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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 2/23/2026 5:01 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Jennifer Dang [REDACTED]  
**Sent:** Monday, February 23, 2026 4:45 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Jennifer and I reside at [REDACTED] [REDACTED]  
[REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

- 1. Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
- 2. General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
- 3. AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
- 4. Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a **60-day continuance**. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote. Thank you for your consideration.

Sincerely,  
Jennifer Dang

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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 2/23/2026 5:01 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Jiayi Li [REDACTED]  
**Sent:** Monday, February 23, 2026 4:52 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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You don't often get email from [REDACTED] [Learn why this is important](#)  
Dear Mayor Mahan and San Jose City Council Members,

My name is Jiayi Li and I reside at [REDACTED] [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:\*** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:\*** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:\*** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:\*** The environmental review ignored peak nighttime noise events impacting multi-story homes , omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children , and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Jiayi Li

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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Mon 2/23/2026 5:01 PM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Sun Bingfa [REDACTED]  
**Sent:** Monday, February 23, 2026 4:59 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Bingfa Sun and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Bingfa Sun

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:22 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Peter Chu [REDACTED]  
**Sent:** Monday, February 23, 2026 10:49 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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You don't often get email from [REDACTED]. [Learn why this is important](#)  
Hi there,

My name is Chien Gui Peter Chu and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Chien Gui Peter Chu

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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:22 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** avinash parasuraman [REDACTED]  
**Sent:** Monday, February 23, 2026 9:56 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Avinash Parasuraman and I reside at [REDACTED], directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Avinash Parasuraman

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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:22 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Kimberly Ong [REDACTED]  
**Sent:** Monday, February 23, 2026 9:01 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>; Kimberly Ong <kimberlylanong@gmail.com>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Kimberly Ong, and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and require a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for the following reasons:

- 1. Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
- 2. General Plan Conflict:** A low-job-density logistics facility in a designated Transit Employment Center (TEC) conflicts with the city's own zoning goals.
- 3. AB 98 Non-Compliance:** The site geometry cannot accommodate the state-mandated 300-foot buffer between the 16 truck loading docks and adjacent residential property lines.
- 4. Unstudied Health & Safety Risks:** The environmental review omitted peak nighttime noise impacts on multi-story homes, a Health Risk Assessment for 24/7 diesel particulate exposure affecting children, and an analysis of truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund independent environmental and traffic studies to address the gaps your planning department missed.

Please delay this vote.

Sincerely,

Kimberly Ong

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**FW: Public comment for agenda item 10.2 - oppose 2334 Lundy Ave project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:22 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Manjula Panyam [REDACTED]  
**Sent:** Monday, February 23, 2026 8:43 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public comment for agenda item 10.2 - oppose 2334 Lundy Ave project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Manju Panyam and I reside [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Manju Panyam

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:22 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** BHAVNESH GUGNANI [REDACTED]  
**Sent:** Monday, February 23, 2026 6:21 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Councilmembers,

My name is **Bhavnes h Gugnani** and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

- 1. Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
- 2. General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
- 3. AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
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If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Bhavnes h Gugnani

--

Regards  
Bhavnesb Gugnani  
Graduate student  
Computer and Information Science



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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:23 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Zhongdi Liu <[REDACTED]>  
**Sent:** Monday, February 23, 2026 6:15 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Zhongdi Liu and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Zhongdi Liu

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:23 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Roopashree NarayanaSwamy <[REDACTED]>  
**Sent:** Monday, February 23, 2026 5:40 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Roopa and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

- 1. Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
- 2. General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
- 3. AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
- 4. Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Thanks,  
Roopa

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:23 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Pauline Wang [REDACTED]  
**Sent:** Monday, February 23, 2026 5:30 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Pauline and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

- 1. Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
- 2. General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
- 3. AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
- 4. Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Pauline Wang

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:25 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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

**From:** A Z <[REDACTED]>  
**Sent:** Monday, February 23, 2026 5:26 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Mayor Mahan and San Jose City Council Members,

My name is Zhuangzhuang Zhang and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

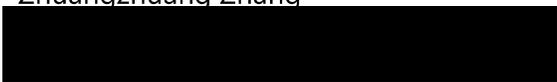
If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our

neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,

Zhuangzhuang Zhang



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---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:26 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Meghna Seshadri <[REDACTED]>  
**Sent:** Monday, February 23, 2026 6:05 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave

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Dear Mayor Mahan and San Jose City Council Members,

My name is Meghna Seshadri and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Meghna Seshadri

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave project.**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:28 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** paridhi jain [REDACTED]  
**Sent:** Monday, February 23, 2026 5:56 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave project.

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Dear Mayor Mahan and San Jose City Council Members,

My name is Paridhi Jain and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
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Please delay this vote.

Sincerely,  
Paridhi Jain

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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

---

**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:28 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Romin Parekh [REDACTED]  
**Sent:** Tuesday, February 24, 2026 8:18 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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You don't often get email from [REDACTED] [Learn why this is important](#)  
Hello SJ City Clerk,

My name is Romin Parekh and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. Procedural Failures: The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. General Plan Conflict: Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. AB 98 Non-Compliance: The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. Unstudied Health & Safety Risks: The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Romin Parekh

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:28 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** Xiaoran Yang [REDACTED]  
**Sent:** Tuesday, February 24, 2026 6:14 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Xiaoran Yang and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:**\* The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **\*General Plan Conflict:**\* Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:**\* The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:**\* The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Xiaoran Yang

---

**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:28 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

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**From:** C. Lanois <[REDACTED]>  
**Sent:** Tuesday, February 24, 2026 12:34 AM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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Dear Mayor Mahan and San Jose City Council Members,

My name is Christine Lanois and I am board director of the [REDACTED] and reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **\*Procedural Failures:\*** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors. Our community also submitted and paid the invoice for two appeals for both the permit and environmental reasons but somehow, the city is now saying they only have one appeal from us.
2. **\*General Plan Conflict:\*** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **\*AB 98 Non-Compliance:\*** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **\*Unstudied Health & Safety Risks:\*** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadway and bike lanes. Refusing to conduct an EIR, even after hundreds of residents in the surrounding community formally petitioned for one (included in our appeal submission), disregards their voices and undermines the legitimacy of the public's concerns.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Christine Lanois



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**FW: Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:28 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

---

**From:** Vishal Chandrasekaran [REDACTED]  
**Sent:** Monday, February 23, 2026 11:23 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** sguzzetta@milpitas.gov  
**Subject:** Public Comment for Agenda Item 10.2 - Oppose 2334 Lundy Ave Project

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You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mayor Mahan and San Jose City Councilmembers,

My name is Vishal Chandrasekaran and I reside at [REDACTED] directly adjacent to the proposed development at 2334 Lundy Avenue.

