposed project is implemented. Examples of variables include forecasted trip generation, trip distribution, future traffic conditions, and capacity and performance of roadway improvements. The assumptions made about key variables may affect the implementation of land use and transportation plans, positively or negatively.

When impacts are not accurately projected through the traffic analysis process, the best decisions may not be made. Poor decisions can result in traffic congestion, safety issues, or unnecessary improvements.

Credible and accurate TISs are important for community development and livability.

Organizational issues or conflicts of interest that may or may not affect the analysis outcomes are best discussed during scoping and managed accordingly by the relevant parties in advance of conducting the analysis.

Issue	Ranch Community Response	
The TIS is fundamentally flawed	Details	Comments
	The TIS does not use the latest <i>ITE Trip Generation</i> edition	The 9th edition is used whereas the latest edition (10th) should have been used
	The TIS is based on the wrong land use code	The estimated amount of traffic associated with a proposed development is a critical factor. This estimate is based on the land uses of the development. Where a travel demand model is available, the use of this model should be considered and discussed during the scoping meeting to predict trip generation. When a travel demand model is unavailable, the most commonly accepted data source is ITE's Trip Generation, an informational report of estimated trip generation by land use codes. Exhibit 5 identifies the elements of a sample Trip Generation page. A trip generation prediction should be developed using the following sequential process: • Land Use Code Selection: Because there are more than 150 land use categories in Trip Generation, the appropriate code must be identified. In many cases, there is more than one potential applicable code. • Independent Variable Selection: There is more than one independent variable for many of the land use codes, so a decision must be made about the appropriate variable. • Independent Variable Application: For most land use codes, an average rate or fitted curve can be used.
	The TIS is based on project site activity provided by the project applicant	There is a conflict of interest here because the project applicant would be foolish to provide anything other than project site activity that would minimize the impact of traffic. Moreover, the ITS trip generation method is utilized trip yields trip rates that are based on a Land Use Code and a site square footage. Project site activity metrics provided by the project applicant should not be used.
The TIS is focused on automotive traffic only and fails to consider bicycle and pedestrian access	The TIS is based on project site activity for an assisted living facility whereas the actual use is for a convalescent hospital	Traffic would be higher for a convalescent hospital than for an assisted living facility because of greater visits for friends and family, generally convalescent hospitals have more staff and require more service providers
	Concerns	Comments
Are pedestrian and bicycle needs safely accommodated? • Will the proposed development maintain	To determine adverse effects on pedestrian and bicycle facilities, the following criteria should be evaluated: • Road width • Road design	

or improve safety for pedestrians and bicyclists?

- Will the proposed development's access points increase potential conflicts with pedestrians and bicycles?
- Will site-generated traffic adversely affect pedestrians and bicycles?
- Will site-generated traffic adversely affect existing and planned pedestrian and bicycle facilities?
- How will proposed mitigation affect pedestrians and bicyclists?

- Acceptable grade
- Alignment where sidewalk crosses driveway
- Driveway widths
- Connection of street sidewalk and parking areas to building entrances
- Connections between adjacent developments/uses
- Access to adjacent and nearby pedestrian and bicycle facilities
- Traffic speed
- Traffic control operation and timing favorable to safe pedestrian crossing
- Whether right-turns-on-red should be prohibited to protect bikes and pedestrians
- Other items: sight lines, lighting, pavement condition, signing, curb extensions and pedestrian refuge medians

At a minimum, the TIS should indicate that the proposed project will maintain or improve existing conditions for pedestrians and bicyclists. The TIS should identify any existing and planned bicycle or pedestrian facilities that are in the project area and identify facilities that would be modified or adversely affected by the proposed development.

An adverse pedestrian or bicycle effect would occur if the project were to result in unsafe conditions for pedestrians, including unsafe increases in pedestrian and bicycle or bicycle and motor vehicle conflicts. The TIS should document all analysis of bicycle and pedestrian needs, including adverse effect and proposed mitigation. Consultation with ODOT and other relevant parties during TIS preparation will be useful in assessing adverse effect.

Other relevant parties could include the local school district, local bicycle or pedestrian coordinator, local transportation planner, or bicycle and pedestrian committees.

Transportation/Traffic (Part 2)

Thursday, September 6, 2018 4:03 PM

Issue	Ranch Community Response	
The TIS is outdated.	Details	Comments
	The TIS is dated April 22, 2015 and indicates that it was revised in March 2018	The TIS fails to indicate the nature of the revision. The latest version of the <i>ITE Trip General Manual (10 ed.)</i> was released in September 2017. Since the TIS is based on the <i>ITE Trip Generation Manual</i> any revision should include the use of the 10th ed trip rated. But, this was not done.
The TIS does take into account seasonal variations in traffic use.	Details	Comments
	Variations in traffic use and seasonal effects should be taken into account when compiling traffic volumes from manual counts. Seasonal factors developed from permanent counters called automatic traffic recorders (ATRs), ATR characteristic tables, or seasonal trend tables should be applied to manual traffic counts to more accurately reflect traffic conditions.	The TIS is based on field observations made in March 2015. Given that we are in September 2018, this data is woefully out of date. Moreover, the data appears to have been collected with a single 24 hour period. Thus, the data does not consider variations due to seasons and due to changes in the school calendar. Finally, observations were of vehicular traffic only and ignores pedestrian and bicycle traffic. An important point to consider is the Hassler Pky and Dove Rd. are heavily used by cyclists. Hassler Pky in particular is preferred by cyclists because it is almost the only hill route in the San Jose Area and therefore give competitive cyclists much needed practice in hill climbing. Because access to Hassler Pky is via Dove Rd, the latter also sees significant bicycle traffic. Since Dove Rd. lacks both a shoulder and a bicycle lane there is already a risk of injury to cyclists through collisions with vehicular traffic which will no doubt be exacerbated if the project is approved.
The TIS uses incorrect data	Details	Comments
	The project will have 522 Employees. 271 Full-Time Employees and 251 Part Time Employees. Total Number of hours per week is 14,592.	The TIS is based on a peak of 55 employees

Aesthetics

Thursday, September 6, 2018 12:01 PM

Issue	Ranch Community Response		
The project would have a substantial adverse effect on a scenic vista.	Relevant Policy	Excerpt from IS	Comments
	CD-10.3 Require that development visible from freeways (including US 101) be designed to <u>preserve and enhance attractive natural and man-made vistas.</u>	Housing, roadway infrastructure, and facilities characteristic of a suburban setting are present in the surrounding project area; however, the immediate project site is <u>visually defined by undeveloped hillsides and open space.</u> The overall character and quality of the project area can be described as rural-suburban.	If the IS admits that the project site is visually defined by undeveloped hillsides and open space
	LU-17 seeks to preserve the valuable natural resources of the hillsides and protect their aesthetic and habitat amenities to enhance the rural character of these areas.	While the project would modify views of the hillside , the new buildings would have a maximum height of 65 feet, and the upper portions of the 230 foot tall undeveloped hillside (located behind the development footprint) would continue to be visible from both the park and from vehicles passing by the site on US 101.	The LA has admitted that the project would modify the views of the hillside. The project does not protect the aesthetic and habitat amenities and does not enhance the rural character of the hillside. The Lead Agency is asked to recognize the hillside question is one of the few, if not the only grassy hillsides immediately adjacent to 101 and provides a unique rustic and charming vista. Any development on said hillside would destroy the scenic vista.
	LU-17.4 lists guidelines for development in hillside and rural residential areas in order to preserve and enhance the scenic and aesthetic qualities of the natural terrain and states that, "dwelling unit sites should take advantage of scenic views but should be located below hilltops to protect the aesthetics and ridgeline silhouette viewed from below, from public places, and from the valley floor."	The project would obscure or modify views of the lower hillside from public vantage points including views from US 101 and Hellyer County Park; as described previously, however, an existing soundwall would block views of the lower floors of the project. The The quality of views from Hellyer County Park would be generally similar to existing conditions, with the development footprint occurring within the existing developed footprint of the site, surrounded by 18 acres of undeveloped hillside open space, and the buildings occupying only the bottom of the slope, below the ridgeline.	Hellyer County Park Golf nearby. Sirens, traffic, Coyote Creek Trail Aesthetic qualities are more than just visual. They include sound. A CH would have constant traffic including emergency vehicles with blaring sirens
The project would substantially degrade the existing visual character or quality of the site and its surroundings?	Relevant Policy	Excerpt from IS	Comments That this is indeed the case...
The project would create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	Relevant Policy	Excerpt from IS	Comments A project of this magnitude will have substantial lighting
Light and Glare Impacts			

Air Quality

Thursday, September 6, 2018

1:35 PM

Issue	Ranch Community Response	
	Excerpt from IS	Comments
The mitigations proposed to minimize the exposure of the site occupants to TAC emissions and to avoid significant health risks to health and safety are inadequate	Conditions of Approval: The project shall include the following safeguards to minimize exposure site occupants to long-term TAC and annual PM2.5 emissions: • Air filtration devices shall be installed as part of the heating, ventilation, and air conditioning (HVAC) system. Air filtration devices shall be rated MERV13 or higher. Alternately, at the approval of the City of San Jose, equivalent control technology may be used if it is shown by a qualified air • An ongoing maintenance plan for the buildings' HVAC air filtration system shall be prepared and submitted to the Director of the Department of Planning, Building and Code Enforcement for review and approval. The maintenance plan shall (1) specify provisions for the cleaning, maintenance, and monitoring of affected buildings for air flow leaks; (2) include assurance that owners/tenants are provided information on the ventilation system; and • Conditions of approval shall be printed on all approved construction contracts, plans, and similar	The conditions of approval all require indoor use. This means that unless patients remain indoors they will expose themselves to the TAC emissions and attendant health risk. This restriction to indoor living poses health problems caused by lack of exposure to sunlight. Such mental health problems could include mental health problems such as depression etc. Mental health and stress reduction requires regular outdoor exposure. One can make the argument

Agricultural and Forestry Resources

Thursday, September 6, 2018 12:14 PM

Issue	Ranch Community Response	
The project would conflict with existing zoning for agricultural use	Excerpt from IS	Comments
	The project site is surrounded by rural/suburban development and is occupied by single-family residences or is undeveloped open space; therefore, its development would not	The is factually wrong.
	The project site has a Public/Quasi-Public General Plan designation and is planned for suburban uses. The site is zoned Agriculture (A) on the City's Zoning Map. While the site was once occupied by an orchard, it site is not used for cultivation of crops. The is currently grazed by horses and livestock, a practice which would continue following implementation of the proposed project. The site is not used for forest or timberland purposes. With approval of the proposed rezoning of three acres of the site from Agriculture (A) to Planned Development (PD), the project would The project site is not part of a Williamson Act contract and is designated as Grazing Land in the Santa Clara County Important Farmland, the potential loss of which is not	This is a conclusory statement. What studies support this conclusion? The admitted loss of grazing land will be an actual loss and not merely a potential one. On the contrary we can assert that the loss is a significant one. Surely mere assertion of a conclusion cannot be the standard envisaged by CEQA. The point that the LA has failed to substantiate the bald allegation that the loss is not considered significant and is thereby making a mockery of Moreover, the loss of grazing land is a significant issue because the project has not been demonstrated to fill a need. More particularly, the project is not supported by any data showing a need for a convalescent home in the area. Such being the case, why valuable grazing land and an esthetically pleasing hillside vista to allow the construction of a facility in respect of which there is no data showing a need. In this regard usage data

From: "Cynthia Tillo" >

To: "Hughey, Rosalynn" >, "Do, Sylvia" >, "Lipoma, Emily" >, "Tu, John" <, "The Office of Mayor Sam Liccardo" >, "District1" <>, "District2" <>, "District3" <>, "District4" <>, "District5" <>, "District 6" <>, "District7" <>, "District8" <>, "District9" <>, "District 10" <>, "Liccardo, Sam" <>, "Jones, Chappie" <>, "Jimenez, Sergio" <>, "Davis, Dev" <>, "Arenas, Sylvia" <>, "Khamis, Johnny" <>, "Nguyen, Tam" <>, "Rocha, Donald" <>, "Carrasco, Magdalena" <>, "Diep, Lan" <>, "Peralez, Raul" <>, "McGarrrity, Patrick" <>
Cc: "" <>, "Sunondo Ghosh" <>, "Vani Moodley" <>, "Jim Park" <>, "Xin Wang" <>, "Raghavendra Bhagavatha" <>

Subject: Dove Hill: Formal submission of issues to Planning Committe from Ranch Community Residents - Part I

Honorable Councilmembers and the Planning Commission:

On behalf of the residents of the Ranch @Silver Creek, we would like to officially submit into public file the attached presentation outlining issues the community has identified in regards to the Dove Hill PDC14-051 and PD16-019. Another fellow neighbor will follow-up with a document version that cites specific policies in violation.

Our community was not granted the opportunity to properly review materials during the April public review period and we have had merely 2 short weeks to attempt to read and assess hundreds of pages of documentation. Therefore, the attached document includes new findings even after our meeting with Councilmember Arenas on 9/7.

The presentation covers the major issues with the current proposed medical facility - including outdated, incomplete, omitted and inconsistent analysis of development impact. The community is extremely concerned that if the City Council made a decision without knowledge of these issues, it would be detrimental to not only the current 3500 residents but also future 250 seniors of the facility.

We respectfully request that this project be denied and at minimum, request that the Planning Committee analyze and provide responses to all identified issues as part of the Supplemental Planning Recommendation Report to Council. We were robbed of the right other neighborhoods have had in the open participatory process of community involvement. We urge you to rectify the mistakes that have been made in this process and give adequate time (till the next planned evening meeting of 10/23) for the Planning Committee to do a proper job.

We look forwards to partnering with you on an outcome that benefits our San Jose community and is aligned with the objectives of the City.

Sincerely,
Cynthia Tillo
Sunondo Ghosh
Jim Park
Vani Moodley
Raghavendra Bhagavatha
Xin Wang
On behalf of residents of the Ranch @Silver Creek

Dove Hill Medical Facility Project

PDC14-051 and PD16-019

Critical Unresolved Issues from Residents of The Ranch on Silver Creek

Supplemental Materials

This presentation is only a subset of the issues raised by Residents. For full list of issues, refer to: [Document being drafted for final submission]

Video of community presentation and Q&A on 9/7 with Arenas:

- Community Presentation: <https://youtu.be/9-PnC-XZZy0?t=9m40s>
- Q&A: <https://youtu.be/O8W15-7Emtw>
- Q&A: <https://youtu.be/NWdGhvwv2mo>

The Project

The project proposed to **rezone three acres** (“development footprint”) of the 21-acre site from Agriculture to A(PD) Planned Development for the demolition of all existing buildings, structures, trees and landscaping, and associated improvements, and **to develop a convalescent hospital facility with two buildings containing a total of 155 patient rooms and up to 248 beds**, all within the development footprint of the three acres. The remaining 18 acres would stay zoned Agriculture and would be maintained as undeveloped, permanent private open space ^[1].

The Location



Casa Bella

Mariposa

Proposed Project Site (3 Acre)

Hassler Pkwy Connecting to Dove Road

Access to/from US 101 via Dove Road

The Affected Neighbors



Hill Stone and Bel Air Communities, which use Hassler Pkwy and Dove Road for US 101 access.

The Ranch On Silver Creek. **500+ homes** with over 3,500 people living there. **Hassler Pkwy and Dove Road** are lifeline for these residents.

Community Asks

The proposed location of the Dove Hill senior medical facility will result in an **unsafe traffic chokepoint** and does not adequately account for **critical emergency vehicle access**. In addition, the facility is **incompatible** with the existing neighborhood and would lead to **disgraceful living conditions** for seniors.

The community is asking for:

1. Proper Public Hearing in December
2. Compatibility analysis with existing neighborhood
3. DOT Evaluation of Road Safety on Dove Hill
4. Updated Traffic Study

Until conditions #2-#4 are met and the development plan is updated to reflect findings, a decision would be premature based on flawed outdated and incomplete analysis.

Proper Public Hearing

- **Lack of transparency and negligence** of following standard process* - public hearing should have occurred during public review period April 9 - 30 **before** a recommendation is made by the Planning Commission
- Only record of community notification was sent to prior HOA president who no longer lives in the community and asked to “please forward this notice”

*Envision San Jose General Plan: VN-2 on Community Empowerment <http://www.sanjoseca.gov/DocumentCenter/View/474>

From: "Le, Thai-Chau" <Thai-Chau.Le@sanjoseca.gov>

Date: April 9, 2018 at 2:15:13 PM PDT

To:

Subject: FW: Public Review Draft Mitigated Negative Declaration: Dove Hill Medical Care Facility Project (PDC14-051)

Hi Sonia,

I am the Environmental Project Manager for the proposed Dove Hill Medical Care Facility Project. I obtained your email information from John Tu, the project manager for this project. You previously sent an email with regards to the CP08-08-03 General Plan Amendment in 2016 so I wanted to notify you of the project below.

The project is currently under review and the proposal is stated below. The environmental documents are available online for public comments. Please send any comments you have about the environmental review of this project to me and I will include that as part of the public record.

Please forward this notice to anyone else you think may be interested in commenting.

Please let me know if you have any questions.

Best regards,

Thai

Proper Public Hearing

- No public hearing conducted for this updated project even when requested
- Last public hearing was in 2016!

On Apr 23, 2018, at 8:32 AM, Keyon, David <david.keyon@sanjoseca.gov> wrote:

Hi Deepesh,

Please send via U.S. Mail or via e-mail to Thai (and copy me) by April 30th. **There is no public hearing scheduled for this project at this time.**

I added you name as a contact for The Ranch on Silver Creek in the project file.

Thank you,

David Keyon AICP

Supervising Planner - Environmental Review

City of San Jose - Department of Planning, Building, and Code Enforcement

(408) 535-7898

Proper Public Hearing

- Most recent community meeting notification had wrong location – stated Evergreen Community College instead of Evergreen Community Center
- Attempt to fix mistake was too late and denied broader community opportunity to attend the meeting



Planning Division Community Meeting

This notice provides you with information regarding a nearby development.

File Nos. PDC14-051 & PD16-019

TO:

Meeting Details:

Evergreen Community College
Multi-Purpose Room

September 6, 2018 at 7:00pm

4860 San Filipe Road

San José, CA 95135

For Americans with Disabilities Act accommodation, please call 408-535-1260 (Voice) or 408-294-9337 (TTY) at least two days before the hearing.

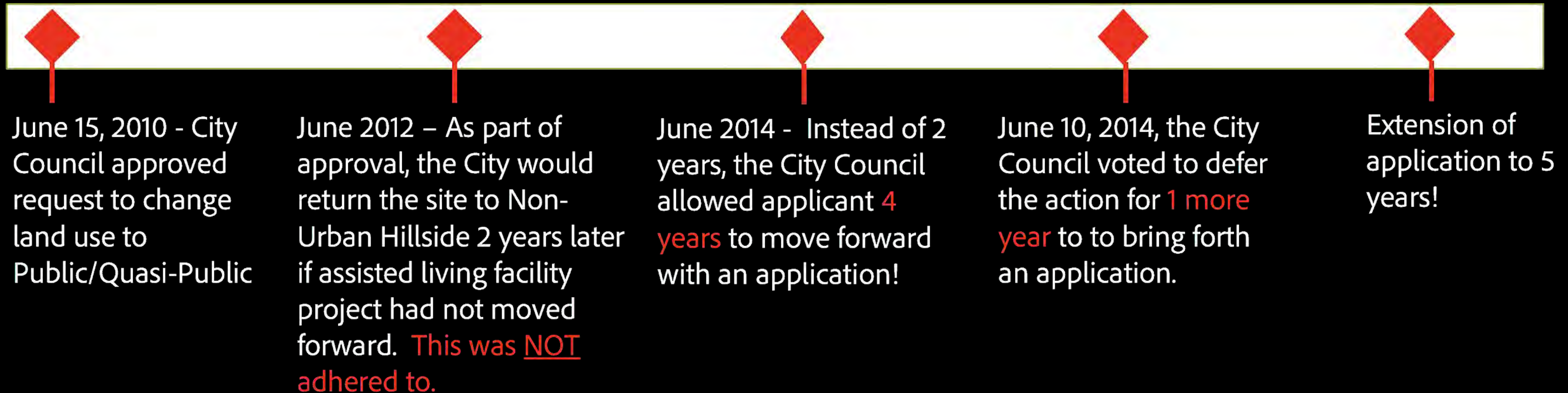
PDC14-051 & PD16-019:
Para información en
Español, comuníquese con
Jennifer Provedor al (408)
793-4100.

PDC14-051 & PD16-019: Muốn
biết tin tức bằng tiếng Việt về tờ
thông tin này, xin quý vị liên lạc
Kieulan Pham ở số (408) 793-
4174.

Proper Public Hearing

Related to lack of transparency:

- Applicant granted 3 additional years of leniency to develop proposal – **WHY?**
- If applicant granted 3 years, certainly community can be granted 3+ months for hearing



Proper Public Hearing

- Why Dec for public hearing?
- Our community is predominately dual working parents with young kids.
- We have extremely limited time on weekends to understand implications of project.



To address the prior negligence of adhering standard process, the community is asking for our right to a **proper public hearing** in December.

Compatibility Analysis w/ Existing Neighborhood

- We are in a Non-growth area and any development should **protect and be compatible** with existing neighborhood
- Proposed development omitted and did not consider project design compatibility issues in accordance with ENVISION 2040 policies
- Commercial Design Guidelines were not utilized to analyze the compatibility of the project design to the neighborhood. This was used to plan other senior medical care facilities in San Jose by Planning Staff.

CD-4.4 In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation.

VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.

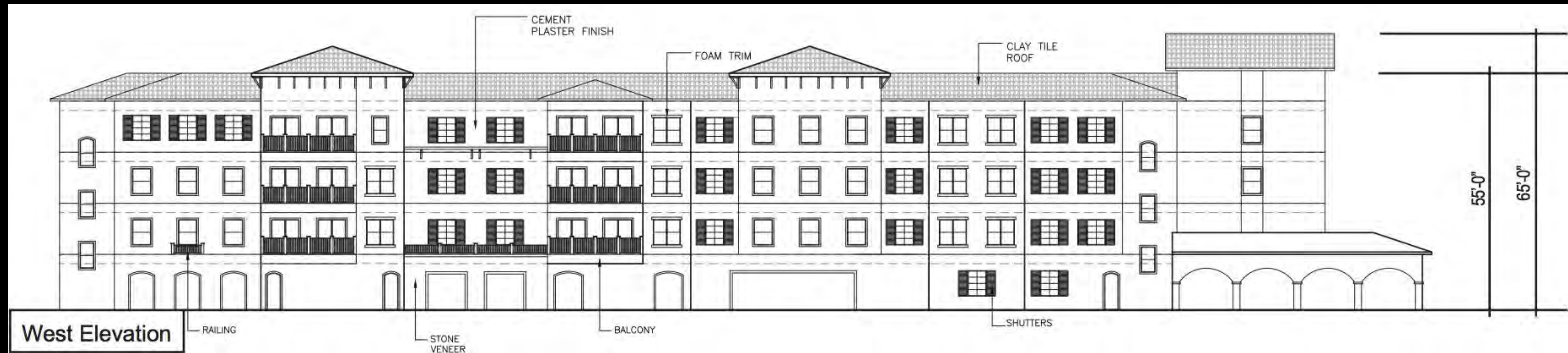
VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.

VN-1.12 Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods.

*Envision San Jose General Plan:

<http://www.sanjoseca.gov/DocumentCenter/View/474>

Compatibility Analysis w/ Existing Neighborhood



Building A of Medical Facility (65') vs. Typical Home in Ranch Silver Creek (20')

4-story medical care facility is:

- **NOT** compatible in **SIZE** with the neighborhood
- **NOT** compatible in **HEIGHT** with the neighborhood
- **NOT** compatible in **BULK** with the neighborhood

The plan **omitted compatibility analysis** of development with existing neighborhood located in non-growth area.
Community is asking for proper compatibility analysis.

DOT Evaluation of Road Safety on Dove Hill

- From 7/2009-12/2009, there were 0 emergency calls from our community
- Prior proposed project for assisted living would result in 100 emergency calls per year = 2 calls/week
- Current project for medical facility would certainly be higher than this

Facts: Traffic – Safety Hazard

- Per SJFD records, 0 calls made to SJFD in six months (July-Dec 2009) from residents on Hassler Parkway between Dove Road and Silver Creek Valley Road
- In context of the proposed project for assisted living, **additional 100 calls per year will be made to Emergency services.** This is about two Emergency calls every week
- Dove Road is primary and fastest way to get to US-101
 - Two lane road
 - At least two blind spots
 - Has ABSOLUTELY NO shoulder

3

Supporting Material for Slide 3 Facts: Traffic - Safety Hazard

Email from Ty Mayfield, San Jose Fire Department on May 27, 2010

For the six months between 7/1/2009 and 12/31/2009 there were:

- no emergency responses anywhere on Hassler Parkway during the six month interval
- 27 medical emergencies and 2 cancelled calls at 4463 San Felipe
- 47 medical emergencies, 1 service call, and 2 cancellations at 4855 San Felipe

[Initial Study: Page 180]

Based on project's estimated number of proposed units (275), the SJFD estimates the project may result in up to 100 calls per year.

Proposed project leads to about 2 **ADDITIONAL** Emergency Calls to SJFD per week and this is about the same number of emergency calls that originated from a nearby Assisted Living Facility during six month period of Jul-Dec 2009.