I am writing to urge you to uphold the environmental appeal for Agenda Item 10.2 and mandate a full Environmental Impact Report (EIR) for this project. The current Mitigated Negative Declaration is legally deficient for several reasons:

1. **Procedural Failures:** The city failed to provide meaningful notice to directly affected residents and the two nearby elementary schools identified as sensitive receptors.
2. **General Plan Conflict:** Placing a low-job-density logistics facility in a designated Transit Employment Center (TEC) violates the city's own zoning goals.
3. **AB 98 Non-Compliance:** The site geometry cannot support the state-mandated 300-foot buffer between the 16 truck loading docks and our residential property lines.
4. **Unstudied Health & Safety Risks:** The environmental review ignored peak nighttime noise events impacting multi-story homes, omitted a Health Risk Assessment for 24/7 diesel particulate exposure on children, and failed to analyze truck collision risks on Lundy Avenue's narrow roadways and bike lanes.

If the Council is not prepared to mandate an EIR today, I formally request a 60-day continuance. Our neighborhood is actively organizing to fund our own independent

environmental and traffic studies to provide the substantial evidence your planning department missed.

Please delay this vote.

Sincerely,  
Vishal Chandrasekaran  
Resident, 

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**FW: Parkside at Tarob Court Owners – Comment Letter re 2334 Lundy Place Project (H24-057 & ER24-245)**

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**From** City Clerk <city.clerk@sanjoseca.gov>  
**Date** Tue 2/24/2026 8:35 AM  
**To** Agendadesk <Agendadesk@sanjoseca.gov>

 1 attachment (2 MB)

Comment Letter – 2334 Lundy Place Project (H24-057 & ER24-245) – Parkside at Tarob Court Owners.pdf;

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**From:** Yujia Z <[REDACTED]>  
**Sent:** Monday, February 23, 2026 10:53 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Cc:** The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Shah, Rina <Rina.Shah@sanjoseca.gov>; zhuqiuyao <[REDACTED]>  
**Subject:** Parkside at Tarob Court Owners – Comment Letter re 2334 Lundy Place Project (H24-057 & ER24-245)

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Dear Mayor and Members of the City Council,  
Dear City Clerk and Ms. Shah,

I am writing as a resident of Milpitas and as the community representative for the Parkside at Tarob Court Owners, a neighborhood of more than 200 existing and under-construction households located directly across from the 2334 Lundy Place project site.

On behalf of our community and 138 residents and property owners who have signed in support, I am submitting the attached comment letter dated February 23, 2026 regarding the Mitigated Negative Declaration for the 2334 Lundy Place Project, File Nos. H24-057 and ER24-245.

Attached please find a **single consolidated PDF** that includes the full comment letter and all supporting materials, including the signature list, the excerpt from the City staff memorandum, the archived project webpage showing Appendix F was not accessible at the time comments were due, the list of California Attorney General CEQA comment letters we incorporate by reference, and the neighborhood access and dead-end roadway diagram.

For your convenience, the same consolidated PDF is also available at the following link:

[https://drive.google.com/file/d/1WMx6tBLGvhufjRtRzIStuiOk66mP5rq9/view?usp=drive\\_link](https://drive.google.com/file/d/1WMx6tBLGvhufjRtRzIStuiOk66mP5rq9/view?usp=drive_link)

If you experience any difficulty opening the attached file, you may open or download the document directly using this link, or let me know and I will resend the materials in an alternate format.

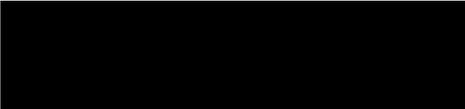
We respectfully request that this comment letter and all supporting materials in the consolidated PDF be accepted into the administrative record for the February 24, 2026 City Council hearing on the appeals for File Nos. H24-057 and ER24-245.

In summary, our letter explains why nearby residents believe that the current Mitigated Negative Declaration does not comply with CEQA due to procedural defects in notice and record access, as well as substantive deficiencies in the analysis of noise, air quality and health risk, traffic and safety, lighting, cumulative impacts, and new statewide standards under AB 98. We respectfully ask the Council to grant the appeals and require preparation of a full Environmental Impact Report, or at minimum to recirculate environmental review with complete and accessible technical appendices.

If there are any questions, or if you have difficulty opening the consolidated PDF, please let me know and I will resend the materials promptly.

Thank you very much for your time and for considering these comments on behalf of our community.

Sincerely,  
Yujia Zheng  
Community Representative, Parkside at Tarob Court Owners  
On behalf of 138 signatory residents and property owners



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*Feb 23, 2026*

Mayor and Members of the City Council  
City of San José  
200 E. Santa Clara Street  
San José, CA 95113

City Clerk  
City of San José  
200 E. Santa Clara Street  
San José, CA 95113

Planning, Building & Code Enforcement Department  
Attn: Rina Shah, Planning Project Manager  
200 E. Santa Clara Street  
San José, CA 95113

**Re: Mitigated Negative Declaration for the 2334 Lundy Place Project – File Nos. H24-057 and ER24-245**

Dear Mayor, Councilmembers, and City Staff:

Thank you for the opportunity to provide comments on the Mitigated Negative Declaration (“MND”) and staff memorandum for the **2334 Lundy Place Project** (File Nos. H24-057 and ER24-245) (the “Project”). After reviewing the MND, the staff response to our appeal, and California Attorney General guidance on similar warehouse and logistics projects, nearby residents believe the MND **does not comply with the California Environmental Quality Act (“CEQA”)** because of:

1. serious **procedural defects** (notice failures, incomplete and gated record, unresolved appeal-processing questions); and
2. **substantive deficiencies** in the evaluation of noise, air quality and health risk, traffic and safety, lighting, and cumulative impacts.

We respectfully submit these comments to urge the City Council to **grant the appeals, vacate the MND and related approvals, and require preparation of a full Environmental Impact Report (“EIR”)** so that the Project’s impacts are properly understood, disclosed, and mitigated to the maximum extent feasible under CEQA’s “fair argument” standard.[1]

I submit these comments on behalf of the **Parkside at Tarob Court Owners**, a residential community of more than **200 existing and under-construction households** located directly adjacent to the Project site. This letter is supported by **138 signatories** from that community, whose signatures are attached as **Attachment 1**.

## I. Project Setting: A 24-Hour Truck Facility Adjacent to Homes and Schools

The Project would develop an approximately **132,000-square-foot warehouse/logistics facility with 16 loading docks** and 24-hour operations immediately across from existing Milpitas residential neighborhoods. Residents' homes are located as close as **approximately 100 feet** from the Project boundary, and children walk, bike, and are driven along **Lundy Avenue** and nearby streets that serve as their school routes.

The City's own environmental documents identify nearby **elementary schools and children** as "**sensitive receptors**" for air quality and noise purposes. At the same time, the surrounding corridor already experiences significant freight activity and regional traffic, raising concerns about **cumulative pollution and safety risks**.

This land-use pattern—high-intensity warehouse operations placed directly next to homes and schools in already-burdened communities—is precisely the kind of scenario that has led the California Attorney General to intervene in similar cases and to urge preparation of EIRs and adoption of stronger mitigation measures.[2]

## II. Procedural Defects: Notice, Record Transparency, and Appeal Processing

### A. Database gaps and ineffective notice left the closest residents uninformed

Staff asserts that notice was mailed to property owners within a **1,000-foot radius** based on county assessor data. At the same time, staff acknowledges that **nearby KB Homes residents did not receive mailed notice** because the county database had not yet been updated to reflect these newly built homes.

In addition, multiple households within the **Parkside at Tarob Court Owners Association**—located approximately 100 feet from the Project boundary—report that they **never received any mailed notice** and did not see any posted notice in locations where residents would typically look for official information. Residents in Parkside have experienced problems with mail theft and unreliable delivery, and the "legal notice" posting locations described by staff were not in the common areas or entry points that Parkside residents routinely pass.

The practical outcome is that **many of the households closest to the Project site were never effectively informed** about the MND or the December 2025 hearing.

Under CEQA, notice must be **reasonably calculated to actually inform those most affected** so they can participate before approvals are granted.[3] Once the City knew (1) that **KB Homes** was omitted from the mailing list due to database lag, and (2) that nearby Parkside residents in practice were not being reached by postcards or postings, the City was obligated to take **reasonable back-up steps** (e.g., outreach through the Association, coordination with the City of

Milpitas, targeted notice to identified sensitive receptors), not simply rely on formalistic steps that were not working on the ground.

**Attachment 2** is an excerpt from the City staff memorandum for File Nos. H24-057 and ER24-245 (page 7). In that memo, staff acknowledges that Milpitas residents who did not receive a postcard notice were not in the County of Santa Clara’s equalized assessment roll and therefore were **not** in the City’s database when notices were mailed, and that the noted elementary schools are about a mile away and “were, therefore, not notified” because they fall outside the 1,000-foot mailing radius.

## **B. Schools identified as “sensitive receptors” were not effectively notified**

The MND identifies nearby **elementary schools** as “**sensitive receptors**,” yet staff’s response indicates that these schools did not receive mailed notice because they fall outside the 1,000-foot radius.

Once the City identifies schools and children as sensitive receptors, it cannot treat them as “**important enough to cite**” in the MND but “**not important enough to notify**” in practice. Excluding them from meaningful participation based solely on a mechanical radius conflicts with CEQA’s core requirements of **public participation and transparency**.<sup>[4]</sup>

At minimum, the City should (1) directly notify the identified schools of the appeals and environmental review, and (2) offer a renewed opportunity for school officials to comment on the Project’s impacts on children.

## **C. Low written comment volume is evidence of notice failure, not public acceptance**

Staff points to the **very small number of written comments**—and the fact that all were from agencies (PG&E, County Roads, Valley Water) and **none from residents or schools**—as if this demonstrates community acceptance and low concern.

In reality, as our community’s experience shows, a large number of directly affected residents:

- **never received mailed notice;**
- **did not see onsite or neighborhood postings** at their normal points of daily activity; and
- only learned of the Project **after** the December hearing and approval.

In this context, low written comment volume is evidence of **notice failure**, not public support. Under CEQA, a defective notice process **cannot be cured** by pointing to the absence of comments from people who were never effectively informed in the first place.<sup>[5]</sup>

## **D. Incomplete and gated administrative record restricts public access**

A transparent CEQA record typically includes, at minimum:

- **hearing minutes** or a complete hearing transcript/record;

- the **hearing agenda and staff report** as provided to the decision-maker;
- any **sign-in sheets or speaker lists**;
- **audio or video recordings** of the relevant hearing; and
- staff's **substantive responses** to public testimony.

In this case, these materials are either **missing from the public case file**, or were only available via informal, **“request-only” channels** not apparent to non-expert residents.

Staff's memo suggests that interested residents could have requested materials by contacting the planner, but **if notice itself was ineffective**, residents did not know there was a project to ask about. CEQA's public access provisions are not satisfied by a process that forces residents to already know **exactly what to request and whom to ask**.<sup>[6]</sup>

To comply with CEQA's requirement for an **informational, reviewable record**, the City should affirmatively place all hearing materials into the public file and ensure they are readily accessible on the Project's webpage.

### **E. Late-posted noise appendix (Appendix F) and the unanswered continuance request**

Residents have preserved a **timestamped, archived version** of the City's Project webpage dated **December 5, 2025**, showing that **Appendix F (the noise study)** was **not accessible** at that time. Yet staff's current noise response repeatedly relies on Appendix F, instructing the public to “see Appendix F” for assumptions and calculations.

This sequence raises three fundamental CEQA concerns:

1. During the critical period when comments and appeals were due, **the public could not review Appendix F**;
2. The City has **not disclosed any version history or upload dates** for Appendix F; and
3. When we discovered in February that this report had been added, we **immediately requested a continuance** so residents could have a fair chance to review and comment on it—but that request has, to date, been **left unanswered**. It was effectively ignored rather than granted or formally denied.

Without the archive timestamp, residents would have no way to prove that the appendix was unavailable. That is exactly how communities get trapped in “you can't prove what you couldn't access.” This is inconsistent with CEQA's emphasis on **public access to environmental documents and a complete administrative record**.<sup>[7]</sup>

**Attachment 3** includes the archived webpage showing that Appendix F was not accessible as of December 5, 2025. Before the City can rely on Appendix F as substantial evidence, it must (1) disclose when and how Appendix F was added or changed, and (2) provide recirculation or a renewed comment opportunity with the noise appendix actually accessible.

### **F. Unresolved questions regarding a December 10, 2025 Association appeal**

In addition to the individual permit appeals that staff acknowledges as timely, the community also understood that a permit appeal was being submitted on behalf of the **Parkside at Tarob Court Owners Association**.

On or about **December 10, 2025**, the Association's then-board representative, Andrew Crowley, informed residents that he had submitted a permit appeal and paid the appeal fee on behalf of the Association. However, in reviewing the staff memorandum and the publicly available file, we have not located any record reflecting that a December 10 Association appeal was logged, processed, or addressed.

Because Mr. Crowley is currently unavailable and we do not yet have access to the City's internal payment or intake records, we cannot independently confirm how the City handled that submission, if at all. We therefore do not ask the Council to make any factual finding based solely on our recollection. Instead, we respectfully request that staff clarify on the record:

1. Whether the City received any permit appeal submitted on or about December 10, 2025 on behalf of the Parkside at Tarob Court Owners Association; and
2. If so, how that appeal and any associated fee were processed and why it is not reflected in the staff memorandum.

If a timely Association appeal was submitted but not properly logged or transmitted to the Council, that would raise additional concerns about the completeness and reliability of the administrative record and the appeal process.

### **III. Substantive Deficiencies: Missing Analyses and Non-Transparent Assumptions**

#### **A. Noise: no transparent analysis of nighttime peak events, event frequency, or multi-story exposure**

The MND and Appendix F present averaged metrics such as **Leq** and **DNL** and conclude that noise at the residential boundary will be below applicable standards with an 8-foot wall in place. However, the record does **not** clearly disclose:

- how many **nighttime peak events** (backup alarms, coupling impacts, air-brake releases, dock impacts) were assumed per hour;
- whether **impulsive or tonal adjustments** were applied;
- how **second- and third-story receptors** were modeled relative to the 8-foot wall and building; or
- whether the analysis considered **peak single-event levels** that are relevant to sleep disturbance and cardiovascular stress.