Please note that this severity of risk doesn't exist today as number of emergency calls is near zero.

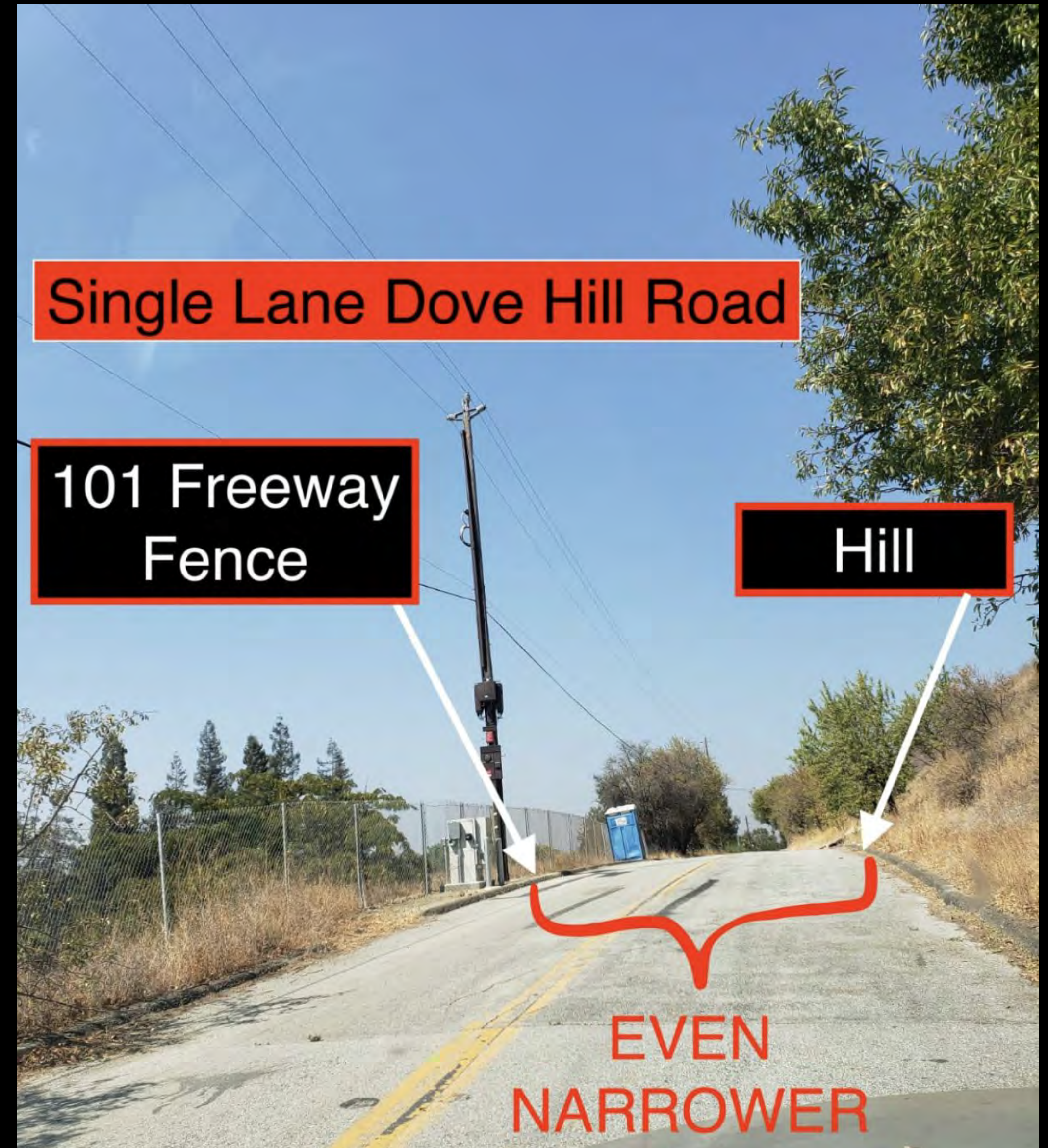
DOT Evaluation of Road Safety on Dove Hill

- With very conservative minimum 2+ emergency vehicles/week
- Current main access road is Dove Hill which is single lane road with 1 stop sign at Hassler – no shoulder for emergency vehicle bypass
- No change to Dove Hill with addition of proposed medical facility other than adding 2 stop signs at Hassler intersection



DOT Evaluation of Road Safety on Dove Hill

- With very conservative minimum 2+ emergency vehicles/week
- The road to proposed medical facility is even worse



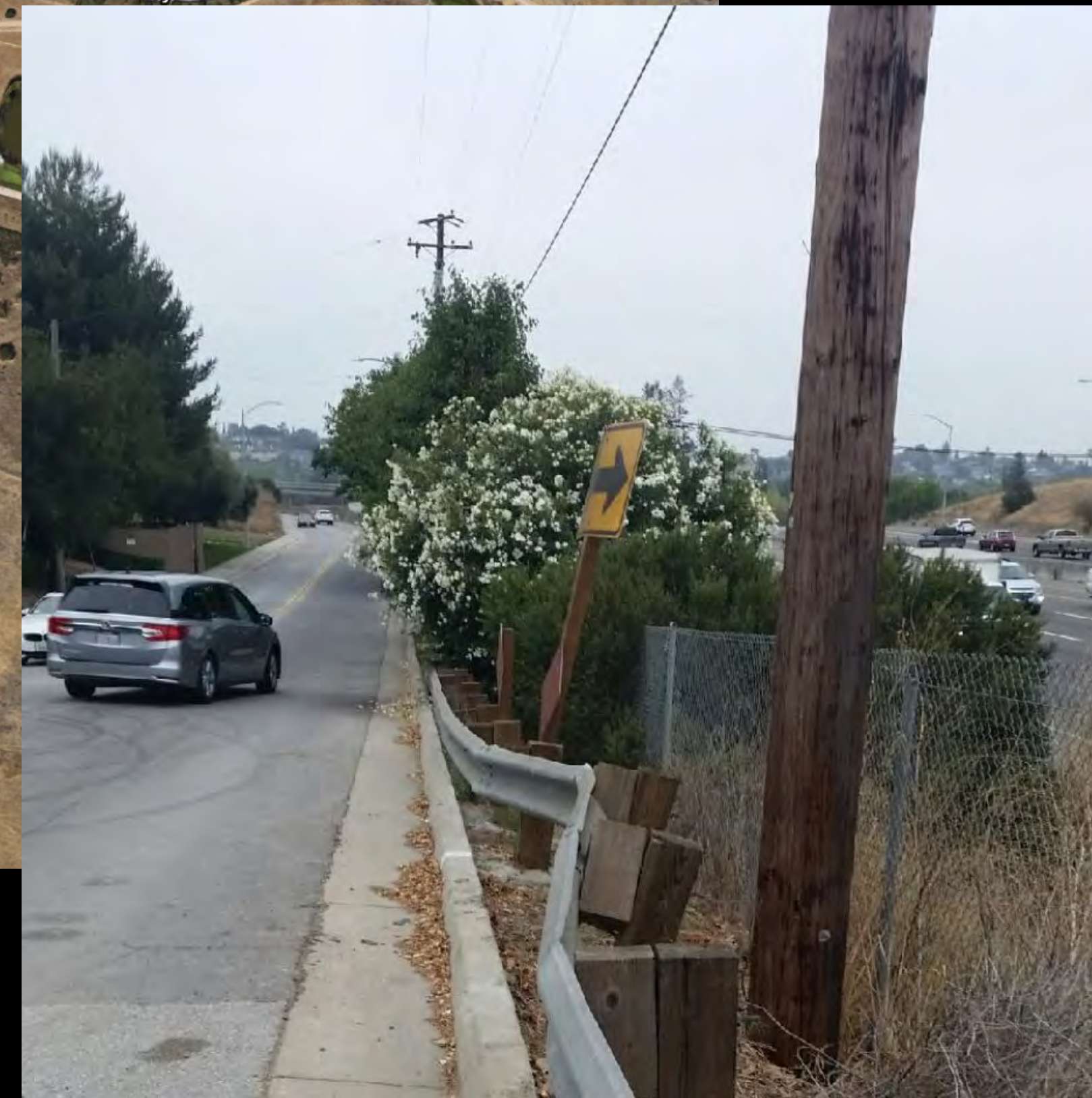
DOT Evaluation of Road Safety on Dove Hill

- With very conservative minimum 2+ emergency vehicles/week
- Winding S-bend road with blind spots extremely accident prone – makes it even more unsafe for emergency vehicles to bypass passenger cars



DOT Evaluation of Road Safety on Dove Hill

- Drivers coming down extremely steep grade of Hassler intersects Dove Hill in a “T”
- Accident prone as evidenced by severely damaged guard rails
- Addition of fast emergency vehicle intersecting with fast downhill resident vehicle = guaranteed increase in accidents



DOT Evaluation of Road Safety on Dove Hill

- In emergency situation (earthquake, hillside fire) Dove Hill will be a chokepoint – a matter of life or death for 3500+ residents and 250+ seniors

The Ranch residential area consists of approximately 470 homes. Presuming a worst case scenario of a fire occurring during late evening hours and occupancy of all homes, approximately 500 vehicles would evacuate the Ranch area assuming the use of one vehicle by each residence. Conservatively assuming the flow of 20 vehicles out to Silver Creek Valley Road from Hassler Parkway, it would take approximately 25 minutes to evacuate the ranch residents via the one access point at Silver Creek Valley Road. The use of both Dove Road and Silver Creek Valley Road would further reduce the time needed for evacuation.

DOT Evaluation of Road Safety on Dove Hill

- Given the size, shape and location of the site, the 13+ month construction process will result in illegal parking and create traffic safety issues on Dove Hill Road and Hassler Parkway
- Construction impacts were not analyzed in the Traffic Study



To address proper emergency vehicle bypass, construction safety and measures to reduce accident at intersection of Hassler & Dove, community is asking for full DOT Evaluation of Road Safety on Dove Hill.

Updated Traffic Study

- Traffic studies being conducted over past decades for new development have indicated “minimal” or “negligible” impact
- Yet the reality is....
- Traffic studies should be enhanced with insight from residential experience

Bay Area traffic congestion hits worst levels ever, with San Jose No. 5 in nation

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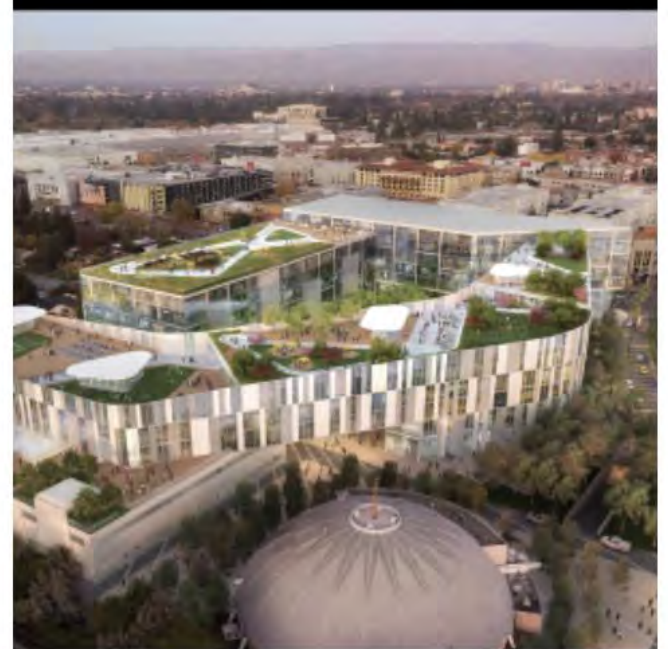
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📄 Order Reprints



On the Guadalupe 101 interchange.

SW
SANTANA WEST



NOW LEASING
920,000 SF
OFFICE CAMPUS

Updated Traffic Study

- Traffic study talks about Assisted Living Facility (not Medical Facility) which indicates report is outdated

Introduction

Hexagon Transportation Consultants, Inc. has completed a trip generation and traffic operations study for the Dove Hill Assisted Living Facility in San Jose, California. The project proposes to construct two buildings with a total of 290 assisted living units that may contain up to 340 beds (residents). The buildings will be 4-stories built on podiums to allow ground-level parking making the overall structures five stories tall. A small portion of both buildings will include ground-level residential. The project includes covered and uncovered parking areas and a 21,000 square-foot (sf) private senior landscaped garden and recreational area/common area. The project also includes two landscaped common open areas totaling 13,500 sf. Access to the facility would be provided exclusively via Dove Road. The project site location is shown on Figure 1. The proposed project site plan is presented on Figure 2.

SOURCE

1. Traffic Analysis — Appendix I —
2. Project Details

—

Updated Traffic Study

- Traffic volume and speed data was collected in March 2015 – another sign this study is outdated

The effects of project traffic on the each of the study roadways was evaluated based on field observations, traffic volume and speed data collected in March 2015, and projections of the additional project generated traffic. Table 3 and Figure 3 present a summary of existing and projected traffic volumes along each of the studied streets.

Table 3
Average Daily Traffic Volumes along Dove Road and Hassler Parkway

Roadway Segment	Existing ADT /a/	Existing Plus Project Based on ITE Rates			Existing Plus Project Based on Project Activity Information		
		Traffic Vol. Change /b/	ADT	% Increase	Traffic Vol. Change /b/	ADT	% Increase
1. Dove Rd, South of Hassler Pkwy	3,785	675	4,460	18%	315	4,100	8%
2. Hassler Pkwy, East of Dove Rd	3,743	169	3,912	5%	79	3,822	2%

Notes:
"ADT" = Average Daily Traffic Volume.
/a/ Source of existing daily traffic volumes: 24-hour mechanical (tube) counts conducted on March 2015.
/b/ The daily traffic volume change under project conditions is that which is due to new vehicular trips added by the project.

Updated Traffic Study

- Dove Hill has no shoulder and there is no mention of emergency vehicle accommodation

Estimated Project Traffic on Surrounding Roadways

The effects of project traffic on the each of the study roadways was evaluated based on field observations, traffic volume and speed data collected in March 2015, and projections of the additional project generated traffic. Table 3 and Figure 3 present a summary of existing and projected traffic volumes along each of the studied streets.

Both Dove Road and Hassler Parkway are classified as local connector streets. The City of San Jose 2040 General Plan describes local connectors as roadways that have two traffic lanes and would accommodate low to moderate volumes of through traffic within the City and prioritize automobiles, bicycles, pedestrians, and trucks equally.

Updated Traffic Study

Inconsistencies throughout study:

- The Traffic Study references parking for 290 beds whose residents may drive. This is inconsistent with designation as medical care facility with non-ambulatory patients.

Parking

According to the City of San Jose Parking Regulations, the project is required to provide one off-street parking space for every four beds plus one space per employee. The project proposes a total of 340 beds and a peak of 55 employees/staff on site at any given time. However, 50 of the proposed beds would be reserved for memory unit residents who would not be driving. Based on these parking requirements and assuming 290 beds of residents that may drive, the project is required to provide a total of 128 off-street parking spaces. The project proposes a total of 129 on-site parking stalls: 36 spaces within Building A, 57 spaces within Building B, and 36 spaces along the project roadway. Therefore, the proposed number of parking spaces satisfies the City of San Jose parking requirements.

The City of San Jose off-street parking design standard for uniform car spaces is 8.5 feet wide x 17 feet long where a standard 26-foot wide two-way drive aisle is provided. As previously described, all of the drive aisles on-site are shown to be 26 feet wide. The site plan indicates parking stall dimensions per City design standards.

Updated Traffic Study

Inconsistencies throughout study:

- 522 Employees for facility
- But peak hour usage numbers don't match the expected employees even when spread across 3 shifts

III. PERSONNEL / STAFFING SUMMARY:

a) Please see Exhibit A for the staffing level and hours per position.

Dove Hill will employ a Total of 522 Employees. 271 Full-Time Employees and 251 Part Time Employees. Total Number of hours per week is 14,592.

Trip Generation Estimates

Through empirical research, data have been collected that correlate to common land uses for their propensity for producing traffic. For the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development.

The magnitude of traffic generated by the proposed development for the site was estimated by applying to the size of the development the applicable trip generation rates published in the Institute of Transportation Engineers (ITE) manual entitled *Trip Generation, Ninth Edition*. Trip generation rates for Assisted Living (ITE land use code 254) were used for the proposed project.

Based on the corresponding ITE rates, it is estimated that the proposed project would generate 41 AM peak-hour trips and 64 PM peak-hour trips. Based on peak hour traffic counts at the Dove Road and Hassler Parkway intersection, existing uses on the project site are currently generating 5 AM peak-hour trips and 4 PM peak-hour trips. Therefore, the proposed project would generate a net additional 36 AM peak-hour trips and 60 PM peak-hour trips when compared to the existing uses on the site.

Updated Traffic Study

Inconsistencies throughout study:

- Traffic report was estimated based on data provided by applicant
- Again discrepancy between peak hour usage numbers and expected employees even when spread across 3 shifts

Trip generation for the proposed project also was estimated based on hourly project site activity utilizing information provided by the project applicant. This information provides detailed information on the anticipated number of employees, staff schedules, resident vehicle ownership, and anticipated visitors. Based on project site activity information, it was estimated that the proposed project would generate 26 and 22 trips during the AM and PM peak hours, respectively. Based on site activity information, the proposed project is projected to generate less traffic than a typical assisted living facility as represented by the ITE rates.

Updated Traffic Study

Inconsistencies throughout study:

- Staff arrivals in 3 shifts doesn't match estimated # of employees in project
- Table shows 119 employees, which is far less than 174 (522/3 shifts)

Hours of Operation	Office Staff	Doctors	Nursing Staff	Medical Aids	Kitchen Staff	Facility Maintenance	Total Employees /a/	Residents /b/	Other Visitors /c/	Deliveries/d/	Total Trips		
											In	Out	Total
12:00 AM											0	0	0
to 1:00 AM											0	0	0
1:00 AM											0	0	0
to 2:00 AM											0	0	0
2:00 AM											0	0	0
to 3:00 AM											0	0	0
3:00 AM											0	0	0
to 4:00 AM											0	0	0
4:00 AM											0	0	0
to 5:00 AM											0	0	0
5:00 AM											0	0	0
to 6:00 AM											0	0	0
6:00 AM		2 arrivals	11 arrivals	8 arrivals	20 arrivals	7 arrivals	48 arrivals				48	0	48
to 7:00 AM													
7:00 AM											0	20	20
to 8:00 AM	2 departures		2 departures	4 departures	10 departures	5 departures	23 departures	3 departures					
8:00 AM	7 arrivals						7 arrivals	1 arrivals			8	3	11
to 9:00 AM								3 departures					
9:00 AM								2 arrivals	3 arrivals	1 arrivals	5	5	10
to 10:00 AM								4 departures	1 departures	1 departures			
10:00 AM								4 arrivals	4 arrivals	1 arrivals	8	7	15
to 11:00 AM								4 departures	3 departures	2 departures			
11:00 AM								4 arrivals	4 arrivals		8	7	15
to 12:00 PM								3 departures	4 departures				
12:00 PM								4 arrivals	4 arrivals	1 arrivals	8	8	16
to 1:00 PM								4 departures	4 departures	1 departures			
1:00 PM								5 arrivals	4 arrivals		9	8	17
to 2:00 PM								4 departures	4 departures				
2:00 PM	2 arrivals		11 arrivals	8 arrivals	15 arrivals	7 arrivals	41 arrivals	3 arrivals	4 arrivals	2 arrivals	47	8	55
to 3:00 PM								4 departures	4 departures	1 departures			
3:00 PM								3 arrivals	4 arrivals		7	58	65
to 4:00 PM		2 departures	11 departures	8 departures	20 departures	7 departures	48 departures	4 departures	8 departures				
4:00 PM								4 arrivals	4 arrivals		8	8	16
to 5:00 PM								2 departures	8 departures				
5:00 PM								4 arrivals	3 arrivals		7	19	22
to 6:00 PM	7 departures						7 departures	2 departures	6 departures				
6:00 PM								2 arrivals			2	8	8
to 7:00 PM													
7:00 PM								2 arrivals	8 departures		2	0	2
to 8:00 PM													
8:00 PM											0	0	0
to 9:00 PM													
9:00 PM											0	0	0
to 10:00 PM													
10:00 PM	2 arrivals		2 arrivals	4 arrivals	10 arrivals	5 arrivals	23 arrivals				48	0	48
to 11:00 PM													
11:00 PM													
to 12:00 AM	2 departures		11 departures	8 departures	15 departures	7 departures	41 departures				0	82	82
TOTAL													
DAILY TRIPS:	22	4	48	36	90	38	238	74	78	10	213	241	454
Notes													

Updated Traffic Study

3 employee shifts:

- Day 7 am – 3 pm -> 174 employees coming to work from 6:30 am – 7 am
- Swing 3 pm – 11 pm
- Night 11 pm – 7 am -> 174 employees leaving work from 7 am – 7:30 am

Notes:

Source: Based on project information provided by project applicant.

/a/ Based on anticipated 119 staff, nurses, and doctors that work one of the following three shift periods:

Day Shift 7:00 am to 3:00 pm

Swing Shift 3:00 pm to 11:00 pm

Night Shift 11:00 pm to 7:00 am

Staff are assumed to arrive within one hour before the beginning of their shifts and leave within one hour after the end of their shifts.

/b/ Assumes one vehicle for every four beds per City Parking Requirements (340 total beds minus 50 memory unit residents who will not drive). Estimated that 50% of residents may make a trip each day.

/c/ Assumes 10 percent of the 340 residents may have a visitor each day.

/d/ Three food, laundry, and medical delivery per day between (10:00 am & 3:00 pm). Two resident shuttle also will be provided with trips to market, shopping, etc.

Updated Traffic Study

- Between 6:30 – 7:30 am weekdays, this is how Dove Hill & Hassler will look
- Traffic controlled only by 3-way stop sign
- Vehicle backup will be inevitable



The traffic study is outdated based on data and different facility plans in 2015. There are numerous inconsistencies throughout the report. The community is asking for **updated accurate traffic study** to be conducted.

Proposed Location is Bad for Seniors of Facility

- Disgraceful living conditions for seniors due to noise & air pollution from 101 and risk of hillside fires.
- All mitigations (ie. air filtration system) would **confine** seniors to stay inside facility.



Exceeds Cancer Risk Thresholds

“As a result, future occupants of the site would be exposed to significant health risks from exposure of TACs and PM2.5 from vehicle exhaust emissions and the wearing of brakes and tires on US 101”

Table 4.3-3: US 101 Community Risk Levels at the Project Site			
Source	30-Year Adult Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Acute or Chronic Hazard Index
US 101 - 170,000 average daily trips (2013)	21.2	1.06	0.04
<i>BAAQMD Single Source Threshold</i>	10.0	0.3	1.0
<i>Exceeds Threshold?</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>

Summary

The proposed location of the Dove Hill senior medical facility will result in an **unsafe traffic chokepoint** and does not adequately account for **critical emergency vehicle access**. In addition, the facility is **incompatible** with the existing neighborhood and would lead to **disgraceful living conditions** for seniors.

The community is asking for:

1. Proper Public Hearing in December
2. Compatibility analysis with existing neighborhood
3. DOT Evaluation of Road Safety on Dove Hill
4. Updated Traffic Study

Until conditions #2-#4 are met and the development plan is updated to reflect findings, a decision would be premature based on flawed outdated and incomplete analysis.

Appendix: Additional Concerns

Serpentine Grasslands

SJ General Plan prevents development on serpentine grasslands:

ER-1.6 Preserve, protect, and manage serpentine grasslands and serpentine chaparral, particularly those supporting sensitive serpentine bunchgrass communities providing habitat for sensitive plant and animal species. Development will not be permitted on serpentine grasslands or chaparral supporting state or federal candidate or listed threatened or endangered plant or animal species. Appropriately managed grazing is encouraged on serpentine grasslands.

The entire project site is on serpentine grassland based on project's initial study:

Special-Status Plants

The project has been designed to occur within the three-acre developed area, which would exclude development from serpentine habitat. While the majority of the project site is designated Serpentine Bunchgrass Grassland within the Habitat Plan (land cover mapping was completed for this area was completed using primarily aerial photos rather than on-the-ground mapping), site surveys have not actually identified serpentine soils within the approximately three-acre project area. Though the project would pay the Serpentine Fee to the Santa Clara Valley Habitat Agency, serpentine-associated special-status plants would not be directly impacted by the proposed project.

Hazardous Materials

Impact HAZ-1: The project site contains elevated levels of naturally occurring asbestos (NOA) in the soil. Airborne NOA during construction activities could be hazardous to construction workers and existing sensitive receptors in the project area. Future residents of the site could also be exposed to elevated levels of NOA.

While mitigation steps are listed during construction phase, the Ranch residents are concerned about the long term effects of NOA exposure. If any of the mitigation steps are not followed properly or if there is an accident and residents are exposed to the dust, the long term implications of it are unknown. Since Ranch homes are higher up in elevation, any airborne particles will land there, resulting in long term hazardous side effects.

Hazardous Materials

Impact HAZ-2: Site construction workers and future patients may be exposed to elevated levels of the pesticides chlordane and dieldrin that were detected in soil samples at the site in the vicinity of the project.

Any negligence during construction exposes existing and future residents of these pesticides. What is the long term contingency plan, if such exposures happen?