Staff's own summary of the First Carbon Solutions study states that typical truck loading and unloading activities generate 70–80 dBA L<sub>max</sub> at 50 feet and that the nearest loading docks are approximately 270 feet from the closest residences. Staff also reports that, with an 8-foot wall, the "reasonable worst case" attenuates to about 41 dBA Leq and 50 dBA DNL at the residential

boundary—just under the 55 dBA standard. However, these numbers are presented without disclosing the underlying nighttime event frequency, the number of backup-alarm or coupling events per hour, or how second- and third-story receptors were modeled relative to the wall and building mass. Without that disclosure, the public cannot independently verify whether these averages meaningfully reflect real-world nighttime sleep disturbance for multi-story homes facing a 24/7 truck court.

Residents do not wake from 24-hour averages; they wake from **individual peak events**. Under CEQA, a conclusion that DNL at the property line is below 55 dBA is not substantial evidence of insignificant noise impacts if the underlying analysis never discloses how nighttime peaks, event frequency, and multi-story exposure were treated.[8]

Our concern is not about the noise consultant's motive; it is about **verifiability**. Without transparent disclosure of these assumptions, decision-makers and the public cannot test whether a 24-hour, 16-dock logistics operation next to homes will cause significant nighttime noise impacts.

## **B. Air quality and health risk: undisclosed operational inputs and 24-hour operation**

Staff states that the MND includes a comprehensive air quality and health-risk analysis consistent with air district and OEHHA guidance. Yet health-risk modeling is only as reliable as its **operational inputs**, including:

- truck volumes and **fleet mix** (e.g., proportion of heavy-duty trucks);
- **idling duration** and idling locations;
- whether the facility operates more like a **traditional warehouse** or a **last-mile distribution center**;
- receptor locations and **exposure duration** for residents and children directly facing the site; and
- the **time-of-day distribution** of truck activity for a 24-hour operation.

In addition, the KB Homes residences directly face the project site, and many of the most exposed sensitive receptors are young children living and sleeping in those homes. For these families, diesel exposure is not an abstract, area-wide issue; it is a continuous 24-hour, 365-day-per-year pathway from idling, maneuvering, and loading operations directly across the street. Yet the record does not clearly disclose the fleet mix, daily truck volumes, idling assumptions, or time-of-day distribution used in Appendix A's modeling, and appears to rely on meteorological data representing daytime construction hours rather than 24-hour operations. Under CEQA, use of a recognized model is not enough if the operational inputs and meteorological assumptions are not transparently disclosed and demonstrably representative of the Project's actual 24-hour operating profile.

The public record does not clearly disclose these inputs in a way that allows independent verification. To the extent the modeling relied on **daytime construction-hour meteorological data** for a 24-hour operation, the record does not explain why this is representative of nighttime dispersion conditions.

As the Attorney General has emphasized in prior letters, using a model is not enough; the model and its inputs must constitute **substantial evidence** that health risks have been adequately assessed, especially where children and already-burdened communities are involved.[9] Without transparent operational inputs and a clear explanation of how 24-hour diesel exposure was modeled, the MND's "below threshold" health-risk conclusion is not sufficiently supported.

### **C. Traffic and safety: internal circulation analysis does not address external safety pathways**

Residents in the Parkside at Tarob Court Owners Association community currently rely on a single way in and out of the neighborhood. More than 220 existing and under-construction households must use the same two-lane, undivided segment of Lundy Avenue as their **only** access route. This roadway section:

- has one travel lane in each direction,
- has no marked bicycle lane,
- has no emergency shoulder, and
- directly abuts **one of the two truck access driveways** serving the proposed warehouse at 2334 Lundy Place.

In other words, the same constrained two-lane segment of Lundy Avenue is the only exit for hundreds of residents and is also used by heavy-duty trucks entering and exiting one of the Project's 24-hour truck entrances. Even if the Project has a second driveway, trucks using this access point must share exactly the same narrow, shoulder-less roadway segment that every Parkside and KB Homes resident must use to leave the neighborhood.

The traffic analysis focuses on internal circulation and AM/PM peak hour operations, but it does not meaningfully evaluate whether this **single residential outlet, combined with a project truck driveway on the same two-lane segment**, can reliably serve both a large truck warehouse and an entire residential community under real-world conditions, including:

- daily school commute periods when children and parents are traveling on Lundy Avenue,
- non-peak and nighttime periods when trucks may be queuing or turning across the travel lanes, and
- emergency access and evacuation scenarios where any blockage or queuing on this one residential outlet could delay fire, ambulance, or police response.

These concerns are heightened by the fact that Lundy Avenue in this segment includes a protected bikeway used by schoolchildren and other cyclists; the current analysis does not evaluate conflict points between heavy truck turning movements, the bikeway, and pedestrian school routes.

At the same time, residents have repeatedly described the dead-end roadway geometry, narrow segments, and specific conflict points between site access and the routes used by schoolchildren and other pedestrians. The current traffic analysis does not meaningfully address these external safety and emergency access pathways.

Under CEQA, the potential for a project to interfere with emergency access and to create new safety hazards for pedestrians and cyclists is a relevant environmental impact that must be analyzed, not assumed away with general statements about “adequate queue storage” or a small truck percentage of total daily traffic.[10]

#### **D. Lighting: policy compliance is not a substitute for receptor-level light impact analysis**

Staff’s response to lighting concerns cites:

- existing urban lighting;
- compliance with the City’s outdoor lighting policy and zoning regulations; and
- fixture height limits near residential properties.

These are **design standards**, not an impact analysis. The record does not show a **quantitative evaluation** of:

- light trespass at residential property lines;
- glare and illumination at **bedroom windows** facing the truck court; or
- cumulative effects of 24-hour **yard lighting and truck headlights** for homes directly across from the Project.

Zoning compliance does not automatically demonstrate that glare, spillover, and sky glow are insignificant. CEQA requires a **receptor-based** evaluation of lighting impacts, particularly for 24-hour facilities immediately across from homes.

Particularly for a 24-hour logistics facility facing multi-story homes, nighttime light trespass and glare can contribute to circadian disruption and sleep disturbance even when nominal design standards are met. Without receptor-level analysis, the record does not provide substantial evidence that these health-related lighting impacts are less than significant.

#### **E. Cumulative Impacts (CEQA Guidelines §15130)**

Our prior appeal raised specific concerns regarding **cumulative impacts** under **CEQA Guidelines §15130**, including:

- future development and population growth along affected corridors combined with this project increasing traffic and safety risk;
- combined noise, air, and traffic impacts if planned residential developments, parks, or other industrial/logistics projects nearby proceed; and
- combined impacts with existing freight and pollution sources, including nearby freeway traffic, creating long-term cumulative risks to child safety, health, and daily mobility.

Staff did not substantively respond to this §15130 issue.