Asbestos Concerns

5.9 Asbestos-Bearing Bedrock

Serpentine bedrock is exposed in cut slopes within and around both parcels. According to CGS Note 14, serpentine is primarily composed of one or more of the three magnesium silicate minerals: lizardite, chrysotile and antigorite. Chrysotile often occurs in fibrous veinlets in serpentine, and is the most common type of asbestos. Lizardite and antigorite do not form asbestos fibers. Because serpentine often contains some asbestos and exposure to asbestos fibers have potential human health consequences, testing was conducted on site bedrock materials to determine if they are asbestos-bearing.

Asbestos is typically a concern when it becomes airborne with potential for being inhaled. Mitigation during construction usually requires dust control. Any excavated asbestos containing material must be properly disposed. Encapsulation of asbestos containing materials that remain on-site is usually sufficient for health and safety of the public.

CERCO Analytical performed tests on serpentine bedrock samples to evaluate the presence of asbestos. Select samples were analyzed by the Air Resources Board's Method 435, Determination of Asbestos Content of Serpentine Aggregate. The results of the tests are presented in Appendix E. The tests indicate up to 0.25 percent asbestos. Appropriate measures such as dust control and disposal may be required.

GEOTECHNICAL INVESTIGATION AND GEOLOGIC HAZARD EVALUATION Dove Hill Assisted Living Community 4200 Dove Hill Road San Jose, California

Prepared For:
Salvatore Caruso Design Corporation

Prepared By:
Langan Treadwell Rollo

Lou Gilpin, PhD, PG, CEG
Director, Engineering Geology

John Gouchon, G.E.
Principal

26 May 2015
770619901

Landslide Concerns

5.7 Landsliding

According to the CGS Seismic Hazard Zone Report for the San Jose East Quadrangle (2001) the site is located on a slope in the western portion of the Silver Creek Hills where the combination of dissected hills and weak rocks has produced widespread and abundant landslides (California Department of Conservation, 2000). Published mapping indicates the site is within a zone where landslides have occurred, as identified by the official seismic hazards map of the area (Figure 10).

Two landslides were mapped identified in the field on the slopes in the northern half of the property above proposed Building A, designated as Qlso (old landslide) and Qlsd (dormant landslide), north to south (Figure 4). The old landslide is characterized as a shallow translational slide, with abundant bedrock boulders within the slide mass. A spring is located near the toe of the slide.

The dormant landslide is characterized as a shallow earth flow, likely confined to the surficial materials overlying bedrock. The slide appears as a very subtle feature identified by slightly elevated, uneven topography extending downslope, with tonal differences in vegetation relative that growing on the adjacent slopes.

During our aerial photo review, we identified an area of instability in the southern half of the property, on the slopes in the previous borrow/quarry area. Cut slopes above the proposed garden/recreation area appear to have failed in the past. Cut slope inclinations were measured in the field to be generally 1:1 (H:V), and occurred within bedrock materials. Very steep cut slope inclinations and the sheared nature of site bedrock, which is highly susceptible to weathering, likely contributed to instability in this area. Areas of instability observed during our aerial photo review are indicated on Figure 4.

Slip-outs were also observed in the cut slope above the existing residence, which was excavated into colluvial materials. Slope inclinations within the cut face range between 23 and 34 degrees. Cut slope failure behind the house was noted in the 1984 photos.

GEOTECHNICAL INVESTIGATION AND GEOLOGIC HAZARD EVALUATION Dove Hill Assisted Living Community 4200 Dove Hill Road San Jose, California

Prepared For:
Salvatore Caruso Design Corporation

Prepared By:
Langan Treadwell Rollo

Lou Gilpin, PhD, PG, CEG
Director, Engineering Geology

John Gouchon, G.E.
Principal

26 May 2015
770619901

There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B1: City of San José Planning Commission, in 2010, recommended that if this project needs to move forward, it needs to address some/all of these concerns at the zoning & permit stages: Traffic Hazard a. Safety Hazard – Blind Spots, no shoulders on Dove Road b. Reduced Level of Service (LOS)	Project trips would be unlikely to increase this solo vehicle accident rate since the collision history at this location does not appear to be related to congestion, but due to driver error. Therefore, even with the increase in project's traffic as part of this project, the additional volume would not result in an increase in collisions at the intersection.	This conclusion is not scientific. The straight steep downgrade on Hassler Pkwy as it approaches Dove Road will increase the chances of collision with another vehicle, since that vehicle now crosses the intersection into the proposed project. All the additional traffic estimated will cross this intersection into the proposed project, which is non-existent now. So, residents are not sure how this conclusion is reached. In 2010, the Planning Commission recommended that the traffic concerns need to be addressed, but now, the project has been approved without addressing any of those concerns.
Comment B2: Noise Hazard, being so close to highway 101.	Prior to issuance of building permits, a noise analysis, including the description of the necessary noise control measures, is required to be submitted to the City with the project building plans to ensure interior noise levels are reduced to 45 dBA DNL or lower.	This assumes that the future residents of the medical facility stay indoor all their life, which is not the case. The noise hazard is real concern if the future residents come out of the facility even for a few hours a day.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B3: Fire Safety Hazard – Very limited access to this Hillside location	- The proposed project would be constructed in accordance with current building and fire codes. - There are few potential variables that would likely affect the time needed to evacuate the hills including time of the day, controlled traffic, existing nearby residential areas (i.e Ranch residential area), and shuttles that would used during evacuation for patients on the site. - Even during a peak-hour emergency evacuation, the project would have little to no effect on vehicle travel through the Dove Hill Road and Hassler Parkway intersection the area would not be heavily congested due to this project.	The real concern is NOT traffic congestion, but safety of residents of this facility. Again, the residents will not be inside all the time and the response assumes only best case scenarios. There have been many fires behind this project, the latest one being in August of 2017. In last year's fire, it reached from US 101 to the backyards of Ranch residents up in the hills in less than 20 minutes. Having 18 acres of dry and hilly area, which is prone to fire hazard behind a medical care facility can be extremely dangerous for the future residents of this facility.
Comment B4: Air quality health hazard, being so close to highway 101.	. . . the project would be conditioned to implement safeguards (such as air filtration devices) to minimize exposure of site occupants to long-term toxic air contaminant (TAC) and annual particulate matter (PM2.5) emissions. . . . The IS/MND includes conditions of approval that require installation of air filtration devices rated MERV13 or higher (or equivalent control technology) that demonstrates its ability to reduce risks below significance thresholds, and ongoing maintenance for those air filtration devices.	This again assumes that the future residents of the medical facility stay indoor all their life, which is not the case. The air quality health hazard is real concern if the future residents come out of the facility even for a few hours a day. It can be noted that all of these mitigations assume best case scenarios that the future residents and employees stay indoor all the time. This is certainly impractical and hence the suggested mitigations don't assure the required safety for the future residents.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B5: Special Status Species Habitat Impact – White Tail Kite, Loggerhead Shrike, Santa Clara Valley Dudleya Plant	The project would result in less than significant species impacts to whitetail kite, loggerhead shrike, and Santa Clara Valley dudleya plant with implementation of mitigation measures (MM BIO-1 to MM BIO-3 in the IS/MND) which would include monitoring during construction with consultation from the Santa Clara Valley Habitat Agency. In addition, the project is required to implement Conditions and Avoidance and Minimization Measures for urban development as listed in Section 6 and Tables 6-2 and 6-8 of the Habitat Plan.	The Ranch was previously a habitat for Bay Checkerspot Butterfly. As residents, we used to see them in 2004-06 when Ranch homes were still being built. Now, we don't see them anymore due to habitat loss. The same will happen to the species listed in this concern because of the scale of the project in such a small area.
Comment B7: GP08-08-3 of the City of San José Planning Commission meeting on June 9, 2018 (http://sanjose.granicus.com/MediaPlayer.php?view_id=&clip_id=4355&meta_id=304447). For instance when you slide to 1 hour 25 minutes – Developer Mr. Caruso is agreeing that Blind Spot issue for the road needs to be addressed.	Same as B1.	It is surprising that Planning Commission recommended the need for addressing traffic concerns in 2010 and the developer himself agreed that the blind spot is an issue and yet, this project is approved now by the Planning Commission without any recourse. Why?

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D1: . . . identify substantial evidence of a fair argument that the Project may have significant environmental impacts.	The IS/MND concluded that the project would result in potential impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology, and transportation, and identified mitigation measures for the project, in addition to City standard conditions and conditions of approval, that will reduce those impacts to a less than significant level.	There are too many issues that can be safely mitigated. We are not talking about the duration of the construction, but who has done the studies on the long term effects of these impacts, especially hazards and hazardous materials on the neighboring residents?
Comment D3: II. LEGAL STANDARD	The comment cites to various California court cases and does not raise any specific environmental issues under CEQA related to the proposed project. Therefore, no specific response is required.	The response is an eyewash. See D1, which raises specific impacts of the project. D3 should be studied in light of D1 because D1 concludes that “ project would result in potential impacts ”. This comment is inadequately addressed.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D4: The air quality analysis is not based on substantial evidence because it applies BAAQMD Guidelines which expressly state they do not apply when a project includes emergency generators.	. . . these generators would represent a very small increase in criteria pollutant emissions, at less than 0.1 percent of the BAAQMD threshold.	The response doesn't address the concern directly. This requires a detailed analysis on how the conclusions were drawn.
Comment D7: There is substantial evidence of a fair argument that the Project may have significant health risk impacts from its emissions of toxic air contaminants.	The data supporting the diesel particulate matter estimates discussed in Appendix A Air Quality Community Risk Assessment in the IS/MND is included as Attachment B to this memo.	Again, doesn't address the concern " Hence, nothing in the documents made available to the public during the comment period provide substantial evidence supporting the City's health risk assessment for the Project's construction " directly. The concern was how the conclusion was drawn, which is not addressed.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D10: The resulting indoor air levels are not analyzed. Given the extensive landscaping proposed for the Project, the residents will not be in their rooms at all times and will be exposed to significant levels of TACs whenever they venture outside the buildings.	The above comment is purely speculative and provides a conclusion without any data, information, or evidence to support such conclusion. Therefore, no specific response is required.	How is this speculative? Are the future residents NOT allowed to go out at all and forced to stay indoor all the time? With noise, air quality, health hazard, and fire hazard concerns addressed assuming the residents will be indoor all the time, this is a valid concern, but it was not addressed.
Comment D16: The IS/MND fails to address all of the Project's potential impacts to biological resources at and near the Project site. Wildlife biologist Dr. Shawn Smallwood, Ph.D., concludes that the Project may have significant impacts on several special status species. An EIR is required to analyze and mitigate these impacts. Dr. Smallwood's expert comments and resume are attached hereto as Exhibit B.	As described above in Response B5, above, the IS/MND evaluated impacts to biological resources and found that the project would result in less than significant impacts to . . .	Our concerns on B5 hold here also. This will result in permanent loss of habitat in a few years as happened to the Bay Checkerspot butterfly species.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D17: The wildlife baseline relied upon by the IS/MND is woefully inadequate. Wildlife biologist Dr. Shawn Smallwood, Ph.D., concludes that the Project may have significant impacts on several special status species. An EIR is required to analyze and mitigate these impacts.	. . .the Project proponent would pay all required impact fees in accordance with the types and acreage of habitat or “land cover” impacted, and would implement conservation measures specified by the VHP. . .	Is this how we tackle biological impacts? By paying up “impact fees?”
Comment D19: The surveys conducted almost a decade ago are similarly flawed for white-tailed kite and dusky woodrats, two species of special concern. . .	. . . Implementation of Mitigation Measure MM BIO-2.1 would reduce impacts to white-tailed kites and loggerhead shrikes to less than significant. . .	Our comment on B5 holds.

From: Robert Reese []

Sent: Thursday, September 13, 2018 2:42 PM

To: Hughey, Rosalynn <>; Do, Sylvia <>; Lipoma, Emily <>

Cc: Arenas, Sylvia <s>; McGarrity, Patrick <>; Cynthia Tillo <>; Sunondo Ghosh <>; Jin Park <>; Bonnie Mace <>; Sandra Randles <>; Jim Zito <>; Wesleylee99 <>; Daniel Reyes <

Subject: Dove Hill Medical Care Facility

Hello PBCE Planning Team!

In your Supplemental Planning Recommendation Report to Council on the Dove Hill Medical Care Facility please provide, consider and analyze the following;

During the General Plan Amendment process the District 8 Community Round Table Land Use Committee supported the retention of the Non-Urban Hillside (Lower Hillside) designation on the site.

1. How many residential independent living units will there be?
2. How many units with kitchens will there be?
3. The Traffic Study references parking for beds whose residents may drive. Please further explain how this comment relates to a medical car facility with non-ambulatory patients.
4. How much of the 3 acre site was created as a result of illegal grading?
5. The Commercial Design Guidelines were not utilized to analyze the compatibility of the project design to the neighborhood. The Commercial Design Guidelines are used in analyzing the compatibility of the other senior medical care facilities in San Jose by Planning Staff. The project was considered as commercial in your traffic allocation analysis.
6. The 20 foot grade differential between the smaller Building A and the larger Building B results in Building B being at 78 feet from the lower grade. The height limit you referenced being 70 feet.
7. Below are the ENVISION 2040 policies on compatibility which have not yet been considered in your analysis.

VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.

VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.

VN-1.12 Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods

CD-4.4 In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation

8. Given the size, shape and location of the site can the construction process proceed without illegal parking and creating traffic safety issues on Dove Hill Road, Dove Hill and

Hassler Parkway? Have these impacts been analyzed in the Traffic Study?

The senior medical care facility use on the subject at a lesser density, scale, mass, bulk, height and topography would be more compatible with the neighborhood setting and would better act to achieve those ENVISION 2040 policies whose goal is for new development outside the URBAN VILLAGES to be compatible with the existing neighborhood. Please consider a supplemental recommendation for a smaller project as your prior Report did not fully consider the project design compatibility issues present in the current Dove Hill Medical Care Facility design. There are several other existing and proposed senior medical care facilities in Evergreen which have been designed in a manner that is compatible with the neighborhood.

Thank you for considering these ideas!

Sincerely,

Robert Reese

Fwd: Subject: PDC14-051 & PD16-019 4200 Dove Hill Road

Joan Huffman

Tue 9/4/2018 9:19 AM

To: Tu, John <john.tu@sanjoseca.gov>;

Hi John,
Could you add the below letter in favor of the Medical Care Facility to your file?
Thank you
Joan Kukar Huffman

Begin forwarded message:

From: Joan Huffman

Date: August 30, 2018 at 10:20:04 AM PDT

To: mayoremail@sanjoseca.gov, district8@sanjoseca.gov, "District1@sanjoseca.gov <District1@sanjoseca.gov>" <District1@sanjoseca.gov>, "District2@sanjoseca.gov <District2@sanjoseca.gov>" <District2@sanjoseca.gov>, "District3@sanjoseca.gov <District3@sanjoseca.gov>" <District3@sanjoseca.gov>, "district6@sanjoseca.gov <district6@sanjoseca.gov>" <district6@sanjoseca.gov>, "District7@sanjoseca.gov <District7@sanjoseca.gov>" <District7@sanjoseca.gov>, "District10@sanjoseca.gov <District10@sanjoseca.gov>, district4@sanjoseca.gov, district9@sanjoseca.gov, district5@sanjoseca.gov

Subject: Subject: PDC14-051 & PD16-019 4200 Dove Hill Road

Dear Honorable Sam Liccardo, Mayor of the City of San Jose and Members of the San Jose City Council,

I am writing in favor of the proposed development of a Medical Care Facility at 4200 Dove Hill Road.

My family has owned the adjacent property for over 50 years. We have three acres with a red barn and wooden cut out cows that have entertained commuters for many years.

We feel this project is helping to meet a crucial need for medical care for seniors and at the same time providing much needed infrastructure to our surrounding neighborhood. This project will allow our neighbors to connect to the city sewerage system and provide a green belt barrier between highway 101 and the open space.

Last August, there was a auto fire on highway 101 (please see pictures below). Since our road doesn't have fire hydrants, the fire department fought the fire from 101 and the top of the hill. They also used aircrafts to help extinguish the fire. Luckily for us, our property was saved due to the hard work of the fire department and our goats that we used for weed abatement.

In addition to the benefits above, we also feel that this development will aid in fire prevention due to fire truck access, fire hydrants and their green landscapes.

Thank you for your consideration,
Joan Kukar Huffman

Fw: Dove Hill Medical Care Facility

Robert Reese

Thu 9/13/2018 3:05 PM

To: Tu, John <john.tu@sanjoseca.gov>; Mack, Karen <Karen.Mack@sanjoseca.gov>;

On Thursday, September 13, 2018 2:41 PM, Robert Reese

wrote:

Hello PBCE Planning Team!

In your Supplemental Planning Recommendation Report to Council on the Dove Hill Medical Care Facility please provide, consider and analyze the following;

During the General Plan Amendment process the District 8 Community Round Table Land Use Committee supported the retention of the Non-Urban Hillside (Lower Hillside) designation on the site.

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6. The 20 foot grade differential between the smaller Building A and the larger Building B results in Building B being at 78 feet from the lower grade. The height limit you referenced being 70 feet.
7. Below are the ENVISION 2040 policies on compatibility which have not yet been considered in your analysis.

VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.

VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.

VN-1.12 Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods

CD-4.4 In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation
8. Given the size, shape and location of the site can the construction process proceed without illegal parking and creating traffic safety issues on Dove Hill Road, Dove Hill and

Hassler Parkway? Have these impacts been analyzed in the Traffic Study?

The senior medical care facility use on the subject at a lesser density, scale, mass, bulk, height and topography would be more compatible with the neighborhood setting and would better act to achieve those ENVISION 2040 policies whose goal is for new development outside the URBAN VILLAGES to be compatible with the existing neighborhood. Please consider a supplemental recommendation for a smaller project as your prior Report did not fully consider the project design compatibility issues present in the current Dove Hill Medical Care Facility design. There are several other existing and proposed senior medical care facilities in Evergreen which have been designed in a manner that is compatible with the neighborhood.

Thank you for considering these ideas!

Sincerely,

Robert Reese

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:02 PM

Hello Sameer,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: sshikalgar

Sent: Monday, September 10, 2018 10:25 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I oppose the Dove Hill Medical Care facility project

I am a resident on The Ranch and I have great concerns about the Dove Hill Medical Care facility project

- The entrance to the community is a narrow and winding 2 lane Dove Hill Road. Increasing traffic on this narrow road will lead to increase in accidents. There will also be delays trying to get in and out of the facility
- In the event of an emergency (earthquake etc.) when all Ranch residents need to evacuate, adding more residents to evacuate on a narrow road will essentially be a death trap for everyone involved.
- I have numerous safety concerns. We have had significant safety issues in the past and increased traffic will increase the safety risks
- A medical care facility is not compatible with the neighborhood of residential houses.

Please take these concerns into account and do not let this project continue. Thanks.

Sameer

RE: Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:03 PM

To

Hello Sunil,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Sunil

Sent: Monday, September 10, 2018 10:19 PM

To:

Subject: Dove Hill Medical Care facility project

Hi,

This is regarding dove hill medical care facility project (<http://www.sanjoseca.gov/DocumentCenter/View/76268>). I am one of the resident in the community and have concerns regarding this project. We did talk to council members last week at Evergreen community center and would like to highlight some of those and request for a new public review in December so we understand the impact of the project. As echoed during that meet, safety and quick evacuation of the residents and senior members during a fire or earthquake is one of the biggest concern. There have been multiple fires in that location. Also, there is concern over environmental impacts and traffic congestion. An updated study or evaluation regarding this would help understand the impact. Hence its a sincere request to consider these concerns, evaluate and have another public review in december.

Thanks

-Sunil

RE: We oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:04 PM

Tc

Hello Suresh,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Suresh Ravor

Sent: Monday, September 10, 2018 8:37 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc:

Subject: We oppose the Dove Hill Medical Care facility project

Dear Leaders

- I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.

- I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.

- A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).

- There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and SantaClara Valley Dudleya Plant (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

- There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?
- In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.
- I bought a house in Ranch because its a quiet neighborhood and I pay high property taxes. This new facility will have a severe impact on the noise, traffic and pollution in the neighborhood and will negate the reason for my buying a house in the Ranch.

Please perform a good traffic flow analysis and you will realize that the narrow and winding single lane Dove Road does not support a new development project of this sort.

Regards

-- Suresh Ravor

Resident of the Ranch on Silver Creek, San Jose.

RE: We strongly oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:04 PM

To

Hello Lillian,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Lillian Wang

Sent: Monday, September 10, 2018 8:32 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We strongly oppose the Dove Hill Medical Care facility project

Dear Sir or Madam,

My name is Lillian, I live in

I cannot express how shocked that we were when we heard there was a plan to build Dove Hill medical care center. This is insane!

If any proper investigation/research has ever done on this project, it will found out how absurd the location is.

Please try to drive it yourself in the morning commute time, and check on the horrible traffic on the 1-lane each way narrow winding road to get on 101. Needless to say the blind spots, and no room to wait for emergence ambulance pass through. And is it even a good idea to let the seniors that need medical care to live next to High Way 101?

We really like our beautiful home in this lovely quiet neighborhood, please don't ruin it. We always are good residents, work hard to build our home here. We deserve better than this!

9/20/2018

Mail - city.clerk@sanjoseca.gov

Thanks,
Lillian

RE: We OPPOSE the Dove Hill Medical Care Facility Project"

Inamine, Nicole

Thu 9/20/2018 12:05 PM

To:

Hello Rachel,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Rachel Zheng [<mailto:>]

Sent: Monday, September 10, 2018 8:01 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>;

Subject: We OPPOSE the Dove Hill Medical Care Facility Project"

Hello Everyone,

I strongly against the Dove Hill Medical Care Facility project!

My name: Rachel Zheng

Address:

Best regards,

Rachel

RE: We OPPOSE the Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:05 PM

Hello Jian,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Jian Pei

Sent: Monday, September 10, 2018 7:48 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We OPPOSE the Dove Hill Medical Care Facility Project

Dear Sir/Madam,

This is Jian Pei. I'm a resident of the Ranch at Silver Creek community.

We had been living in the Ranch for over 10 years.

Recently we heard there's a proposed medical care facility project next to our community.

We have lots of concerns such as traffic, noise, safety, wildlife etc.

Really appreciate if the city can reconsider the project.

Sincerely

Jian Pei

RE: Resident of "Ranch on Silve creek" - I oppose the Dove Hill Medical Care facility

Inamine, Nicole

Thu 9/20/2018 12:06 PM

Hello Rajeev,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: rajeev shukla

Sent: Monday, September 10, 2018 3:18 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: Resident of "Ranch on Silve creek" - I oppose the Dove Hill Medical Care facility

Hi,

I live on the "Ranch on silver creek -

" & I do oppose the Dove Hill Medical Care facility. Here are some of the reasons for my

- I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.
- I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.

- A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).
- There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?
- In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.
- I bought a house in Ranch because its a quiet neighborhood and I pay high property taxes. This new facility will have a severe impact on the noise, traffic and pollution in the neighborhood and will negate the reason for my buying a house in the Ranch.
- I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. We've had safety issues in the past with our mailboxes broken into, and this group of non-residents coming to the neighborhood regularly will increase the risks.
- Feel free to add your own points - e.g. concerns about sewage, accidents while going down steep slope of Hassler Parkway, etc.

Thanks, and please do take this action TODAY. For more details on any of the above points, please refer to the docs below this email.

Rajeev

Reference documents:

- Dove Hill Medical Care Facility Project - Mitigated Negative Declaration: <https://www.sanjoseca.gov/DocumentCenter/View/76269>
- DOVE HILL ASSISTED LIVING FACILITY COMMUNITY RISK ASSESSMENT <http://www.sanjoseca.gov/DocumentCenter/View/76270>
- Dove Hill Assisted Living Trip Generation and Operations Analysis: <http://www.sanjoseca.gov/DocumentCenter/View/76280>

RE: Opposition to the Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:07 PM

Hello Miloni,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: miloni shah

Sent: Monday, September 10, 2018 2:28 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Opposition to the Dove Hill Medical Care Facility Project

Dear San Jose Mayor and City Council Members,

My name is Miloni Shah and I am one of the residents of the Ranch on Silver Creek community. I attended the city council meeting about 2 weeks back and would like to thank you for giving the residents an opportunity to voice our concerns.

I am highly concerned about this project and the impact on the residents, the environment and the future residents of the proposed medical facility.

Due to the fact that my family as well as other residents of the community were not notified during the Public Review Period between April 9-20, 2018, we need additional time to read through the documents and reports related to the project. I would like to request for a new Public Review period in December 2018 to give my family enough time to understand the impacts of the project and provide our input.

I work in Santa Clara and so I have to drive down the narrow, steep and winding two lane Dove Hill road every day. With the additional traffic and emergency vehicles on the road, I'm worried about accidents, traffic congestion and delays that will inevitably occur. The road has no space for us to make way for emergency vehicle traffic and there will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility as well as guests. This is a serious concern for all the residents of our community as well as Bel Air and others that use this road to get on to the freeway.

My family used to stay next to the Montague Expressway in Santa Clara so I have experienced how noisy it can become with cars constantly using the expressway. We had to keep our doors and windows closed for the entire day due to the noise from vehicles and emergency vehicles as well as the fumes. When we kept the doors or windows open, it used to become tough for us to have conversations, read, watch TV, sleep, etc. Imagine with a freeway like 101, how terribly noisy it will be for the seniors that will be living in the proposed facility. Since, this facility will be right next to a major freeway that is busy not only during the day but also at night, the seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.

As a result of these concerns as well as others that were brought up by my fellow residents, I would like to voice my opposition to the project and urge the city council members to not vote for this project during tomorrow's meeting. Please give us more time.

Thank you
Miloni Shah

RE: We OPPOSE the Dove Hill Medical Care Facility Project!!!!

Inamine, Nicole

Thu 9/20/2018 12:07 PM

Hello Jennifer,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Jennifer Liu

Sent: Monday, September 10, 2018 10:27 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We OPPOSE the Dove Hill Medical Care Facility Project!!!!

hello:

I would like to send this petition to you for review, and thank you for your consideration !

<https://www.thepetitionsite.com/takeaction/617/331/767/>

Jennifer Liu

Silver creek resident

Sent from my iPhone

RE: We OPPOSE the Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:08 PM

Hello Lu,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Lu Chen

Sent: Monday, September 10, 2018 10:20 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Cc:

Subject: We OPPOSE the Dove Hill Medical Care Facility Project

Dear All,

My name is Justin Ke, my wife's name is Lu Chen. We live in the Ranch on Silver Creek community for eight years. I got the Dove Hill project hearing notice in July. I felt this is a very bad idea immediately. After that, I took a four weeks' business trip overseas. Though I didn't have enough time to do a lot of research on why a medical center is projected to be built in Dove Hill..I can tell this is a very bad idea from three perspectives.

Firstly, it will cause traffic congestion, especially upon life threatening situations. Dove road is a dead-end road, there is only single lane both ways, and there is no shoulders or bicycle lane on both sides. There are many bicyclist riding through Dove road from the Coyote Creek trail from Hellyer Park to Hassler parkways. Many times I had to follow after them slowly because it is dangerous to pass them using the other lane which is for the other direction. I can imagine after the medical center built in the projected location. The needs for life threatening medical emergencies will dramatically increase, and Dove road is NOT designed to handle those increased traffic.

Secondly, for senior people who needs assistants for their daily living, they will have inconvenient access to full hospital facility, parks, shops, public transportation. The closest hospital is more than fifteen miles always. In rush hour, it takes more than 40 minutes to get to the hospital; There is no any shop or bus stop in walking distance from the projected location. My parent recently visited us and lived with us, they don't drive, which makes it extremely inconvenient for them to live and enjoy in this community. There is average one fire accident once a year on the Dove hill, mainly caused by car explosion on HW101 and igniting the dry grass on the hill and the fire burning up the hill toward the houses on Thornbury Ln. Several residents on Thornbury Ln. have their backyard affected by the fires. The location of Dove hill is like a death trap in case of fire accident like that.

Thirdly, Ranch is a high-end communities in San Jose, residents pay high monthly HOAs to keep the environment nice and clean. After the medical center is build, the value of houses will be negatively affected by it, especially the houses in close proximity of the projected location.

In conclusion, I don't know why this location was select to be medical care center, but I know any project launch for any reason, it should benefit or do no harm to majority of people ,but I don't see any benefits to the senior who will be living in this center, not to mention it will cause a lot harm to Ranch residents. I think it only benefits the owner who sells the land and the developers who will profit from the project, we object to the Dove Hill project.

Thank you,

Justin Ke and Lu Chen

RE: URGENT: Request for community to present critical issues at 9/11 meeting on Dove Hill

Inamine, Nicole

Thu 9/20/2018 12:15 PM

Hello Cynthia,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. Because public comment on this item has already been heard and because it was moved as a continuance, it is at the discretion of the Mayor whether he will open up public comment again. It will be heard as Item 10.3, and will not be heard before 5:00 pm. Unfortunately the Mayor's schedule is severely impacted throughout this week and next, but your concerns have been recorded and share appropriately.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Cynthia Tillo

Sent: Monday, September 10, 2018 5:38 PM

To: Liccardo, Sam <sam.liccardo@sanjoseca.gov>; The Office of Mayor Sam Liccardo

<TheOfficeofMayorSamLiccardo@sanjoseca.gov>

Subject: Re: URGENT: Request for community to present critical issues at 9/11 meeting on Dove Hill

Our community would really appreciate a response back to this request for tomorrow's meeting. It is imperative that the entire city council has information on this before moving forward with a decision on Dove Hill. There are many issues, flaws, inconsistencies and outdated data about this project that need to be shared.

Best,
Cynthia

On Sunday, September 9, 2018, 11:32:25 PM PDT, Cynthia Tillo

wrote:

Dear Mayor Liccardo,

On behalf of the residents of the Ranch at Silver Creek community, we are requesting 20 min to present at the 9/11 meeting

on Dove Hill PDC14-051 and PD16-019. The presentation succinctly covers the major issues with the current proposed medical facility - including outdated, incomplete, inconsistent and flawed analysis of development impact. The community is extremely concerned that if the City Council made a decision without knowledge of these issues, it would be detrimental to not only the current 3500 residents but also future 250 seniors of the facility.

The 20 min presentation would be equivalent to and in lieu of 10 community members individually making public comment. If we are able to present at 9/11 when all the City Council and planning division is present, this would be really efficient since all affected stakeholders would be present to hear the same presentation as well as each other's questions and feedback. This would truly be in the spirit of transparency and engagement for all involved!

If we are unable to present at 9/11, we are requesting an urgent separate evening meeting next week with you & your team to review the issues firsthand. I would imagine that you are very busy and would appreciate the efficiency of having an open discussion with all parties in one combined productive meeting.

We look forwards to partnering with you on an outcome that benefits the entire San Jose community and is aligned with the objectives of the City.

thanks,

Cynthia Tillo

On Behalf of the Residents of the Ranch @ Silver Creek

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:16 PM

Hello Chowie,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Chowie Lin

Sent: Monday, September 10, 2018 8:29 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: I oppose the Dove Hill Medical Care facility project

Dear Mayor and Council Members,

- I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.
- I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.
- A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).
- There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant

(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

- There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely.

(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

- There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?
- In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.
- I bought a house in Ranch because its a quiet neighborhood and I pay high property taxes. This new facility will have a severe impact on the noise, traffic and pollution in the neighborhood and will negate the reason for my buying a house in the Ranch.
- I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. We've had safety issues in the past with our mailboxes broken into, and this group of non-residents coming to the neighborhood regularly will increase the risks.

Sincerely,

Chowie Lin

The Ranch on Silver Creek

RE: I/We oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:17 PM

Hello Noeung,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Noeung Nguon

Sent: Sunday, September 09, 2018 11:38 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I/We oppose the Dove Hill Medical Care facility project

Hi all,

We were not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give us enough time to understand the impacts of the project and provide our input.

We are the ranch residents for over 13 years, we are very concern the heavy traffics and safety issue of having the the Dove Hill Medical Care facility project being built in our community that will be sharing the same Dove Ave that has only one land each way with no shoulder. When there is emergency, we all are being trapped and/or facing dangerous situations.

Please postpone the meeting to give us sufficient time to review the document.

Thank you very much in advance.

Noeung Kim Nguon and Yong C Lai

RE: We oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:17 PM

Hello Angela,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Angela Song

Sent: Monday, September 10, 2018 6:43 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We oppose the Dove Hill Medical Care facility project

Dear Mayor,

We oppose the Dove Hill Medical Care facility project because of the following:

- I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.
- I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.
- A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).

- There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?
- In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.
- I bought a house in Ranch because its a quiet neighborhood and I pay high property taxes. This new facility will have a severe impact on the noise, traffic and pollution in the neighborhood and will negate the reason for my buying a house in the Ranch.
- I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. We've had safety issues in the past with our mailboxes broken into, and this group of non-residents coming to the neighborhood regularly will increase the risks.
- Feel free to add your own points - e.g. concerns about sewage, accidents while going down steep slope of Hassler Parkway, etc.

Thanks a lot for your time.

Best Regards,
Angela Song

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:18 PM

Hello Satyajit,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Satyajit Chakraborty

Sent: Sunday, September 09, 2018 11:35 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Ranch Silver Creek <ranchonsilvercreek@gmail.com>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District7 <District7@sanjoseca.gov>

Subject: I oppose the Dove Hill Medical Care facility project

I oppose the Dove Hill Medical Care facility project and here are my biggest concerns

1. I drive regularly on the narrow, winding and 1 lane (each way) Dove Hill road and the additional traffic and emergency vehicles that this project is sure to bring on the road are simply beyond the capabilities of that road. There is no way for the traffic (especially the ones going towards Hellyer Avenue) to move over or slow down for any emergency vehicle unless there are at least 2 lanes each way. The proposed mitigation of adding a 3-way stop sign is inadequate to address this and there needs to be infrastructure investments (widen the road, etc.) to properly support this facility. I'm afraid this will cause major accidents. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.
2. This proposed facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. The mitigation plan only calls for proper air filtration but that would mean that the future residents (mostly seniors) will be trapped inside the facility which is not good for the mental well-being.

9/20/2018

Mail - city.clerk@sanjoseca.gov

3. A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).

Regards,
Satyajit Chakraborty

RE: Oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:19 PM

Hello Cecille,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. Her office had setup a community meeting on September 6. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Cecille Florentino

Sent: Sunday, September 09, 2018 11:21 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: Oppose the Dove Hill Medical Care facility project

Dear sirs/madam,

We are Wil and Cecille Florentino, 11 year residents at the Ranch community in South San Jose.

We have continued to enjoy living in the area because of the great schools, like neighbors, and a safe area away from outside traffic.

We feel everything will negatively impact our emotional and financial investment because of the proposed Medical Care facility project.

The 'bottom of the hill' which is the intersection of Dove Hill and Hassler have been a source of accident uncertainty because of not having a stop sign coming from a blind spot out of that back side of the hill. We believe that with more traffic, it will be much more prone to accidents. And how can the road be widened to accommodate more traffic?

Cutting up into the hill will bother the seismic stability and will risk landslides and even increase our insurance as the hill will be much less stable and more susceptible to earthquake instability. Has there been a seismic environmental impact study?

In addition, the facility is not compatible with the neighborhood of high end residences, and will negatively impact the value of our home which is the reason we invested in this area. Has this value impact been completed?

We are not sure about the zoning of this, but if the facility loses business (I personally will not send my parents/grandparents there because there was once a fire on the road that spread up easily) and they try to sell the building, it could either be abandoned, or it could be sold to a less reputable business - such as a low income housing, or low cost motel.

With all the unknowns, risks and lowered property value, we are definitely against this project.

By the way, we were told that there was going to be a meeting to get further clarifications. As we did not get enough notification for us to study all the reports, we would first like to ask for an extension so that we can have a chance to study all the documentation.

Thank you.

Yours sincerely,

Wil & Cecille Florentino

RE: Concerns with the Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:20 PM

Hello Ellen,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: SHAN WANG

Sent: Sunday, September 09, 2018 11:11 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Concerns with the Dove Hill Medical Care Facility Project

Dear Mayor and City Council members,

My name is Ellen Hong, a resident of the Evergreen Ranch area that was designated for the construction of a medical center on Dove Hill Road. I am writing this email to voice two concerns I have had with the project.

Chiefly, I believe that the intersection of Dove Hill and Hassler Parkway may become a point of congestion, as the two-lane road serves as the connection to Highway 101 for many of the residents. Based on the claims of the mailed agenda, the facility would be able to house 248 patients at max capacity. Given that this would be an assisted living facility, a good fraction of them may have frequent visitors, or require routine dialysis and other medical treatments. In that case, traffic would expectedly become very congested on the small road.

Secondly, the increase in traffic through the area may compromise the security of our neighborhood. Already, we have had suspicious activity; on my street along, there was a violent burglary two years ago, and several attempted forced entries into a vehicle this spring. An increase in non-resident traffic may attract more individuals who may choose to target this relatively pleasant neighborhood for unwanted crimes.

Thank you for reading my traffic and safety concerns with the project. I hope you have a pleasant day.

Ellen Hong

RE: We OPPOSE the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:21 PM

Hello Mimi,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Mimi Fung

Sent: Sunday, September 09, 2018 11:05 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We OPPOSE the Dove Hill Medical Care facility project

Dear Mayor Liccardo, Vice Mayor Carrasco, and all other council members,

I have never written to a politician before, because I do not believe that my email will ever be read. This time we are desperate, and I want to believe that this will make a difference.

My family has been living at the Ranch of Silver Creek for 14 years, we are one of the first owners of these houses. I got this house purely by chance, as it was a lottery at that time. This is also the first house for both of my children, they now attend Valley Christian in San Jose.

When council women said that we should only consider everything to be "according to the policies/ plan" for the project behind the cross road between Dove Road and Hassler Parkway, I disagree. Dove Road and Hassler Parkway is all the one a one way street. In the event of an earthquake, everyone will need to drive through this street. This is very different from other roads, as they have at least 2 lanes, like Yerba Buena, Silver Creek Valley Road. They have multiple escape routes, we basically have one. By adding at least 248 very needy elderly people,

plus their caregivers, we are adding a lot of hazards to the neighborhood. Basically, you are saying, let's build a house without an door and we will think about that after we move in everyone.

There WILL be a major earthquake very soon. We have a lot of mini earthquakes lately here in our area from Alum Rock to Milpitas. Japan just had a major earthquake as well. If the elderly had trouble escaping the facility, who will their families sue? Will the people at the facility have another escape route besides Dove Road?

Therefore, the entire Dove Road, including the one way bridge MUST be expanded to 2 lanes each way, before such a project can be approved by the city, to ensure the safety of its residents!

Sincerely,

Mimi and Anson Chan

RE: Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:22 PM

Hello Terry,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. Her office had setup an additional community meeting on September 6 at the Evergreen Community Center for further community input. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Terry Lie

Sent: Sunday, September 09, 2018 10:53 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc: darrel

Subject: Dove Hill Medical Care Facility Project

Hi Mayor Liccardo and Councilmembers,

My husband and I are residents at The Ranch community. We are writing to you to express our concerns with the Dove Hill Medical Care facility project. We were not notified during the Public Review Period from 4/9/18-4/20/18, and had only recently heard about the project from our neighbors. We would like to request more time to read through documents and reports to understand the impacts of the project, and for there to be a new Public Review period in December 2018 for us to provide our input. Based on our current understanding of the project, below are some of our initial concerns:

- Dove Hill road is a narrow and winding 2 lane road, with no shoulders. The road is already often backed up in the morning rush hour period. The project will bring additional traffic, both during construction as well as later due to the workers and guests at the facility.
 - There will be no space to make way for emergency vehicle traffic, and that will be an issue for both residents at The Ranch as well as residents at the Medical Care facility.

- Should there be an emergency such as an earthquake or fire, residents at The Ranch as well as the residents at the Medical Care facility will at risk of evacuating in a timely fashion.
- There will be environmental impacts of this project to the protected land.
- There will be additional car and foot traffic of non-residents coming into The Ranch, which will cause additional safety concern. We already have hired security cars that patrol the neighborhood due to break-ins. Having additional traffic around The Ranch will exacerbate the security issues.

We understand that there will be a city council vote this Tuesday 9/11 regarding the project. Given that we just found out about this project, we are still trying to clear our calendars to both look into this matter as well as try to make it to the meeting (which we may not be able to due to prior commitments that we have not yet been able to reschedule).

Again, we would appreciate it if additional time is given for us to further look into the project, and for there to be a new Public Review period in December.

Thank you for your time and consideration.

Best Regards,

-Terry Lie, Darrel Tan

RE: Strongly opposing the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:23 PM

Hello Avanti,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Avanti Pakrasi

Sent: Sunday, September 09, 2018 10:08 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Strongly opposing the Dove Hill Medical Care facility project

Hello Council Members,

My husband and I live in the the heritage bay community in the ranch neighborhood with our three school going kids.

I was not here during the 2010 proposal of the same project and recently found out about this renewed efforts to pass this terrible proposal.

I relocated to the bay area from Florida and have lived around many senior/assisted living and nursing home communities there. I was appalled that the city of San Jose could think of approving such a project. Here are my serious concerns -

- The narrow single lane access to the site is a death trap for both the residents of the facility as well as in case of an emergency. Remember the nursing home residents who died during a hurricane in Florida last year as they could not be evacuated ? Is that what you want for these seniors ?

- The stretch of dove road between Hassler Parkway and 101 is very accident prone - I see the skid marks everyday. When it rains, it gets even worse. What kind of traffic study says 'there will be negligible impact' - are they paid per approval or per study !!!
- Why was so little time given for public review. What happened in 2010 does not count as we were not there - half the residents of the community are new. If it is such a good project, why the rush ? why the hush hush !!! What is the city or the developer trying to hide ?
- I have read all the problems with the proposal cited by the city's own planning commission in 2010 - the only mitigation seems to be the number of beds and type of facility - really !
- And then there is the 'need' - I called around many area nursing homes and they all had space. Seniors cannot get access to nursing home care not because of scarcity - but COST ! How many Medical patients will the facility accommodate? What are the costs per day ? Will they take LTC insurance ?
- If there is no need then what problem is the city trying to solve ? Or is it just trying to appease the developed who apparently was a prior city planning commission member ???
- Even if there is need then has the city ascertained the background of the applicant? They have a facility in Texas - where ? what's the name - why is all this a state secret !!!
- How did the same council let the developers of the ranch home get away without building a park - this must be the only suburban neighborhood of over 3000 residents without access to a park for the kids ! Is this San Jose's vision for 2040 ? More accident prone roads and no parks for kids ???
- Because our kids have no park - we walk on Hassler Parkway - we already see cars speeding / people illegally parked on top of the hill smoking pot - yes it is legal now and since this is a public road, they can smoke right on our face. I dread to think how that traffic will increase if 150 more people drive to the facility every day. Believe me, they wont just drive to work and back - a good portion of them will speed up and down Hassler for fun and maybe invite their friends to join!!
- Someone mentioned job creation in the area - so why not look at building a nursing home on Hellyer - near blossom hill ? There is a lot of flat land there with easy access to 101 without being right on top of the highway and where a single lane hilly road dead ends !

Our neighborhood team has already pointed out all the legal / environmental issues and I won't repeat - but PLEASE - let us have some COMMON SENSE and stop this project. You all know in your hearts that this is the wrong place for such a facility - for the seniors needing care / for the workers driving here and for us - the residents living here. PLEASE do the right thing - just because this 3 acre land was rezoned incorrectly by another set of council members, doesn't make it a good decision. Two wrongs don't make one right ! PLEASE stand up to pressure from for-profit developers. You can do the right thing and live up to the promise of public service that you made when you were sworn in.

Thank You,

Avanti Pakrasi

RE: Vote Against Medical Facility at Dove Hill, San Jose

Inamine, Nicole

Thu 9/20/2018 12:23 PM

Hello Som,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine
Economic Development Specialist
Office of Mayor Sam Liccardo, City of San José
E: Nicole.Inamine@sanjoseca.gov
Ph: (408) 535-4862

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

From: som barua
Sent: Sunday, September 09, 2018 9:59 PM
To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>
Cc:
Subject: Vote Against Medical Facility at Dove Hill, San Jose

Hello Mayor!

I would express my deep concern on the construction of the aforementioned Medical facility ... the traffic and congestion implications are not diligently evaluated. Any study on this is predated.

Please prevent this project from going forward by giving due consideration to the concern of 500 odd families living in that vicinity in the Ranch community.

Thanks for you consideration in this matter

Best regards

Som

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:24 PM

Hello Nartan,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: nartan patel

Sent: Sunday, September 09, 2018 9:50 PM

To: District7 <District7@sanjoseca.gov>; The Office of Mayor Sam Liccardo

<TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>;

District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; district5@sanjoseca.gov; District 6

<district6@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10

<District10@sanjoseca.gov>;

Cc:

Subject: Re: I oppose the Dove Hill Medical Care facility project

Resend with corrected some email addresses:

+++++

Dear Mayor's office and District office,

I oppose the Dove Hill Medical care facility project due to following reasons and request your consideration to push out the vote until the community has had more time to review all the documents and provide input.

1) I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.

2) I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests. Also, will have severe traffic safety concerns due to increased traffic for my kids who takes bikes to schools - Valley Christian high school and weekend biking to Hellyer park biking trails.

3) A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).

4) There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant
(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

5) I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. We've had safety issues in the past with our mailboxes broken into, and this group of non-residents coming to the neighborhood regularly will increase the risks.

6) There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?

7) In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.

8) There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely.
(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

Than you,
Nartan

RE: We strongly oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:25 PM

Hello Sunondo and Moni,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Manimanjusha Ghosh

Sent: Sunday, September 09, 2018 9:29 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: We strongly oppose the Dove Hill Medical Care facility project

Dear Honorable members of San Jose City Council

We strongly oppose the proposed Dove Hill Medical Facility project and our concerns are noted below.

- We were not notified during the Public Review Period from April 9th to 20th in 2018. We need more time to read the documents and reports. With our busy lives with two kids- one in high school and one in middle school it is simply not possible to do justice to those within the two weeks that was given to us. We request a new Public Review period in December, 2018 to give us enough time to understand the impacts of the project and provide our input.
- We drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to us. Everyday we take the road to drop of our kids to school and the traffic is blocked up. To avoid that we have to leave earlier everyday. Sleep deprivation specially for a high schooler is a real health concern and adding more traffic means we have to leave even earlier!

- We took care of parents who lived in India till they passed away. Our religion states that caring for our parents specially when they are frail is like taking care of God. Our parents have done for us so much and the least we can do is to take care of them when they need us the most. The last thing when a person is sick is to be cared for in a facility where there is no personal connection. Studies have proven that memory care patients need love and understanding from family members to survive.
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- Along with all the above concerns the environmental impact, pollution, landslide and fire threats make me strongly oppose the proposed project.

Thanking you,

Sunondo and Moni Ghosh (Residents since 2003)

RE: Dove Hill Project Senior Medical Facility

Inamine, Nicole

Thu 9/20/2018 12:26 PM

Hello Devasena,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine
Economic Development Specialist
Office of Mayor Sam Liccardo, City of San José
E: Nicole.Inamine@sanjoseca.gov
Ph: (408) 535-4862

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

From: Devasena Reddy
Sent: Sunday, September 09, 2018 9:17 PM
To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>
Subject: Dove Hill Project Senior Medical Facility

Dear Mayor,

I wish to state my objection to this proposed project for the reasons below:

1. I do not know if the developer has shown that this project addresses a need in the community. How affordable is the owners facility in Texas for seniors?
2. There are several 6 max bed facilities in the Evergreen area that performs the same service and this facility will impact their businesses.
3. I use Dove Hill Road daily and the traffic is already backed up during peak traffic. Dove Hill Road is a narrow road with no shoulder. I know that from experience any time a vehicle breaks down or there is garden services that stops their vehicle on Dove Road or cyclists, it creates a dangerous situation for all. I cannot imagine how Emergency Services would be able to get through during peak hour. Further there are several blind spots that make the road

9/20/2018

Mail - city.clerk@sanjoseca.gov

dangerous for all.

Devasena Reddy

Sent from my iPhone

RE: Please reconsider Dove Hill Medical Facility Decision

Inamine, Nicole

Thu 9/20/2018 12:26 PM

Hello Jey,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Jey Govindan

Sent: Sunday, September 09, 2018 9:17 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Please reconsider Dove Hill Medical Facility Decision

Dear Mayor and Council Members,

I am Jey Govindan, also a resident of The Ranch neighborhood. Along with my other residents, I also oppose the Dove Hill Medical Facility. It will be a disaster for the residents and the future patients of the Medical Facility without a proper traffic infrastructure.

A single lane, extremely narrow and bendy road without any shoulder room having two stop signs to go in and out of the road to serve a medical facility is unimaginable to me. I am not sure how City has approved this proposal without taking these serious concerns in to consideration.

I am opposed to this project as the infrastructure, road ways are going to significantly reduce our quality of lives of some 3500+ residents.

Thank you,

9/20/2018

Mail - city.clerk@sanjoseca.gov

Jey

RE: Our family opposes the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:27 PM

Hello Shivang,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Shivang Patel

Sent: Sunday, September 09, 2018 9:17 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: Our family opposes the Dove Hill Medical Care facility project

Respected Mayor, Councilmen, and Councilwomen,

I live in the Ranch At Silver Creek community that is being affected by the Dove Hill Project.

The voting for Dove Hill Project is scheduled on Tuesday, September 11th. Our family was not notified during the Public Review Period from April 9th to 20th in 2018 so we need more time to read through the documents and reports related to the project. There should be a new Public Review period in December 2018 to give me enough time to understand the impacts of the project and provide my input.

I am deeply concerned about the high risk of cancer for the new residents of this assisted living space, especially with their immune and respiratory tract systems. Hence, to ensure proper health of these senior citizens I have reached out to a couple of community-driven initiatives in the Bay Area to help us understand this risks further. We need time to reach out to BAAQMD for their inputs as well.

Secondly, I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and

emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. Hence we need time to understand how we are expected to react when an emergency vehicle is behind us with no road shoulder to stop on a road with blind stops. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.

Finally, we wanted to understand the legal liabilities of the city if the project is approved and one of neighbor is affected due to the reasons raised by the community.

Thank you for considering this request.