Cumulative analysis exists because “each project alone is small” is not a safe conclusion in a corridor already under freight pressure and with sensitive receptors nearby. Without cumulative

analysis, the City cannot responsibly conclude impacts stay below significance as conditions build over time.[11]

The absence of a §15130-compliant cumulative analysis is an independent basis to reject reliance on the MND and require EIR-level review or remand for proper cumulative analysis.

## **F. AB 98 – New Statewide Standards for Logistics Uses Near Homes**

Assembly Bill 98 (“AB 98”) was signed into law in 2024 and took effect January 1, 2026. AB 98 establishes statewide design and siting standards for new logistics uses—including warehouse and distribution facilities that rely on heavy truck loading docks—when they are located near sensitive receptors such as homes and schools.

Among other things, AB 98:

- requires minimum setbacks between truck loading bays and nearby sensitive receptors, **commonly including a 300-foot separation from residential property lines** in many situations;
- requires enhanced buffering and design features to separate logistics activity from neighboring homes; and
- requires truck routing plans that avoid sensitive receptors to the maximum extent feasible.

Based on the City’s own documents, the environmental review and approvals for 2334 Lundy Place occurred in 2025, and the project has not yet received final Council approval as of the February 24, 2026 hearing. We have seen no evidence in the public record showing that this project was already in a qualifying local entitlement process before September 30, 2024, or otherwise grandfathered from AB 98’s requirements.

Because the project functions as a logistics/warehouse facility with 16 loading docks next to existing homes, **AB 98 appears directly relevant to its design and siting.** At minimum, before approving the project, the City should:

**(1)** Clarify on the record whether it contends AB 98 applies to this project, and if not, what specific exemption or grandfathering provision it is relying on and with what evidence; and

**(2)** If AB 98 applies, demonstrate compliance, including:

- measuring the distance from the nearest truck loading bay to the nearest Milpitas residential property line; and
- confirming that no loading dock is located within any minimum required AB 98 setback (e.g., within 300 feet of a sensitive receptor) unless an identified exemption clearly applies.

Recent actions by other California cities underscore why rigorous setbacks and design standards matter for logistics facilities near homes. **For example, the City of Riverside in 2026 adopted warehouse standards implementing AB 98 that limit warehouse size to 10,000 square feet within 200 feet of residences and 100,000 square feet within 800 feet of residences.** A

132,419-square-foot logistics warehouse with 16 loading docks immediately adjacent to existing homes would exceed those modern health-protective benchmarks by a substantial margin. While Riverside's ordinance does not directly bind San José, it illustrates how other jurisdictions are interpreting and applying AB 98's goals to protect nearby communities.

Without clear evidence in the record that AB 98 either does not apply (with a supported legal basis) or that the project complies with AB 98's setback and design requirements, **approving the project would risk inconsistency with current state law and would further undermine the adequacy of the environmental analysis.**

#### **G. Land Use Consistency: Outdoor Industrial Operations and Transit Employment Center (TEC) Goals**

Separately from CEQA, we are concerned that the Project's land-use characteristics are not fully consistent with the San José Municipal Code and the Envision San José 2040 General Plan.

First, the Project is characterized as a "warehouse/distribution" use in the Light Industrial (LI) zoning district. However, **the core of the Project's operation is continuous outdoor industrial activity at 16 truck loading docks, including loading, unloading, idling, staging, and maneuvering in an open truck court.** Under Table 20-110 ("Allowed Uses in Industrial Districts"), outdoor industrial uses and outdoor storage in the LI district typically require a Special Use Permit rather than being permitted by right. We respectfully request that staff clarify on the record how a 24-hour, 16-dock truck court immediately adjacent to homes has been evaluated under the "outdoor uses or storage, industrial" category, and **whether the City has made the findings required for any Special Use Permit that may be implicated.**

Second, the General Plan designates this site as Transit Employment Center (TEC), which is intended to support high-intensity, transit-oriented employment uses that maximize jobs near transit. A low-employment, land-intensive warehouse/distribution facility with large truck courts and relatively few long-term employees appears in tension with those TEC objectives. We ask the Council to consider **whether approving a 132,000-square-foot logistics warehouse at this location is consistent with TEC's stated goal of concentrating high-density jobs near transit, or whether alternative, higher-employment uses would better implement the General Plan's vision for this area.**

### **IV. Relevance of Attorney General Guidance and Incorporation by Reference**

The California Attorney General has issued multiple CEQA comment letters on warehouse and logistics projects near homes and schools, including the **Latitude Business Park** letter and others posted on the Attorney General's CEQA letters webpage.[12]

Those letters consistently emphasize that:

- project descriptions must **fully disclose** the nature and intensity of warehouse operations;

- air quality and health-risk analyses must use **current models, realistic operational inputs, and transparent assumptions**;
- cumulative impacts in already-polluted communities must be **seriously evaluated**; and
- mitigation measures for air quality, noise, and traffic must be **specific, binding, and enforceable**.<sup>[13]</sup>

The same concerns are present here. We therefore **incorporate by reference** relevant Attorney General CEQA comment letters and guidance on industrial/logistics projects as additional legal and technical support for our comments. A list of referenced letters is included as **Attachment 4**.

## V. Requested Actions

Given the procedural and substantive deficiencies identified above, and under CEQA's low "**fair argument**" threshold,<sup>[14]</sup> the City cannot lawfully rely on the current MND to approve the Project.

We respectfully request that the City Council:

1. **Grant the appeals**;
2. **Vacate the MND and associated approvals**;
3. Direct staff to prepare a full **Environmental Impact Report (EIR)** that:
  - corrects notice and record-access defects;
  - discloses and evaluates all key operational assumptions for noise, air quality, traffic, and lighting;
  - thoroughly analyzes **safety and health risk pathways** for children and adjacent residents;
  - includes a **cumulative impact analysis** consistent with CEQA Guidelines §15130; and
  - squarely addresses **AB 98's applicability and any required setbacks and buffers** for logistics uses near homes; or, at minimum,
4. Require **recirculation** of environmental review with all technical appendices accessible and a meaningful opportunity for residents and schools to comment.

Addressing these issues now will protect the health and safety of families and children living next to the Project and will also protect the City by ensuring that any ultimate decision rests on a **legally defensible CEQA record**.

Thank you for your consideration of these comments and for including this letter and all attachments in the administrative record.