--
Regards
-Shivang Patel

RE: Concern about Dove Hill Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 12:27 PM

Hello Xin,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Xin Wang

Sent: Sunday, September 09, 2018 8:06 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Concern about Dove Hill Medical Care Facility Project

Dear Council Members,

I have attended the planning meeting on July and the public hearing on August. In both meetings, I have addressed my concern about this project. Thanks for giving me this opportunity to show the issues. However, I did not feel like my concern has been addressed at all. Is the committee trying to ignore our concern on purpose?

My concern was about fire hazard. I did not realize this until last year (8/12/2017). The wild fire propagated to my backyard in 20 mins from highway 101. It was scary since if you looked around, everywhere was fire. The whole slope where the site was proposed, has been covered with fire. What firefighters can do is to protect our backyard since there is no way to access the valley. We were lucky that there was nobody in the valley last year. The air tanker could put out the fire from the sky. Suppose we have 250 barely move patients and 150 employee in that small space. In 20 mins, it could turn into a disaster.

Developer said there will be buffer. And we will be even safer. I don't want human shield though. The buffer could block fire probably. But if such fire happens again, the smoke and panic could kill the people even they stay in the

shelter (let alone the developer expects all the patients can rush into the shelter in 10mins). I really wondered if 400 people at Sal's age could move from the four story building to a shelter in 20mins?

Frankly I do not want to see hospitals in my backyard. I am also afraid that a lot of people would die there due to the ill-design. This is not about money or convenience. This is about human life. A responsible council member would not put their people under such a risk.

I would like to see a better design or at least some mitigation on this issue.

Thanks
Xin Wang

RE: 4200 Dove Hill Road, Dove Hill Medical Care Facility - In Favor of the proposed development

Inamine, Nicole

Thu 9/20/2018 12:30 PM

Hello Sheri,

Thank you for writing to our office regarding your support for the medical facility proposal at Dove Hill. I've shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Sheri Wolfgram

Sent: Wednesday, September 05, 2018 9:33 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Cc: Richard Rosdail

Subject: 4200 Dove Hill Road, Dove Hill Medical Care Facility - In Favor of the proposed development

September 5, 2018

Dear Mayor Sam Liccardo, Sylvia Arenas and San Jose City Council Members:

As a follow up to the City Counsel Meeting on September 28, 2018, I'd like to express our support of the proposed plan for 4200 Dove Hill Road, San Jose. **PDC14-051 & PD16-019 4200 Dove Hill Road**

My family owns San Jose, two lots North of the proposed project. For over 70 years my family has owned approx. 4 acres above Highway 101, and just below the "Ranch".

We are in favor of this proposed project. Just as my family was in favor many years ago of the then proposed "Ranch", and the current 17 homes being built at the corner of Dove Hill Road and Yerba Buena.

Progress is inevitable for our City. A few versions of the proposed project have been presented to City Planning and the City Council over the years. The architect/ builder/developer has made changes as suggested by both departments. It's time to approve this project and move forward.

The fact that there are more residence attending the City Council meeting from the "Ranch" does not negate the fact that "we" as homeowners on "The Hill" outside of the "Ranch" should have the same or more consideration by pure longevity and need. We supported the development approval of their homes, so many years ago, in the first place. We reside outside of the "Ranch" but need public utilities. When the Ranch development was built, the changes made to the land itself disrupted the natural spring water supply to our home. For years my family worked with the "Ranch" developers to deliver and truck water to our home on a monthly basis, and our surrounding neighbors, before bringing a public water to our lot line. Once the "Ranch" developers installed a water line to our property line, my Grandmother offered a water easement for a water supply line for two other lots. We are reasonable people who understand progress for the greater good.

We are not asking for much. We are only asking for the same City and Public Service rights as others who live on "The Hill". We tried to get a portion of our road paved and city sewer when the 17 homes were proposed, to no avail. The builder was not receptive, nor cooperative, and maybe the City was not aware of the need when the site plan was proposed. Now "we", the property owners who live on "The Hill" outside of the "Ranch" have an opportunity to work with a builder/developer who is receptive and willing to provide us city sewer hook ups at our property lines. Our original septic tanks are old and the City is not providing sewer to our annexed San Jose city properties.

I have personal reasons for expressing a need for a senior medical care facility as well. When my Mom and Father-in-Law reached the sunset years of their lives and needed care, they received their care out of state to find an available "bed", at a reasonable cost, with acceptable care for assisted living and memory care. The elderly population of the south bay continues to grow. The need for more senior medical care facilities should be without a doubt a serious consideration of the community of San Jose and Santa Clara County. This proposed development is needed for the great good of the community and it's citizens.

Evergreen's school system will not suffer from the proposed project, the crime rate will likely not have an impact, graffiti is unlikely based on the proposed new residence, the freeway noise shall we say, is not of a concern, the proposed sound wall, green planting area, and fire hydrants address the fire concerns, and the property improvements will benefit the City. The current site is an eye sore. The evaluation of the traffic flow and the proposed staggered work hours of "employees" will have minimal impact on roads and traffic. This is a win-win proposal.

Please do not further delay the process and vote to approve the project as outlined going forward.

Thank you,

Sheri Wolfram, and on behalf of Kelsey Wolfram, Lance Chapman, & Marlene Clark
Additional Interest: Guy Quintino. Glen Quintino,
Dove Hill LLC Business Manager: Richard Rosdail
Dove Hill LLC Property Manager: Roy Hayes
Dove Hill LLC
Property Address:

“Reminder: email is not secure or confidential. Intero Real Estate Services will never request that you send funds or nonpublic personal information, such as credit card or debit card numbers or bank account and/or routing numbers, by email. If you receive an email message concerning any transaction involving Intero Real Estate Services and the email requests that you send funds or provide nonpublic personal information, do not respond to the email and immediately contact Intero Real Estate Services. To notify Intero Real Estate Services of suspected email fraud, contact: fraudalert@intero.com.”

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:31 PM

Hello Srinivas,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Srinivas Devireddy

Sent: Sunday, September 09, 2018 9:12 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I oppose the Dove Hill Medical Care facility project

- I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.
- I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests.
- A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).
- There will be severe environmental impacts of this project - including impact to endangered species such as White Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant

(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

- There is risk of asbestos and other pollution in the neighborhood during construction. The Ranch community has many children who could be affected severely.
(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility.
(refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)
- This facility is right next to the highway. The seniors living in this facility will experience high levels of noise and pollution due to the vehicular traffic. They will be trapped inside the facility which is not good for the mental wellbeing of the senior residents.
- There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?
- In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.
- I bought a house in Ranch because its a quiet neighborhood and I pay high property taxes. This new facility will have a severe impact on the noise, traffic and pollution in the neighborhood and will negate the reason for my buying a house in the Ranch.
- I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. We've had safety issues in the past with our mailboxes broken into, and this group of non-residents coming to the neighborhood regularly will increase the risks.

Regards,
Srinivas Devireddy
Ranch Residents

RE: Please Read: STRONG OPPOSITION to the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:32 PM

Hello Lisa,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Lisa Ha

Sent: Sunday, September 09, 2018 12:10 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Please Read: STRONG OPPOSITION to the Dove Hill Medical Care facility project

To whom it may concern,

We strongly oppose the Dove Hill Medical Care facility project. I believe you have repeatedly heard the community and resident's concerns over increased traffic which can result in more accidents, fire hazards in the surrounding area, landslides, noise and air pollution, and overall safety concern for all -- especially the seniors and residents which are comprised of families with small children and grandparents.

We ask that as our elected representative -- Please be our voice and please represent us justly. Ask yourself this, would you want a medical assisted living right behind your backyard, where your

children and parents live? There is no denying we need to take care of our seniors, but don't they deserve to live in a healthy and safe environment? Don't we all?!

I like to share some perspective on how this facility is detrimental for both sides...

From a **Seniors** perspective:

- These are seniors who are sick and incompetent, they should be enjoying the remaining quality of their years in a nice, safe, environment. A place they can heal and thrive, a place they can call home.
- However, this facility is right next to the freeway!
 - With the windows down, they are inhaling smog and pollution -- how is this healthy for an ill senior where air quality is essential?!
 - I live in Trestlewood and can hear my neighbors right next to me during normal conversation. How are the seniors expected to get quality naps and rest with all the noise from the 101 traffic and kids outside playing?
- There have been many fires and the recent one that went up that slope where the Assisted Living Center is being developed, how are the incompetent seniors expected to escape in the event of an fire?!
- What is worse, there is ONLY one entrance to Dove/Hassler, in the event of an emergency that area will be a huge bottleneck for evacuations. The incompetent seniors, many may who are bed confined, will be unable to quickly escape, this is putting their lives at risk.
- What about seniors with Alzheimer's? What if they wonder off and walk straight into 101 freeway traffic?! This is a very likely situation that we must prevent at all costs!

From a **Residents** perspective:

- We bought our home during its initial development and was promised that only about ~500 homes can be built on this land. This was what drew us to this community. We were willing to pay more for mortgage, mellarose tax and HOA just so that that we can raise our children in a nice, safe, neighborhood. A place they can play and thrive... we pay a premium to live here! Now that the developers want to make more money, they want to further develop in our community without any considerations for the family and children nor do they care about the seniors this assisted living facility is built for. They say whatever they want when convenient and will sell us lies as long as they hit their bottom line.
 - If we wanted to live in an unsafe, noisy, and over-populated area, then we could've bought in East San Jose where homes cost half of what they cost here!
- WE DON'T FEEL SAFE with the increased number of residents that is adding more traffic, fire risks and noise/air pollution especially in such a confined environment and narrow windy streets that is a blind spot prone to accidents
- The initial Developer already used up every nook and corner to build these cookie cutter homes, as noted, we are so close that I can easily open my window and borrow sugar from my neighbor. The noise and air pollution will be unbearable, especially for the young children and grandparents who are currently living here, also they will not get a good night's rest which is critical for school and good health. In hot summer months, it's impossible to sleep with the windows down as we hear every noise and critter, with the increase population, this will only get worse!
- The developers are essentially trying to build out the facility w/ every inch of space to accommodate so many beds. They will not have enough parking to accommodate all the visitors and the visitors will eventually spill over to our neighborhoods and take over our already dense

parking spaces. As is, our streets are super narrow. If one side is parked, drivers from both directions need to yield to each other to pass. We are already exposed to thieves and vandalism, these crimes will only rise with the increase population and non-residents in our neighborhood.

- The increased traffic will put our children's lives at risk as they play outside everyday! One of my worst fears as a mother is to have my son get hit by a car while playing outside with his friends -- which we all should encourage kids to do for a healthy lifestyle!
- The development will take years to complete. This will result in an increase in pests and rodents and is exposing our children at risk. We had to live with a snake for 1 full month during the initial development -- now we have 2 children, it is very scary to think of exposing them to such pests at home!
- Families and bikers exercise on Hassler/Dove everyday... the increased traffic is putting their lives at risk! I saw a biker got hit the other day and it was so bad! :(
- What about the natural habitats that live here. Isn't it our environmental obligation to protect the endangered species, such as the butterflies, white Tail Kite, Loggerhead Shrike and Santa Clara Valley Dudleya Plant: <https://www.sanjoseca.gov/DocumentCenter/View/7626>

I ask you, why are we still debating this? The developers are bullies! They are relentless and they don't stop. Its been 10 years and they are still trying to build in our community. They only see dollar signs! Let me ask you...

- **Would you want your parents to live in such a unsafe and undesirable location?**
- Is money more important then people's lives?!

Can we have some human decency and look at the seniors and children that are currently living here, and intended seniors whose lives are at risk should they build here and make a just decision that is right for the people, and not to the benefit of the developer or city's bottom line?!

Thank you for your time,
Lisa

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:33 PM

Hello Mohan,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Mohan Nookala

Sent: Sunday, September 09, 2018 2:29 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I oppose the Dove Hill Medical Care facility project

Honorable council members,

I kindly request that the vote on this project be postponed for 2 weeks for the following reasons.

1. I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.
2. I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe

delays due to the additional traffic caused by 3 shifts of workers at the facility and guests. I am really worried about not being able to drive my son to his school in downtown area on time.

3. A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. Based on my reading, It is not compatible with the San Jose 2040 General Plan (<http://www.sanjoseca.gov/index.aspx?NID=1737>).
4. There have been multiple fires on the hillside where the facility will be located including some that got into backyards of Ranch residents. This medical facility will have 248 seniors residing inside many of whom will not be able to drive. How can they all be evacuated quickly using the narrow Dove Hill road if there is another fire?

Please understand that I am not opposing the idea of having this type of medical care facility in south San Jose. I just do not believe the choice of location was right.

Sincerely,

Mohan Nookala
Ranch on Silver Creek resident

RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:33 PM

Hello Jin,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine
Economic Development Specialist
Office of Mayor Sam Liccardo, City of San José
E: Nicole.Inamine@sanjoseca.gov
Ph: (408) 535-4862

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

From: Jin Park

Sent: Sunday, September 09, 2018 6:55 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I oppose the Dove Hill Medical Care facility project

Dear Mayor Licarrdo and City Councilman,

I'm writing to you to voice my opposition for the Dove Hill Medical Care facility project I have safety concerns about the large number of new non-residents who will be coming to the Ranch community. This group of non-residents coming to the neighborhood regularly will increase these risks. The planned 4 story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community It introduces alot of dangerous risks to the existing and new community such as airborne asbestos, fire hazard, traffic accidents, environmental impact to the surrounding wildlife, landslide hazard and noise pollution.

I've lived on the Ranch on Silver Creek for the past 14 years and bought my home to start a family back in 2004 .I have two young children who are attending John Franklin Smith elementary school. This project will bring unsafe conditions for my family and the existing Ranch residence. It will impact their daily quality of life.

Also the traffic and environmental study is not consistent with the current Dove Hill Medical Care Facility. There are alot of inconsistencies and incorrect information that warrants a revised traffic and environmental study, see below links as reference

Dove Hill Medical Care Facility Project - Mitigated Negative

Declaration: <https://www.sanjoseca.gov/DocumentCenter/View/76269>

DOVE HILL ASSISTED LIVING FACILITY COMMUNITY RISK ASSESSMENT

<http://www.sanjoseca.gov/DocumentCenter/View/76270>

Dove Hill Assisted Living Trip Generation and Operations Analysis:

<http://www.sanjoseca.gov/DocumentCenter/View/76280>

Please kindly reconsider and review our requests to have this project reviewed again and that the city does not hastily make the vote to approve this project.

Sincerely,

Jim Park

RE: Our family of 4 oppose the Dove Hill Medical Care facility project - Resident of The Ranch Golf Course Community HOA

Inamine, Nicole

Thu 9/20/2018 12:34 PM

Hello Narala family,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: D N

Sent: Sunday, September 09, 2018 6:20 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>

Subject: Our family of 4 oppose the Dove Hill Medical Care facility project - Resident of The Ranch Golf Course Community HOA

Dear Mayor,

1. I was not notified during the Public Review Period from April 9th to 20th in 2018 so I need more time to read through the documents and reports related to the project. There should be a new Public Review period in December, 2018 to give me enough time to understand the impacts of the project and provide my input.

2. I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests. This will be death trap for the Seniors living at this facility during peak

hours.

3. A four story medical care facility is not compatible with the neighborhood of residential houses in the Ranch community. It will stand out like a sore thumb in the beautiful neighborhood around it. It is not compatible with the San Jose 2040 General Plan (San Jose, CA - Official Website - Envision San José 2040 General Plan)

San Jose, CA - Official Website - Envision San José 2040 General Plan

Stay up-to-date with the regular updates of the San José General Plan.

4. There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility. (refer: <https://www.sanjoseca.gov/DocumentCenter/View/76269>)

5. In an emergency such as an earthquake or fire, all of Ranch residents and the facility residents may need to evacuate using the narrow single lane Dove Hill road. Adding more residents to an already bad situation could create a death trap for all residents.

Thanks, and please do take this action TODAY. For more details on any of the above points, please refer to the docs below this email.

Narala family

Reference documents:

Dove Hill Medical Care Facility Project - Mitigated Negative Declaration:
<https://www.sanjoseca.gov/DocumentCenter/View/76269>

DOVE HILL ASSISTED LIVING FACILITY COMMUNITY RISK ASSESSMENT
<http://www.sanjoseca.gov/DocumentCenter/View/76270>

Dove Hill Assisted Living Trip Generation and Operations Analysis:
<http://www.sanjoseca.gov/DocumentCenter/View/76280>

RE: We oppose the Dove Hill Road Medical Care facility project (PDC14-051 and PD16-019)

Inamine, Nicole

Thu 9/20/2018 12:35 PM

Hello Raghavendra,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Raghavendra Bhagavatha

Sent: Sunday, September 09, 2018 7:41 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: We oppose the Dove Hill Road Medical Care facility project (PDC14-051 and PD16-019)

Respected Mayor of City of San Jose and the Members of the City Council,

The Dove Hill Road Medical Facility project is coming up for the city council voting on Sept. 11 and we urge you to vote "No" on this project because it will be a death trap for the senior citizens who will be living there. This is because of the significant risk related to the air quality because of the proximity of the facility to US 101. From <http://www.sanjoseca.gov/DocumentCenter/View/76270>:

Table 2. U.S. 101 Community Risk Levels at Project Dwe

Source	30-Year Adult Cancer Risk (per million)	Annu PM _{2.5} (µg/m ³)
Maximum U.S. 101 – 170,000 ADT (2013)	21.2	1.06
<i>BAAQMD Single Source Threshold</i>	<i>10.0</i>	<i>0.3</i>
<i>Significant?</i>	<i>Yes</i>	<i>Yes</i>

The mitigation is to install air filters inside the facility, which forces the (already sick) elderly residents to indoor most of the time, resulting in further deterioration of their mental and physical health. Studies ([Exercise and Social Activity Improve Everyday Function in Long-term Care Residents](#)) have shown that "Exercise and Social Activity Improve Everyday Function in Long-term Care Residents", which this project denies for its residents.



**Exercise and Social Activity Improve Everyday Function
in Long-term Care...**

The hazards related to noise and fire will also force the residents to stay indoors. The mitigations for these hazards are the same -- noise reduction and fire safety inside the facility. Combined, there is no other way to conclude than that this facility will be a death trap for its future residents. While this facility brings good jobs and tax revenue to the city, these benefits will be at the expense of the well-being of the loved ones, who need the best care, not a prison system. Kindly vote from your heart.

Regards,

Raghavendra Bhagavatha, Sheela Surendra, and Prachi Bhagavatha

RE: Subject: PDC14-051 & PD16-019 4200 Dove Hill Road

Inamine, Nicole

Thu 9/20/2018 12:37 PM

Hello Joan,

Thank you for writing to our office regarding your support for the medical facility proposal at Dove Hill. I've shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Joan Huffman

Sent: Thursday, August 30, 2018 10:20 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District5 <District5@sanjoseca.gov>

Subject: Subject: PDC14-051 & PD16-019 4200 Dove Hill Road

Dear Honorable Sam Liccardo, Mayor of the City of San Jose and Members of the San Jose City Council,

I am writing in favor of the proposed development of a Medical Care Facility at 4200 Dove Hill Road.

My family has owned the adjacent property for over 50 years. We have three acres with a red barn and wooden cut out cows that have entertained commuters for many years.

We feel this project is helping to meet a crucial need for medical care for seniors and at the same time providing much needed infrastructure to our surrounding neighborhood. This project will allow our neighbors to connect to the city sewerage system and provide a green belt barrier between highway 101 and the open space.

Last August, there was a auto fire on highway 101 (please see pictures below). Since our road doesn't have fire hydrants, the fire department fought the fire from 101 and the top of the hill. They also used aircrafts to help extinguish the fire. Luckily for us, our property was saved due to the hard work of the fire department and our goats that we used for weed abatement.

In addition to the benefits above, we also feel that this development will aid in fire prevention due to fire truck access, fire hydrants and their green landscapes.

Thank you for your consideration,
Joan Kukar Huffman



RE: I oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 12:38 PM

Hello Itasha,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Itasha Yamamoto

Sent: Friday, September 14, 2018 2:50 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: I oppose the Dove Hill Medical Care facility project

Hello,

My name is Itasha Yamamoto and I am a resident at the Ranch over 14 years. I work in health care management and one of my responsibilities is to ensure member well cared at a nursing facility. This include case managing members by making site visits on site almost daily. I believe the builder did not truthfully informed all the facts:

- traffic congestion will be awful since clinicians/vendors will need to go in and out of the facility to provide special care for these members
- ambulance and gurney vans are constantly flow to the area to get to and from at the facility to take members to scheduled medical appointments, dialysis and procedures for 250 bed residents
- family and care giver will be in and out of the facility for 250 residents
- ambulance siren will be going off due to emergencies. Please note members are elderly and are prone to falls
- drug addicts that are homeless and require medical attention that does not meet hospital inpatient will be placed to these type of facility

- drug addicts members go Against Medical Advice (AMA) very often from these type of facilities (from experience)
- The Ranch residents are full of school children and will be unsafe due these type to drug addict residents

Please, do not allow Dove Hill Medical Care facility project to more forward.

Please feel free to contact me for any questions. I strongly believe that the Dove Hill Medical Care facility representative did not provide all the facts.

Regards,
Itasha

RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

Inamine, Nicole

Thu 9/20/2018 12:39 PM

Hello Vani,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Vani Moodley

Sent: Monday, September 17, 2018 10:19 AM

To: Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Do, Sylvia <sylvia.do@sanjoseca.gov>; Lipoma, Emily <emily.lipoma@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; Nguyen, Tam <Tam.Nguyen@sanjoseca.gov>; Rocha, Donald <Donald.Rocha@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; McGarrity, Patrick <Patrick.McGarrity@sanjoseca.gov>;

Subject: RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

Honorable Mayor, Councilmembers and the Planning Commission,

Please see attached letter concerning issues with regard to the above project.

-Regards

9/20/2018

Mail - city.clerk@sanjoseca.gov

Vani Moodley

RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

Inamine, Nicole

Thu 9/20/2018 12:41 PM

Hello Vani,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

At the August 28 Council meeting, Councilmember Arenas suggested that the item be continued to allow for further community engagement. The item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Vani Moodley

Sent: Monday, September 17, 2018 10:19 AM

To: Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Do, Sylvia <sylvia.do@sanjoseca.gov>; Lipoma, Emily <emily.lipoma@sanjoseca.gov>; Tu, John <john.tu@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>; Arenas, Sylvia <sylvia.arenas@sanjoseca.gov>; Khamis, Johnny <johnny.khamis@sanjoseca.gov>; Nguyen, Tam <Tam.Nguyen@sanjoseca.gov>; Rocha, Donald <Donald.Rocha@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; Diep, Lan <lan.diep@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; McGarrity, Patrick <Patrick.McGarrity@sanjoseca.gov>; Cynthia Tillo

Subject: RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

Honorable Mayor, Councilmembers and the Planning Commission,

Please see attached letter concerning issues with regard to the above project.

-Regards

9/20/2018

Mail - city.clerk@sanjoseca.gov

Vani Moodley

RE: Rezoning Dove Hill Road for Medical Care Facility Project

Inamine, Nicole

Thu 9/20/2018 11:21 AM

Hello Michael,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

The item comes back to City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine
Economic Development Specialist
Office of Mayor Sam Liccardo, City of San José
E: Nicole.Inamine@sanjoseca.gov
Ph: (408) 535-4862

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

From: Michael Olson

Sent: Tuesday, September 11, 2018 4:11 PM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>

Cc: District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: Rezoning Dove Hill Road for Medical Care Facility Project

Dear Mayor and Council Members,

I am opposed to the proposed development of a Medical Care Facility on Dove Hill Road. I believe it will adversely affect the quality of life of Residents of The Ranch at Silver Creek and significantly worsen traffic at Hellyer/101 interchange - impacting not only our community, but those in Silver Creek, and the communities to the west of 101, as well as commuters backed up on 101. I also believe a freeway adjacent location is not ideal for a population which is likely to already have respiratory and cognitive issues.

1. Traffic. The Hellyer interchange has a three way stop on one side, a four way stop on the Dove Hill Road side. Each side has cars turning left and right, onto and off the freeway. Adding the cars of three shifts of staff, as well as the cars

of some facility residents will further back up both sides of Hellyer and Dove, affecting neighborhoods on both sides of the freeway.

2. Safety. Dove Road has no shoulders. When backed up, there will be no emergency access to the facility. Assisted care facilities by their very nature have frequent need for EMS.

3. Air quality. The California Air Resources Board advises cities to avoid building homes, schools, child care centers, and medical facilities within 500 feet of freeways. It is safe to assume many of the residents will already have decreased lung function. Will the facility somehow seal itself from the surrounding pollution, sufficiently filter its air, and keep residents from opening their windows?

4. Danger. The Alzheimer's Association reports that 6 in 10 people with dementia will wander. I'm sure they will have safeguards, but people do occasionally "escape" these facilities. Even elderly people not in memory care units get confused and may get lost. If they do wander, they have a choice of walking straight up a hill or down Dove Road to a busy street and freeway.

Please consider the health of the future residents and not just the financial benefits to the land owner, developer, and city. There may be a need for such a facility, but this is by no means an ideal location.

Respectfully,

Michael Olson

RE: Dove Hill Medical Care Facility

Inamine, Nicole

Thu 9/20/2018 11:53 AM

Hello Clayton,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

Per Councilmember Arenas' suggestion to continue the item in her memo dated September 7, the item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Clayton Young

Sent: Tuesday, September 11, 2018 11:08 AM

To: District8 <district8@sanjoseca.gov>

Cc: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Subject: Dove Hill Medical Care Facility

The Honorable Council Member Arenas:

My name is Clayton Young and I am a resident of the Ranch at Silver Creek. My phone number is

I am against the Dove Hill Medical Care Facility (DH)

I recommend delay of voting on the project till December 2018 so I can fully evaluate the full impact of the DH project on our community and surrounding communities. I have not been notified of the Public Review Period from April 9th to 20th in 2018. I would request sufficient time to review the plans.

Here are my major concerns:

- (1) Traffic safety issues. Current Dove Road is not practical to support this development with increase traffic (staff, contractors, guests/visitors, servicers, emergency vehicles). The 3 way stop proposed for

Hassler and Dove Road is a band aid. More accidents will occur. The Hassler Parkway is very steep. Already a number of accidents have run into the guard rail on Dove Rd and nearly entered Hwy 101. With more traffic to the DH project, the probability of serious accidents will only increase. The current structure of Dove and Hassler is not conducive to the DH project. How many serious accidents are deemed unacceptable for this project?

(2) Dust and asbestos – nearly every evening, the wind changes directions and there is typically a strong breeze that flows from Hwy 101 up the mountains to all the communities. A DH construction project lasting 3 to 12+ months of dirt moving and removal will cause dust particles to go up the mountains, carried by the normal wind direction change that occurs in the evening (earth cools and the typical pattern is for winds to flow up the mountains in the evening). Dust mediation efforts need to be evaluated further due to the pickup of winds during the evening. What dust mediation efforts are being done in the evening when the winds pick up? Are current plans sufficient a few hours into the evening? There is already a housing project on the Yerba Buena side of the mountain and residents at the Ranch at Silver Creek and I was not notified, although we are impacted by the wind change that blows up the mountain every evening. Is there a guarantee that no dust particles from the construction will flow up the mountain?

(3) Many senior facilities have open air areas for residents. It is fact that it is healthier for humans to have some natural air and sunlight. It appears this facility will not have any open air/outdoor recreational/rest areas for its residents due to Hwy 101 noise, pollution, and limited approved build out of the property. Residents will be literally imprisoned. I heard moral centered comments that we need senior facilities and to be compassionate to our seniors. I agree wholeheartedly and support the concept but it also needs common sense approach and is done humanely where our seniors are not imprisoned in a facility. My mother was at 2 different facilities and they both had outdoor areas for the residents. Seniors should be able to enjoy the sun and fresh air. Why are you approving a facility that imprisons the residents? They should be given the right to have some semblance of humanity and dignity.

(4) Just because the developer crossed all the "t's" and dotted all the "i's" does not mean it is a wise to approve this project. How many senior facilities in San Jose have the major access being a 2 way street with no pull over/shoulder area? What are the evacuation procedures for earthquake and wildfire? Can Dove Rd support the emergency evacuation of this DH along with residents of community of the Ranch? Common sense tells you, it will be a major problem. What if there is landslide that blocks off the DH residents from safely evacuating their premises? How many emergency vehicles will be needed to evacuate the residents? Has this been considered? Back up plans? How will these contingencies plans impact the residents of the Ranch? Give us time to review the contingency plans if any are available.

(5) My mother broke out of a secured senior facility. She had dementia and was only found because she was waiting at a bus stop. Residents breaking out of DH facility may encounter the very dangerous Hwy 101 which is adjacent to the DH facility. In addition, the Ranch golf course maintenance facility is nearby and located in mostly unimproved area which can be dangerous for a dementia patient that escapes the facility.

Thank you for your consideration.

Clayton Young

Resident

The Ranch at Silver Creek

RE: Subject: We oppose the Dove Hill Medical Care facility project

Inamine, Nicole

Thu 9/20/2018 11:55 AM

Hello Siva,

Thank you for writing to our office regarding the medical facility proposal at Dove Hill. I've read your concerns and have shared it with the rest of the Mayor's economic development team, and I've also forwarded your email to the City Clerk to include in the public record.

Per Councilmember Arenas' suggestion to continue the item in her memo dated September 7, the item will be continued at City Council on Tuesday, September 25. It will be heard as Item 10.3, and will not be heard before 5:00 pm.

Thank you,

Nicole Inamine

Economic Development Specialist

Office of Mayor Sam Liccardo, City of San José

E: Nicole.Inamine@sanjoseca.gov

Ph: (408) 535-4862

From: Siva raman

Sent: Tuesday, September 11, 2018 7:17 AM

To: The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>;

Cc:

Subject: Subject: We oppose the Dove Hill Medical Care facility project

This email is intended to voice my families concern that we oppose this project. It will definitely will impact our future decision to vote for appropriate members in mayors office.

My family live on Mariposa community on The Ranch of Silver Creek and very concerned about the the plan to build medical care facility on Dove Hill.

I drive regularly on the narrow, winding and 2 lane Dove Hill road, and the additional traffic and emergency vehicles on the road are of great concern to me. I'm afraid of accidents because the road has no space for me to make way for emergency vehicle traffic. There will also be severe delays due to the additional traffic caused by 3 shifts of workers at the facility and guests. Traffic is already nightmare for us and we certainly do not need further congestions and delays in getting to work day in day out.

Secondly digging into the hill may harm the environment and cause land slide in long run. Our house is right along the area overlooking the highway and very concerned about such compromised project in such congested area.

I hope the mayor's office will cancel this project.

9/20/2018

Mail - city.clerk@sanjoseca.gov

Regards,
Raman Family



Attorneys at Law

Suite 100
19925 Stevens Creek Blvd.
Cupertino, CA 95014
Phone: [REDACTED]
Fax: [REDACTED]
www.hahnmoody.com

September 11, 2018

Via E-Mail

Thai-Chau Le, Planner
City of San José
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, Third Floor
[REDACTED]

Dear Director Hughey and Ms. Le:

RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

I am writing on behalf of some of the residents of the Ranch regarding the Initial Study and Mitigated Negative Declaration ("IS/MND") prepared for the Dove Hill Medical Care Project ("Project") (Project Files Nos. PDC14-051 and PD16-019). For the reasons set out hereunder, it is respectfully requested that the Project application be denied or at least put on hold so that a proper peer review of some of the studies and reports on record can be performed, or a Environmental Impact Review (EIR) be performed given that the record shows that there is a fair argument that development of the convalescent hospital under the Project raises significant environmental issues and the California Environmental Quality Act (CEQA) mandates a EIR in such cases. The comments raised by Michael R. Lozeau that of record are incorporated herein by reference.

Under **Goal ER-1**, the City seeks to preserve and protect the ecological integrity and the scenic characteristics of grasslands. In particular, policy **ER-1.6** mandates that no development will be permitted on serpentine grasslands. In the biotic assessment conducted by HT Harvey and Associates (see Appendix B to the IS), it indicated that the majority of the approximately 18.1 acre development site supports serpentine grassland. Moreover, the assessment indicates that the VHP maps the land cover type on the entire site as serpentine grassland. That being the admission, policy **ER 1.6** is clear in that no development is possible on the project site. Moreover, the report conveniently notes that *"very little serpentine habitat occurs within the Project development footprint"*. It is noted that this is really convenient for the developer, and begs the question given the more than eight year history of the Project, whether the developer itself/himself removed the serpentine grassland within the Project development footprint? The City being being mandated to protect

serpentine grasslands within its area should investigate this aspect. At any event, even if it is true that very little serpentine habitat occurs within the Project development footprint, it still remains that the entire Project site is classified as serpentine grassland and must therefore be protected. Moreover, given that the City's mandate is to protect serpentine grassland within this area, it should investigate how the area within the Project's footprint could be rehabilitated with serpentine grassland. Based on the foregoing, it is respectfully submitted that the Project presents significant ecological impacts and should therefore not be allowed.

Major Strategy # 2 requires the City to address neighborhood concerns about the compatibility of a new development and to promote the ongoing development of complete, more cohesive neighborhoods. Further, **Major Strategy #3** requires the City to adopt a focused growth strategy into areas of the City to achieve the City's goals of economic growth, fiscal sustainability and environmental stewardship.

The strategy requires growth within infill sites to be compatible with established neighborhood character including at a density and form consistent with existing neighborhood patterns. The Project comprises a building A that would be four stories high (65 feet tall) and approximately 74,200 ft.² The Project also includes a building B that would also be four stories high (up to 65 feet tall) with an area of about 99,955 ft.². The neighborhood surrounding the Project is characterized by single-family homes, a golf course, a County Park, and outdoor aerodrome, and a disc golf facility. There is no building in the immediate neighborhood that is more than two stories high. Thus, it will be seen that the density (the Project proposes having 248 beds plus a staff of more than 500 people) and form of the Project is clearly inconsistent with the existing neighborhood pattern. Thus, the City's Major Strategy #2, and #3 will be violated by the Project.

Moreover, in terms of the City's stated goal of fiscal sustainability, and the need to increase employment capacity, there is no evidence in the record that the Project would meet these goals. More particularly, the applicant has not demonstrated that there is actually a need for the type of medical facility (convalescent hospital) proposed to be operated at the development site. At a minimum, proper evaluation of the employment capacity of the Project as well as its fiscal sustainability requires there to be an analysis of the needs of residents within the neighborhood and a further analysis showing that said need is not being met by existing medical facilities in the neighborhood. That the needs of the immediate neighborhood are paramount can be seen from the fact that the proposed Project will be developed on an infill site, thus making it imperative that the immediate neighborhood must benefit from the Project. This implies that the need for the Project cannot be sustained by data of the needs of residents outside the immediate neighborhood. At any event there is no such data in the record.

Since the record has no evidence of the need for the proposed medical facility, it is fair to engage in speculative analysis regarding such a hypothetical need. In this regard, one can speculate that given the development site's proximity to US 101 that such a site would not be desirable to residents in the neighborhood even if such a need were to be established. In this regard, one can have regard to the fact that the immediate neighborhood is a relatively affluent one, which implies that residents within the area have the means to travel to more desirable comparable facilities to take care of their needs. The City is asked to bear in mind that any facility that is located sufficiently far enough from US 101 so that the attendant air pollution and traffic noise issues presented by US 101 are mitigated, would be more desirable. The conclusion therefore is that there is a reasonable probability that the facility would not be used by the residents within the immediate neighborhood because of the development site's proximity to US 101. This would lead to fiscal unsustainability of the Project and its eventual demise, thus making a mockery of the city's **Major Strategy #3**.

Portions of the City's impact discussion with regard to scenic vistas and scenic resources are refuted, as set out hereunder:

- the IS acknowledges that the Project would be visible from Hellyer County Park but states that the views are partially blocked by an existing soundwall separating the site from US 101. The IS states that the Project will comprise two buildings each comprising four floors that will be constructed to a height of 65 feet. The buildings are proposed to be developed within an existing three-acre area of the project site that is already developed. The IS then concludes that the Project would not further obstruct views of the ridgeline above the site from US 101 or Hellyer County Park. In this regard, the City is asked to consider that a hill is more than its ridgeline and that other portions of the hill beside its ridgeline would be obscured from US 101, and from Hellyer County Park.
- The IS discusses the prospect of having screening landscaping along the west edge of the site, bordering US 101, but there is no discussion regarding the nature of said screening landscaping and more crucially whether such landscaping would achieve a height greater than 65 feet plus the existing elevation of the three-acre developed area in order to mitigate the impact of the building structures on the views from US 101, and from Hellyer County Park. Significantly, the IS does not address the views of the residents of the Ranch development from vantage point of the ridgeline. Clearly, the buildings of the Project would be visible in its entirety from said vantage point. Thus, the City's conclusion that the impact with regard to the aesthetics of the hillside has been less than significant is not correct.

- In the discussion with regard to the impacts of the Project to the visual character of the built environment, the IS contains photographs taken from public vantage points in the Project area including US 101 and Hellyer County Park. Said views of the project site were then used to prepare illustrative renderings of how the project property would appear upon Project implementation. Conveniently, the vantage points were conveniently selected so that the views of the Project development would be obscured. Below is a photograph taken from the IS and which has been modified to include elliptical areas from which they would be multiple vantage points at which the development buildings would be visible. In order to fully assess the impacts to the visual character of the built environment, the City should have requested post-project renderings from vantage points at least determining the extremities of the elliptical areas in the photograph so that that the true visual impact of the proposed development can be ascertained. In the absence of such post-project renderings, the City's findings that the impacts of the visual character of the built environment not are not significant, are merely conclusory and not based on any evidence.



- The residents of the Ranch have submitted into the record, photographs of the hill at night. Clearly, these photographs show that the hill is completely dark. In contrast, the IS states that intensified development of the site would incrementally increase lighting and glare due to the increase in vehicles traveling to and from the site and lighted buildings and access road. This conclusion cannot be

sustained given that the photographs show that the hillside is completely dark at night. Thus, the conclusion is inevitable that the light and glare created by the development would be substantial and not merely an incremental increase. Thus, it is respectfully submitted that the development of the site with a convalescent hospital would result in a significant new source of light or glare that would most certainly affect the views.

With regard to the issue of air quality, the IS proposes mitigations that effectively require filtration devices to be on installed. These filtration devices address the issue of air quality when the residents of the convalescent hospital are situated indoors. The Project plans include substantial landscaping and outdoor areas. It is assumed that the residents will spend a significant portion of their time outdoors. If the developer refutes this, then one can argue that operating a medical facility in which the patients are confined largely to an indoor life could have significant adverse health impacts on said residents. For example, the medical literature suggests that spending time outdoors is a significant component in the maintaining the health of seniors, and people with mental health issues, including those associated with the loss of memory. The record indicates that one of the primary purposes of the convalescent hospital that will be operated on the site, is to provide memory care. Thus, health requirements of patients dictate that they spend a significant amount of time outdoors, whereas the adverse air quality at the development site due to its proximity to US 101, which will not be mitigated by the installation of the proposed air filtration devices, would make it unwise to have said residents spend time outdoors.

The adverse air quality notwithstanding, there are also significant health problems that would arise from the elevated traffic noise levels given the site's proximity to US 101. Thus, the proposed Project has significant air-quality issues that flies in the face of the City's policies that seek to promote the health and safety of individuals, e.g. policy **LU 6.3**.

There are procedural issues that prevent the adoption of the IS. For example, the Notice of Intent was issued on April 4, 2018 and provided for a comment period which began on April 9, 2018 and ended on April 30, 2018., Thus, the mandated thirty calendar day review period was not provided.

Public hearings are encouraged as an element of the IS/MD process. Moreover, a public hearing is required where there is a significant adverse impact on abutting real property

The Traffic Impact Study (TIS) is fundamentally flawed for the following reasons:

- the ITE Trip Edition used in the study was the ninth edition, whereas the current edition (10th) should have been used
- the TIS is based on the wrong land use code.
- the TIS is based on project site activity that is provided by the applicant. There is an inherent conflict of interest here, as the applicant would have been motivated to provide Project site activity that would minimize the impact on traffic.
- The TIS is based on project site activity for an assisted living facility where the actual use is for a convalescent hospital. Traffic will be higher for convalescent hospital than for an assisted living facility because of regular visits by friends and family, and because a convalescent hospital would require more staff than an assisted living facility.
- The TIS focuses exclusively in automotive traffic only and fails to consider the impacts on bicycle and pedestrian access. In the present case, Dove Hill Road provides access to Hellyer Parkway which provides a grade of greater than 15% and is very popular with local cyclists, as it represents almost exclusively the only hill climb within the City of San Jose that can be used by competitive cyclists for training purposes. Further, Dove Hill Road itself does not have a dedicated bicycle lane, but as stated above is frequently used by cyclists as a gateway to the popular Hellyer Parkway. For medical value evacuation purposes, and for access to the Project site by staff, it is stated that the Dove Hill Road would be used. This would place significant traffic load on Dove Hill Road by motorists, cyclists, and pedestrians alike. Add to this, the fact that medical evacuation vehicles would be also using Dove Hill Road, then one can easily see that the proposed Project presents a health and safety issue. The IS fails to address this issue and therefore the Project should at least be delayed so that a peer review of the IS can be conducted.

It is respectfully requested that the Project application be denied or at least put on hold so that a proper peer review of some of the studies and reports on record can be performed, or a Environmental Impact Review (EIR) be performed given that the record shows that there is a fair argument that development of the convalescent hospital under the Project raises significant environmental issues and the California Environmental Quality Act (CEQA) mandates a EIR in such cases.

Sincerely,
HM Law Group LLP

/Vani Moodley/

Vani Moodley, Esq.

A solid black rectangular box used to redact the signature of Vani Moodley.

From: Sunondo Ghosh < >

Sent: Tuesday, September 18, 2018 4:51 PM

To: Liccardo, Sam; Carrasco, Magdalena; Davis, Dev; Jones, Chappie; Khamis, Johnny; Arenas, Sylvia

Cc: McGarrity, Patrick; Raghavendra Bhagavatha; Jim Park; Xin Wang; Cynthia Tillo; Vani Moodley; Robert Reese; Ranch Silver Creek; Hughey, Rosalynn; Tu, John; Saumya Tripathi; Avanti Pakrasi; Mohan Nookala; Sunondo Ghosh; Herbert, Frances;

Subject: Request for delaying project vote on Dove Hill Medical Facility

Dear Honorable Mayor Liccardo and Councilmembers,

I am one of the community members and leaders of Ranch on Silver Creek community and would like to request a delay of the project vote on the Dove Hill Medical Facility from Tuesday 9/25 at 1:30 pm to 10/23 at 6:30 pm. This will give the community an opportunity to meet one on one with each of you and explain our concerns in more detail. Also the later meeting time on 10/23 will allow the broader community to attend the meeting as well.

I'm including below a summary of the major concerns that the community has regarding the project from Slide 5 of the attached PDF document:

Major Issues With Dove Hill Project:

1. Proper process not followed by city

- o No public hearing for impacted Ranch community (Apr 9 to Apr 30) before project was approved.

2. Safety concerns on Dove Hill Road

- o Narrow winding 2 lane road with no shoulders and blind spots shared by cars and increasing number of emergency vehicles. Chokepoint in case of emergencies.

3. Neighborhood compatibility issues

- o 4 story medical facility in the middle of residential neighborhood.

4. Traffic study is outdated and contains incorrect data

- o Report is for Assisted Living Facility (page 1) while city approved facility is a Medical Care Facility. Numerous inconsistencies in data within the report.

5. Environmental impact concerns

- o Facility is being built on serpentine grassland which is a violation of SJ General Plan ER 1.6. Also impact on endangered species is not fully addressed.

The details of these points are contained in the attached PDF document.

Sincerely,

Sunondo Ghosh

Cynthia Tillo

Vani Moodley

Raghavendra Bhagavatha

Jim Park

Xin Wang

Saumya Tripathi

Avanti Pakrasi

Mohan Nookala

Dove Hill Medical Facility Project

PDC14-051 and PD16-019

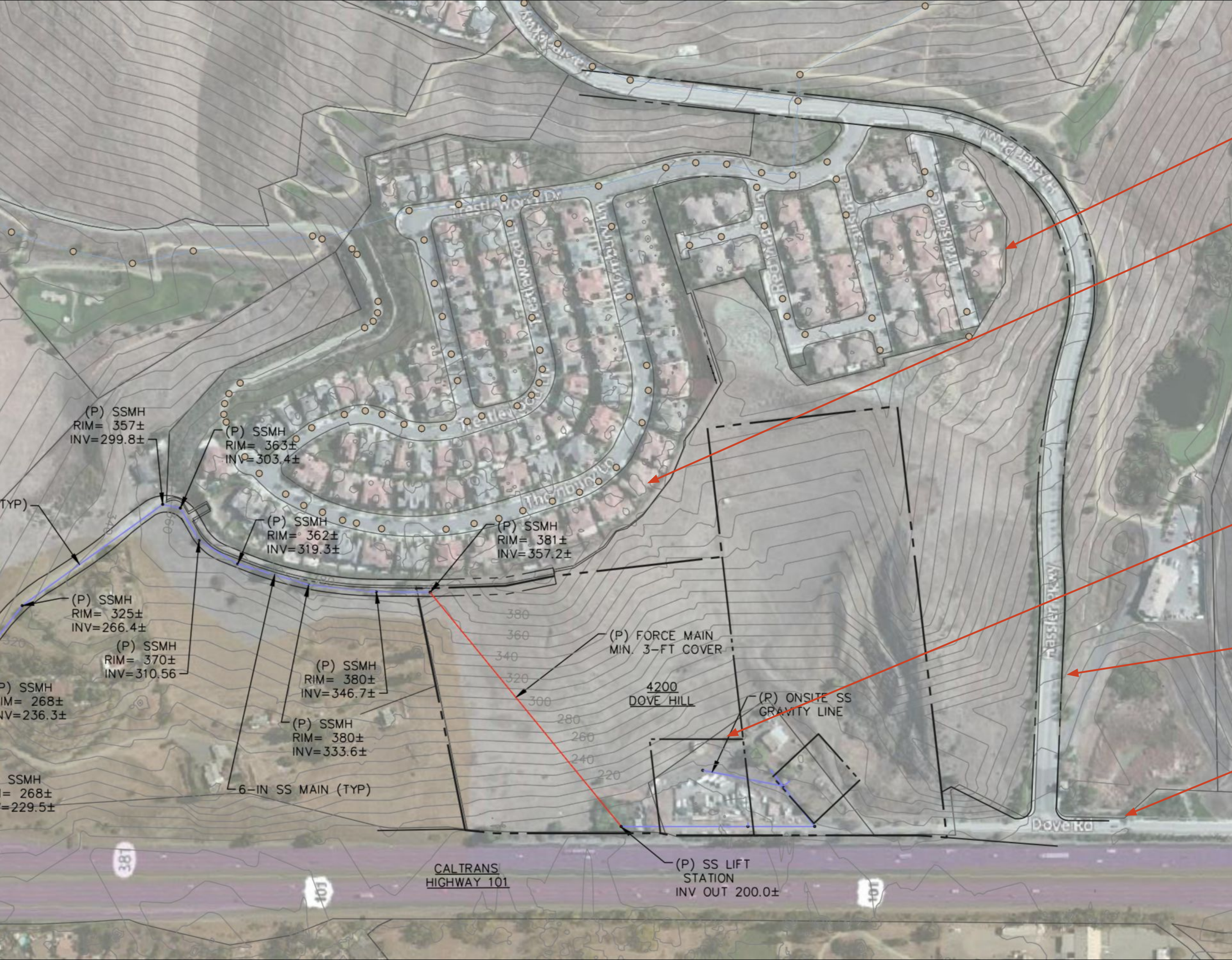
Critical Unresolved Issues

From Residents of The Ranch on Silver Creek

The Project

The project proposed to **rezone three acres** (“development footprint”) of the 21-acre site from Agriculture to A(PD) Planned Development for the demolition of all existing buildings, structures, trees and landscaping, and associated improvements, and **to develop a convalescent hospital facility with two buildings containing a total of 155 patient rooms and up to 248 beds**, all within the development footprint of the three acres. The remaining 18 acres would stay zoned Agriculture and would be maintained as undeveloped, permanent private open space ^[1].

The Location



Casa

Bella
Mariposa

Proposed Project Site (3 Acre)

Hassler Pkwy Connecting to Dove Road

Access to/from US 101 via Dove Road

The Affected Neighbors



Hill Stone and Bel Air
Communities, which use Hassler
Pkwy and Dove Road for US 101
access.

The Ranch On Silver Creek. **500+ homes** with over 3,500 people
living there. **Hassler Pkwy and Dove Road** are lifeline for these
residents.

Major Issues With Dove Hill Project

1. **Proper process not followed by city**
 - No public hearing for impacted Ranch community (Apr 9 to Apr 30) before project was approved.
2. **Safety concerns on Dove Hill Road**
 - Narrow winding 2 lane road with no shoulders and blind spots shared by cars and increasing number of emergency vehicles. Chokepoint in case of emergencies.
3. **Neighborhood compatibility issues**
 - 4 story medical facility in the middle of residential neighborhood.
4. **Traffic study is outdated and contains incorrect data**
 - Report is for Assisted Living Facility (page 1) while city approved facility is a Medical Care Facility. Numerous inconsistencies in data within the report.
5. **Environmental impact concerns**
 - Facility is being built on serpentine grassland which is a violation of SJ General Plan ER 1.6. Also impact on endangered species is not fully addressed.

Community Asks

1. Proper Public Hearing in December
2. DOT Evaluation of Road Safety on Dove Hill
3. Compatibility analysis with existing neighborhood
4. Updated Traffic Study
5. Address environmental concerns

1. Proper Public Hearing for Ranch Community

Proper Public Hearing

- **Lack of transparency and negligence** of following standard process* - public hearing should have occurred during public review period April 9 - 30 **before** a recommendation is made by Planning
- No public hearing conducted for this updated project even when requested
- Last public hearing was in 2016!

On Apr 23, 2018, at 8:32 AM, Keyon, David <david.keyon@sanjoseca.gov> wrote:

Hi Deepesh,

Please send via U.S. Mail or via e-mail to Thai (and copy me) by April 30th. **There is no public hearing scheduled for this project at this time.**

I added your name as a contact for The Ranch on Silver Creek in the project file.