Sincerely,

Yujia Zheng  
 Community Representative  
**Parkside at Tarob Court Owners Association**  
 On behalf of **138 signatory residents and property owners**

## Attachments

1. **Attachment 1 – Signature List of 138 Residents and Property Owners**
  2. **Attachment 2 – Staff Statement Regarding Notice and Database Gaps (excerpt from City memo, p.7)**
  3. **Attachment 3 – Archived Project Webpage (Dec. 5, 2025) Showing Appendix F (Noise Study) Not Accessible**
  4. **Attachment 4 – List of California Attorney General CEQA Comment Letters on Warehouse/Logistics Projects Referenced in this Comment**
  5. **Attachment 5 – Neighborhood Access and Dead-End Roadway Diagram**
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## References

- [1] CEQA Guidelines §§ 15063(b)(1), 15064(f)(1); Pub. Res. Code § 21080(d).
- [2] California Attorney General’s CEQA comment letters on warehouse/logistics facilities (e.g., Latitude Business Park MND comment letter, Feb. 7, 2020).
- [3] CEQA Guidelines §§ 15003(a), 15201 (public participation and public access); see also § 15087 (public review of negative declarations).
- [4] CEQA Guidelines §§ 15003(b)–(e), 15201.
- [5] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311 (lack of analysis and disclosure supports fair argument that an EIR is required).
- [6] CEQA Guidelines §§ 15003(e), (f), 15167; 14 Cal. Code Regs. § 15120(d).
- [7] CEQA Guidelines §§ 15003(c), 15074(b), 15148; see also Pub. Res. Code §§ 21003(b), 21081.6(a).
- [8] CEQA Guidelines §§ 15064(f), 15126.2(a); see also AG warehouse/logistics comment letters discussing sleep disruption from nighttime peak noise events.
- [9] Office of Environmental Health Hazard Assessment (OEHHA) guidance on diesel and PM health risk; California Attorney General warehouse/logistics CEQA comment letters regarding air quality methodology and cumulative impacts.
- [10] CEQA Guidelines § 15126.2(a); Appendix G (transportation and safety-related questions).
- [11] CEQA Guidelines §§ 15065(a)(3), 15130; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 719–721.
- [12] California Attorney General’s Office, CEQA Comment Letters (warehouse/logistics projects).
- [13] Latitude Business Park MND comment letter, Sections II.B–E and Attachment A (air quality, noise, and traffic mitigation measures).
- [14] *Pocket Protectors v. City of Sacramento* (2005) 124 Cal.App.4th 903, 928; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1399–1400.

**Attachment 1 – Signature List of 138 Residents and Property Owners**

Supporting Comment Letter re: 2334 Lundy Place Project (H24-057 & ER24-245)

This attachment includes 138 signatures from residents and property owners in the Parkside at Tarob Court Owners Association neighborhood in Milpitas.

All signatories support this comment letter and the appeal regarding the 2334 Lundy Place Project.

Address

Print Name

Signature

DEVANG SHAH  
inoj Govinthasamy  
neethanzali kamalanathan  
Yan Jiang  
HONGPING JIANG  
SREEJA ACHARYA  
ARVIND SREEKUMAR  
Hanfei Sun  
xiaoxi Zhao  
Tongxin Zhang  
Suanna Chao  
Kueying Jiang  
Xiaoran Yang  
Qiao Jiao  
Mingxuan Sun  
Jiagi Li  
Zhichao Le  
Vishal Chandrasekaran  
Yingjing Lao  
Zhenyuan  
Jay Gong  
XIAOBANG LIU  
Li Zhi Liao  
Xi Chen  
Qi Zhou  
Mengxue Zhang  
Yunging Cao  
Xuyan Zhang  
Yan Kun Li

Address

Print Name

Signature

Yuyao Zhu

Mumiao Lu

Kewen Han

Jing Li

J-P LANOIS

Huijing Zhang

Haomeng Cai

Yujia Zheng

Jing Lu

Haoliang Gao

Gumpeng Sheng

Wenjun Zeng

Gene Li

Tian Liang

Hui Et

SHUAL YE

Danson Tang

Clare Miao

Xi Yang

Xuanyi Zhao

HARAN KESARLA CHANDRASHA

Jiayi Dong

Tairan Zhu

Pengyu Huang

Xing Li

Chen Zhao

Hechao Li

Minghui Shen

MARCELO MARTINS

BHARTI KODWANI

Manthan Shah

Address

Print Name

Signature

Andrew Dang  
RAKESH NANDYALA  
Derrick Chang  
Huang xi  
xiuyang yang  
Tina Kwan  
Ringo HUNG  
Yahyan Kang  
Austin Mei  
Tianshu Zhou  
Amita Bhogarin  
SREENIVAS BHOGI  
JENNIFER DANG  
ANRISHANT  
ANRISHANT PADMANABHAN  
Chenzi Qian  
Scott Chung  
Xuedan Chen  
PARTHA SHAH  
AVINASH PARASURAMAN  
VAIBHAV GANDHI  
ABHISHEK BINDIGANAVILE  
Megha Seshadri  
Arijun Shah  
Anzha Dalal  
Xin Tong  
Da Wang  
Aaron Xu  
SHIVASI ARUN VIDMALE  
Kanchan Ashok Chandnani  
Xinyuan Huang

Address

Print Name

Signature

Jun Zhao

Mantlin Wu

Bowen Wang

Jiacheng Guo

Guandong Zhu

Atif Iqbal Ahangar

Nidhi Narayanan

BHAVNESH GUPTA

SNEHA SINGH

STEFANO CADARIO

NATALIE CADARIO

JANE LEE

Ji WANG

Swati Rao

Charles Q

Mohan Behera

Srilanth Velogacherla

Sai Manjula Panjam

Amy Paul

Robin James

Pei Sun

Xin Sun

VIKAS MALLAPURA

GAHANA KUNDUR

YAO WEI CHU

Jia Shi

Lindsey Li

Chien Gui Peter Chu

Amy Chiu





*Nehal Gandhi*

NEHAL GANDHI

*Romin Parekh*

ROMIN PAREKH



GANESH IYER



KIRTI BALAGOPAL

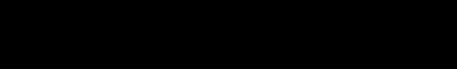


Nethra Mugala



Anil Surapaneni

Manjula Yatharaj



## Attachment 2 – Staff Statement Regarding Notice and Database Gaps

(Excerpt from City staff memorandum for H24-057 & ER24-245, p.7)

The following excerpt is taken from page 7 of the City staff memorandum. It confirms that some Milpitas residents did not receive postcard notice because they were not yet in the County's database, and that the noted elementary schools are about a mile away and "were, therefore, not notified" because they are outside the 1,000-foot mailing radius.

Below are the staff's responses to the appellants' permit appeal comments.

### **Comment #1: Inadequate Notice to affected Milpitas residences, Northwood and Brooktree Elementary schools, and the KB homes community.**

The appellant raised the issue that the notice was inadequate as the sensitive receptors, such as the residents, the newly developed community by KB Homes across Lundy Avenue, and the elementary schools, were not notified of the project, the MND, or the public hearing, and that violates the fundamental requirement of meaningful public participation.

#### **Staff Response:**

Pursuant to Section 20.100.190 of the City of San Jose Municipal Code (SJMC), a postcard notice was mailed out within a 1,000-foot radius of the subject property and to an additional 30-50 interested parties, who either requested mailings or were in attendance at the community meeting, approximately 26 days before the public hearing held on December 3, 2025. The agenda and draft permit were posted on the city's website approximately seven days before the hearing. The project site also includes two signs posted since January 29, 2025, along Trade Zone Boulevard and Lundy Avenue

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HONORABLE MAYOR AND CITY COUNCIL  
Month Day, Year (of Memo Due Date to CMO Agenda Services)  
Subject: H24-057 & ER24-254  
Page 7

Street frontages notifying nearby residents of the project proposal, the Planner's contact information, and how to join the email lists.