Thank you,

David Keyon AICP

Supervising Planner - Environmental Review

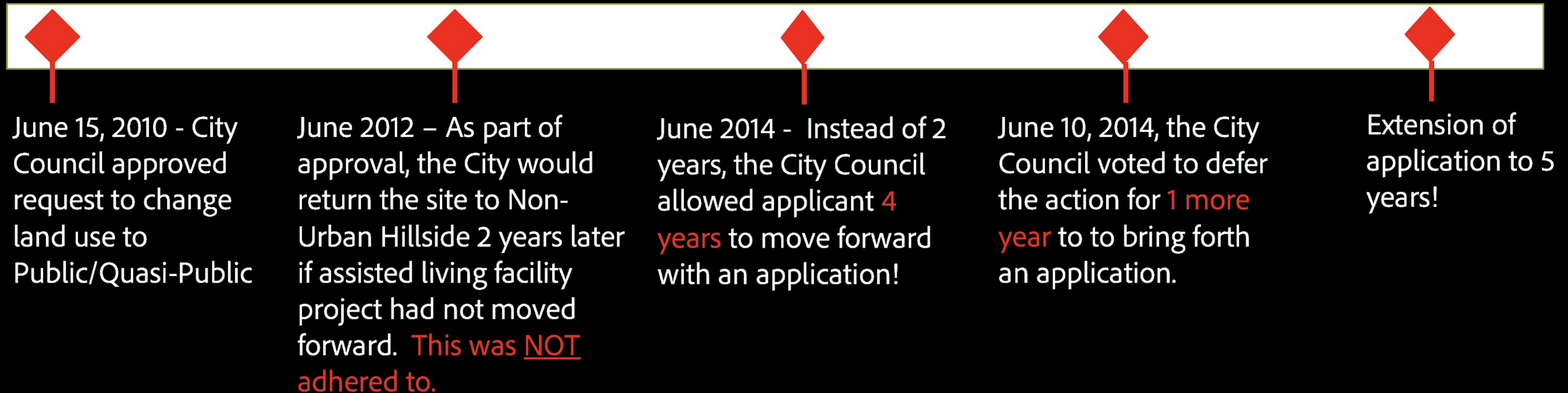
City of San Jose - Department of Planning, Building, and Code Enforcement

(408) 535-7898

Proper Public Hearing

Related to lack of transparency:

- Applicant granted 3 additional years of leniency to develop proposal – **WHY?**
- If applicant granted 3 years, certainly community can be granted 3+ months for hearing



To address the prior negligence of adhering standard process, the community is asking for our right to a **proper public hearing** in December.

2. Safety concerns on Dove Hill Road

DOT Evaluation of Road Safety on Dove Hill

- From 7/2009-12/2009, there were 0 emergency calls from our community
- Prior proposed project for assisted living would result in 100 emergency calls per year = 2 calls/week
- Current project for medical facility would certainly be higher than this

Facts: Traffic – Safety Hazard

- Per SJFD records, 0 calls made to SJFD in six months (July-Dec 2009) from residents on Hassler Parkway between Dove Road and Silver Creek Valley Road
- In context of the proposed project for assisted living, **additional 100 calls per year will be made to Emergency services.** This is about two Emergency calls every week
- Dove Road is primary and fastest way to get to US-101
 - Two lane road
 - At least two blind spots
 - Has ABSOLUTELY NO shoulder

3

Supporting Material for Slide 3 Facts: Traffic - Safety Hazard

Email from Ty Mayfield, San Jose Fire Department on May 27, 2010

For the six months between 7/1/2009 and 12/31/2009 there were:

- no emergency responses anywhere on Hassler Parkway during the six month interval
- 27 medical emergencies and 2 cancelled calls at 4463 San Felipe
- 47 medical emergencies, 1 service call, and 2 cancellations at 4855 San Felipe

[Initial Study: Page 180]

Based on project's estimated number of proposed units (275), the SJFD estimates the project may result in up to 100 calls per year.

Proposed project leads to about 2 **ADDITIONAL** Emergency Calls to SJFD per week and this is about the same number of emergency calls that originated from a nearby Assisted Living Facility during six month period of Jul-Dec 2009.

Please note that this severity of risk doesn't exist today as number of emergency calls is near zero.

DOT Evaluation of Road Safety on Dove Hill

- With very conservative minimum 2+ emergency vehicles/week
- Current main access road is Dove Hill which is single lane road with 1 stop sign at Hassler – no shoulder for emergency vehicle bypass
- No change to Dove Hill with addition of proposed medical facility other than adding 2 stop signs at Hassler intersection



DOT Evaluation of Road Safety on Dove Hill

- With very conservative minimum 2+ emergency vehicles/week
- Winding S-bend road with blind spots extremely accident prone – makes it even more unsafe for emergency vehicles to bypass passenger cars



DOT Evaluation of Road Safety on Dove Hill

- Drivers coming down extremely steep grade of Hassler intersects Dove Hill in a “T”
- Accident prone as evidenced by severely damaged guard rails
- Addition of fast emergency vehicle intersecting with fast downhill resident vehicle = guaranteed increase in accidents



DOT Evaluation of Road Safety on Dove Hill

- In emergency situation (earthquake, hillside fire) Dove Hill will be a chokepoint – a matter of life or death for 3500+ residents and 250+ seniors

The Ranch residential area consists of approximately 470 homes. Presuming a worst case scenario of a fire occurring during late evening hours and occupancy of all homes, approximately 500 vehicles would evacuate the Ranch area assuming the use of one vehicle by each residence. Conservatively assuming the flow of 20 vehicles out to Silver Creek Valley Road from Hassler Parkway, it would take approximately 25 minutes to evacuate the ranch residents via the one access point at Silver Creek Valley Road. The use of both Dove Road and Silver Creek Valley Road would further reduce the time needed for evacuation.

DOT Evaluation of Road Safety on Dove Hill

- Given the size, shape and location of the site, the 13+ month construction process will result in illegal parking and create traffic safety issues on Dove Hill Road and Hassler Parkway
- Construction impacts were not analyzed in the Traffic Study



To address proper emergency vehicle bypass, construction safety and measures to reduce accident at intersection of Hassler & Dove, community is asking for full DOT Evaluation of Road Safety on Dove Hill.

3. Compatibility analysis with existing neighborhood

Envision SJ: Compatibility Analysis w/ Existing Neighborhood

- We are in a Non-growth area and any development should **protect and be compatible** with existing neighborhood
- Proposed development omitted and did not consider project design compatibility issues in accordance with ENVISION 2040 policies
- Commercial Design Guidelines were not utilized to analyze the compatibility of the project design to the neighborhood. This was used to plan other senior medical care facilities in San Jose by Planning Staff.

CD-4.4 In non-growth areas, design new development and subdivisions to reflect the character of predominant existing development of the same type in the surrounding area through the regulation of lot size, street frontage, height, building scale, siting/setbacks, and building orientation.

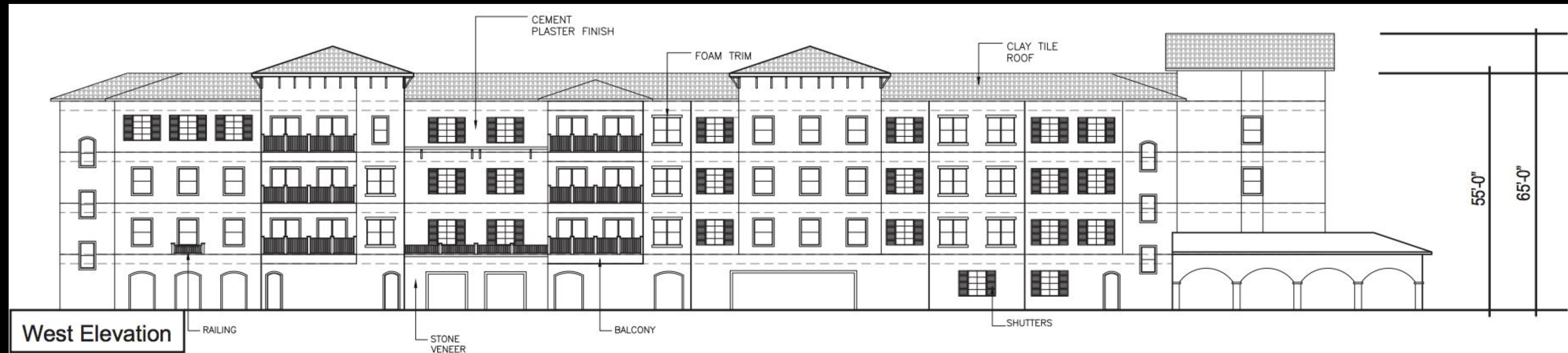
VN-1.10 Promote the preservation of positive character-defining elements in neighborhoods, such as architecture; design elements like setbacks, heights, number of stories, or attached/detached garages; landscape features; street design; etc.

VN-1.11 Protect residential neighborhoods from the encroachment of incompatible activities or land uses which may have a negative impact on the residential living environment.

VN-1.12 Design new public and private development to build upon the vital character and desirable qualities of existing neighborhoods.

* Envision San Jose General Plan:
<http://www.sanjoseca.gov/DocumentCenter/View/474>

Envision SJ: Compatibility Analysis w/ Existing Neighborhood



Building A of Medical Facility (65') vs. Typical Home in Ranch Silver Creek (20')

4-story medical care facility is:

- **NOT** compatible in **SIZE** with the neighborhood
- **NOT** compatible in **HEIGHT** with the neighborhood
- **NOT** compatible in **BULK** with the neighborhood

4. Traffic study is outdated and contains incorrect data

Updated Traffic Study

- Traffic studies being conducted over past decades for new development have indicated “minimal” or “negligible” impact
- Yet the reality is....
- Traffic studies should be enhanced with insight from residential experience

Bay Area traffic congestion hits worst levels ever, with San Jose No. 5 in nation

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On the Guadalupe 101 interchange.

SW
SANTANA WEST

NOW LEASING
920,000 SF
OFFICE CAMPUS

Updated Traffic Study

- Traffic study talks about Assisted Living Facility (not Medical Facility) and is based on wrong land use code which indicates report is outdated

Introduction

Hexagon Transportation Consultants, Inc. has completed a trip generation and traffic operations study for the Dove Hill Assisted Living Facility in San Jose, California. The project proposes to construct two buildings with a total of 290 assisted living units that may contain up to 340 beds (residents). The buildings will be 4-stories built on podiums to allow ground-level parking making the overall structures five stories tall. A small portion of both buildings will include ground-level residential. The project includes covered and uncovered parking areas and a 21,000 square-feet (sf) private senior landscaped garden and recreational area/common area. The project also includes two landscaped common open areas totaling 13,500 sf. Access to the facility would be provided exclusively via Dove Road. The project site location is shown on Figure 1. The proposed project site plan is presented on Figure 2.

SOURCE

1. Traffic Analysis: <http://www.sanjoseca.gov/DocumentCenter/View/76280>

2. Project Details: http://sanjose.granicus.com/MetaViewer.php?view_id=51&event_id=2658&meta_id=601576

Updated Traffic Study

- Traffic volume and speed data was collected in March 2015 – another sign this study is outdated

The effects of project traffic on the each of the study roadways was evaluated based on field observations, traffic volume and speed data collected in March 2015, and projections of the additional project generated traffic. Table 3 and Figure 3 present a summary of existing and projected traffic volumes along each of the studied streets.

Table 3
Average Daily Traffic Volumes along Dove Road and Hassler Parkway

Roadway Segment	Existing ADT /a/	Existing Plus Project Based on ITE Rates			Existing Plus Project Based on Project Activity Information		
		Traffic Vol. Change /b/	ADT	% Increase	Traffic Vol. Change /b/	ADT	% Increase
1. Dove Rd, South of Hassler Pkwy	3,785	675	4,460	18%	315	4,100	8%
2. Hassler Pkwy, East of Dove Rd	3,743	169	3,912	5%	79	3,822	2%

Notes:
"ADT" = Average Daily Traffic Volume.
/a/ Source of existing daily traffic volumes: 24-hour mechanical (tube) counts conducted on March 2015.
/b/ The daily traffic volume change under project conditions is that which is due to new vehicular trips added by the project.

Updated Traffic Study

- Dove Hill has no shoulder and there is no mention of emergency vehicle accommodation

Estimated Project Traffic on Surrounding Roadways

The effects of project traffic on the each of the study roadways was evaluated based on field observations, traffic volume and speed data collected in March 2015, and projections of the additional project generated traffic. Table 3 and Figure 3 present a summary of existing and projected traffic volumes along each of the studied streets.

Both Dove Road and Hassler Parkway are classified as local connector streets. The City of San Jose 2040 General Plan describes local connectors as roadways that have two traffic lanes and would accommodate low to moderate volumes of through traffic within the City and prioritize automobiles, bicycles, pedestrians, and trucks equally.

Updated Traffic Study

Inconsistencies throughout study:

- The Traffic Study references parking for 290 beds whose residents may drive. This is inconsistent with designation as medical care facility with non-ambulatory patients.

Parking

According to the City of San Jose Parking Regulations, the project is required to provide one off-street parking space for every four beds plus one space per employee. The project proposes a total of 340 beds and a peak of 55 employees/staff on site at any given time. However, 50 of the proposed beds would be reserved for memory unit residents who would not be driving. Based on these parking requirements and assuming 290 beds of residents that may drive, the project is required to provide a total of 128 off-street parking spaces. The project proposes a total of 129 on-site parking stalls: 36 spaces within Building A, 57 spaces within Building B, and 36 spaces along the project roadway. Therefore, the proposed number of parking spaces satisfies the City of San Jose parking requirements.

The City of San Jose off-street parking design standard for uniform car spaces is 8.5 feet wide x 17 feet long where a standard 26-foot wide two-way drive aisle is provided. As previously described, all of the drive aisles on-site are shown to be 26 feet wide. The site plan indicates parking stall dimensions per City design standards.

Updated Traffic Study

Inconsistencies throughout study:

- 522 Employees for facility
- But peak hour usage numbers don't match the expected employees even when spread across 3 shifts

III. PERSONNEL / STAFFING SUMMARY:

a) Please see Exhibit A for the staffing level and hours per position.

Dove Hill will employ a Total of 522 Employees. 271 Full-Time Employees and 251 Part Time Employees. Total Number of hours per week is 14,592.

Trip Generation Estimates

Through empirical research, data have been collected that correlate to common land uses for their propensity for producing traffic. For the most common land uses there are standard trip generation rates that can be applied to help predict the future traffic increases that would result from a new development.

The magnitude of traffic generated by the proposed development for the site was estimated by applying to the size of the development the applicable trip generation rates published in the Institute of Transportation Engineers (ITE) manual entitled *Trip Generation, Ninth Edition*. Trip generation rates for Assisted Living (ITE land use code 254) were used for the proposed project.

Based on the corresponding ITE rates, it is estimated that the proposed project would generate 41 AM peak-hour trips and 64 PM peak-hour trips. Based on peak hour traffic counts at the Dove Road and Hassler Parkway intersection, existing uses on the project site are currently generating 5 AM peak-hour trips and 4 PM peak-hour trips. Therefore, the proposed project would generate a net additional 36 AM peak-hour trips and 60 PM peak-hour trips when compared to the existing uses on the site.

Updated Traffic Study

Inconsistencies throughout study:

- Traffic report was estimated based on data provided by applicant
- Again discrepancy between peak hour usage numbers and expected employees even when spread across 3 shifts

Trip generation for the proposed project also was estimated based on hourly project site activity utilizing information provided by the project applicant. This information provides detailed information on the anticipated number of employees, staff schedules, resident vehicle ownership, and anticipated visitors. Based on project site activity information, it was estimated that the proposed project would generate 26 and 22 trips during the AM and PM peak hours, respectively. Based on site activity information, the proposed project is projected to generate less traffic than a typical assisted living facility as represented by the ITE rates.

Updated Traffic Study

Inconsistencies throughout study:

- Staff arrivals in 3 shifts doesn't match estimated # of employees in project
- Table shows 119 employees, which is far less than 174 (522/3 shifts)

Hours of Operation	Office Staff	Doctors	Nursing Staff	Medical Aids	Kitchen Staff	Facility Maintenance	Total Employees /a/	Residents /b/	Other Visitors /c/	Deliveries/d/	Total Trips		
											In	Out	Total
12:00 AM											0	0	0
to 1:00 AM													
1:00 AM											0	0	0
to 2:00 AM													
2:00 AM											0	0	0
to 3:00 AM													
3:00 AM											0	0	0
to 4:00 AM													
4:00 AM											0	0	0
to 5:00 AM													
5:00 AM											0	0	0
to 6:00 AM													
6:00 AM		2 arrivals	11 arrivals	8 arrivals	20 arrivals	7 arrivals	48 arrivals				48	0	48
to 7:00 AM													
7:00 AM											0	26	26
to 8:00 AM	2 departures		2 departures	4 departures	10 departures	5 departures	23 departures	3 departures					
8:00 AM	7 arrivals						7 arrivals	1 arrivals			8	3	11
to 9:00 AM								3 departures					
9:00 AM								2 arrivals	3 arrivals	1 arrivals	5	5	10
to 10:00 AM								4 departures	1 departures	1 departures			
10:00 AM								4 arrivals	4 arrivals	1 arrivals	8	7	15
to 11:00 AM								4 departures	3 departures	2 departures			
11:00 AM								4 arrivals	4 arrivals		8	7	15
to 12:00 PM								3 departures	4 departures				
12:00 PM								4 arrivals	4 arrivals	1 arrivals	8	8	16
to 1:00 PM								4 departures	4 departures	1 departures			
1:00 PM								5 arrivals	4 arrivals		9	8	17
to 2:00 PM								4 departures	4 departures				
2:00 PM	2 arrivals		11 arrivals	6 arrivals	15 arrivals	7 arrivals	41 arrivals	2 arrivals	4 arrivals	2 arrivals	47	8	55
to 3:00 PM								4 departures	4 departures	1 departures			
3:00 PM								3 arrivals	4 arrivals		7	58	65
to 4:00 PM		2 departures	11 departures	8 departures	20 departures	7 departures	48 departures	4 departures	6 departures				
4:00 PM								4 arrivals	4 arrivals		8	8	16
to 5:00 PM								2 departures	6 departures				
5:00 PM								4 arrivals	3 arrivals		7	15	22
to 6:00 PM	7 departures						7 departures	2 departures	6 departures				
6:00 PM								2 arrivals			2	6	8
to 7:00 PM									6 departures				
7:00 PM								2 arrivals			2	0	2
to 8:00 PM													
8:00 PM											0	0	0
to 9:00 PM													
9:00 PM											0	0	0
to 10:00 PM													
10:00 PM	2 arrivals		2 arrivals	4 arrivals	10 arrivals	5 arrivals	23 arrivals				46	0	46
to 11:00 PM													
11:00 PM											0	82	82
to 12:00 AM	2 departures		11 departures	6 departures	15 departures	7 departures	41 departures						
TOTAL													
DAILY TRIPS:	22	4	48	36	90	38	238	74	78	10	213	241	454
Notes:													

Updated Traffic Study

3 employee shifts:

- Day 7 am – 3 pm -> 174 employees coming to work from 6:30 am – 7 am
- Swing 3 pm – 11 pm
- Night 11 pm – 7 am -> 174 employees leaving work from 7 am – 7:30 am

Notes:

Source: Based on project information provided by project applicant.

/a/ Based on anticipated 119 staff, nurses, and doctors that work one of the following three shift periods:

Day Shift 7:00 am to 3:00 pm

Swing Shift 3:00 pm to 11:00 pm

Night Shift 11:00 pm to 7:00 am

Staff are assumed to arrive within one hour before the beginning of their shifts and leave within one hour after the end of their shifts.

/b/ Assumes one vehicle for every four beds per City Parking Requirements (340 total beds minus 50 memory unit residents who will not drive). Estimated that 50% of residents may make a trip each day.

/c/ Assumes 10 percent of the 340 residents may have a visitor each day.

/d/ Three food, laundry, and medical delivery per day between (10:00 am & 3:00 pm). Two resident shuttle also will be provided with trips to market, shopping, etc.

Updated Traffic Study

- Between 6:30 – 7:30 am weekdays, this is how Dove Hill & Hassler will look
- Traffic controlled only by 3-way stop sign
- Vehicle backup will be inevitable



The traffic study is outdated based on data and different facility plans in 2015. There are numerous inconsistencies throughout the report. The community is asking for **updated accurate traffic study** to be conducted.

5. Environmental impact concerns

Envision SJ: Serpentine Grasslands

SJ General Plan ER 1.6 prevents development on serpentine grasslands:

ER-1.6 Preserve, protect, and manage serpentine grasslands and serpentine chaparral, particularly those supporting sensitive serpentine bunchgrass communities providing habitat for sensitive plant and animal species. Development will not be permitted on serpentine grasslands or chaparral supporting state or federal candidate or listed threatened or endangered plant or animal species. Appropriately managed grazing is encouraged on serpentine grasslands.

In the biotic assessment conducted by HT Harvey and Associates (Appendix B to the IS), it indicated that the majority of the approximately 18.1 acre development site supports serpentine grassland. Moreover, the assessment indicates that the VHP maps the land cover type on the entire site as serpentine grassland.

In addition, the hydrology report doesn't indicate depth of serpentine rock and impact of sewage line to ensure it does not affect protected serpentine rock.

Impact to Endangered Species

Evidence of endangered species (burrowing owls, red-tailed hawk, etc) has been found by experts in the vicinity of the proposed site and no further studies have been done to verify these findings:

Despite Dr. Smallwood's evidence of the likely presence of burrowing owls immediately adjacent to the site, no burrowing surveys were conducted during the owl's nesting season in order to determine whether or not the owls are actually present at the site. As a result, the IS/MND fails to address the possible impacts the Project's construction and operation may have on nearby burrowing owls and/or their habitat.

Likewise, the IS/MND makes no mention of the potential impacts the Project may have to foraging and other habitat of the sensitive bird species identified by Dr. Smallwood at or adjacent to the Project site, including Cooper's hawk, red-tailed hawk and Common yellowthroat. The IS/MND for the Project does not address potential impacts Cooper's hawk, red-tailed hawk, or San Francisco common yellowthroat. The Cooper's hawk, red-tailed hawk and San Francisco common yellowthroat are not covered by the Santa Clara Valley Habitat Plan ("VHP"). The Cooper's hawk and redtailed hawk are not addressed at all in either the VHP EIR or 2040 General Plan EIR. Accordingly, no CEQA review of the Project's impacts to these three species has been done.

The plan **omitted compatibility analysis** of development with existing neighborhood located in non-growth area and did not address **serpentine grasslands** violation. The plan also did not fully take into account the impact to endangered species.

Community is asking for proper compatibility analysis and serpentine grassland/rock study and study of impact on endangered species.

Location issue for seniors

Proposed Location is Bad for Seniors of Facility

- Disgraceful living conditions for seniors due to noise & air pollution from 101 and risk of fires.
- All mitigations (ie. air filtration system) would **confine** seniors to stay inside facility, which goes against expert recommendations for dementia patients to be outdoors daily*



* https://www.alz.org/national/documents/brochure_DCPRphases1n2.pdf

Exceeds Cancer Risk Thresholds

“As a result, future occupants of the site would be exposed to significant health risks from exposure of TACs and PM2.5 from vehicle exhaust emissions and the wearing of brakes and tires on US 101”

Table 4.3-3: US 101 Community Risk Levels at the Project Site			
Source	30-Year Adult Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Acute or Chronic Hazard Index
US 101 - 170,000 average daily trips (2013)	21.2	1.06	0.04
<i>BAAQMD Single Source Threshold</i>	10.0	0.3	1.0
<i>Exceeds Threshold?</i>	<i>Yes</i>	<i>Yes</i>	<i>No</i>

Summary

The proposed location of the Dove Hill senior medical facility will result in an **unsafe traffic chokepoint** and does not adequately account for **critical emergency vehicle access**. It is not compatible with the existing neighborhood and does not address environmental concerns adequately.

The community is asking for:

1. Proper Public Hearing in December
2. DOT Evaluation of Road Safety on Dove Hill
3. Compatibility analysis with existing neighborhood
4. Updated Traffic Study
5. Address environmental concerns

Until conditions #2-#5 are met and the development plan is updated to reflect findings, a decision would be premature based on flawed outdated and incomplete analysis.

Appendix: Additional Concerns

Supplemental Materials

This presentation is only a subset of the issues raised by Residents. For full list of issues, refer to: [Document being drafted for final submission]

Video of community presentation and Q&A on 9/7 with Arenas:

- Community Presentation: <https://youtu.be/9-PnC-XZZy0?t=9m40s>
- Q&A: <https://youtu.be/O8W15-7Emtw>
- Q&A: <https://youtu.be/NWdGhvwv2mo>

Hazardous Materials

Impact HAZ-1: The project site contains elevated levels of naturally occurring asbestos (NOA) in the soil. Airborne NOA during construction activities could be hazardous to construction workers and existing sensitive receptors in the project area. Future residents of the site could also be exposed to elevated levels of NOA.

While mitigation steps are listed during construction phase, the Ranch residents are concerned about the long term effects of NOA exposure. If any of the mitigation steps are not followed properly or if there is an accident and residents are exposed to the dust, the long term implications of it are unknown. Since Ranch homes are higher up in elevation, any airborne particles will land there, resulting in long term hazardous side effects.

Hazardous Materials

Impact HAZ-2: Site construction workers and future patients may be exposed to elevated levels of the pesticides chlordane and dieldrin that were detected in soil samples at the site in the vicinity of the project.

Any negligence during construction exposes existing and future residents of these pesticides. What is the long term contingency plan, if such exposures happen?

Asbestos Concerns

5.9 Asbestos-Bearing Bedrock

Serpentine bedrock is exposed in cut slopes within and around both parcels. According to CGS Note 14, serpentine is primarily composed of one or more of the three magnesium silicate minerals: lizardite, chrysotile and antigorite. Chrysotile often occurs in fibrous veinlets in serpentine, and is the most common type of asbestos. Lizardite and antigorite do not form asbestos fibers. Because serpentine often contains some asbestos and exposure to asbestos fibers have potential human health consequences, testing was conducted on site bedrock materials to determine if they are asbestos-bearing.

Asbestos is typically a concern when it becomes airborne with potential for being inhaled. Mitigation during construction usually requires dust control. Any excavated asbestos containing material must be properly disposed. Encapsulation of asbestos containing materials that remain on-site is usually sufficient for health and safety of the public.

CERCO Analytical performed tests on serpentine bedrock samples to evaluate the presence of asbestos. Select samples were analyzed by the Air Resources Board's Method 435, Determination of Asbestos Content of Serpentine Aggregate. The results of the tests are presented in Appendix E. The tests indicate up to 0.25 percent asbestos. Appropriate measures such as dust control and disposal may be required.

GEOTECHNICAL INVESTIGATION AND GEOLOGIC HAZARD EVALUATION Dove Hill Assisted Living Community 4200 Dove Hill Road San Jose, California

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Lou Gilpin, PhD, PG, CEG
Director, Engineering Geology

John Gouchon, G.E.
Principal

26 May 2015
770619901

Landslide Concerns

5.7 Landsliding

According to the CGS Seismic Hazard Zone Report for the San Jose East Quadrangle (2001) the site is located on a slope in the western portion of the Silver Creek Hills where the combination of dissected hills and weak rocks has produced widespread and abundant landslides (California Department of Conservation, 2000). Published mapping indicates the site is within a zone where landslides have occurred, as identified by the official seismic hazards map of the area (Figure 10).

Two landslides were mapped identified in the field on the slopes in the northern half of the property above proposed Building A, designated as Qlso (old landslide) and Qlso (dormant landslide), north to south (Figure 4). The old landslide is characterized as a shallow translational slide, with abundant bedrock boulders within the slide mass. A spring is located near the toe of the slide.

The dormant landslide is characterized as a shallow earth flow, likely confined to the surficial materials overlying bedrock. The slide appears as a very subtle feature identified by slightly elevated, uneven topography extending downslope, with tonal differences in vegetation relative that growing on the adjacent slopes.

During our aerial photo review, we identified an area of instability in the southern half of the property, on the slopes in the previous borrow/quarry area. Cut slopes above the proposed garden/recreation area appear to have failed in the past. Cut slope inclinations were measured in the field to be generally 1:1 (H:V), and occurred within bedrock materials. Very steep cut slope inclinations and the sheared nature of site bedrock, which is highly susceptible to weathering, likely contributed to instability in this area. Areas of instability observed during our aerial photo review are indicated on Figure 4.

Slip-outs were also observed in the cut slope above the existing residence, which was excavated into colluvial materials. Slope inclinations within the cut face range between 23 and 34 degrees. Cut slope failure behind the house was noted in the 1984 photos.

GEOTECHNICAL INVESTIGATION AND GEOLOGIC HAZARD EVALUATION Dove Hill Assisted Living Community 4200 Dove Hill Road San Jose, California

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26 May 2015
770619901

There is a risk of landslides while digging into the hill. The Ranch Casa Bella and Mariposa communities are right above the hill from the facility.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B1: City of San José Planning Commission, in 2010, recommended that if this project needs to move forward, it needs to address some/all of these concerns at the zoning & permit stages: Traffic Hazard a. Safety Hazard – Blind Spots, no shoulders on Dove Road b. Reduced Level of Service (LOS)	Project trips would be unlikely to increase this solo vehicle accident rate since the collision history at this location does not appear to be related to congestion, but due to driver error. Therefore, even with the increase in project's traffic as part of this project, the additional volume would not result in an increase in collisions at the intersection.	This conclusion is not scientific. The straight steep downgrade on Hassler Pkwy as it approaches Dove Road will increase the chances of collision with another vehicle, since that vehicle now crosses the intersection into the proposed project. All the additional traffic estimated will cross this intersection into the proposed project, which is non-existent now. So, residents are not sure how this conclusion is reached. In 2010, the Planning Commission recommended that the traffic concerns need to be addressed, but now, the project has been approved without addressing any of those concerns.
Comment B2: Noise Hazard, being so close to highway 101.	Prior to issuance of building permits, a noise analysis, including the description of the necessary noise control measures, is required to be submitted to the City with the project building plans to ensure interior noise levels are reduced to 45 dBA DNL or lower.	This assumes that the future residents of the medical facility stay indoor all their life, which is not the case. The noise hazard is real concern if the future residents come out of the facility even for a few hours a day.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B3: Fire Safety Hazard – Very limited access to this Hillside location	- The proposed project would be constructed in accordance with current building and fire codes. - There are few potential variables that would likely affect the time needed to evacuate the hills including time of the day, controlled traffic, existing nearby residential areas (i.e Ranch residential area), and shuttles that would used during evacuation for patients on the site. - Even during a peak-hour emergency evacuation, the project would have little to no effect on vehicle travel through the Dove Hill Road and Hassler Parkway intersection the area would not be heavily congested due to this project.	The real concern is NOT traffic congestion, but safety of residents of this facility. Again, the residents will not be inside all the time and the response assumes only best case scenarios. There have been many fires behind this project, the latest one being in August of 2017. In last year's fire, it reached from US 101 to the backyards of Ranch residents up in the hills in less than 20 minutes. Having 18 acres of dry and hilly area, which is prone to fire hazard behind a medical care facility can be extremely dangerous for the future residents of this facility.
Comment B4: Air quality health hazard, being so close to highway 101.	. . . the project would be conditioned to implement safeguards (such as air filtration devices) to minimize exposure of site occupants to long-term toxic air contaminant (TAC) and annual particulate matter (PM2.5) emissions. . . . The IS/MND includes conditions of approval that require installation of air filtration devices rated MERV13 or higher (or equivalent control technology) that demonstrates its ability to reduce risks below significance thresholds, and ongoing maintenance for those air filtration devices.	This again assumes that the future residents of the medical facility stay indoor all their life, which is not the case. The air quality health hazard is real concern if the future residents come out of the facility even for a few hours a day. It can be noted that all of these mitigations assume best case scenarios that the future residents and employees stay indoor all the time. This is certainly impractical and hence the suggested mitigations don't assure the required safety for the future residents.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment B5: Special Status Species Habitat Impact – White Tail Kite, Loggerhead Shrike, Santa Clara Valley Dudleya Plant	The project would result in less than significant species impacts to whitetail kite, loggerhead shrike, and Santa Clara Valley dudleya plant with implementation of mitigation measures (MM BIO-1 to MM BIO-3 in the IS/MND) which would include monitoring during construction with consultation from the Santa Clara Valley Habitat Agency. In addition, the project is required to implement Conditions and Avoidance and Minimization Measures for urban development as listed in Section 6 and Tables 6-2 and 6-8 of the Habitat Plan.	The Ranch was previously a habitat for Bay Checkerspot Butterfly. As residents, we used to see them in 2004-06 when Ranch homes were still being built. Now, we don't see them anymore due to habitat loss. The same will happen to the species listed in this concern because of the scale of the project in such a small area.
Comment B7: GP08-08-3 of the City of San José Planning Commission meeting on June 9, 2018 (http://sanjose.granicus.com/MediaPlayer.php?view_id=&clip_id=4355&meta_id=304447). For instance when you slide to 1 hour 25 minutes – Developer Mr. Caruso is agreeing that Blind Spot issue for the road needs to be addressed.	Same as B1.	It is surprising that Planning Commission recommended the need for addressing traffic concerns in 2010 and the developer himself agreed that the blind spot is an issue and yet, this project is approved now by the Planning Commission without any recourse. Why?

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D1: . . . identify substantial evidence of a fair argument that the Project may have significant environmental impacts.	The IS/MND concluded that the project would result in potential impacts to biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology, and transportation, and identified mitigation measures for the project, in addition to City standard conditions and conditions of approval, that will reduce those impacts to a less than significant level.	There are too many issues that can be safely mitigated. We are not talking about the duration of the construction, but who has done the studies on the long term effects of these impacts, especially hazards and hazardous materials on the neighboring residents?
Comment D3: II. LEGAL STANDARD	The comment cites to various California court cases and does not raise any specific environmental issues under CEQA related to the proposed project. Therefore, no specific response is required.	The response is an eyewash. See D1, which raises specific impacts of the project. D3 should be studied in light of D1 because D1 concludes that “ project would result in potential impacts ”. This comment is inadequately addressed.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D4: The air quality analysis is not based on substantial evidence because it applies BAAQMD Guidelines which expressly state they do not apply when a project includes emergency generators.	. . . these generators would represent a very small increase in criteria pollutant emissions, at less than 0.1 percent of the BAAQMD threshold.	The response doesn't address the concern directly. This requires a detailed analysis on how the conclusions were drawn.
Comment D7: There is substantial evidence of a fair argument that the Project may have significant health risk impacts from its emissions of toxic air contaminants.	The data supporting the diesel particulate matter estimates discussed in Appendix A Air Quality Community Risk Assessment in the IS/MND is included as Attachment B to this memo.	Again, doesn't address the concern " Hence, nothing in the documents made available to the public during the comment period provide substantial evidence supporting the City's health risk assessment for the Project's construction " directly. The concern was how the conclusion was drawn, which is not addressed.

List of Mitigated Negative Declarations

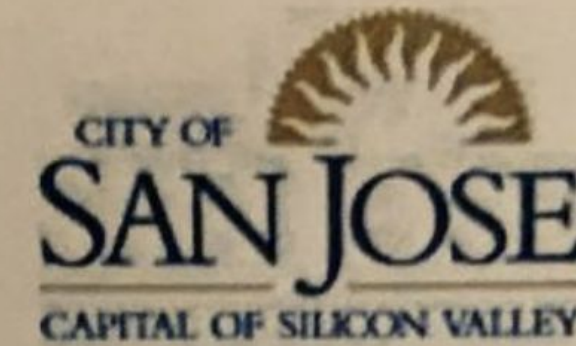
Comment	Response from Planning Commission	Residents' Concerns
Comment D10: The resulting indoor air levels are not analyzed. Given the extensive landscaping proposed for the Project, the residents will not be in their rooms at all times and will be exposed to significant levels of TACs whenever they venture outside the buildings.	The above comment is purely speculative and provides a conclusion without any data, information, or evidence to support such conclusion. Therefore, no specific response is required.	How is this speculative? Are the future residents NOT allowed to go out at all and forced to stay indoor all the time? With noise, air quality, health hazard, and fire hazard concerns addressed assuming the residents will be indoor all the time, this is a valid concern, but it was not addressed.
Comment D16: The IS/MND fails to address all of the Project's potential impacts to biological resources at and near the Project site. Wildlife biologist Dr. Shawn Smallwood, Ph.D., concludes that the Project may have significant impacts on several special status species. An EIR is required to analyze and mitigate these impacts. Dr. Smallwood's expert comments and resume are attached hereto as Exhibit B.	As described above in Response B5, above, the IS/MND evaluated impacts to biological resources and found that the project would result in less than significant impacts to . . .	Our concerns on B5 hold here also. This will result in permanent loss of habitat in a few years as happened to the Bay Checkerspot butterfly species.

List of Mitigated Negative Declarations

Comment	Response from Planning Commission	Residents' Concerns
Comment D17: The wildlife baseline relied upon by the IS/MND is woefully inadequate. Wildlife biologist Dr. Shawn Smallwood, Ph.D., concludes that the Project may have significant impacts on several special status species. An EIR is required to analyze and mitigate these impacts.	. . .the Project proponent would pay all required impact fees in accordance with the types and acreage of habitat or “land cover” impacted, and would implement conservation measures specified by the VHP. . .	Is this how we tackle biological impacts? By paying up “impact fees?”
Comment D19: The surveys conducted almost a decade ago are similarly flawed for white-tailed kite and dusky woodrats, two species of special concern. . .	. . . Implementation of Mitigation Measure MM BIO-2.1 would reduce impacts to white-tailed kites and loggerhead shrikes to less than significant. . .	Our comment on B5 holds.

Proper Public Hearing

- Most recent community meeting notification had wrong location – stated Evergreen Community College instead of Evergreen Community Center
- Attempt to fix mistake was too late and denied broader community opportunity to attend the meeting



Planning Division Community Meeting

This notice provides you with information regarding a nearby development.

File Nos. PDC14-051 & PD16-019

TO:

Meeting Details:

Evergreen Community College
Multi-Purpose Room

September 6, 2018 at 7:00pm

4860 San Filipe Road

San José, CA 95135

For Americans with Disabilities Act accommodation, please call 408-535-1260 (Voice) or 408-294-9337 (TTY) at least two days before the hearing.

PDC14-051 & PD16-019:
Para información en
Español, comuníquese con
Jennifer Provedor al (408)
793-4100.

PDC14-051 & PD16-019: Muốn
biết tin tức bằng tiếng Việt về tờ
thông tin này, xin quý vị liên lạc
Kieulan Pham ở số (408) 793-
4174.

From: Sunondo Ghosh <>

Sent: Monday, September 24, 2018 9:17 AM

To: 'Cynthia Tran'; Do, Sylvia; Lipoma, Emily; Tu, John; Hughey, Rosalynn

Cc: Arenas, Sylvia; McGarrity, Patrick; Robert Reese; Jin Park; Raghavendra Bhagavatha; Vani Moodley

Subject: Re: RE: Dove Hill Supplemental Report

Dear Director Hughey,

Thank you for meeting with us last week and discussing our concerns regarding the Dove Hill project. We appreciate the time you and your team spent with us, and are looking forward to the report that your team has been preparing.

Based on our discussions and feedback from the Ranch community, included below is a list of amendments for approval that we request regarding the project. These are essential to mitigate the negative impacts of the project. Please let us know next steps in order to incorporate these requests for the project.

Thanks,

Sunondo

Issue	Amendments for Approval
Proper community engagement process not followed	1. Continuance until 10/23 evening meeting - the supplemental report will only be available on 9/24 and vote expected on 9/25. Need adequate time for all stakeholders to review and verify report addresses numerous issues. 2. During construction process, transparency to community of progress, notification of any changes to plans and proper escalation path/contact in event of new issues. 3. If project comes up for review again in 2 years, notification to entire Ranch community (not just 1000 ft) for participation. 4. Traffic Demand Management - review of traffic impact on, at minimum, annual basis with transparency to community of results
Issue	Amendments for Approval

Safety issues on Dove Road & Neighborhood compatibility inadequately analyzed	5. Development maximum height of 2 stories to adhere to compatibility with surrounding neighborhood 6. Connect Dove Hill Road to Yerba Buena to relieve safety chokepoint 7. Widen Dove Hill road to accommodate shoulder for emergency vehicle bypass 8. Proper construction safety plan must be developed including: a. Construction equipment and construction passenger vehicles must be safely parked only on construction site - not illegally on Dove or Hassler Road. b. Construction must not impede community access to Dove & Hassler road c. Construction traffic ingress and egress of equipment must not occur on peak community commute hours (7-9 am, 5-7 pm)
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Issue	Amendments for Approval
Negative Impact on Environment	9. Detailed plan on sewage system including mitigation in event of failure. Important since it is unproven precedent - building sewer for this long and on this steep of an uphill gradient. 10. Project Labor Agreement outlining specific policies for construction adherence to protect identified endangered species as found on 8/28/18 per Laborers International Union of North America, Local Union 270: https://sanjose.legistar.com/View.ashx?M=F&ID=6564790&GUID=03F6AC53-17CA-4443-8B18-9E3A00DE4668 11. Developer to contribute to maintenance of shared Dove Road in lump sum of \$50k initial payment to Ranch HOA and recurring annual payment TBD based on pro-rated portion of \$500k annual Ranch landscaping expenses

On Saturday, September 22, 2018, 11:20:50 AM PDT, Hughey, Rosalynn < > wrote:

Hello – given the additional public comments we received last week and the meeting with community members on September 19th, we wanted the Supplemental memorandum to include our responses to this additional information. So, we have decided to issue the memorandum on Monday, September 24. Thank you for contacting us; we had planned to send email communication to you today.

Best,
Rosalynn
PBCE Director

From: Yahoo [

Sent: Saturday, September 22, 2018 10:23 AM

To: Do, Sylvia <>; Hughey, Rosalynn <y>; Lipoma, Emily <>; Tu, John <j>

Cc: Arenas, Sylvia >; McGarrity, Patrick <>; Sunondo Ghosh < Robert Reese <>; Jin Park <

Subject: Dove Hill Supplemental Report

Dear Director Hughey and team,

Where can we find the supplemental report for Dove Hill that addresses our community concerns? We looked at the 9/25 agenda for this item but there were not any docs linked to this:

<https://sanjose.legistar.com/LegislationDetail.aspx?ID=3674261&GUID=33513DBE-B2F8-457C-97B2-2E266477745B&Options=&Search=>

I believe you indicated it would be available on Friday 9/21.

Thank you,

Cynthia Tillo

From: Vani Moodley <

Sent: Monday, September 17, 2018 4:53 PM

To: Hughey, Rosalynn; Do, Sylvia; Lipoma, Emily; Tu, John; The Office of Mayor Sam Liccardo; District1; District2; District3; District4; District5; District 6; District7; District8; District9; District 10; Liccardo, Sam; Jones, Chappie; Jimenez, Sergio; Davis, Dev; Arenas, Sylvia; Khamis, Johnny; Nguyen, Tam; Rocha, Donald; Carrasco, Magdalena; Diep, Lan; Peralez, Raul; McGarrity, Patrick; Cynthia Tillo

Subject: Improper Notice re: RE: Dove Hill Medical Care Project (Project Files Nos. PDC14-051 and PD16-019)

I'm writing to let you know that there is a serious issue regarding the notice for the community meeting that was held in connection with the above planned development at the Evergreen community center on September 6, 2013. A copy of the notice for said meeting is attached (see Exhibit C) and states the purpose of the meeting as: " to present information and to hear comments/feedback about the proposed Plan Development Rezoning.

Comparative analysis of similar meeting notices indicates that there is a community outreach phase and an evaluation phase for such projects. The community outreach phase precedes the evaluation phase because its purpose is to inform the community about the project and to solicit public comment on the project to be used during the evaluation phase.

In the present project, the public was not given notice of a meeting to discuss said proposal generally, and further there was no solicitation of public comment during the evaluation period of the proposal. For example, consider the attached Notice (see Exhibit B) of the community meeting that was sent out with respect to the proposed demolition and remodeling of Almaden Golf and Country Club (file number CPA 13 – 072-02] on second of August 2017. The Notice clearly states that *"city staff will consider all comments at the meeting as well as comments made by phone or submitted in writing during the evaluation period of the proposal"*. Likewise, the attached Notice (Exhibit C) of community meeting with regard to the proposed hotel at 1090 S. De Anza Boulevard (file number H16/32) for a meeting on 20th of October 2017 clearly states that *"the purpose of the meeting is to learn about the proposal and provide input, and that staff will consider all comments at this meeting as well as comments made by phone or submit in writing during the evaluation period of the proposal"*.

These notices stand in sharp contrast to the notice (see Exhibit C) in the present project which seeks to merely present information about the project and does not notify the public of an evaluation period during which comments on the project may be made.

In the circumstances, it is requested that in decisions by the Council with regard to this project be kept in abeyance pending implementation of a proper community outreach program process in order to solicit comments regarding the project from the community.

-Regards
Vani Moodley

COMMUNITY MEETING REGARDING
PROPOSED HOTEL AT 1090 SOUTH DE ANZA BOULEVARD
File No. H16-032

Monday, October 23, 2017
6:30 p.m. – 8:00 p.m.
Calabazas Library
1230 South Blaney Avenue,
San José, CA 95129

Dear Neighbor,

As a property owner or tenant in the area of the proposed project described below, you are receiving this invitation to a community meeting where the project will be discussed. The meeting is hosted by the City of San José Planning Division and the project applicant. This is an opportunity for you to learn about the proposal and provide input. City staff will consider all comments at this meeting as well as comments made by phone or submitted in writing during the evaluation period of the proposal.

Proposed Project: File No. H16-032 – 1090 South De Anza Boulevard located on the northeasterly corner of De Anza Boulevard and Via Vico. Site Development Permit to allow a 4 story hotel with a total building area of 51,279 square feet and would include 90 guestrooms, a lobby, fitness area, breakfast and food prep area, meeting room, and linen/laundry area. The project includes underground parking for approximately 50 vehicles and a proposed alternative parking design to accommodate vehicles past the maximum threshold on approximately 0.60 gross acre site.

If you have comments or questions about this project, please contact:

City of San José Planning Division
Robert Rivera
Project Manager
Phone: (408)535-4843
Email: [REDACTED]

Pacific Realty Investment Group, Inc.
Contact Name: Jerry Kwok
Phone: (408) 507-3291
Email: [REDACTED]

To arrange an accommodation under the Americans with Disabilities Act to participate in this meeting, please call 408-535-1260 (Voice) or 408-294-9337 (TTY) at least 48 hours before the meeting.

Para información en español acerca de esta solicitud, comuníquese con Jennifer Provedor al (408) 793-4100, e indique el número de Proyecto **H16-032**.

Để biết thêm chi tiết về tờ thông tin này bằng tiếng Việt, xin quý vị liên lạc Kieulan Pham số (408) 793-4174 và đọc số dự án **H16-032**.

COMMUNITY MEETING REGARDING
PROPOSED DEMOLITION AND REMODEL OF ALMADEN GOLF AND
COUNTRY CLUB
File No. CPA13-072-02

Wednesday, August 2, 2017
6:30 p.m. – 7:30 p.m.

Almaden Golf and Country Club Ballroom, 6663 Hampton Drive, San Jose, CA 95120

Dear Neighbor,

As a property owner or tenant in the area of the proposed project described below, you are receiving this invitation to a community meeting where the project will be discussed. The meeting is hosted by the City of San José Planning Division and the project applicant. This is an opportunity for you to learn about the proposal and provide input. City staff will consider all comments at this meeting as well as comments made by phone or submitted in writing during the evaluation period of the proposal.

Proposed Project: File No. CPA13-072-02 (Almaden Golf and Country Club) – 6663 Hampton Drive, located on the southeast corner of Hampton Drive and Hillcrest Drive. Conditional Use Permit Amendment to amend a previously approved permit (File no. CP13-072) to allow for the renovation and expansion of the existing pool house building, construction of a new approximately 1,087 square foot building, construction of retaining walls greater than two feet, reconfiguration of the outdoor recreational area and removal of ten non-ordinance sized trees on an approximately 89.76 gross acre site.

If you have comments or questions about this project, please contact:

City of San José Planning Division
Tracy Tam
Project Manager
Phone: 408-535-3839

Email:

Project Applicant
Blach Construction Company
James Woodbury
Phone: 408-886-3662

Email:

To arrange an accommodation under the Americans with Disabilities Act to participate in this meeting, please call 408-535-1260 (Voice) or 408-294-9337 (TTY) at least 48 hours before the meeting.

Para información en español acerca de esta solicitud, comuníquese con Juan Borrelli al (408) 793-4100, e indique el número de Proyecto CPA13-072-02.

Để biết thêm chi tiết về tờ thông tin này bằng tiếng Việt, xin quý vị liên lạc Kieulan Pham số (408) 793-4174 và đọc số dự án CPA13-072-02.

COMMUNITY MEETING AGENDA

Proposed Planned Development Zoning and Permit
File Nos. PDC14-051 and PD16-019

Thursday, September 06, 2018

7:00 p.m. – 8:30 p.m.

**Evergreen Community Center (Multi-Purpose Room)
4860 San Felipe Road, San José, CA 95135**

Meeting Purpose: To present information and to hear comments/feedback about the proposed Planned Development Rezoning (File No. PDC14-051) to rezone the property from the A Agricultural Zoning District to the PQP(PD) Planned Development Zoning District to facilitate a Planned Development Permit (PD16-019) to allow the demolition of approximately 25 buildings/structures, the construction of a Medical Care Facility with up to 248 beds, and the removal of seven ordinance-size trees on an approximately three-acre portion of a 21-gross acre site.

- I. Welcome, Introductions, Agenda Overview, and Background (7:00 – 7:10)**
The Councilmember and Planning Staff from the Department of Planning, Building, and Code Enforcement will welcome participants, provide an overview of the agenda, and introduce presenters.
- II. Summary of the City of San Jose Planning Permit Process (7:10 – 7:20)**
The Project Manager for the proposed project will summarize the development review process and provide an overview of previous planning process for the project site.
- III. Project Presentation and Open Forum (7:20 – 8:30)**
The Project Applicant will present the proposed project and Project Manager will facilitate questions and comments.

If you have questions regarding the project or this meeting, please contact one of the following people:

City of San José Planning Division:

John Tu
Project Manager
Email: [REDACTED]
Phone: (408) 535-6818

Applicant:

Salvatore Caruso
Sal Caruso Design Company
Email: [REDACTED]
Phone: (408) 998-4087