The Milpitas residents who did not receive a postcard notice were not on the equalized assessment roll adopted by the County of Santa Clara and hence were not in the city's database system at the time the Notices were mailed. This is because the information of new residents is transferred from the County of Santa Clara's database. The City pulls that data from the County during its Geographic Information System (GIS) system updates, which may happen at annual cycles, given the size of the datasets provided by the County. Therefore, this error was not an intentional omission of residents from notice and does not violate the city's normal notice procedures. A proof of the declaration that the notices were mailed is available upon request.

The noted elementary schools are about a mile away (to the northeast and southeast) from the subject site and not within the 1,000-foot mailing radius, and were, therefore, not notified.

### Attachment 3 – Archived Project Webpage (Dec. 5, 2025) Showing Appendix F Not Accessible

On December 5, 2025, residents accessed the City’s project webpage via the Internet Archive (Wayback Machine) at the following URL:

<https://web.archive.org/web/20251205204632/https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/2334-lundy-place-project>

As shown on the archived page, the list of “Environmental Review Documents” includes the Initial Study and Mitigated Negative Declaration and Appendices A, B.1, B.2, B.3, C.3, D, E.1, E.2, G.1, and G.2, but **does not include Appendix F (Noise Study)**. At the time comments and appeals were due, Appendix F was therefore not accessible to the public.

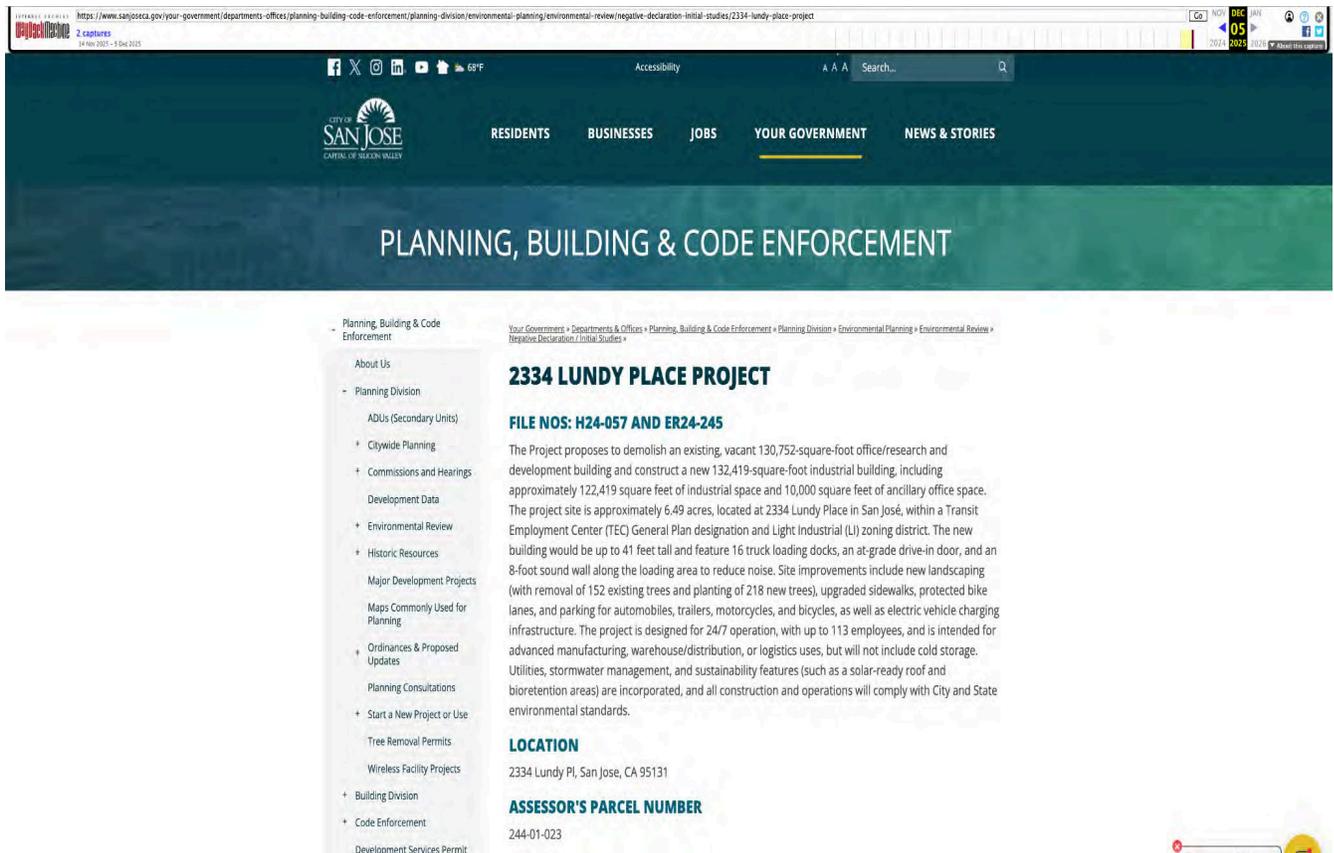


Figure 1 – Internet Archive (Wayback Machine) capture dated December 5, 2025 for the City’s 2334 Lundy Place project webpage.

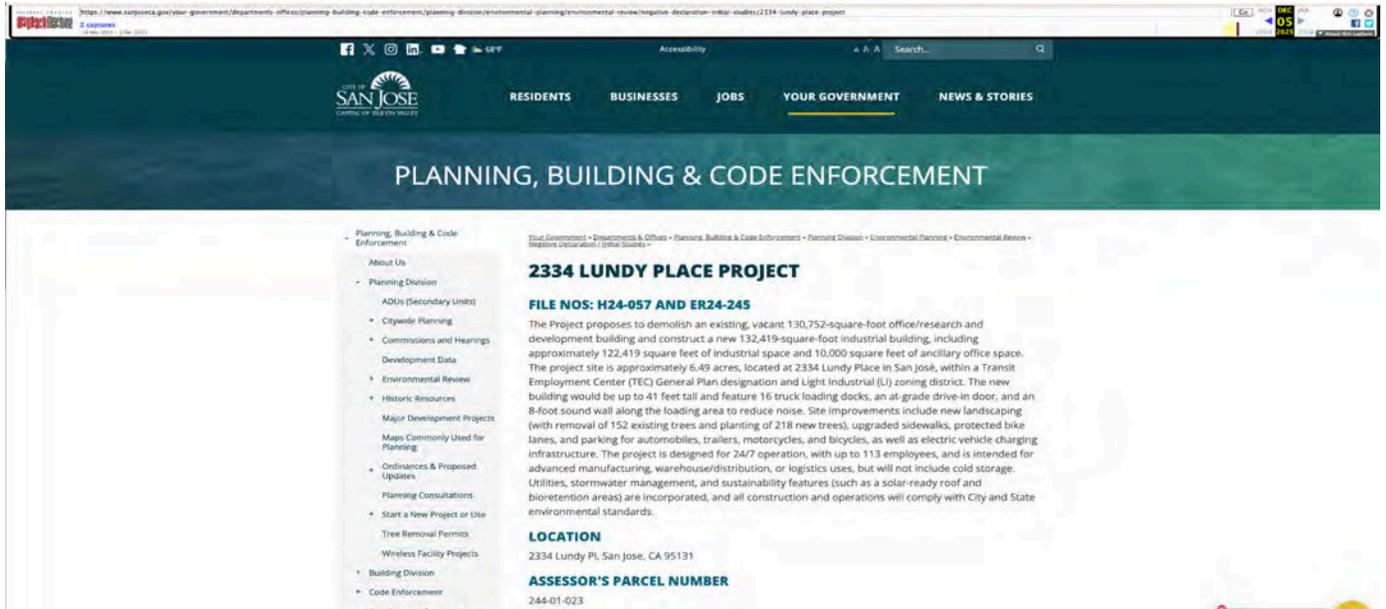


Figure 2 – Environmental review documents listed on the December 5, 2025 archived page. The list includes the Initial Study and Appendices A, B.1, B.2, B.3, C.3, D, E.1, E.2, G.1, and G.2, but does not include Appendix F (Noise Study).

#### **Attachment 4 – List of AG CEQA Comment Letters**

The following California Attorney General CEQA comment letters on warehouse and logistics projects are incorporated by reference. They provide additional legal and technical support for the concerns raised in this comment letter, including project description, air quality and health risk assessment, noise, traffic safety, cumulative impacts, and mitigation for industrial facilities located near homes and schools.

**California Attorney General, Comment Letter on the Mitigated Negative Declaration for the Latitude Business Park (SCH #2020019017), City of Corona (February 7, 2020).**

Available at:

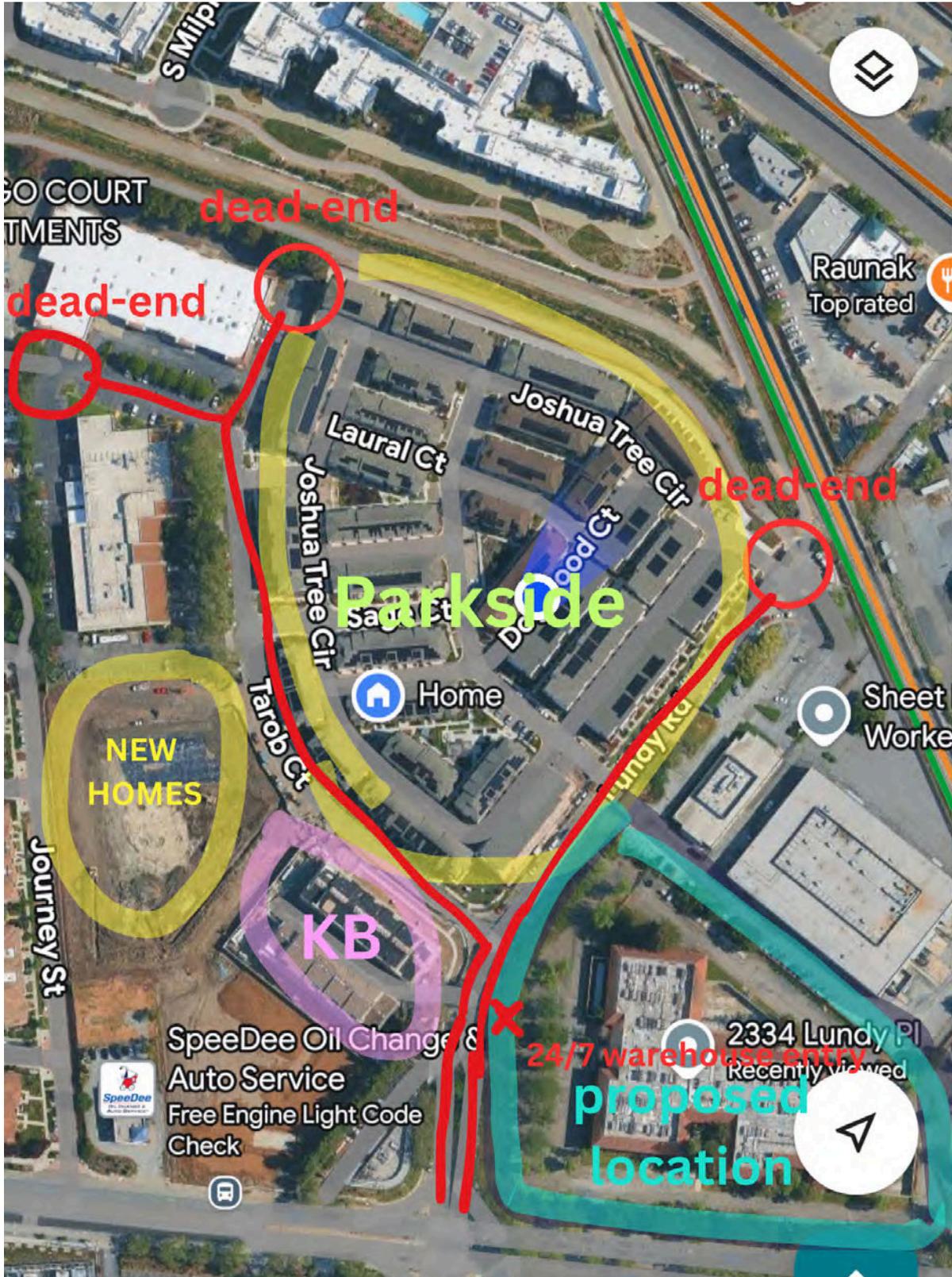
<https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/comment-latitude-bus-park-mnd.pdf>

**California Attorney General, CEQA Comment Letter on the Draft Environmental Impact Report for the Mariposa Industrial Park (SCH #2020120283), City of Stockton (October 7, 2021).**

Available at:

<https://oag.ca.gov/system/files/media/Mariposa%20Industrial%20Park%20AGO%20CEQA%20Comment%20Letter.pdf>

Attachment 5 – Neighborhood Access and Dead-End Roadway Diagram



### **Figure 1 – Dead-End Street Network and Shared Residential / Truck Access Route**

This aerial diagram shows the Parkside at Tarob Court neighborhood, the KB Homes community, and new homes under construction, all of which are served by a single two-lane, undivided exit on Lundy Avenue. The red circles mark dead-end streets with no alternate outlet. The red line and arrows show the only vehicle exit for more than 220 households. The segment of Lundy Avenue at the southeast corner of the site is also **one of two truck access points** serving the proposed 24/7, 16-dock warehouse at 2334 Lundy Place, so trucks using this driveway must share the same constrained two-lane roadway with all residential traffic. Lundy Avenue in this segment has no bike lane and no emergency shoulder. This constrained, dead-end access pattern and shared truck/residential route are not meaningfully analyzed in the current traffic and safety study.